
Final Environmental Impact Report

Irvine Gateway Village Project

STATE CLEARINGHOUSE NUMBER 2024100742

NOVEMBER 2025

Prepared for:

CITY OF IRVINE

1 Civic Center Plaza

Irvine, California 92606

Contact: Erica Hong, Senior Planner

Prepared by:

DUDEK

27271 Las Ramblas, Suite 340

Mission Viejo, California 92691

Contact: Rachel Struglia, PhD, AICP

Table of Contents

SECTION	PAGE NO.
1	Introduction 1-1
1.1	Introduction..... 1-1
1.2	Contents and Organization of Final Environmental Impact Report..... 1-2
1.3	California Environmental Quality Act Review 1-3
2	Responses to Comments Received 2-1
	Comment Letter – OC LAFCO (A1) 2-3
	Response to Comment Letter A1 2-5
	Comment Letter – DTSC (A2) 2-9
	Response to Comment Letter A2 2-13
	Comment Letter – U.S. Fish and Wildlife Service (A3)..... 2-15
	Response to Comment Letter A3 2-17
	Comment Letter – OCTA (A4) 2-19
	Response to Comment Letter A4 2-21
	Comment Letter – OCPW (A5)..... 2-23
	Response to Comment Letter A5 2-29
	Comment Letter – Caltrans (A6) 2-33
	Response to Comment Letter A6 2-35
	Comment Letter – CDFW (A7) 2-37
	Response to Comment Letter A7 2-55
	Comment Letter – SAFER (O1)..... 2-61
	Response to Comment Letter O1..... 2-63
	Response Letter – City of Irvine to SAFER (O1)..... 2-65
	Comment Letter – Joyce Perry (O2) 2-67
	Response to Comment Letter O2 2-69
	Comment Letter – Zhang (I1)..... 2-71
	Response to Comment Letter I1 2-73
	Comment Letter – Godse (I2)..... 2-75
	Response to Comment Letter I2 2-77
	References 2-81
3	Changes to the Draft Environmental Impact Report..... 3-1
3.1	Introduction..... 3-1
3.2	Changes to the Draft EIR 3-1
3.2.1	Changes to Chapter 1, Executive Summary..... 3-1
3.2.2	Changes to Chapter 3, Project Description 3-1
3.2.3	Changes to Section 4.2, Agriculture and Forestry Resources..... 3-8

3.2.4	Changes to Section 4.3, Air Quality	3-9
3.2.5	Changes to Section 4.4, Biological Resources	3-10
3.2.6	Changes to Section 4.9, Hazards and Hazardous Materials	3-14
3.2.7	Changes to Section 4.11, Land Use	3-15
3.2.8	Changes to Section 4.14, Public Services	3-19
3.2.9	Changes to Section 4.15, Recreation.....	3-19
3.2.10	Changes to Section 4.16, Transportation	3-20
3.2.11	Changes to Section 4.17, Tribal Cultural Resources.....	3-20
3.2.12	Changes to Section 4.18, Utilities and Service Systems.....	3-21
3.2.13	Changes to Chapter 5, Other CEQA Considerations	3-23
3.3	Changes to Appendices to the Draft EIR.....	3-24
4	Mitigation Monitoring and Reporting Program	4-1
4.1	Introduction.....	4-1
4.2	Mitigation Monitoring and Reporting Program Table	4-1

FIGURES

3-6	Annexation Area	3-25
4.16-3	City of Irvine Bicycle Facilities Updated	3-27

TABLES

2-1	Comments Received on the Draft Environmental Impact Report.....	2-1
4-1	Mitigation Monitoring and Reporting Program	4-2

APPENDIX

A	Related Correspondence
---	------------------------

1 Introduction

1.1 Introduction

This final environmental impact report (Final EIR) assesses the potentially significant environmental effects of the Irvine Gateway Village Project (project).

As described in the Draft EIR, the project would develop a new, approximately 105-acre residential village with approximately 1,360 residential units, called Gateway Village (Planning Area 2). The project would also include development of parks, a community garden, paseos, and an approximately 2,750-foot extension of the Jeffrey Open Space Trail (JOST) east from Portola Parkway to the entrance of the new Gateway Preserve. The project would include 25% affordable housing, consistent with the Surplus Lands Act.

The City of Irvine (City) and other state and local agencies will rely on the environmental impact analysis presented in this EIR when issuing discretionary approvals associated with implementing the project. In addition to City approvals, approvals from other agencies may be required, including from the following:

- **California Department of Fish and Wildlife** – Section 1602 Lake and Streambed Alteration Agreement for Hicks Canyon Wash
- **Santa Ana Regional Water Quality Control Board** – Section 401 Permit for Hicks Canyon Wash, stormwater pollution prevention plan and Construction General Permit
- **Local Agency Formation Commission of Orange County** – Annexation of two county parcels within the project boundaries

Because of their potential need to issue permits or approvals on the project, the agencies and land use jurisdictions listed above are considered responsible agencies in this EIR, pursuant to Section 21069 of the California Public Resources Code.

As described in the California Environmental Quality Act (CEQA) and the CEQA Guidelines, public agencies are charged with the duty to avoid or substantially lessen significant environmental effects, with consideration of other conditions, including economic, social, technological, legal, and other benefits. As required by CEQA, this Final EIR assesses the significant direct and indirect environmental effects of the proposed project, as well as the significant cumulative impacts that could occur from implementation of the proposed project. This Final EIR is an informational document only, the purpose of which is to identify the significant effects of the proposed project on the environment; to indicate how those significant effects could be avoided or significantly lessened, including feasible mitigation measures; to identify any significant and unavoidable adverse impacts that cannot be mitigated to less than significant; and to identify reasonable and feasible alternatives to the proposed project that would avoid or substantially lessen any significant adverse environmental effects associated with the proposed project and achieve the fundamental objectives of the proposed project.

Before approving a project, CEQA requires the lead agency to prepare and certify a Final EIR. The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines as follows:

The Final EIR shall consist of:

- A. The Draft EIR or a revision of the Draft.
- B. Comments and recommendations received on the Draft EIR either verbatim or in summary.
- C. A list of persons, organizations, and public agencies commenting on the Draft EIR.
- D. The responses of the lead agency to significant environmental points raised in the review and consultation process.
- E. Any other information added by the lead agency.

The lead agency must provide each agency that commented on the Draft EIR with a copy of the lead agency's proposed response at least 10 days before certifying the Final EIR.

1.2 Contents and Organization of Final Environmental Impact Report

This Final EIR will be used by the City as an informational document for the proposed Irvine Gateway Project. The Final EIR, in compliance with Section 15132 of the CEQA Guidelines, is organized as follows:

Chapter 1, Introduction. This chapter provides general information on, and the procedural compliance of, the proposed project and the Final EIR.

Chapter 2, Responses to Comments. This chapter includes a list of those who provided comments on the Draft EIR during the public review period. This chapter also includes the comments received on environmental issues raised during the public review process for the Draft EIR, and the City's responses to these comments. Each comment is assigned a comment number that corresponds to a response number and response.

Chapter 3, Changes to the Draft Environmental Impact Report. This chapter contains a summary of changes made to the document since publication of the Draft EIR as a result of comments received. Revisions were made to clarify information presented in the Draft EIR; only minor technical changes or additions have been made. These changes and additions to the Draft EIR do not raise important new issues related to significant effects on the environment, and are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines. This chapter describes the changes that were made and presents the textual changes made since public review of the Draft EIR. Changes are signified by strikethrough text (i.e., ~~strikethrough~~) where text was removed, and by underlined text (i.e., underline) where text was added.

Chapter 4, Mitigation Monitoring and Reporting Program. This chapter of the Final EIR provides the Mitigation Monitoring and Reporting Program for the proposed project. The Mitigation Monitoring and Reporting Program is presented in table format and identifies mitigation measures for the proposed project, the party responsible for implementing each mitigation measure, the timing for implementing each mitigation measure, and the monitoring and reporting procedures for each mitigation measure.

1.3 California Environmental Quality Act Review

Pursuant to Section 15082 of the CEQA Guidelines, a Notice of Preparation dated October 16, 2024, was circulated to interested agencies, organizations, and individuals. The Notice of Preparation was also sent to the State Clearinghouse at the California Governor's Office of Planning and Research (now the California Governor's Office of Land Use and Climate Innovation). The State Clearinghouse assigned a state identification number (SCH No. 2024100742) to this EIR.

The City held a public scoping meeting during the Notice of Preparation review period to gather additional public input on the scope of the environmental document. The meeting was held on October 23, 2024, at 5:30 p.m. at Irvine City Hall. The meeting was also open to web-based participation through the City's Zoom channel. During the scoping meetings, the City did not receive any comments on the scope of the EIR.

The 30-day public scoping period ended on November 15, 2024. Comments received during the 30-day public scoping period were considered during preparation of the Draft EIR. Copies of the comment letters received in 2024 are provided in Appendix A of the Draft EIR, and included comments from four members of the public and the following agencies:

- Orange County Fire Authority
- California Department of Fish and Wildlife
- California Department of Transportation
- Southern California Association of Governments
- County of Orange Waste and Recycling
- Native American Heritage Commission
- Orange County Public Works Department

Comments from agencies focused on potential impacts and issues related to air quality, biological resources, greenhouse gases, public services, transportation, and tribal cultural resources. Issues, concerns, and potential impacts raised in comment letters received during the 2024 public scoping period were discussed and addressed in the Draft EIR, and no further response to these comments is needed in this Final EIR.

A Notice of Availability of the Draft EIR was sent to agencies and interested parties on September 5, 2025, and the Draft EIR was circulated for a public review period from September 5, 2025, through October 20, 2025. The City received 11 comment letters during the 2025 public review period. A list of the comments received, copies of the comment letters received, and responses to comments are included in Chapter 2 of this Final EIR. Further letters relating to the Draft EIR that were directed to other addressees are included in Appendix A, Related Correspondence, solely for informational purposes. Chapter 2 will also be provided to public agencies and members of the public who commented on the Draft EIR a minimum of 10 days prior to the public hearing at which the EIR on the proposed project will be considered, per CEQA Guidelines Section 15088.

INTENTIONALLY LEFT BLANK

2 Responses to Comments Received

This chapter of the final environmental impact report (Final EIR) includes a copy of all comment letters that were submitted during the public review period for the Draft EIR for the proposed Irvine Gateway Village Project (project), along with responses to those comments in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15088. The public review period for the Draft EIR began on September 5, 2025, and ended on October 20, 2025.

One public scoping meeting was held on October 23, 2024. Comments received during the scoping meeting and in writing during the scoping period were included in the Draft EIR in Chapter 2, Introduction, and included in Appendix A, Notice of Preparation and Scoping Comments, of the Draft EIR.

All written letters commenting on the analysis in the Draft EIR have been coded with a letter and number to facilitate identification and tracking (see Table 2-1). The comment letters were reviewed and divided into individual comments, with each comment containing a single theme, issue, or concern. Individual comments and the responses to them were assigned corresponding numbers (e.g., A1-1, A1-2, A1-3). Each comment letter is the submittal of an agency (A), an organization (O), or an individual (I). To aid readers and commenters, electronically bracketed comment letters have been reproduced in this document, with the corresponding responses provided immediately following each comment letter. The interested parties listed in Table 2-1 submitted letters during the public review period for the Draft EIR. Additional correspondence on the project is included in Appendix A, Related Correspondence, to this Final EIR.

Table 2-1. Comments Received on the Draft Environmental Impact Report

Comment Letter Designation	Commenter	Date
Agencies		
A1	Orange County Local Agency Formation Commission	September 5, 2025
A2	Department of Toxic Substances Control	September 12, 2025
A3	U.S. Fish and Wildlife Service	September 22, 2025
A4	Orange County Transportation Authority	October 14, 2025
A5	Orange County Public Works, Waste & Recycling, Parks	October 20, 2025
A6	California Department of Transportation	October 20, 2025
A7	California Department of Fish and Wildlife	October 20, 2025
Organizations		
O1	Rebecca Davis, Lozeau Drury LLP, for SAFER	September 22, 2025
O2	Joyce Perry for the Juaneño Band of Mission Indians, Acjachemen Nation–Belardes	October 2, 2025
Individuals		
I1	Juliet Zhang	September 10, 2025
I2	Neil Godse	September 16, 2025

Notes: A = agency; O = organization; I = individual.

To finalize the EIR for the proposed project, the following responses have been prepared for comments that were received during the public review period. These responses will be distributed to the commenters as required by CEQA Guidelines Section 15088(b).

Comment Letter A1

From: Aimee Diaz <adiaz@oclafco.org>
Sent: Friday, September 5, 2025 1:58 PM
To: Andrew Pham <apham@cityofirvine.org>; Erica Hong <EHong@cityofirvine.org>
Cc: Luis Tapia <ltapia@oclafco.org>
Subject: Proposed Annexation Document Drafts

CAUTION: EXTERNAL EMAIL

Good afternoon Andrew and Erica,

I reviewed the documents you each sent. Please see my feedback below.

Irvine City Council Resolution:

Andrew, Attachment 1 includes suggested changes to the draft Resolution. Please review the suggested changes and let me know if you have any questions or would like to discuss any of the changes.

A1-1

Environmental Impact Report:

Erica, Attachment 2 includes a sample report to demonstrate how OC LAFCO requires references to a change of organization (annexation) in an EIR. Please direct your attention to pages 2-25, 2-33 to 2-34, 4-75, and 4-81 of the document, where I have provided comments and revised language that more accurately reflects the proposed annexation. Please review the comments and suggested language and send us a copy of the draft EIR before it is published for review. Let me know if you have any questions.

A1-2

Map and Legal:

Andrew, regarding the Map and Legal you provided, could you please confirm that the first 9 pages represent the final map and legal description, and that pages 10-16 are not to be included?

A1-3

Further Drafts:

As you both finalize drafts of the EIR, pre-zoning ordinance, or the pre-annexation agreement, we would appreciate it if you could share them with us. This will ensure that any required OC LAFCO language is appropriately incorporated.

A1-4

Please feel free to reach out with any questions or if further clarification is needed.

Best regards,

Aimee Diaz

Policy Analyst I

ORANGE COUNTY LAFCO

2677 N. Main St., Ste 1050

Santa Ana, CA 92705

(714)-640-5100 (Main)



Response to Comment Letter A1

Orange County LAFCO
Aimee Diaz
September 5, 2025

- A1-1** This comment introduces Attachment 1, which suggests language changes to the Irvine City Council Resolution that City staff will be implementing. This comment does not pertain to the environmental analysis or the EIR. Attachment 1 is therefore not included in this Final EIR.
- A1-2** Attachment 2 to the comment letter is an Initial Study/Mitigated Negative Declaration for an unrelated project that contains language the Orange County Local Agency Formation Commission (OC LAFCO) wants to see in this Final EIR. Attachment 2 is not included in this Final EIR. Portions of Chapter 3, Project Description, were modified to reflect these changes, as well as portions of Chapter 4.11, Land Use. A section called “Reorganization” has been added to Section 3.5.1, Project Components, at OC LAFCO’s request. A new figure, Figure 3-6, Annexation Area, has also been added to the Final EIR. Note that the new table, Table 3-2, required renumbering of the subsequent table. The new subsection is provided in its entirety, without strikethrough/underline (ST/U), below:

Reorganization

The project requires the annexation of two areas (the “Notch” parcels 1 and 2),¹ encompassing approximately 1.41 acres (Notch 1) and 0.56 acres (Notch 2), from the Orange County unincorporated area into the City of Irvine.² The annexation would adjust the boundary between Orange County’s unincorporated area and the City of Irvine. Figure 3-6, Annexation Area, shows the unincorporated areas for the proposed annexation are northwest of Bee Canyon Access Road.

The annexation consists of (1) annexation of two areas located in the Orange County unincorporated area, consisting of 1.41 acres and 0.56 acres, to the City of Irvine and (2) amendment of the City of Irvine’s sphere of influence. In addition, the annexation would result in a change of service providers, as shown in Table 3-2.

Table 3-2. Service Providers

Service Provider	County of Orange (Prior to Annexation)	City of Irvine (Post Annexation)
Water	IRWD	IRWD
Sewer	IRWD	IRWD
Solid Waste	WM	WM
Police	City of Irvine Police Department	City of Irvine Police Department
Fire	OCFA	OCFA
Planning	County of Orange	City of Irvine Community Development Department

Notes: IRWD = Irvine Ranch Water District; OCFA = Orange County Fire Authority.

¹ The Notch parcels are on the eastern property line, which is irregular in shape and creates a notch with a jagged edge that makes it difficult to efficiently lay out streets, homes, and neighborhood amenities.

² “Annexation” means the inclusion, attachment, or addition of territory to a city or district.

Upon completion of the annexation, the City would assume service responsibilities for the reorganized area and would be entitled to a portion of the revenue previously accrued to offset associated service costs. For the proposed project, a property tax exchange agreement must be negotiated and approved by both the City and the Orange County Board of Supervisors.

In Section 3.6, Intended Uses of This Draft EIR, the following sentence was added to the Permits and Approvals subsection, as shown in ST/U below:

Permits and Approvals

The City would obtain all permits and approvals, as required by law. A list of permits or other forms of approval required for the proposed project is provided in Table 3-3-3-2. This list also includes the Orange County LAFCO as a responsible agency. According to Section 15381 of the CEQA Guidelines, a “responsible agency” is defined as a public agency other than the lead agency that will have discretionary approval power over the project or some component of the project, including mitigation.

The numbering of Table 3-2, Permits or Other Actions Required, was changed to “Table 3-3” and the table was modified to add a “Responsible Agency” subheading above “Local Agency Formation Commission of Orange County.” The text for the Orange County LAFCO’s permit regulatory requirement or approval was modified as follows (shown in ST/U):

Annexation Approval of the annexation of 1.97 acres of county parcels within project boundaries into the City of Irvine and concurrent agency sphere-of-influence amendments. Recordation of a Certificate of Completion with the County Recorder’s Office upon satisfaction of all terms and conditions in the resolution ordering the reorganization.

In Chapter 4.11, Land Use, of the Draft EIR, the following text was added to the impact analysis under Threshold 1 (shown in ST/U):

The proposed project would include an extension of the Jeffrey Open Space Trail (JOST), which is an important element in the City’s overall Open Space system, linking the conservation and open space lands within the City. The existing JOST runs south to north along Jeffrey Road from Walnut Avenue to Portola Parkway. The proposed project would extend the JOST north, including constructing a pedestrian bridge over Portola Parkway, to terminate at the future Gateway Preserve (a separate project).

The proposed project would require the modification of the City’s jurisdictional boundary line for the annexation of two areas, including 1.41 and 0.56 acres, from the Orange County unincorporated area. The annexation would adjust the boundary between the City of Irvine and the Orange County unincorporated area. The boundary between the City of Irvine and the Orange County unincorporated area would follow the line shown in Figure 3-6, Area of Annexation. As such, the proposed project would further connect existing communities and no impact would occur related to physically dividing an established community.

The Impact Summary at the end of the Land Use Impacts Analysis section (Section 4.11.4) was modified to add the following text, shown in ST/U:

Impact Summary

The project requires the annexation of two areas, encompassing approximately 1.41 acres and 0.56 acres, from the Orange County unincorporated area into the City of Irvine. The annexation would adjust the boundary between

Orange County's unincorporated area and the City of Irvine. Figure 3-6 shows the unincorporated areas for the proposed annexation are northwest of Bee Canyon Access Road.

The annexation consists of (1) annexation of two areas located in Orange County unincorporated area, consisting of 1.41 acres and 0.56 acres, to the City of Irvine and (2) amendment of the City's sphere of influence. In addition, the annexation would result in a change of service providers, as shown in Table 3-2, Service Providers. The annexation process would be organized through coordination with the Orange County Local Agency Formation Commission (LAFCO) and the City. The reorganization would require an agreement of property tax exchange between the County and the City and would require discretionary action from the Orange County LAFCO. Under the condition in which the annexation is approved, the jurisdictional control of the land would change and regulation of the reorganized area would change from the County of Orange General Plan to the Irvine 2045 General Plan.

Impacts Overall, impacts from the proposed project related to land use and planning would be significant and unavoidable because the proposed project would conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Despite implementation of MM-GHG-1 through MM-GHG-4, the project would conflict with certain key attributes of the 2022 CARB Scoping Plan Update, which is intended to avoid or mitigate an environmental effect.

These changes are reflected in Chapter 3, Changes to the Draft EIR, of this Final EIR.

- A1-3** This comment is asking about the map and legal description that City staff will be implementing. This comment does not pertain to the adequacy of the environmental analysis or the Draft EIR.
- A1-4** The comment requests that the City provide drafts of the EIR and the pre-zoning ordinance and/or pre-annexation agreement to OC LAFCO. The City will provide a draft of the Final EIR response and changes to the OC LAFCO for review. No further response is required.

INTENTIONALLY LEFT BLANK



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Katherine M. Butler, MPH, Director
8800 Cal Center Drive
Sacramento, California 95826-3200
dtsc.ca.gov

SENT VIA ELECTRONIC MAIL



Gavin Newsom
Governor

September 12, 2025

Erica Hong
Senior Planner
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606
ehong@cityofirvine.org

RE: DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE GATEWAY VILLAGE
PROJECT DATED SEPTEMBER 5, 2025, STATE CLEARINGHOUSE NUMBER
[2024100742](https://clearinghouse.ca.gov/2024100742)

Dear Erica Hong,

The Department of Toxic Substances Control (DTSC) reviewed the Draft Environmental Impact Report (DEIR) for the Gateway Village Project (Project). The Project includes the development of 1,360 two- to three-story homes, including both attached and detached homes, with an average site density between 10 to 40 units per acre. DTSC recommends and requests consideration of the following comments:

1. A Phase II Environmental Site Assessment was conducted by Stantec and the following recommendations were stated: "Given the long history of the Site for commercial and agricultural uses, there is potential that previously undocumented and/or unknown structures may be identified during redevelopment of the Site. Therefore, Stantec recommends preparation and implementation of a Soil Management Plan (SMP) to address the potential to encounter any subsurface features during construction. The SMP would include protocols to properly identify and manage subsurface features, potential impacts, and proper notification requirements."

A2-1

A2-2

Erica Hong
September 12, 2025
Page 2

DTSC does not recommend a Soil Management Plan (SMP) be used as a primary cleanup plan. DTSC recommends that any potential contamination be fully characterized and then remediated under the oversight of a [self-certified local agency](#), DTSC or Regional Water Quality Control Board. A SMP alone cannot sufficiently identify and document the potential contaminants that may pose a threat to human health and the environment. DTSC recommends that a cleanup plan, a Removal Action Workplan, or a Remedial Action Plan be prepared to adequately address all site impacts after complete characterization.

2. All imported soil/fill material should be tested to assess any contaminants of concern meet screening levels as outlined in [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil/fill material there should be documentation of the origins of the soil/fill material and, if applicable, sampling be conducted to ensure that the imported soil/fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC would like to thank you for the opportunity to comment on the DEIR for the Gateway Village Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions regarding these comments, please contact us via our [CEQA Review email](#).

Sincerely,

Tamara Purvis

Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Tamara.Purvis@dtsc.ca.gov

A2-2
Cont.

A2-3

A2-4

Erica Hong
September 12, 2025
Page 3

cc: (via email)

Governor's Office of Land Use and Climate Innovation
State Clearinghouse
state.clearinghouse@lci.ca.gov

Rachel Struglia
Project Manager
Dudek / Consulting Firm
rstruglia@dudek.com

Derek Spalding
Development Director
Brookfield Homes / Project Applicant
Derek.Spalding@brookfieldrp.com

Dave Kereazis
Associate Environmental Planner
HWMP-Permitting Division – CEQA Unit
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Scott Wiley
Associate Governmental Program Analyst
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control
Scott.Wiley@dtsc.ca.gov

INTENTIONALLY LEFT BLANK

Response to Comment Letter A2

**California Department of Toxic Substances Control
Tamara Purvis, HWMP – Permitting Division – CEQA Unit
September 12, 2025**

A2-1 This comment introduces the comment letter and summarizes the commenter's understanding of the project. This comment does not pertain to the adequacy of the environmental analysis or the EIR.

A2-2 This comment summarizes the recommendation of the Phase II Environmental Site Assessment (ESA) prepared by Stantec, which recommended preparation and implementation of a Soil Management Plan (SMP). The comment states that the California Department of Toxic Substances Control (DTSC) does not recommend that a SMP be used as a primary cleanup plan. Instead, DTSC recommends full characterization of any potential contamination, then remediation of identified contamination under regulatory oversight. DTSC's recommended remediation actions include a cleanup plan and removal action plan.

As outlined in the Hazards and Hazardous Materials section of the Draft EIR, specifically Section 4.9.1.1, previous environmental investigations including a Phase I ESA, Subsurface Investigation, and Phase II ESA were completed on the project site. These investigations fully characterized the past uses of the project site and investigated potential contamination associated with those past uses. The Phase I ESA identified recognized environmental conditions associated with former agricultural operations, former fuel underground storage tanks (USTs), and soil stockpiles. The Subsurface Investigation evaluated soil impacts associated with former agricultural operations across the project site. The Phase II ESA included investigation of the former fuel USTs, including the use of ground-penetrating radar, testing of soil and soil vapor samples, sampling of the soil stockpiles, and sampling of former agricultural areas. No subsurface features were identified in the former fuel UST area, no soil or soil vapor contamination was identified in the former UST area, no contamination was identified in the soil stockpiles, and no soil contamination was identified due to past agricultural activities, except the following:

- One location where the composited soil sample had a combined concentration of 4,4-DDE and 4,4-DDT of 1.316 milligrams per kilogram. These concentrations do not exceed applicable screening levels for residential land use, but soils may require special handling for off-site export and disposal.

The Phase II ESA also noted that, due to the long history of commercial and agricultural use, there could be undocumented or unknown subsurface features, which could be discovered during construction of the proposed project, and recommended preparation and implementation of a SMP. This recommendation was provided out of an abundance of caution, given that none of the previous investigations provided any evidence of further contamination, either known or suspected, at the project site. The SMP was not recommended as a primary cleanup plan, as suggested by the comment, but rather as a contingency should additional subsurface features be identified during construction. Because there is no known or reasonably suspected contamination at the project site, based on the findings of the three previous investigations, there is no direct evidence that a cleanup plan and/or removal action plan would be required as the comment suggests. As outlined in Mitigation Measure (MM) HAZ-2, preparation and implementation of a SMP would include procedures for soil screening

and characterization, which would allow for management of soils containing elevated pesticides (4,4-DDE and 4,4-DDT). The SMP would also include procedures for identification and abandonment of subsurface features, should they be identified during construction. The SMP, as required by MM-HAZ-2, fulfills the recommendation of the Phase II ESA and provides procedures for managing the pesticide-contaminated soils. As such, no changes to the EIR are required.

A2-3 This comment notes that all imported soil/fill material should be tested to assess contaminants of concern, and suggests utilizing DTSC's Preliminary Endangerment Assessment guidance and information advisory for clean imported fill.

This comment and suggested actions are noted. As stated in Geology and Soils, Section 4.7.4, Impact Analysis, "import soils for general fill would consist of clean, granular soils of low expansion potential." To ensure appropriate screening of imported fill material, MM-HAZ-2, Soil Management Plan, has been modified to include the following language (shown in strikethrough/underline):

MM-HAZ-2 Soil Management Plan. Prior to the issuance of a grading permit, the project applicant/developer or their designated contractor shall retain a qualified environmental consultant to prepare a soil management plan (SMP) that outlines the proper screening, handling, characterization, transportation, and disposal procedures for contaminated or potentially contaminated soils on site, as well as screening procedures for import of clean fill. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils. The SMP shall include on-site soil management requirements to avoid fugitive dust and stormwater runoff, including stockpile management, and response and reporting procedures in the event of a release of contaminated soils or violation of air quality or water quality rules (of the South Coast Air Quality Management District and Santa Ana Regional Water Quality Control Board, respectively). Clean fill shall be screened in accordance with the California Department of Toxic Substances Control (DTSC) Advisory for Clean Imported Fill Material Fact Sheet and shall meet residential environmental screening levels applicable at the time of soil import (San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels or DTSC-Modified SLs). The SMP shall be implemented by the project applicant or their designated contractor for all confirmed and suspected contaminated soils that require excavation and off-site disposal. The SMP shall also include procedures for the identification and proper abandonment of underground storage tanks, piping, sumps, or other features, should any be identified during demolition and construction activities. The SMP shall include procedures to meet all applicable federal, state, and local regulations (including those of the Orange County Health Care Agency and South Coast Air Quality Management District) associated with handling, excavating, stockpiling, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.

Comment Letter A3

Good morning William,

Please find a copy of the compiled DEIR here: <https://dudek.sharefile.com/public/share/web-s7b089634fe1749878481bcbddfedd870>

The appendices are too large to combine so those will have to be downloaded separately. Those can be found at the link here for batch download: <https://dudek.sharefile.com/public/share/web-s6e282b30dec8488c8528ec70758ff731>

I will be out of the office beginning at 1pm today so please reach out to Principal Planner, Ann Wu, cc'ed on this email with any questions as she will be managing this project while I am out of the office.

Kind Regards,



Erica S. Hong | Senior Planner
Community Development Department
949-724-6359 | ehong@cityofirvine.org
City of Irvine
1 Civic Center Plaza, Irvine, CA 92606
cityofirvine.org



From: Miller, William B. <william_b_miller@fws.gov>
Sent: Friday, September 19, 2025 12:35 PM
To: Erica Hong <ehong@cityofirvine.org>
Subject: Gateway Village Project DEIR Request

CAUTION: EXTERNAL EMAIL

Dear Erica Hong- We recently received the NOA for the Gateway Village Project DEIR and do not see on the City's website a link to download the entire document (i.e. one must download each chapter and appendix individually). Would it be possible for you to provide such a link or could you upload a copy of the entire document to our fileshare site (link provided)? Thank you- Will Miller

A3-1

<https://fws-fileshare.app.box.com/f/6341497f2a144690808d5c60ebd8dc2b>

William B. Miller, Biomonitor
U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office

2177 Salk Avenue, Suite 250
Carlsbad, California 92008
New Phone No. (760) 306-5940
William_B_Miller@fws.gov

Pronouns: *He, Him, His*

Response to Comment Letter A3

U.S. Fish and Wildlife Service
William B. Miller, Biomonitor
September 22, 2025

- A3-1** The commenter is requesting a copy of the Draft EIR. The City responded the comment letter and sent a link to the full Draft EIR. No further response is required.

INTENTIONALLY LEFT BLANK



AFFILIATED AGENCIES

Orange County
Transit District

Local Transportation
Authority

Service Authority for
Freeway Emergencies

Consolidated Transportation
Service Agency

Congestion Management
Agency

October 14, 2025

Ms. Erica Hong
Senior Planner
City of Irvine
PO Box 19575,
Irvine, CA 92623-9575

Sent via Email: ehong@cityofirvine.org

**Subject: Notice of Preparation of a Draft Environmental Impact
Report for the Gateway Village Project**

Dear Ms. Hong:

Thank you for providing the Orange County Transportation Authority (OCTA) with the Notice of Preparation of a Draft Environmental Impact Report regarding the City of Irvine's Gateway Village Project. The following comment is provided for you:

- Please make the following correction to Appendix I – Traffic Study: Under Transit Facilities (page 108), the second sentence currently reads:

"OCTA provides 60 bus routes throughout Orange County."

Please revise this to: "OCTA provides 51 bus routes throughout Orange County."

Thank you for the opportunity to review this document. Should you have any questions or comments, please contact me at (714) 560-5907 or at dphu@octa.net.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Phu", is written over a horizontal line.

Dan Phu
Director of Transportation Planning and Analysis

TC:pv

Orange County Transportation Authority
550 South Main Street / P.O. Box 14184 / Orange / California 92663-1584 / (714) 560-OCTA (6282)

A4-1

INTENTIONALLY LEFT BLANK

Response to Comment Letter A4

**Orange County Transportation Authority
Dan Phu, Director of Transportation Planning and Analysis
October 14, 2025**

- A4-1** The comment notes that Page 108 of Appendix I (Traffic Study) incorrectly reports the number of bus routes Orange County Transportation Authority provides throughout Orange County; the appendix states there are 60 bus routes. In response to this comment, the number of bus routes has been corrected and updated to 51 on page 108 of Appendix I. The changed page is included in Chapter 3, Changes to the Draft EIR.

INTENTIONALLY LEFT BLANK

Docusign Envelope ID: 698AAB84-02C2-416A-8E10-EF9D3932FC15



County Administration South
601 North Ross Street
Santa Ana, CA 92701

P.O. Box 4048
Santa Ana, CA 92702

(714) 667-8800

info@ocpw.ocgov.com

OCPublicWorks.com



Administrative
Services



OC Development
Services



OC Facilities Design
& Construction
Management



OC Facilities
Maintenance
& CUF



OC Fleet Services



OC Construction



OC Environmental
Resources



OC Operations &
Maintenance



OC Infrastructure
Programs



OC Survey



October 20, 2025

Erica S. Hong, Senior Planner
City of Irvine
1 Civic Center Plaza
Irvine, CA 92623

Subject: NCL-25-0007 – Notice of Availability of a Draft Environmental Impact Report (SCH No. 2024100742) for the Gateway Village Project

Dear Erica S. Hong,

Thank you for the opportunity to comment on the Notice of Availability of a Draft Environmental Impact Report (Draft EIR) (SCH No. 2024100742) for the Gateway Village Project (Project). The County offers the following comments:

OC Parks:

- The Project appears to have a westerly nexus with OC Parks' Hicks Canyon Riding and Hiking Trail at Portola. OC Parks would like more information on what maintenance obligations the City of Irvine (City) will be undertaking given the future continuation of the trail under Portola and to the east into the development. OC Parks is unable to commit to any additional maintenance responsibilities of trails. Any proposed improvements to existing OC Parks trails or resources will need to be reviewed and approved by OC Parks.
- The Project appears to extend Jeffrey Road into what has traditionally been called Hicks Haul Road, a main point of access for OC Parks into Limestone Canyon. May the City please confirm whether OC Parks will continue to have rights to access the road unhindered to access OC Parks property?

A5-1

A5-2

OC Waste & Recycling:

- Please see attached comment letter dated October 20, 2025.

A5-3

Thank you again for the opportunity to review the Draft EIR. If you have any questions regarding this comment, please contact Virginia Gomez at (714) 667-1614 for OC Development Services, Cynthia Malko at (949) 923-3796 for OC Parks, or Leila Barker at (714) 834-4013 for OC Waste & Recycling.

A5-4

Please continue to keep the County of Orange on the distribution list for future notifications related to the Project.

DocuSign Envelope ID: 698AAB84-02C2-416A-8E10-EF9D3932FC15

NCL-25-0007 – Gateway Village Project

October 20, 2025

Page 2

Sincerely,

DocuSigned by:


ED76DCAS8AD94B6...

Virginia Gomez, Senior Planner

OC Public Works /OC Development Services

601 North Ross Street

Santa Ana, California 92701

Virginia.Gomez@ocpw.ocgov.com

Attachment:

- OC Waste & Recycling Comment Letter for the Gateway Village Project 10.20.2025.

cc: Cindy Salazar, Planning Division Manager, OC Development Services
Brian Kurnow, Entitlement Division Manager, OC Parks
Cynthia Malko, Entitlement Project Manager, OC Parks
Leila Barker, CEQA & Habitat Program Manager, OC Waste & Recycling

601 North Ross Street, Santa Ana, CA 92701
P.O. Box 4048, Santa Ana, CA 92702-4048

www.OCPublicWorks.com
(714) 667-8800 | Info@OCPW.ocgov.com



Thomas D. Koutroulis, Director
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701
www.oclandfills.com
Telephone: (714) 834-4000
Fax: (714) 834-4183

(Letter Sent Via Email)

October 20, 2025

Erica S. Hong, Senior Planner
City of Irvine
PO Box 19575
Irvine, California 92623-9575
ehong@cityofirvine.org

Subject: OC Waste & Recycling's Response to City of Irvine Draft Environmental Impact Report (DEIR) for the Proposed Gateway Village Project

Erica Hong:

OC Waste & Recycling (OCWR) acknowledges receipt of the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the proposed Gateway Village Project. The project proposes development of approximately 800 to 1,200 new homes, including a substantial component of affordable housing, on roughly 120 acres. It also includes essential public access points, trails, and other improvements within the Gateway Preserve Open Space north of the site, as well as new park space at the terminus of the Jeffrey Open Space Trail (JOST). Vehicular access would be provided via Jeffrey Road and a driveway on Portola Parkway, with non-motorized access accommodated through the proposed extension of the JOST. The public review period began on September 5, 2025, and will close on October 20, 2025.

The project site is bounded to the southeast by unincorporated County lands and Bee Canyon Access Road, which serves as the primary access route to OCWR's Frank R. Bowerman Landfill. Given the proximity of the proposed project to an active landfill, and in OCWR's role as a neighboring agency, we respectfully submit the following comments, questions, and proposed edits for the City of Irvine's consideration:

ITEMIZED COMMENTS:

1. **Land Use and Planning:** While the document outlines consistency with existing land use policies, it should also include a more accurate description of current conditions. Specifically, the DEIR should acknowledge that the existing landfill generates odors associated with its operations and that the Portola Hills neighborhood has routinely submitted odor complaints to OCWR. The statement that *"the Portola Hills neighborhood, which is closer to the landfill than the proposed project, is not negatively impacted by the landfill"* does not accurately reflect existing conditions and should be revised accordingly.
2. **Air Quality:** The DEIR should provide a more comprehensive description of the existing setting by acknowledging the presence of odors generated by the landfill. In particular,

A5-5

A5-6

A5-7

the discussion of temperature inversions should note that, under certain conditions, odors can stagnate in the area and have the potential to affect neighboring communities.

↑ A5-7
Cont.

3. **Noise:** While several noise receptor locations were identified, the DEIR should also include the section from the intersection of Portola and Bee Canyon to the northernmost portion of the project along Bee Canyon as this is the section that the trucks accelerate up the grade and has the potential of highest decibels. OCWR would also recommend a monitoring location at the northernmost point of the project site along Bee Canyon Access Road, where trucks frequently accumulate while traveling to the landfill. Existing conditions indicate that trucks often back up along Bee Access Road, particularly prior to landfill opening in the early morning. This activity contributes to existing noise levels in the vicinity and should be reflected in the analysis. The CEQA document should also explore and assess noise resulting from the proposed project itself, including on-going maintenance activities.
4. **Aesthetics:** As noted previously, trucks frequently back up along Bee Canyon Access Road. This condition has the potential to create visual and aesthetic impacts for adjoining neighbors and should be evaluated as part of a visual study in the DEIR.
5. **Traffic Study:** Page 15, Jefferey Road, Portola Parkway. It is unclear if landfill traffic or the Bee Canyon Access Road/Portola parkway intersection was included in the traffic study. OCWR would recommend including that specific intersection in the traffic study.
6. **Public Services,** specifically potable, sewer and non-potable water onsite and offsite system analyses: The CEQA document should have a thorough discussion on this issue as it may have operational impacts to the landfill's supply and maintenance.

A5-8

A5-9

A5-10

A5-11

QUESTIONS AND CONCERNS

1. Is the property line proposed to move closer to the access where the Project butts up against Bee Canyon Access Road? If that is the case, this could create maintenance issues for the landfill and would need to be further assessed in the proposed CEQA document.

A5-12

PROPOSED EDITS

4.18.1.5 Solid Waste

~~Solid waste transfer and recovery facilities in the City are owned and operated by private entities and licensed and overseen by the state. The County of Orange maintains three closed landfills in the City, and there are 21 actively maintained and monitored landfills Countywide. The County operates compost facilities at three existing landfills. Residential, institutional, regional commercial, and industrial solid waste is presently collected by private firms, with residential and village commercial collections franchised by the City. OC Waste & Recycling (OCWR) manages three active landfills in Orange County: - the Frank R. Bowerman Landfill, located in Irvine approximately 1.5 miles east of the project site; the Prima Deshecha Landfill, located in San Juan Capistrano, approximately 18 miles southeast of the project site; and the Olinda Alpha Landfill,~~

A5-13

located in Brea, approximately 18 miles northwest of the project site (City of Irvine 2024a) - as well as 20 closed landfills and disposal stations Countywide. OCWR also operates compost facilities at the three active landfills listed above. Residential, institutional, regional commercial, and industrial solid waste is presently collected by private firms, with residential and village commercial collections franchised by the City. Solid waste transfer and recovery facilities in the City are owned and operated by private entities and licensed and overseen by the state.

The Frank R. Bowerman Landfill has a maximum permitted capacity of 266,000,000 cubic yards (CY), a remaining capacity of 205,000,000 CY, and a estimated closure date of December 31, 2053 (CalRecycle 2024a). The Prima Deshecha Landfill has a current maximum permitted capacity of 172,480,000 CY, a remaining capacity of 128,530,000 CY, and a cease operation date of December 31, 2102 (CalRecycle 2024b). The Olinda Alpha Landfill has a maximum permitted capacity of 148,800,000 CY, a remaining capacity of 17,500,000 CY, and a cease operation date of December 31, 2036 (CalRecycle 2024c). This landfill would accept soil (inert waste) exported from the project site during grading (County of Orange 2024). In addition, the Olinda Alpha Landfill would accept as well as construction and operational solid waste. This landfill has a maximum permitted capacity of 148,800,000 CY, a remaining capacity of 17,500,000 CY, and a up until its cease operation date of December 31, 2036 (CalRecycle 2024e).

A5-13
Cont.

4.18.4 Impacts Analysis

4. Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less-Than-Significant Impact. Once operational, the project would produce solid waste in association with construction, operation and maintenance activities. Based on a project-specific air quality analysis (Appendix B-1, Air Quality and Greenhouse Gas Emissions Modeling), anticipated solid waste generation attributable to the proposed project is approximately 971 tons per year (see Table 4.18-1, Anticipated Solid Waste Generation). OCWR suggests adding a sentence to this paragraph estimating the anticipated volumes to be generated over the projected total construction period}

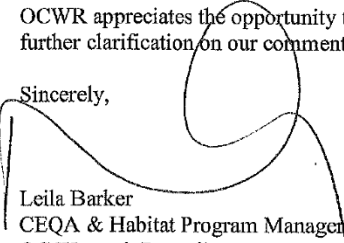
As discussed in Section 4.18.1, OC Waste & Recycling OCWR manages three active landfills in Orange County: the Frank R. Bowerman Landfill, located in Irvine approximately 1.5 miles east of the project site; the Prima Deshecha Landfill, located in San Juan Capistrano, approximately 18 miles southeast of the project site; and the Olinda Alpha Landfill, located in Brea, approximately 18 miles northwest of the project site. The Frank R. Bowerman Landfill has a maximum permitted capacity of 266,000,000 CY, a remaining capacity of 205,000,000 CY, and a cease operation date of December 31, 2053. The Prima Deshecha Landfill has a maximum permitted capacity of 172,100,000 CY, a remaining capacity of 128,800,000 CY, and a cease operation date of December 31, 2102. The Olinda Alpha Landfill would accept soil (inert waste) exported from the project site during grading. In addition, the Olinda Alpha Landfill would accept construction and operational solid waste. This landfill has a maximum permitted capacity of 148,800,000 CY, with a combined remaining capacity of totaling 17,534,800,000 CY, and a cease operation date of December 31, 2036 (CalRecycle 2024a, 2024b, 2024e).

A5-14

The net solid waste that is anticipated to be produced by the project would equate to approximately 0.0003%. *OCWR suggests revising this percentage to include the anticipated solid waste generation volumes from the construction phase of the combined available capacity of these three landfills per year through the estimated closure dates.*

OCWR appreciates the opportunity to comment on this project. Please reach out if you need further clarification on our comments.

Sincerely,


Leila Barker
CEQA & Habitat Program Manager
OC Waste & Recycling
Email: Leila.barker@ocwr.ocgov.com

↑
A5-14
Cont.

↑
A5-15

Response to Comment Letter A5

Orange County Public Works
Virginia Gomez, Senior Planner
October 20, 2025

- A5-1** It is the City's understanding that the City will be responsible for maintaining the trail extending from the Portola undercrossing through the Neighborhood 4 Orchard Hills development to the Jeffrey Road undercrossing and the Jeffrey Open Space Trail. Additional information regarding the City's maintenance obligations will be provided during coordination with OC Parks prior to the start of project construction. This comment does not pertain to the adequacy of the environmental analysis or the EIR; therefore, coordination related to trail maintenance obligations will occur after project approval, but before the start of construction.
- A5-2** The project will not impede access for OC Parks into Limestone Canyon, and the City confirms that OC Parks will continue to have access rights. The extension of Jeffrey Road is proposed to be a public street.
- A5-3** The City's response to the Orange County Waste & Recycling Letter is contained in comments below.
- A5-4** The City thanks Orange County Public Works for coordinating the different department comments on the project and for providing the contacts and phone numbers for coordination purposes.
- A5-5** This comment serves as an opening remark, describing the commenter's understanding of the project. This comment does not pertain to the adequacy of the environmental analysis or the EIR.
- A5-6** The comment states that the Draft EIR should have a more accurate description of current conditions, and indicates that the statement in Table 4.11-1, Consistency with the General Plan, "...the Portola Hills neighborhood, which is located closer to the landfill, is not negatively impacted by operation of the landfill" is inaccurate. This statement will be deleted from the Draft EIR. This change is documented in Chapter 3, Changes to the Draft EIR.
- A5-7** The comment suggests that the Draft EIR should provide a more comprehensive description of the existing setting by acknowledging odors generated by the landfill and the potential for temperature inversions to exacerbate odor impacts on surrounding communities.

CEQA requires that an EIR evaluate the potential environmental impacts of a proposed project on the existing environment. However, CEQA does not generally require an analysis of the impact of existing environmental conditions on a project's future users or residents—commonly referred to as "reverse CEQA." This principle was affirmed by the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369. In that case, the Court held that CEQA does not compel a lead agency to evaluate how existing environmental conditions (such as air pollution or odors) might affect a project's future occupants, except in limited circumstances expressly identified by statute. See also *South Orange County Wastewater Authority v. City of Dana Point* (2011) 196 Cal.App.4th 1604, 1618 (CEQA analysis was not required to consider impact of odors from existing sewage plant on proposed adjacent residential development).

The Draft EIR appropriately characterizes the existing environmental setting, including regional and local air quality conditions, consistent with CEQA's requirements. Although the presence of odors from the landfill may be part of the broader environmental context, CEQA does not require the EIR to analyze how those existing odors might affect future users of the project. Furthermore, the potential for temperature inversions to influence pollutant dispersion is a meteorological condition discussed in Section 4.3.1, Existing Conditions, of the Draft EIR. Therefore, the Draft EIR complies with CEQA and applicable case law, and no further analysis of existing landfill odors under is required under CEQA.

A5-8 This comment notes that the DEIR identified several noise receptor locations, but asserts that it should also include the intersection of Portola Parkway and Bee Canyon Access Road, because “this is the section that the trucks accelerate up the grade and has the potential of highest decibels.” Sound measurement locations were selected to be representative of the project site and area and were used to validate the traffic noise model, which takes area topography into account. Because there are no existing noise-sensitive uses along Bee Canyon Access Road, localized noise generated by trucks idling along Bee Canyon Access Road would not affect any nearby noise-sensitive locations. Outdoor ambient noise was measured at LT3/ST3, meaning both 24-hour unattended and attended short-duration sound level data along that sloped section of Bee Canyon Access Road was collected—i.e., as it rises from the divergence with Portola Parkway at the southern apex of the project site to the northeast toward the State Route 241 overpass. If there are accelerating trucks along this route, those would be captured by this representative survey point. The comment suggests adding another monitoring location farther uphill; because that location would be exposed to the same traffic volumes and vehicle mix, we do not believe value would be added by doing so. In addition, measuring ambient noise closer to State Route 241 would only mean higher noise exposure from that highway noise source and therefore would not represent Bee Canyon Access Road traffic as well as LT3/ST3 already does. Further, the purpose of the CEQA analysis is to evaluate the impact of the project on the surrounding area and not the impact of the surrounding area on the project (commonly referred to as “reverse CEQA”). Thus, to the extent this comment is focused on how noise from existing truck traffic may impact future residents of the project, it is outside the scope of CEQA. In summary, the CEQA document assessed the impact of on-site operational noise on the surrounding area, including residential and park-related activities and equipment, and found these to be less than significant. No further response is required.

A5-9 The purpose of the CEQA analysis is to evaluate the impact of the project on the surrounding area and not the impact of the surrounding area on the project (commonly referred to as “reverse CEQA”); therefore, the existing condition described in this comment is not an impact of the project. Moreover, trucks backing up on a roadway do not constitute a visual and aesthetic impact as defined by CEQA. Trucks backing up are not considered a permanent feature of the landscape and they would not block a scenic vista. Scenic vistas tend to be represented by distant views that provide visual relief, and the City does not have any officially designated scenic vistas. Trucks backing up also would not represent a conflict with applicable zoning and other regulations governing scenic quality.

A5-10 The traffic associated with the Bowerman Landfill is reflected in the traffic study area intersections and roadway segments for all study years evaluated. Locations within the vicinity of the Bowerman Landfill including the Bee Canyon Access Road intersection at Portola Parkway are expected to operate at acceptable levels of service. This comment does not pertain to the adequacy of the environmental analysis or the EIR; no further response is required.

- A5-11** A Water Supply Assessment (WSA) was prepared for the project by Irvine Ranch Water District and as a result of this assessment, it was determined that there are sufficient water supplies to serve the proposed project and reasonably foreseeable future development during normal, dry, and multiple dry years. The results of the WSA are discussed in Section 4.10, Hydrology and Water Quality, and in Section 4.18, Utilities and Service Systems, of the Draft EIR. In addition, the WSA and the Water Supply Verification by Irvine Ranch Water District are attached as Appendices F-1 and F-2 to the Draft EIR. There is no evidence that there will be impacts to landfill operations due to the proposed project. This comment does not pertain to the adequacy of the environmental analysis or the EIR; no further response is required.
- A5-12** The only change in boundary line in the area of Bee Canyon Access Road was to remove the project boundary line from the east side of Bee Canyon Access Road because these are mitigation lands for the landfill. There is no boundary change that would impact the landfill. The area closest to Bee Canyon Access Road, which is slope, is identified as OC 1 and OC 2 Orange County – Fuel Management Easement/Open Space. This comment does not pertain to the adequacy of the environmental analysis or the EIR; no further response is required.
- A5-13** These edits to Section 4.18.1.5, Solid Waste, are made and are shown in Chapter 3, Changes to the Draft EIR.
- A5-14** These edits to Section 4.18.4, Impacts Analysis, are made and are shown in Chapter 3, Changes to the Draft EIR.
- A5-15** Thank you for your comment.

INTENTIONALLY LEFT BLANK

Comment Letter A6

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
<https://dot.ca.gov/caltrans-near-me/district12>



October 20, 2025

Ms. Erica Hong
Principal Planner
City of Irvine
1 Civic Center Place
Irvine, CA 92606

File: LDR/CEQA
SCH: 2024100742
12-ORA-2024-02927
SR 133, PM 13.294

Dear Ms. Hong,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Draft Environmental Impact Report for the Gateway Village Project for the City of Irvine. The mission of Caltrans is improving lives and communities through transportation.

The project proposes the development of approximately 1,360 two- to three-story homes, including both attached and detached configurations, with an average site density between 10 and 35 units per acre. Regional access to the site is provided by State Route 241 (SR 241), State Route 133 (SR 133), State Route 261 (SR 261), and Interstate 5 (I-5). Caltrans is a commenting agency on this project and has the following comments:

1. Caltrans supports the design of Complete Streets that include high-quality pedestrian, bicycle, and transit facilities that are safe and comfortable for users of all ages and abilities. Improvements may include providing secure bicycle parking, pedestrian-oriented LED lighting, wayfinding signage, and comfortable connections to nearby active transportation and/or transit facilities. Complete Streets improvements also promote regional connectivity, improve air quality, reduce congestion, promote improved first-/last-mile connections, and increase safety for all modes of transportation. Continue to incorporate Complete Streets in project development.
2. The provided documents and maps mention or highlight several bicycle lanes near the project location, but appear to be missing a few others, including but not limited to the Class II Bike Lanes on Paragon and Encore to the southwest of the project limits, despite mentioning bicycle lanes that are a further distance from the project. Please check all nearby roads and account for any missing

"Improving lives and communities through transportation"

A6-1

A6-2

A6-3

City of Irvine
October 20, 2025
Page 2

bike lanes in the relevant analyses and language. As a starting point for reference, for most existing or planned bicycle facilities in Orange County, please see OCTA's Orange County Bikeways Map (online link: <https://www.octa.net/getting-around/active/oc-bike/bikeways-planning/overview>).

A6-3
Cont.

3. Caltrans supports local developments that are consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public and health safety. This can be achieved by promoting smart growth principles in projects which provide a diversity of housing choices and destinations accessible by active transportation (i.e. bicycle and pedestrian) and transit users.

New residential land use construction provides an opportunity to encourage a variety of travel choices. Please consider opportunities to increase active transportation and transit use through active transportation infrastructure to/from the project site (such as Complete Streets designs) and wayfinding directional signage to transit stops within the project vicinity and local roadways to encourage non-motorized modes and transit use. This may include safety measures such as physically separated sidewalks and bike lanes, pedestrian-oriented LED lighting, high-visibility continental crosswalk striping, raised crosswalks, refuge islands, wayfinding signage, and safe connections to existing and proposed bicycle facilities.

A6-4

4. Caltrans supports the City's progress in meeting its Regional Housing Needs Assessment (RHNA) allocation, and we encourage the City to promote the development of housing units for a variety of income levels.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Joseph Jamoralin at Joseph.Jamoralin@dot.ca.gov.

A6-5

Sincerely,


[Scott Shelley \(Oct 20, 2025 15:50:09 PDT\)](#)

Scott Shelley
Branch Chief, Local Development Review-Climate Change
Caltrans, District 12

"Improving lives and communities through transportation"

Response to Comment Letter A6

**California Department of Transportation
Scott Shelley, Branch Chief, Local Development Review–Climate Change
October 20, 2025**

- A5-1** This comment serves as an opening remark, describing the commenter’s understanding of the project scope and surrounding highways, and provides a brief mission statement for the California Department of Transportation (Caltrans). This comment does not pertain to the adequacy of the environmental analysis or the EIR.
- A6-2** As described in Chapter 4.16, Transportation, the proposed project includes new pedestrian, bicycle, and transit facilities as part of the project design. The project would maintain the existing walkways/sidewalks, on-street (Class II) bicycle lanes, and Jeffrey Open Space Trail (JOST) in the vicinity of the project site, as well as enhance pedestrian connectivity with new facilities. A proposed extension of the JOST would form the western edge of the project site and would connect to the new South Park. The JOST extension would mark the northernmost end of the JOST, which runs through Irvine. A pedestrian bridge would also cross over Portola Parkway as part of the JOST extension, thus improving pedestrian access in the area. A sidewalk on the north side of Portola Parkway along the project property frontage is proposed as a project design feature. Additionally, in the buildout condition, Jeffrey Road north of Portola Parkway would be approximately 33 feet wide in each direction, which is wide enough to provide two through lanes with on-street bike lanes. The project would provide bicycle parking amenities that meet the requirements of the City of Irvine zoning ordinance update that was recently approved. Additionally, the project would include a new transit stop and bus turnout on Jeffrey Road at approximately the northeast corner of Jeffrey Road and “C” Street. As the project continues through the design phase, there will be additional opportunities to implement multimodal design features (e.g., wayfinding signage). This comment does not pertain to the adequacy of the environmental analysis or the EIR.
- A6-3** As suggested, Figure 4.16-3, City of Irvine Bicycle Facilities, has been updated based on the Orange County Transit Administration’s Orange County Bikeways map, and a discussion of additional bicycle facilities is provided in Section 4.16 of the Draft EIR. The updated Figure 4.16-3 is provided in Chapter 3, Changes to the Draft EIR.
- A6-4** As noted in Response A5-2, the proposed project includes multiple multimodal transportation facilities that will encourage a variety of travel choices. The project also includes a diversity of housing choices, including single-family, multifamily, and affordable attached and detached housing. As the project continues through the design phase, there will be additional opportunities to implement multimodal design features as suggested by Caltrans (e.g., wayfinding signage). This comment does not pertain to the adequacy of the environmental analysis or the EIR.
- A6-5** This comment serves as a closing statement and notes that the agency supports the City’s progress to meet its Regional Housing Needs Allocation and encourages the City to provide housing units for multiple income levels. The project would include 25% affordable housing, consistent with the Surplus Lands Act. This comment does not pertain to the adequacy of the environmental analysis or the EIR.

INTENTIONALLY LEFT BLANK

Comment Letter A7

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 20, 2025

Erica S. Hong, Senior Planner
 City of Irvine
 P.O. Box 19575
 Irvine, CA 92623-9575
ehong@cityofirvine.org

Subject: DRAFT ENVIRONMENTAL IMPACT REPORT for the Gateway Village Project, SCH No. 2024100742, Orange County, CA

Dear Erica S. Hong:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Environmental Impact Report (DEIR) from the City of Irvine (City) for the Gateway Village Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding Project activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to comment on those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

A7-1

A7-2

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 2 of 17

example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The City of Irvine participates in the NCCP as a Signatory to the Implementation Agreement (IA) under the County of Orange Central and Coastal Subregion Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP).

PROJECT DESCRIPTION SUMMARY

Proponent: Brookfield Homes

Objective: The objective of the Project is to develop an approximately 105-acre residential village consisting of 1,360 two- and three-story homes. The Project would also include development of parks, a community garden, paseos, and an approximately 2,750-foot extension of the Jeffrey Open Space Trail (JOST) east from Portola Parkway to the entrance of the proposed Gateway Preserve. Primary Project activities include vegetation clearing, demolition, grading, construction, paving, landscaping, and the establishment of utilities, parks, and trails.

Location: The Project site is located in north Irvine, at the northeast corner of Portola Parkway and Jeffrey Road. The site is bounded by Portola Parkway to the south, Jeffrey Road/Hicks Haul Road to the west, and Bee Canyon Access Road to the east. Hicks Canyon Wash forms the northern boundary of the project site. Just north of Hicks Canyon Wash is a road that stretches east to the Irvine Ranch Conservancy Native Seed Farm and various other special use sites leased to third parties, including a landscape designer, a pump supplier, and an excavating contractor. There are avocado groves, undeveloped open space, and the closed All American Asphalt (AAA) plant to the north of the Project. The final phase of the Orchard Hills development, a single-family residential development, is under construction directly to the west of the project site.

Timeframe: The Project is anticipated to be constructed in three phases. From start to completion, the entire land development phase, including on-site and off-site improvements and underground utilities, internal roadways, and the main recreational amenity/park, would take approximately 16 months. The housing would be constructed in three overlapping phases. Phase 1 is anticipated to be approximately 29 months,

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

A7-2
Cont.

A7-3

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 3 of 17

Phase 2 would take approximately 46 months, and Phase 3 would be completed over 52 months. The JOST extension and the main Gateway Village Park amenities would be completed concurrently with Phase 1. An affordable housing component is anticipated to be completed during Phases 2 and 3 of development, with each parcel taking approximately 24 months to complete. The proposed start date of the Project is April 2026.

Biological Setting: According to the Biological Resources Technical Report (BTR; Dudek, 2025) the Project site consists of developed, disturbed, and agricultural lands with a mix of native and non-native vegetation communities. Eleven vegetation communities and land cover types were mapped on the Project site, including laurel sumac scrub; mulefat thickets; upland mustard or star-thistle fields; red brome or Mediterranean grass grasslands; eucalyptus-tree of heaven-black locust groves; pepper tree or myoporum groves; general agriculture; urban/developed; disturbed habitat; and ornamental plantings. Hicks Canyon Wash forms the northern boundary of the Project site, which features a narrow, sandy, earthen bottom with moderate slopes supporting grasses and large shrubs. The site is surrounded by NCCP/HCP Reserve land to the northeast and to the south. Surrounding land supports coastal sage scrub and riparian habitat, which in turn supports several special-status species including, but not limited to: coastal California gnatcatcher (*Polioptila californica californica*; CDFW Species of Special Concern (SSC), federal Endangered Species Act (ESA) listed-threatened), least Bell's vireo (*Vireo bellii pusillus*; CESA listed-endangered, ESA listed-endangered), Crotch's bumble bee (*Bombus crotchii*; CESA candidate species), and orange-throated whiptail (*Aspidoscelis hyperythrus*).

One hundred and thirty-five species of native or naturalized plants and 89 wildlife species were documented on the Project site. Several special status and NCCP/HCP covered species have been observed on site or have potential to occur on site which include:

Invertebrates

- Crotch's bumble bee (*Bombus crotchii*; California Endangered Species Act (CESA)-candidate endangered)
- Monarch (*Danaus plexippus plexippus* pop. 1)

Birds

- Burrowing owl (*Athene cunicularia*; CESA-candidate, California Species of Special Concern)
- Red-shouldered hawk (*Buteo lineatus*; NCCP/HCP Covered Species)
- White-tailed kite (*Elanus leucurus*; California Fully Protected Species)
- Yellow-breasted chat (*Icteria virens*; California Species of Special Concern)
- Yellow warbler (*Setophaga petechia*; California Species of Special Concern)

A7-3
Cont.

Docusign Envelope ID: BCF4A450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 4 of 17

- Coastal California gnatcatcher (*Poliophtila californica californica*; Federal Endangered Species Act (ESA)-listed threatened, California Species of Special Concern, NCCP/HCP Covered Species)
- Least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered, CESA-listed endangered)

Mammals

- Coyote (*Canis latrans*; NCCP/HCP Covered Species)

Reptiles

- Orange-throated whiptail (*Aspidoscelis hyperythra*; CDFW Watch List, NCCP/HCP Covered Species)
- San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*; Species of Special Concern, NCCP/HCP Covered Species)
- Red diamond rattlesnake (*Crotalus ruber*; Species of Special Concern, NCCP/HCP Covered Species)

Plants

- Intermediate mariposa-lily (*Calochortus weedii* var. *intermedius*, CRPR 1B.2)

Project History: CDFW submitted a comment letter regarding the Notice of Preparation on November 15, 2024. The comment letter discussed Crotch's bumble bee, least Bell's vireo, coastal California gnatcatcher, and recreational trails.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist City of Irvine in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources, and to ensure regional conservation objectives in the County of Orange Central and Coastal Subregion Natural Community Conservation Plan/Habitat Conservation Plan would not be eliminated by implementation of the Project. Additional comments or other suggestions are also included to improve the document.

COMMENT # 1: Cumulative Impacts Analysis

Issue: The Project may have cumulatively considerable impacts from adjacent and nearby past, current, and future Projects.

Specific impact: The DEIR does not sufficiently analyze cumulative impacts to biological resources as it relates to loss of habitat within the City and the region. Project activities such as vegetation clearing and grading of the Project area would contribute to the loss of nesting and foraging habitat for Crotch's bumble bee, least Bell's vireo, and

A7-3
Cont.

A7-4

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 5 of 17

other wildlife species. Specifically, the adjacent Syphon Reservoir Improvement Project (Syphon; SCH 2019080009) and the Bowerman Power Renewable Natural Gas Plant Project (Bowerman; SCH 2024100760), located 2 miles from the Project site, were not included in the cumulative impacts analysis. Without consideration of all the region's activity, the EIR cannot accurately quantify cumulative significant impacts to biological resources.

Why impact would occur: Syphon's site is directly adjacent to the Project site. Implemented by the Irvine Ranch Water District, Syphon will impact several pairs of least Bell's vireo and take Crotch's bumble bee. CDFW is actively engaged in authorizing conditional coverage and incidental take, respectively, for these species. According to surveys from 2019, 16 vireo individuals and/or territories were observed on the Syphon site (ESA 2021). Additionally, Bowerman found Crotch's bumble bee on site (ECORP Consulting, Inc. 2025) and according to iNaturalist and the Xerces Society's Bumble Bee Atlas, dozens of Crotch's bumble bee observations have been documented within 10 miles of the Projects in this area (iNaturalist, 2025; Xerces Society, 2025).

The Project DEIR does not list Syphon or Bowerman in Table 3-1. Cumulative Projects. The Project may have the potential to substantially reduce habitat availability, impacting species like Crotch's bumble bee and least Bell's vireo. The DEIR does not provide sufficient analysis of the Project's potential cumulative impacts to allow CDFW to determine the Project's significance related to other reasonably foreseeable projects in the area. The Wildlife Agencies may need to consider cumulative impacts before granting conditional coverage under the NCCP/HCP or issuing other take authorizations for least Bell's vireo and Crotch's bumble bee.

Evidence impact may be significant: The Project may have a significant effect on the environment if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (Pub. Resources Code, § 21083(b)). If the City concludes the Project would not result in cumulative impacts on biological resources, the City, "shall identify facts and analysis supporting the Lead Agency's conclusion that the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Recommendation #1: The City should provide additional analysis and evaluation of potential cumulative impacts to biological resources from reasonably foreseeable past, current, and future projects as part of the final environmental document.

A7-4
Cont.

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 6 of 17

COMMENT # 2: Recreational Impacts to NCCP/HCP Reserve Land

Issue: The Project may significantly impact adjacent Orange County Central Coastal NCCP/HCP Reserve land due to increased public use.

Specific impact: The DEIR does not adequately assess how the presence of authorized and unauthorized trails could escalate recreational pressure on Reserve lands that provide habitat for special status resources. The DEIR must identify these potential impacts and include a plan to protect these lands from recreation impacts. This information is necessary to understand the potential impacts to biological resources, and to ensure important habitats are maintained and continue to serve as refugia for special status species.

Why impact would occur: The Project proposes 1,360 residential units, which could support an estimated population of 3,604 residents (page 4.11-5). Incorporating trails that would connect to the proposed Gateway Preserve on NCCP/HCP Reserve land would create new disturbances due to the presence of trail users and lead to the loss of habitat designated for species protection and recovery.

It is CDFW's opinion that the Project will significantly impact land conserved under the NCCP/HCP, containing critical habitats occupied by special status species. Recreational use of this habitat may increase edge effects, trespass, hiking, biking, and dog walking due to the proximity of thousands of additional residents adjacent to the Reserve. Increased noise and human activity from the Project, that can disturb natural behaviors and damage sensitive habitats, would directly and indirectly impact wildlife. Recreation in natural areas has been found to cause animals to avoid areas, reduce the frequency of use of an area, or change daily activity patterns to avoid humans (Lewis et al. 2021). Additional negative effects include decreased bird and mammal abundance and reduction in the quality of nesting habitat (Larsen et al., 2019; Davis et al., 2010).

Evidence impact may be significant: Under CEQA Guidelines § 15126.2(a), an environmental impact report must discuss the direct and indirect significant environmental effects of the project and should include the "...changes induced in...the human use of the land.". The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected.

The purpose of the NCCP/HCP is to protect and manage habitat supporting a broad range of plant and animal populations found within the Central and Coastal Subregion by creating a habitat Reserve System. The Implementation Agreement (Section 5.2.1b) outlines the commitment to manage the Reserve System for the protection of wildlife, plant, and habitat values in accordance with the NCCP/HCP. The DEIR should consider the impacts of the Project on the Reserve and how increased recreation may affect the long-term habitat values.

Recommended Potentially Feasible Mitigation Measure(s)

A7-5

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 7 of 17

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #1: Signage. During Project Construction, the Project Proponent shall install signage along the area of the Property adjacent to the Reserve. The signs shall clearly state that unauthorized access on the Reserve is not permitted.

Recommendation #2: CDFW requests the City meet with the Wildlife Agencies prior to Project initiation to develop additional measures to manage unauthorized access to the Reserve.

Recommendation #3: The final document should provide a discussion of the direct and indirect impacts the Project would have on special status species and the habitats those species depend on in the Reserve.

COMMENT # 3: Impacts to Western Burrowing Owl

Issue: Mitigation measure BIO-3 does not adequately reduce project related impacts to western burrowing owl to a less than significant level.

Specific impact: Project ground-disturbing activities, such as vegetation removal and construction of residential development, will result in habitat loss and may lead to mortality or injury of individuals. Project construction activities may also disrupt foraging behavior for over-wintering western burrowing owl that may be present on site.

Why impact would occur: The DEIR discusses suitable habitat and likelihood of overwintering burrowing owl on site. During focused surveys for western burrowing owl, no active burrows or individual owls were observed; however, suitable overwintering habitat (e.g., grassland and agricultural land with small mammal burrows) is present on the Project site, with multiple recent winter observations within 3 miles (CDFW, 2025; iNaturalist, 2025). If Project activities overlap with the overwintering season for western burrowing owl, there is potential for Project activities to result in injury or mortality of owls. Furthermore, attempts to flush western burrowing owl from the site may disturb, distress, or lead to potential take of individual western burrowing owl.

Evidence impact would be significant: The California Fish and Game Commission accepted a petition to list the western burrowing owl as a candidate under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage pursuant to CESA (Fish & G. Code, § 2050 et seq.). Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Additionally, nests of all native bird species are protected under state laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

A7-5
Cont.

A7-6

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 8 of 17

Impacts to CESA listed species and their habitats may result in a mandatory finding of significance because the Project has the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines § 15065). Impacts to CESA-listed species and their habitat meet the definition of endangered, rare, or threatened under CEQA (CEQA Guidelines § 15380).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Mitigation Measure #2: Mitigation Measure Revision. CDFW recommends revising MM-BIO-3 to incorporate the underlined language and omit the language in strikethrough:

A qualified biologist shall conduct a pre-construction survey for burrowing owls prior to initial ground-disturbing activities, including vegetation removal, to assess whether any burrowing owls have colonized the site prior to the start of construction. The pre-construction survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the pre-construction surveys shall be repeated to ensure burrowing owl has not colonized the site since it was last disturbed. The pre-construction survey will occur within suitable habitat for burrowing owl, as determined by the biologist, and will be conducted in accordance with methods described in the CDFW 2012 Staff Report. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the applicant/developer shall immediately inform the California Department of Fish and Wildlife (CDFW). Prior to ground disturbance, the applicant/developer shall prepare a Burrowing Owl Management Plan, which shall be submitted to CDFW for review and approval at least 30 days prior to initiation of ground-disturbing activities. If burrowing owls are detected after ground-disturbing activities have been initiated, CDFW shall be notified in writing and contacted within 24 hours to determine a "no-disturbance" buffer. The qualified biologist shall record the observation with an entry in California Natural Diversity Database. ~~and A Burrowing Owl Management Plan shall be submitted to CDFW for review and approval within 2 weeks of detection; construction activities shall not occur within 400 feet of an active burrow until CDFW approves the Burrowing Owl Management Plan.~~ The Burrowing Owl Management Plan shall include, at a minimum, the following:

- An impact assessment that details the number and location of occupied burrow sites and acres of burrowing owl habitat with a qualitative description of the habitat vegetation characteristics that will be impacted.

A7-6
Cont.

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 9 of 17

- Avoidance measures, including no-disturbance buffers determined in coordination with CDFW clearly delineated at a 250-foot radius around all occupied burrows located on site or within 250 feet of the disturbance footprint, with posted signs demarcating the avoidance area and by using stakes, flags, and/or rope or cord to minimize the disturbance of burrowing owl habitat. No construction shall occur within the avoidance buffer(s) without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated.
- Monitoring requirements.

No take of burrowing owl shall occur without prior authorization in the form of an Incidental Take Permit (ITP) pursuant to California Fish and Game Code Section 2081. If overwintering or nesting burrowing owls are observed during the survey and impacts to burrowing owl cannot be feasibly avoided through implementation of the Burrowing Owl Management Plan, the applicant/developer will consult with CDFW and obtain appropriate take authorization from through the California Endangered Species Act ITP process. In the event an ITP is needed, occupied habitat that is temporarily impacted shall be restored to its original construction immediately following the completion of construction and compensatory mitigation for the permanent loss of occupied burrowing owl habitat shall be fulfilled through habitat replacement of equal or better functions and values to those impacted by the project at a minimum 1:1 ratio, or as otherwise determined through the ITP process. Mitigation shall be achieved through off-site conservation of habitat and/or purchase of appropriate credits at a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate shall be prepared to estimate the initial startup costs and ongoing annual costs of land management activities for the management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of an non-wasting endowment to help fund the land management activities undertaken by a the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment ~~amount~~ shall be established following the completion of a project specific Property Analysis Record or similar PAR-like analysis to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all land management activities required in the ITP to fulfill the requirements of the conservation easement(s), which are currently in review and development.

ADDITIONAL COMMENTS

Crotch's Bumble Bee Incidental Take Permit. CDFW acknowledges the incorporation of a mitigation measure to avoid Crotch's bumble bee as recommended in CDFW's NOP comment letter; however, that is likely insufficient to avoid take of CBB. Due to the extent of the Project and the observation of two Crotch's bumble bee on site (Dudek, 2025), avoidance may not be possible. CDFW strongly recommends obtaining an ITP. We look forward to working with the Proponent to acquire an ITP.

A7-6
Cont.

A7-7

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 10 of 17

Lake and Streambed Alteration Agreement Acknowledgement. CDFW acknowledges the DEIR discusses streambed resources subject to Fish and Game Code section 1600 et seq. CDFW looks forward to receiving the Project's Lake and Streambed Alteration Notification pursuant to this program. Mitigation requirements will be determined in consultation with CDFW once the notification is submitted and may require additional mitigation distinct from MM-BIO-8 in the DEIR. We look forward to working with the Proponent to satisfy their permitting obligations.

A7-8

Invasive species and adjacent NCCP Reserve area. The DEIR discusses several invasive species present on the Project site, which is adjacent to an NCCP/HCP Reserve area. CDFW has ongoing concerns about the spread of highly invasive species in these areas adjacent to the Project. Invasive species pose a threat to the conservation of biodiversity due to their potential to decrease native plant diversity (Simberloff et al., 2013). Management of invasive plant species on and adjacent to open space areas within Orange County is essential to conserving regional biodiversity and is an ongoing challenge with land managers. One of the primary commitments made by the permittees of the NCCP/HCP is to maintain the long-term habitat value of the reserve system and its ability to support viable populations of covered species (Section 4.4 NCCP/HCP Implementation Agreement). Control of non-native invasive plant species is essential to maintain the long-term habitat value of the reserve system. CDFW recommends developing a Weed Management Plan prior to initiating Project activities to minimize the spread of invasive species to the Reserve area during vegetation clearing and grading.

A7-9

Previously Permitted Area. The DEIR discusses an area of the Project site that was previously permitted and cleared for a separate project (page 4.4-36). CDFW requests that the EIR disclose more detailed information about the previously permitted project and the mitigation that was provided for the impacts under this previous approval or incorporate the prior approvals and/or issued permits by reference.

A7-10

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

A7-11

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make

A7-12

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 11 of 17

subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The [CNDDDB website](#)³ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)⁴.

The City of Irvine should ensure data collected for the preparation of the DEIR is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City of Irvine in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City of Irvine has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to Helena Candaele⁵, Environmental Scientist.

Sincerely,

Signed by:

AD7D070BCB6466...

Glen M. Lubcke
Environmental Program Manager
South Coast Region

³ <https://wildlife.ca.gov/Data/CNDDDB>

⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

⁵ Phone: (858) 527-8482; Email: Helena.Candaele@wildlife.ca.gov

A7-12
Cont.

A7-13

A7-14

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 12 of 17

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Glen M. Lubcke, Environmental Program Manager
Jennifer Turner, Senior Environmental Scientist (Supervisor)
Helena Candaele, Environmental Scientist

Office of Planning and Research
State.Clearinghouse@opr.ca.gov

REFERENCES

- Bumble Bee Atlas. 2025. Crotch's Bumble Bee Observations. Available at: <https://www.bumblebeeatlas.org/>
- California Department of Fish and Wildlife. 2025. California Natural Diversity Database. Available at: <https://wildlife.ca.gov/Data/CNDDDB>.
- City of Orange. 1996. Natural Community Conservation Plan and Habitat Conservation Plan: County of Orange Central and Coastal Subregion NCCP/HCP.
- Davis, C.A, Leslie, D.M., Walter, W.D., and Graber, A.E. 2010. Mountain Biking Trail Use Affects Reproductive Success of Nesting Golden-Cheeked Warblers. The Wilson Journal of Ornithology, 122(3).
- Dudek. 2025. Biological Resources Technical Report: Irvine Gateway Village Project.
- ECORP Consulting, Inc. 2025. Results of 2025 Crotch's Bumble Bee Focused Surveys for the Frank R. Bowerman Landfill Renewable Gas Plant Project.
- ESA. 2021. Biological Resources Technical Report: Syphon Reservoir Improvement Project.
- iNaturalist. 2025. Observations. Available at: <https://www.inaturalist.org/observations>.
- Lewis, J.S., Spaulding, S., Swanson, H., Keeley, W., Gramza, A.R., VandeWoude, S., and Crooks, K.R. 2021. Human activity influences wildlife populations and activity patterns: implications for spatial and temporal refuges. Ecosphere, 12(5). Available at: <https://doi.org/10.1002/ecs2.3487>.
- Larsen, C.L, Reed, S.E, Merenlender, A.M., and Crooks, K.R. 2019. A meta-analysis of recreation effects on vertebrate species richness and abundance. Conservation Science and Practice, 1(10). Available at: <https://doi.org/10.1111/csp2.93>.

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 13 of 17

Simberloff, D., Martin, J.L., Genovesi, P., Maris, V., Wardle, D.A., Aronson, J., Courchamp, F., Galil, B., Garcia-Berthou, E., Pascal, M., Pyšek, P., Souse, R., Tabacchi, E., and Vilà, M. 2013. Impacts of biological invasions: what's what and the way forward. *Trends in Ecology and Evolution*, 28(1). Available at: [10.1016/j.tree.2012.07.013](https://doi.org/10.1016/j.tree.2012.07.013).

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 14 of 17

ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Signage. During Project Construction, the Project Proponent shall install signage along the area of the Property adjacent to the Reserve. The signs shall clearly state that unauthorized access on the Reserve is not permitted.	During Project Construction	Proponent
Mitigation Measure #2: Mitigation Measure Revision. CDFW recommends revising MM-BIO-3 to incorporate the underlined language and omit the language in strikethrough: A qualified biologist shall conduct a pre-construction survey for burrowing owls prior to initial ground-disturbing activities, including vegetation removal, to assess whether any burrowing owls have colonized the site prior to the start of construction. The pre-construction survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the pre-construction surveys shall be repeated to ensure burrowing owl has not colonized the site since it was last disturbed. The pre-construction survey will occur within suitable habitat for burrowing owl, as determined by the biologist, and will be conducted in accordance with methods described in the CDFW 2012 Staff Report. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the applicant/developer shall immediately inform the California Department of Fish and Wildlife (CDFW). Prior to ground disturbance, the applicant/developer shall prepare a Burrowing Owl Management Plan, which shall be	Prior to Project Initiation	Qualified Biologist, Proponent

A7-15

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 15 of 17

Mitigation Measure	Timing	Responsible Party
submitted to CDFW for review and approval at least 30 days prior to initiation of ground-disturbing activities. If burrowing owls are detected after ground-disturbing activities have been initiated, CDFW shall be notified in writing <u>and contacted within 24 hours to determine a "no-disturbance" buffer. The qualified biologist shall record the observation with an entry in California Natural Diversity Database.</u> and A Burrowing Owl Management Plan shall be submitted to CDFW for review and approval within 2 weeks of detection; construction activities shall not occur within 400 feet of an active burrow until CDFW approves the Burrowing Owl Management Plan. The Burrowing Owl Management Plan shall include, at a minimum, the following: • An impact assessment that details the number and location of occupied burrow sites and acres of burrowing owl habitat with a qualitative description of the habitat vegetation characteristics that will be impacted. • Avoidance measures, including no-disturbance buffers <u>determined in coordination with CDFW</u> clearly delineated at a 250-foot radius around all occupied burrows located on site or within 250 feet of the disturbance footprint, with posted signs demarcating the avoidance area and by using stakes, flags, and/or rope or cord to minimize the disturbance of burrowing owl habitat. No construction shall occur within the avoidance buffer(s) without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated. • Monitoring requirements.		

A7-15
Cont.

DocuSign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 16 of 17

Mitigation Measure	Timing	Responsible Party
No take of burrowing owl shall occur without prior authorization in the form of an Incidental Take Permit (ITP) pursuant to California Fish and Game Code Section 2081. If overwintering or nesting burrowing owls are observed during the survey and impacts to burrowing owl cannot be feasibly avoided through implementation of the Burrowing Owl Management Plan, the applicant/developer will consult with CDFW and obtain appropriate take authorization from through the California Endangered Species Act ITP process. In the event an ITP is needed, occupied habitat that is temporarily impacted shall be restored to its original construction immediately following the completion of construction and compensatory mitigation for the permanent loss of occupied burrowing owl habitat shall be fulfilled through habitat replacement of equal or better functions and values to those impacted by the project at a minimum 1:1 ratio, or as otherwise determined through the ITP process. Mitigation shall be achieved through off-site conservation of habitat and/or purchase of appropriate credits at a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate shall be prepared to estimate the initial startup costs and ongoing annual costs of <u>land</u> management activities for the management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of an <u>non-wasting</u> endowment to help <u>fund the land management activities undertaken by a</u> the qualified natural lands management entity <u>that is ultimately</u> selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project specific Property Analysis Record <u>or similar PAR-like analysis</u> to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all <u>land</u> management activities required in the ITP to fulfill the requirements of the conservation easement(s), which are currently in review and development.		

A7-15
Cont.

Docusign Envelope ID: BCFAA450-B442-411F-BAA2-DF435761A106

Erica S. Hong
City of Irvine
October 20, 2025
Page 17 of 17

Mitigation Measure	Timing	Responsible Party
Recommendation #1: The City should provide additional analysis and evaluation of potential cumulative impacts to biological resources from reasonably foreseeable past, current, and future projects as part of the final environmental document.	Prior to Project Initiation	Lead Agency
Recommendation #2: CDFW requests the City meet with the Wildlife Agencies prior to Project initiation to develop additional measures to manage unauthorized access to the Reserve.	Prior to Project Initiation	Lead Agency
Recommendation #3: The final document should provide a discussion of the direct and indirect impacts the Project would have on special status species and the habitats those species depend on in the Reserve.	Prior to Project Initiation	Lead Agency

A7-15
Cont.

Page 17 of 17 in Comment Letter A7

INTENTIONALLY LEFT BLANK

Response to Comment Letter A7

California Department of Fish and Wildlife
Glenn M. Lubcke, Environmental Program Manager, South Coast Region
October 20, 2025

- A7-1** This comment is introductory and requires no response.
- A7-2** This comment describes the role of the California Department of Fish and Wildlife (CDFW) as California's trustee agency for fish and wildlife resources, its responsibilities under CEQA during public agency environmental review, its role as a responsible agency under CEQA, and its role in administering the Natural Community Conservation Planning program. No response is required.
- A7-3** This comment summarizes the objective, location, timeframe, and biological setting for the project. The comment also notes that CDFW submitted a comment letter regarding the project's Notice of Preparation on November 15, 2024, which discussed Crotch's bumble bee, least Bell's vireo, coastal California gnatcatcher, and recreational trails. No response is required.
- A7-4** This comment summarizes the purpose of the CDFW comment letter and states that the project may have cumulatively considerable impacts from adjacent and nearby past, current, and future projects. The comment asserts that the Draft EIR does not sufficiently analyze cumulative impacts to biological resources as it relates to loss of habitat within the City and the region, noting that project activities would contribute to the loss of nesting and foraging habitat for Crotch's bumble bee, least Bell's vireo, and other wildlife species. The comment also notes that the adjacent Syphon Reservoir Improvement Project (SRIP) and the Bowerman Power Renewable Natural Gas Plant Project (Bowerman Project) were not included in the cumulative impacts analysis, and indicates CDFW's belief that consideration of such projects is necessary to accurately quantify cumulative significant impacts to biological resources. The comment thus recommends that the Final EIR include additional analysis and evaluation of potential cumulative impacts to biological resources.

Both Crotch's bumble bee and least Bell's vireo were observed on the project site, and habitat to support these species is present on site and in the surrounding area (see Section 4.4.1 of the Draft EIR). As is discussed in the Draft EIR, occupied least Bell's vireo habitat consists primarily of upland vegetation, mapped as laurel sumac scrub, which is atypical habitat for this species. The laurel sumac scrub on site forms a patchy network of low-quality habitat that is isolated from areas of higher-quality riparian vegetation in the area. Similarly, although Crotch's bumble bee was observed and could nest on site, the majority of the site is currently subjected to agricultural use or was mapped as developed/urban and does not support foraging or nesting opportunities for this species (see Table 4.4-6 in the Draft EIR). It should be noted, also, that the least Bell's vireo population in the immediate project vicinity has recovered substantially as a result of mitigation efforts conducted in association with the related project Orchard Hills Residential Master Neighborhood 4, which has led to an increase from 3 documented vireo territories in 2002 to 66 documented territories in 2019. These facts notwithstanding, the Draft EIR determined that potential impacts to least Bell's vireo and Crotch's bumble bee, including the loss of habitat, were potentially significant, and the proposed project has the potential to incrementally contribute to the cumulative impacts on biological resources, including special-status plant and wildlife species and their habitat. As such, the comment's assertion that the project may have cumulatively considerable impacts is consistent with the conclusions in the Draft EIR.

The Final EIR has been revised to include the SRIP and the Bowerman Project among the related projects considered in the cumulative impacts analysis (please refer to Chapter 3, Changes to the Draft EIR, for changes to Table 3-1, Cumulative Projects, and Section 4.4.7, Cumulative Impacts, in the Final EIR). According to the Final EIR for the SRIP, as amended (SCH No. 2019080009), the SRIP would not result in a net loss of least Bell's vireo habitat, and impacts to least Bell's vireo and other special-status riparian species, including as a result of habitat loss, would be reduced to less-than-significant levels through mitigation requiring on-site and off-site riparian habitat creation. The SRIP off-site mitigation was, in fact, determined to provide a net benefit to special-status species being impacted by the SRIP. According to the environmental documents prepared for the SRIP, establishment of on-site coastal scrub habitat and off-site compensatory mitigation, including the dedication of approximately 73.5 acres of upland habitat into a conservation easement at Irvine Ranch Water District's Irvine Lake North property, to be preserved and managed for Crotch's bumble bee, would offset project-related impacts to approximately 28.5 acres of potentially suitable Crotch's bumble bee nesting and foraging habitat.

According to the Recirculated Focused Draft Initial Study/Mitigated Negative Declaration (IS/MND; SCH No. 2024100760) for the Bowerman Project, implementation of the Bowerman Project would result in the loss of approximately 2.9 acres of coastal scrub vegetation that could support Crotch's bumble bee nesting and foraging. With regard to least Bell's vireo, although it is identified as having the potential to occur, it was determined unlikely to occur on site because its preferred habitat close to water is not present. One queen Crotch's bumble bee was observed in the March 2025 survey, none were observed during the April 2025 survey, and one queen Crotch's bumble bee was observed during the May 2025 survey. As a result, the Bowerman Project IS/MND included a mitigation measure (MM-BIO-4) requiring a preconstruction Crotch's bumble bee nesting survey prior to ground-disturbing activities or vegetation trimming activities within the project's work area and a 50-foot-wide buffer. If Crotch's bumble bee is detected, a 50-foot-wide no disturbance buffer will be established. If Crotch's bumble bee or bumble bee nests are detected, a Crotch's bumble bee biologist will monitor the nest on a weekly basis and will update the buffer size as necessary and in coordination with CDFW. Although Crotch's bumble bee is not a covered species under the County of Orange Central & Coastal Subregion Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP), the project determined that impacts to coastal scrub were covered through "take" credits available to the County through the NCCP/HCP. Note also that the SRIP is a permitted use in the NCCP/HCP and Irvine Ranch Water District and Orange County Waste & Recycling were able utilize allotted take "credits" under the NCCP/HCP to accommodate impacts to coastal scrub vegetation resulting from the SRIP and the Bowerman Project, respectively. As is discussed in the Draft EIR, the NCCP/HCP established an approximately 37,000-acre Reserve System that serves as permanently protected open space managed for the benefit of biological resources, as well as almost 10,000 acres of other permanent public open space and "supplemental" non-reserve habitat areas. The vast majority of the 37,000-acre Reserve is expected to contain floral resources and suitable nesting sites to support Crotch's bumble bee.

As is concluded in the Draft Gateway Village Project EIR, with the regional preservation of extensive coastal scrub and other native habitats and the project-related mitigation provided for the Irvine Gateway Village Project, the incremental impact to special-status wildlife species resulting from the project, which is mitigated to less than significant at the project level, is not expected to contribute to a cumulatively considerable impact. The inclusion of the SRIP and Bowerman Project, which provide mitigation to offset their impacts due to habitat loss for least Bell's vireo, Crotch's bumble bee, and other special-status species (and in the case of the SRIP, provides a benefit to special-status species),

as described above, does not alter the conclusions made in the Draft EIR related to cumulative impacts to biological resources.

- A7-5** This comment states that the project could result in significant impacts to special-status biological resources through increased authorized and unauthorized public use of the NCCP/HCP Reserve, which would follow from the estimated population of the 1,360 estimated residential units and the project's incorporation of trails that would connect to the proposed Gateway Preserve within the NCCP/HCP Reserve. The comment recommends that the EIR analyze these potential long-term indirect impacts and incorporate measures requiring that signage prohibiting unauthorized access to the Reserve be installed along portions of the project site that are adjacent to the Reserve. The comment also recommends that the City meet with the Wildlife Agencies (CDFW and U.S. Fish and Wildlife Service) prior to project initiation to develop additional measures to manage unauthorized access to the Reserve.

Pursuant to the City's standard conditions of approval, the project applicant will be required to post wildland interface signage at all trailheads located adjacent to the development on the project site. The Final EIR has been revised to further discuss potential indirect impacts to covered species and habitats in the Reserve located to the north of the proposed project site (i.e., the Gateway Preserve) and to clarify the signage requirement by adding Project Design Feature (PDF) BIO-1 (Signage; PDF is included below), which includes requirements related to signage. In addition, the Final EIR has been revised to clarify that the proposed project includes a 6-foot-high block wall along the entire project perimeter, which would restrict direct access from the property into the adjacent portions of the Reserve (i.e., the Gateway Preserve). The Final EIR has been revised to include a new subsection, Section 4.4.4, Project Design Features (requiring renumbering of all subsequent subsections), and PDF-BIO-1 (Signage), provided below (not in strikethrough/underline) and in Chapter 3 of this Final EIR:

4.4.4 Project Design Features

The project design would incorporate the following PDF to reduce indirect biological impacts to the Gateway Preserve:

- PDF-BIO-1** **Signage.** The project applicant will post wildland interface signage at all trailheads located adjacent to the Gateway Preserve on the project site. The signage shall educate users of the responsibilities associated with wildland interface and shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of domestic pets and humans on native communities and their inhabitants. The signage would inform users that they must remain on designated trails at all times, that pets must be kept on leash, and that unauthorized access to off-trail areas is strictly prohibited.

Given that access will be restricted by the wall and signage described above, the City's experts have determined that impacts related to unauthorized access to the Reserve would be less than significant and no further mitigation is required. Nonetheless, it should also be noted that the Irvine Ranch Conservancy has engaged with the U.S. Fish and Wildlife Service (USFWS) and has submitted a Resource and Recreation Management Plan (RRMP), which is currently under review by USFWS. (This was stated on the record by Michael O'Connell, director of the Irvine Ranch Conservancy, in the October 16, 2025, Planning Commission hearing on the project.)

It should also be noted that, as is explained in the NCCP/HCP, Section 5.8, Public Access and Recreation Policies, the habitat reserve design was formulated with the understanding that public access, passive recreational uses, and development of future recreational facilities would be compatible with the Reserve System and public access and recreation are not prohibited in the portion of the Reserve located to the north of the project site, as identified on Figure 26 of the NCCP/HCP. It was understood from the outset of planning for the NCCP/HCP target species that significant portions of the public lands recommended for inclusion in the Reserve were originally acquired by local government agencies specifically for recreational purposes and it was determined that there is not an inherent conflict between the recreational uses permitted as a part of the NCCP/HCP and protection of sensitive biotic resources. Public access and recreation policies were identified in Section 5.8.3 of the NCCP/HCP to define uses that are “compatible with CSS [coastal sage scrub] protection and management.” The passive recreational uses that the NCCP/HCP identified as being permitted within the permanent habitat reserve included, among others, hiking, equestrian, and mountain bike uses on designated and existing trails. Passive recreational uses within the Reserve were thus assumed as a part of the NCCP/HCP, and associated impacts were previously analyzed, pursuant to the requirements of CEQA, in the EIR/EIS prepared for the NCCP/HCP. Accordingly, although the project is likely to increase the usage of the Gateway Preserve (refer to Draft EIR Section 4.15.4), that usage is consistent with the NCCP/HCP and the assumptions in the EIR/EIS prepared for the NCCP/HCP.

Furthermore, the development of the Gateway Preserve is consistent with the City’s General Plan and was previously analyzed as part of the EIR prepared for the General Plan (SCH No. 2023070463). Specifically, the City’s General Plan includes a goal to “Implement the Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) agreement and program to accomplish multi-species and multihabitat conservation.” To implement that goal, the General Plan includes policies for the development of a trail system in the Reserve (Goal 2, Policy c): “Manage all City open space lands enrolled in the NCCP/HCP Reserve System consistent with the terms, conditions and obligations of the NCCP/HCP permit and Implementation Agreement and associated Recreation and Resource Management Plans (RRMPs), including the City’s obligation to restore Coastal Sage Scrub (CSS) habitat in exchange for development of the open space trail system authorized in the RRMP.” The City’s General Plan (Goal 5, Policy h) calls for the minimization of intensive human use in preservation areas to ensure that use patterns and levels remain consistent with the NCCP/HCP and associated RRMPs. Development of the Gateway Preserve, as described in the Draft EIR, would create a 700-acre open space preserve within the NCCP/HCP Habitat Reserve, immediately north of the project site. Per the City’s General Plan, this Preserve is intended to serve “as a central hub for recreation ... Plans include new trails, native landscape preservation, and habitat mitigation” (City of Irvine 2024). Therefore, the development of the Gateway Preserve and portions of the open space trail system contained therein, along with the extension of the Jeffrey Open Space Trail, were analyzed as a part of the General Plan’s EIR, pursuant to the requirements of CEQA. The Gateway Preserve RRMP is currently in draft form and is under review by USFWS. (This was stated on the record by Michael O’Connell, director of the Irvine Ranch Conservancy, during the October 16, 2025, Planning Commission hearing for the project.) The RRMP would ensure consistency with the City’s General Plan and NCCP/HCP as it relates to public use of the Gateway Preserve.

In sum, although the project would increase passive recreation uses within the Reserve, such uses are consistent with both the NCCP/HCP and the City’s General Plan and were previously studied in connection with the environmental documents prepared for both planning efforts. In addition, direct

access to the Reserve from the project site would be restricted by a 6-foot-high block wall, and signage prohibiting unauthorized access to the Reserve will be installed at all trailheads. Thus, consistent with the conclusions of the Draft EIR, the project will not significantly impact the adjacent Reserve due to increased public use.

A7-6 This comment repeats information included in the Draft EIR regarding the potential for the project to result in potentially significant impacts to burrowing owl, specifically noting that project activities could result in injury or mortality of individual owls if project activities overlap with the overwintering season for the species and that attempts to flush burrowing owl from the site may disturb, distress, or lead to potential take of individual western burrowing owls. The comment provides a summary of protections afforded to burrowing owl under the California Endangered Species Act and California Fish and Game Code Section 3503 and 3503.5 and recommends minor revisions to MM-BIO-3 (Pre-Construction Burrowing Owl Survey). The recommended revisions have been incorporated into the Final EIR, with minor changes (please refer to MM-BIO-3 in Chapter 3, Changes to the Draft EIR, and Chapter 4, Mitigation Monitoring and Reporting Program, in this Final EIR). These revisions do not result in a new significant impact or a substantial increase in the severity of a previously identified significant impact and would not alter the conclusions of the Draft EIR.

A7-7 The comment states that avoidance of Crotch's bumble bee may not be possible and that MM-BIO-5 (Crotch's Bumble Bee Pre-Construction Surveys) may not be sufficient to avoid take of Crotch's bumble bee. The comment states, "CDFW strongly recommends obtaining an ITP [Incidental Take Permit]."

As is discussed in the Draft EIR, Crotch's bumble bee was observed on the project site during focused surveys and this species could be present on site during construction. However, because nest locations change annually, this species may not be present during initial ground disturbance, in which case impacts to this species, including take, would not occur. As described in MM-BIO-5 in the Draft EIR, any Crotch's bumble bee nests present on the project site during construction would be avoided. If avoidance of Crotch's bumble bee nests is not feasible, or if take of foraging individuals is anticipated, MM-BIO-5 requires the applicant/developer to consult with CDFW regarding the need for incidental take authorization, pursuant to Section 2081 of the California Fish and Game Code. Thus, MM-BIO-5 (see Section 4.4.5 of the Draft EIR) already appropriately accounts for the possibility that avoidance may not be possible.

A7-8 The comment acknowledges that the Draft EIR discusses streambed resources subject to California Fish and Game Code Section 1600 et seq. and states that CDFW looks forward to receiving the project's Lake and Streambed Alteration Notification pursuant to this program. The comment notes that mitigation requirements will be determined in consultation with CDFW once the notification is submitted and may require additional mitigation distinct from MM-BIO-8 (Waters and Wetland Mitigation) in the Draft EIR. The comment is acknowledged; no further response is required.

A7-9 The comment discusses the threats invasive plant species pose to the conservation of biodiversity and notes that management of invasive plant species on and adjacent to open space areas in Orange County is needed to maintain the long-term habitat value of the NCCP/HCP Reserve System, which is one of the primary commitments made by the permittees of the NCCP/HCP. In the comment, CDFW references the Draft EIR's discussion of several invasive species present on the project site and recommends that a weed management plan be developed prior to project initiation to minimize the spread of invasive plant species into the adjacent reserve.

The Final EIR has been revised to clarify that, during tailgate briefings, the biological monitor would present a Worker Environmental Awareness Program, inclusive of best management practices (BMPs) to prevent and/or minimize the spread of invasive plant species during construction. Please refer to MM-BIO-6 (Biological Monitoring) in Section 4.4.5 of this Final EIR.

- A7-10** The comment requests additional information regarding the previously permitted project referenced in the Draft EIR, a portion of which overlaps the proposed project site. Specifically, CDFW requests that the project's mitigation requirements be disclosed in the Draft EIR or that the prior approvals and/or issued permits be incorporated into the Draft EIR by reference.

The Final EIR has been revised to add clarity regarding the previously permitted project referenced in the Draft EIR. This previously permitted project is the PA1/PA2/PA9 Project (SCH No. 2004041080). This project was completed and mitigation measures were applied.

- A7-11** This comment recommends inclusion of the mitigation measures and additional analysis recommended elsewhere in their comment letter, as summarized in Attachment A to Comment Letter A7. Each of these recommendations is discussed elsewhere in these responses and no further response is required. Please refer to the responses to Comments A7-4, A7-5, and A7-6.

- A7-12** The comment requests that special-status species and natural communities detected during project surveys be reported to the California Natural Diversity Database. The comment is noted and the project biologist will submit the required California Natural Diversity Database forms for the project. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. No further response is required.

- A7-13** The comment states that environmental document filing fees will need to be paid when the Notice of Determination is filed. The comment is noted and the project applicant will pay the appropriate fees upon filing of the Notice of Determination. The comment does not raise an issue related to the adequacy of any specific section or analysis of the Draft EIR. No further response is required.

- A7-14** The comment expresses appreciation for the opportunity to comment on the Draft EIR and requests the opportunity to review and comment on any responses, as well as notification of forthcoming hearing dates. The comment is noted and CDFW will be notified as requested. No further response is required.

- A7-15** The comment is a table summarizing the recommendations made throughout the comment letter. Please refer to the response to Comment A7-11.



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
rebecca@lozeaudrury.com

Via Email

September 22, 2025

Steve Sherwood, Chair
Melissa Chao, Vice Chair
Bryan Choi, Committee Member
Sun-Sun Murillo, Committee Member
Corey Lakin, Committee Member
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606
cd@cityofirvine.org

Erica Hong, Senior Planner
Planning and Development Services Division
Community Development Department
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606
ehong@cityofirvine.org

Re: Comment on Draft Environmental Impact Report, Gateway Village Project (SCH 2024100742) September 24, 2025 Subdivision Committee Meeting Agenda Item 1

Dear Chair Sherwood, Vice Chair Chao, Honorable Committee Members and Ms. Hong:

This comment is submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the Draft Environmental Impact Report ("DEIR") prepared for the Gateway Village Project (SCH 2024100742), which proposes the development of approximately 1,360 two-story and three-story attached and detached homes with an average density between 10 and 35 units per acre, located on a 120-acre project site at the northeast corner of Portola Parkway and Jeffrey Road, bounded by Portola Parkway to the south, Jeffrey Road and Hicks Haul Road to the northwest, Bee Canyon Access Road to the east, and Hicks Canyon Wash to the north in the northern portion of the City of Irvine ("Project"), which is scheduled to be heard at the September 24, 2025 Subdivision Committee meeting as Agenda Item 1.

01-1

SAFER is concerned that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Community Development Department address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project.

01-1

September 22, 2025

Comment on Draft Environmental Impact Report, Gateway Village Project

(SCH 2024100742) September 24, 2025 Subdivision Committee Meeting Agenda Item 1

Page 2 of 2

SAFER reserves the right to supplement these comments during the administrative process. *Galante Vineyards v. Monterey Peninsula Water Management Dist.*, 60 Cal. App. 4th 1109, 1121 (1997).

01-3

Sincerely,



Rebecca Davis
Lozeau Drury LLP

Response to Comment Letter O1

Rebecca Davis, Lozeau Drury LLP
On Behalf of SAFER
September 22, 2025

- 01-1** This comment summarizes the project description and is not a comment on the adequacy of the Draft EIR.
- 01-2** The comment claims that the Draft EIR fails as an informational document and also does not include all feasible mitigation measures to reduce the Project's impacts. The commenter does not identify any specific shortcomings or deficiencies in the Draft EIR to be addressed in a revised Draft EIR. The Draft EIR has been prepared in conformance with the substantive and procedural requirements of CEQA and the CEQA Guidelines. Specifically, the Draft EIR includes all of the required contents of an EIR and the associated required details and topics for analysis, as set forth in Sections 15120 through 15132 of the CEQA Guidelines. Furthermore, the Draft EIR was prepared by experts in the disciplines of environmental impact assessment. For example, the topic of noise was evaluated by an Institute of Noise Control Engineering (INCE) certified professional; the air quality and greenhouse gas (GHG) emissions modeling and analysis were prepared by trained air quality professionals; the topic of archaeological resources was evaluated by a Registered Professional Archaeologist; the topic of historic resources was evaluated by professionals with master's degrees in the field; and the topic of transportation was evaluated by an American Institute of Certified Planners (AICP) professional. All conclusions in the Draft EIR are supported by substantial evidence (including facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts), as defined in Section 15384 of the CEQA Guidelines.

The Draft EIR presents a comprehensive analysis of the project's potential environmental impacts and contains approximately 500 pages of detailed analysis, as well as a shorter executive summary that explains the analysis and conclusions in clean and simple language (as required by Section 15123 of the CEQA Guidelines). The City prepared a Draft EIR that includes 19 analysis sections and 2 alternatives to the proposed project in addition to 2 no project alternatives (the no project/no development and no project/community park). All feasible mitigation measures and alternatives have been incorporated into the Draft EIR. The Draft EIR includes mitigation measures for air quality, biological resources, cultural resources, geology and soils, GHG emissions, hazards and hazardous materials, transportation, tribal cultural resources, and wildfire. This Final EIR contains additional information in a good-faith effort to thoroughly respond to all environmental issues raised by members of the public.

The commenter's assertion that the Draft EIR must be revised and recirculated is inaccurate. CEQA Guidelines Section 15088.5, Recirculation of an EIR Prior to Certification, describes the requirements for recirculation of an EIR. Pursuant to Section 15088.5, a lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR but before certification. Significant new information, as it is defined in CEQA Guidelines Section 15088.5, has not been added to this EIR subsequent to its release for public review, as further detailed in Section 1.4 of this Final EIR. Additionally, the Draft EIR is not fundamentally and basically inadequate and conclusory in nature. As described above, the Draft EIR includes extensive environmental analysis that was conducted by qualified professionals.

- 01-3** The comment is noted. The City sent a letter of response back to SAFER on October 21, 2025, which directly follows this page.



cityofirvine.org

City of Irvine, 1 Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

October 21, 2025

Ms. Rebecca Davis
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612

Sent Via Email:
rebecca@lozeaudrury.com

RE: Response to Draft Environmental Impact Report (EIR) Comment Letter – Gateway Village Project, Irvine, CA (State Clearinghouse # 2024100742)

Dear Ms. Davis:

Thank you for your letter of September 22, 2025 regarding the Draft Environmental Impact Report (EIR) (State Clearinghouse # 2024100742) related to the Gateway Village project. The City of Irvine is in process of responding to all EIR comments, with the comment period to conclude on October 20, 2025. A full response to your letter will be part of the EIR Response to Comments section of the Final EIR.

We also want to inform your organization that because Gateway Village is a City-owned property, future construction, including land development and homebuilding costs, will be subject to prevailing wage requirements. Furthermore, this project will be constructed in compliance with the Community Workforce Agreement (CWA) with the Los Angeles / Orange Counties Building & Construction Trades Council ("Trades Council"), as approved by the Irvine City Council in June 2023. That CWA prioritizes the hiring of local residents and veterans for City construction projects that cost in excess of \$500,000 per year. It also ensures that eligible projects be delivered by contractors who deploy workplace practices consistent with the standards established by the Trades Council.

We appreciate SAFER's interest in the project. Please contact me at 949-724-6375 or sfrady@cityofirvine.org if you have any follow up questions.

Best regards,

Stephanie Frady, AICP
Director of Community Development

ec: Pete Carmichael, Assistant City Manager
Alyssa Matheus, Planning Manager
Ann Wu, Principal Planner
Erica Hong, Senior Planner
File No. 00952775-PCLE

INTENTIONALLY LEFT BLANK

Comment Letter 02

From: **Joyce Perry** <kaamalam@gmail.com>
Date: Thu, Oct 2, 2025 at 4:03 PM
Subject: Tribal Response- DEIR for Gateway Village Project
To: <ehong@cityofirvine.org>

Good Afternoon,

I am responding on behalf of the Juaneno Band of Mission Indians, Acjachemen Nation-Belardes to your letter regarding NOP of the DEIR for the Gateway Village Project . This project is located within our territory, and a sensitive area to our tribe. We wish to consult on this project as it moves forward.

02-1

Due to the sensitivity of the area, we ask that mitigation measures including native monitoring by representatives of our Tribe be put in place to minimize the potential impacts on buried cultural resources. Please see below recommended mitigation language:

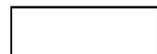
MM-CUL-4: Retention of a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

- a) The Project applicant shall retain a Native American Monitor from or approved by the Juaneno Band of Mission Indians, Acjachemen Nation- Belardes. The monitor shall be retained prior to the commencement of any ground-disturbing activity for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- b) A copy of the executed monitoring agreement shall be submitted to the (City) prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence ground disturbing activity.
- c) The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered tribal cultural resources (TCRs), including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project applicant upon written request to the Tribe.
- d) Monitoring may be adjusted (increased, decreased, or discontinued) at the recommendation of Tribal monitor and Field Supervisor.
- e) On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Tribe or Tribal monitoring agency from a designated point of contact for the Project applicant that all ground-disturbing activities and phases that may involve the Project are complete; or (2) a determination and written notification by the Tribe or Tribal monitoring agency to the Director of Community Development, or designee that no future, planned construction activity and/or development/construction phase at the Project site possesses the potential to impact TCRs.

02-2

Thank you and we look forward to hearing from you.

Joyce Stanfield Perry
Húu'uni 'óomaqatí yáamaqatí- Teach peace



Payomkawichum Kaamalam - President
kaamalam.com

Juaneño Band of Mission Indians, Acjachemen Nation- Belardes
Cultural Resource Director

Response to Comment Letter O2

Joyce Perry

On Behalf of the Juaneño Band of Mission Indians, Acjachemen Nation–Belardes

October 2, 2025

- 02-1** The City accepts the request to consult on this project.
- 02-2** The Draft EIR contains a mitigation measure for tribal monitoring during construction (MM-TCR-1) in Section 4.17, Tribal Cultural Resources. In response to the comment to invite the Juaneño Band of Mission Indians, Acjachemen Nation–Belardes to monitor, this mitigation measure (also provided in Chapter 3, Changes to the Draft EIR) will be modified as follows:
- MM-TCR-1 Tribal Cultural Resources Monitoring. Prior to the issuance of grading permits, the applicant/developer shall retain a Native American monitor (tribal monitor), initially attempting to retain such tribal monitor from the Gabrieleño Band of Mission Indians–Kizh Nation and Juaneño Band of Mission Indians, Acjachemen Nation–Belardes. The applicant/developer shall allow 45 days from initial contact with the above-listed Tribes to enter into a contract with the Tribes for monitoring services. If the applicant/developer can demonstrate they were unable to secure an agreement from either of the above-referenced Tribes, or if either of the contracted Tribes fails to fulfill its obligation under the contract terms, then the applicant/developer may retain an alternative qualified tribal monitor approved by the City. A copy of the executed contract(s) shall be submitted to the Irvine Community Development Department prior to the issuance of any permit necessary to commence ground-disturbing activities. A tribal monitor shall be present on a full-time basis during ground-disturbing activities, including mass grading of the site, and for any trenching or improvements when such activities extend below artificial fill deposits into native soils.

INTENTIONALLY LEFT BLANK

Comment Letter I1

From: Zhang Juliet <julietzhang66@gmail.com>
Sent: Wednesday, September 10, 2025 2:11 PM
To: Erica Hong <ehong@cityofirvine.org>
Subject: Gateway Village Project

CAUTION: EXTERNAL EMAIL

Hi Erica,

We just received a letter regarding building new homes at the intersection of Jeffrey Rd and Portola Pkwy, which is obviously lack of consideration of many aspects. I strongly disagree with this plan.

1. The traffic conditions on Jeffrey Rd is getting worse and worse, there is no improvement from City but putting more residents into the area is absolutely money-driven and short sighted, this is not acceptable.
2. The Stonegate school is fully packed. City should do a survey of the capacity of the students and then will know how bad it is.
3. Lack of commercial facilities to support the new homes.

Again, we don't support this new project.

Best regards,
Juliet Z

I I1-1
I I1-2
I I1-3
I I1-4

INTENTIONALLY LEFT BLANK

Response to Comment Letter I1

Juliet Zhang
September 10, 2025

- I1-1** This comment serves as an opening remark, describing the commenter's understanding of the project and voicing general concern with the project. This comment does not pertain to the adequacy of the environmental analysis or the EIR.
- I1-2** This comment notes that traffic conditions on Jeffrey Road are worsening. The commenter believes that the City should not develop additional residences in the area due to the current traffic conditions. CEQA Guidelines Section 15064.3 requires that the determination of significance for transportation impacts be based on vehicle miles traveled instead of a congestion metric such as level of service (LOS). However, the City of Irvine requires a comprehensive traffic study and has extensive guidelines for analysis of traffic impacts. Although the project would generate 10,825 daily trips, including 739 AM peak-hour trips (178 inbound and 561 outbound) and 937 PM peak-hour trips (586 inbound and 351 outbound), the analysis found that the surrounding intersections would operate at satisfactory LOS levels. As further discussed in Section 4.16, Transportation, and as part of the Irvine Gateway Comprehensive Traffic Study prepared by LSA Associates, the traffic conditions during the morning peak-hour and afternoon peak hour were analyzed at more than 100 intersections throughout the project area, including 11 key intersections along Jeffrey Road from the project site to Interstate (I) 405. Eight scenarios were evaluated ranging from future short-term conditions to long-range future conditions (20 years in the future). In one of the long-range scenarios, improvements to the I-5 southbound on-ramp at Jeffrey Road would be required to reduce potential congestion-related impacts at this intersection. No other significant congestion-related impacts were found on Jeffrey Road. In addition, the Traffic Study analyzed two scenarios for Jeffrey Road, one that extends Jeffrey Road to State Route 241 based on the Master Plan of Arterial Highways and one that terminates Jeffrey Road near "C" Street (approximately 3,100 feet north of Portola Parkway). If the extension of Jeffrey Road were to be built in the future Buildout condition, then a traffic signal at the Jeffrey Road/"A" Street intersection would be required. The signal would provide safe and efficient operations at the intersection.
- I1-3** The comment notes that Stonegate Elementary School, which is approximately 0.30 miles south of the project site, is at full capacity. The comment recommends that the City conduct a survey analyzing the capacity of school. Although this comment does not directly pertain to the adequacy of the environmental analysis or the EIR, it should be noted that EIR reviewed the project's potential to result in a need for new school facilities in order to maintain performance objectives. As described in Section 4.14, Public Services, communications with Irvine Unified School District (IUSD) 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).

Furthermore, IUSD reviewed the project in the context of their student projections and capacity needs and provided a letter dated October 14, 2025, related to school impacts and consistency with existing school mitigation programs (IUSD 2025). The letter describes student generation estimates, elementary school assignments, secondary level facility needs, and school impacts mitigation. The letter notes that Stonegate and/or Eastwood Elementary Schools would serve future students generated by the project and that those schools have capacity and are undergoing classroom expansions. The letter also states that students generated by the project may be assigned to Jeffrey Trail Middle School and Northwood High School, both of which have seats available for additional students. Finally, the letter provides a summary of development impact fees that the project would be required to pay. It concludes that the project would generate sufficient funds to provide school facilities at IUSD's discretion, based on the IUSD Facilities Master Plan (IUSD 2025).

As detailed in Section 4.14, Public Services, and IUSD correspondence, the project would be required to contribute 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. As such, upon payment of required fees, consistent with existing IUSD and state requirements, a less-than-significant impact to schools would occur. No further response is required.

I1-4

The comment states that there are not sufficient commercial facilities in the project area to support new residents. Although the project does not include neighborhood-serving retail, there are shopping centers to the south (Woodbury Town Center), to the west (Orchard Hills Shopping Center), and to the southwest (Cypress Village Shopping Center). This comment does not raise any specific alleged inadequacy in the environmental analysis or the EIR. No further response is required.

Comment Letter I2

From: Neil Godse <godsen@uci.edu>
Sent: Tuesday, September 16, 2025 8:55 PM
To: Erica Hong <ehong@cityofirvine.org>
Subject: Comments on Draft EIR for Gateway Village

CAUTION: EXTERNAL EMAIL

Dear Erica Hong,

I am a resident of Stonegate and appreciate the opportunity to provide comments on the Draft Environmental Impact Report (EIR) for Gateway Village. After reviewing the proposed development, I have several concerns regarding the environmental and community impacts of this project:

I2-1

1. Traffic and Circulation

North Irvine is already heavily impacted by congestion. Streets such as Jeffrey Road are expected to absorb additional strain from Orchard Hills Summit, and this new project would intensify traffic further, potentially making Jeffrey as congested as Culver.

I2-2

2. Loss of Farmland and Open Space

Irvine's farming legacy is quickly disappearing. With farmland already reduced by the JOST/I-5 bridge expansion and avocado orchards cleared for Summit, this project continues that trend. Residents in North Irvine do not want more housing, we want more parks and open space. Even if the farmland is cultivated, open space still provides habitat for birds, pollinators, and small mammals. Removing farmland for housing contributes to habitat fragmentation.

I2-3

3. Educational Capacity

IUSD schools are already over-enrolled, with Stonegate Elementary, Sierra Vista Middle School, and Northwood High School facing significant capacity issues. This project would add further strain without adequate plans for new school facilities.

I2-4

4. Impacts to Nearby Residents

Stonegate residents living adjacent to the site will experience major construction impacts, including noise, dust, and air quality concerns. Longer-term, traffic increases along Jeffrey and Portola will further disrupt the community. The loss of farmland also removes a natural buffer that once provided open views of the hills. Additionally, the possibility of Stonegate Elementary being shared with new residents raises concerns about resource allocation for an already impacted school.

I2-5

5. Project Alternatives

The EIR should more fully evaluate alternatives that meet state housing mandates without such significant impacts on North Irvine. For example:

I2-6

- *Infill Development:* Older areas of Irvine such as El Camino could better balance growth across the city.
- *Gateway as a Community Park:* This site was originally envisioned as a large park serving all of North Irvine and as a natural terminus for the Jeffrey Open Space Trail (JOST). Developing it as parkland would provide a staging area for the JOST, and make residents happy. Currently, residents of Stonegate and Woodbury face parking issues from trail users; a dedicated staging area and park would both preserve open space and enhance community recreation.

I2-7

Thank you for considering these comments. I respectfully request that the City carefully evaluate these environmental and community concerns in the Final EIR, and transform this parcel of land into something for all North Irvine residents to enjoy.

Sincerely,
Neil Godse

Response to Comment Letter I2

Neil Godse
September 16, 2025

I2-1 This comment serves as an opening remark, describing the commenter's residential location and voicing their general concern with the project. This comment does not pertain to the adequacy of the environmental analysis or the EIR.

I2-2 This comment notes there is heavy traffic congestion in the project area. As discussed in Section 4.16, Transportation, and as part of the Irvine Gateway Comprehensive Traffic Study prepared by LSA Associates, level of service (LOS) during the AM peak hour and PM peak hour was analyzed at more than 100 intersections throughout the project area, including 11 key intersections along Jeffrey Road from the project site to Interstate (I) 405. No significant LOS impacts were found. Two scenarios were analyzed, one that extends Jeffrey Road to State Route 241 based on the Master Plan of Arterial Highways and one that terminates Jeffrey Road near "C" Street (approximately 3,100 feet north of Portola Parkway). If the extension of Jeffrey Road were to be built in the Buildout condition, then a traffic signal at "A" Street on Jeffrey Road would be required to mitigate the operational deficiency at the Jeffrey Road/"A" Street intersection to provide safe and efficient operation.

CEQA Guidelines Section 15064.3 requires that the determination of significance for transportation impacts be based on vehicle miles traveled instead of a congestion metric such as LOS. However, the City of Irvine requires a comprehensive traffic study and has extensive guidelines for analysis of traffic impacts. Although the project would generate 10,825 daily trips, including 739 AM peak-hour trips (178 inbound and 561 outbound) and 937 PM peak-hour trips (586 inbound and 351 outbound), the analysis found that the surrounding intersections would operate at satisfactory LOS levels.

I2-3 This comment raises a concern regarding the decline of farmland within the City. The commenter states that Irvine residents want additional parks and open space rather than housing. The comment notes that the removal of farmland could result in habitat fragmentation.

The project's impacts on agricultural lands are discussed in Section 4.2, Agriculture and Forestry Resources. As discussed in that section, the project would result in significant and unavoidable impact related to the conversion of mapped Important Farmland by the California Department of Conservation's Farmland Mapping and Monitoring Program. However, all other project agricultural impacts were found to be less than significant or to have no impact. The project includes the construction of the approximately 4.9-acre South Park at the northern portion of the project site, which would provide recreational areas as well as access to adjacent open space lands via a new trailhead. The location of this new park would create a planned buffer between the project's proposed residential development to the south and an existing seed farm to the northeast, thereby providing further protection from potential edge effects.

Potential project Impacts to wildlife and habitat are discussed in Section 4.4, Biological Resources. As described in that section, the project site does not function as a wildlife corridor or habitat linkage between larger blocks of native habitat. Therefore, there would be no impact to wildlife corridors and habitat linkages and no impact to native wildlife nursery sites as a result of project implementation. No further response is required.

I2-4 The comment states a concern about the project's impact on the capacity of schools in the area. See the response to Comment I1-3, which addresses the concerns raised in this comment.

I2-5 This comment raises general concerns related to potential impacts to nearby residents; these include construction noise, dust, and air quality impacts. The commenter also raises a general concern about long-term traffic congestion, views of the adjacent hills, and impacts to school capacities. These general comments do not raise any specific concern regarding the adequacy of environmental analysis or findings in the EIR, but are nonetheless addressed below.

Construction noise impacts are discussed in Section 4.12, Noise. As detailed in that section, project-specific and cumulative construction noise impacts were found to be less than significant. Dust (which is considered particulate matter) generation is analyzed in Section 4.3, Air Quality. As described in that section, the project would be required to comply with regional regulations to control dust emissions during any dust-generating activities. Regulations require the project to implement best available fugitive dust control measures for different sources for all construction activity sources within its jurisdictional boundaries. Dust control measures include, but are not limited to, maintaining stability of soil through pre-watering of site prior to clearing, grubbing, cut and fill, and earthmoving activities; stabilizing soil during and immediately after clearing, grubbing, cut and fill, and other earthmoving activities; stabilizing backfill during handling and at completion of activity; and pre-watering material prior to truck loading.

The Draft EIR analyzes potential impacts to scenic vistas in Section 4.1, Aesthetics. As determined in that section, views from Portola Parkway and Jeffrey Road, which could be affected by the project development, are not protected via scenic vista designation and therefore the alteration of existing hill and mountain views from nearby public roads would not be a substantial adverse effect on a scenic vista. As such, impacts to scenic vistas would be less than significant.

See the responses to Comments I1-2 and I1-3, which address concerns related to traffic and schools, respectively.

I2-6 This comment opines that the EIR should evaluate alternatives that have fewer environmental impacts. The comment states that City should evaluate infill development sites to allow for additional residential development. As described in Section 6.4.1, Alternative Location Within the City, during the project planning process, alternative locations for the proposed project were considered. However, given that the majority of the City has been built out with urban development and uses, there are few available sites of a size that could support residential development of a similar size to the proposed project. Furthermore, the City has ongoing residential development infill projects in other areas of the City, such as the Irvine Business Complex. The proposed project includes goals related to the creation of housing stock and enhancement of the City's circulation network. The project would include approximately 1,360 residential units, as well as new development of parks, a community garden, paseos, and a 2,750-foot extension of the Jeffrey Open Space Trail (JOST). The project would connect the 700-acre Gateway Preserve via the South Park trailhead, which sustains the City's goals to enhance quality living environments through parks and open space. The proposed project site is the only location where the project goals and objectives could be achieved due to the built-out nature of the City.

The comment further opines that the EIR should evaluate the development of a project site as a community park. Such an alternative was, in fact, fully evaluated in the Draft EIR as Alternative 2: No Project/Community Park (see Draft EIR Section 6.5.2).

- I2-7** This comment notes that the project site was originally envisioned to be used for a large park that would provide parking and staging areas for JOST users. The commenter states that nearby residents require parking and staging areas to access the JOST. The proposed project would include the construction of an approximately 4.9-acre public park (South Park) complete with parking, restrooms, and trail staging for Gateway Preserve and the JOST. The South Park would provide a parking and staging area, as well as restrooms, for the public to use while accessing the JOST and Gateway Preserve. This comment does not pertain to the adequacy of the environmental analysis or the EIR.

INTENTIONALLY LEFT BLANK

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. "Land Use Element." In *Irvine 2045 General Plan*. Accessed October 2025.
<https://cityofirvine.org/community-development/current-general-plan>.

IUSD (Irvine Unified School District). 2025. "Proposed Gateway Village Residential Development (VTTM 19353)." Letter from J. Fogarty (Assistant Superintendent Business Services/CFO, Irvine Unified School District) to A. Wu (City of Irvine). October 14, 2025.

INTENTIONALLY LEFT BLANK

3 Changes to the Draft Environmental Impact Report

3.1 Introduction

As provided in Section 15088(c) of the California Environmental Quality Act (CEQA) Guidelines, responses to comments may take the form of a revision to a draft environmental impact report (EIR) or may be a separate section in a Final EIR. This chapter of the Final EIR complies with the latter option and provides changes to the Draft EIR in strikethrough text (i.e., ~~strikethrough~~) signifying deletions, and underlined text (i.e., underline) signifying additions. These notations are meant to provide clarification, corrections, or minor revisions identified during the review period or as a result of public comments received for the proposed Irvine Gateway Village Project (project) since the release of the Draft EIR, as required by Section 15132 of the CEQA Guidelines. None of the corrections or additions constitutes significant new information or substantial project changes requiring recirculation of the EIR, as defined by Section 15088.5 of the CEQA Guidelines.

3.2 Changes to the Draft EIR

3.2.1 Changes to Chapter 1, Executive Summary

1.2.3, Project Components, page 1-3

- **Parks.** The project would include the construction of ~~five~~ three parks totaling approximately 7.2 ~~6.2~~ acres, consisting of a neighborhood parks/recreation area, a linear parks, and an approximately ~~4.9~~ 4.4-acre public park (South Park) complete with parking, restrooms, and trail staging for the Gateway Preserve.

3.2.2 Changes to Chapter 3, Project Description

3.3, Environmental Setting, Table 3-1, Cumulative Projects

A new subsection, “Projects Adjacent to the City of Irvine,” and two rows were added to the end of the table, as shown below:

Table 3-1. Cumulative Projects

Project Name	Project Location	Project Description and Status
Pending Projects in North Irvine		
Gateway Preserve	North of the project site	The Irvine Conservancy is taking the lead on a Resource and Recreation Plan for this area that will require approval by the U.S. Fish and Wildlife Service.
Orchard Hills Residential Master-Neighborhood 4	West of Jeffrey Road and North of Portola Parkway	This development of 520 single-family homes is the final phase of buildout of the Orchard Hills neighborhood. The project is currently under construction.

Table 3-1. Cumulative Projects

Project Name	Project Location	Project Description and Status
AAA plant closure	North of the project site	Closure of the AAA plant will reduce truck traffic daily trips in the project area.
Pending or Current Projects Elsewhere in the City of Irvine		
Great Park Master Plan PA 51 GPA and Zone Change	West of the project site	A general plan amendment and zone change that includes maps and master plans for 1,834 dwelling units, 691 of which are from a previous entitlement. The remaining 1,143 units will be converted from non-residential uses.
Our Lady of Peace Korean Catholic Center	Intersection of Trabuco Road and Remington	This projects consists of construction of two 320-square-foot detached structures. Plans are currently under review by the City.
Orange County Metrolink Maintenance Facility	Perimeter Road south of Marine Way	This project proposes construction of a Metrolink maintenance facility consisting of five buildings, additional railroad tracks, access roads, and on-site improvements by the Southern California Rail Authority. Plans are currently under review by the City.
Great Park District 6 Residential	Marine Way	This project is a pre-application for a Traffic Study Scope for District 2 and District 6 of the Great Park Neighborhoods. Plans are currently under review by the City.
FivePoint Communities Master Plan Modification	El Toro Boulevard east of Marine Way	This project consists of modification of the previously approved Master Plan within Great Parks Neighborhood Development District 5 and a portion of District 6. The modification proposes changes to the building product mix and alternate plotting. Plans are currently under review by the City.
Cypress Village Residential Master Plan	Southeast corner of Sand Canyon Avenue and Great Park Boulevard	This residential master plan would result in construction of a total of 140 single-family dwelling units. The project has been approved by the City.
Planning Area 40 Master Plan	1 Marine Way	This Zoning Code and General Plan Amendment would allow the transfer of 675,237 square feet of office intensity from the Multi-Use General Plan Land Designation to the Research/Industrial Land Designation and from the 3.1H zoning designation to the 5.5D zoning designation. The project has been approved by the City.
Innovation Office Park Master Plan Modification	250 Progress	The modification of the Innovation Office Park Master Plan would reconfigure buildings, reduce the total number of buildings, modify on-site circulation, and identify the location of future parking. The project has been approved by the City.
Great Park Neighborhoods District 2 Map	Marine Way, Great Park District 2	This project consists of approval of three tentative parcel maps for District 2 within the Great Park Neighborhood.
Alton & Muirlands Industrial Building	Southeast corner of Alton Parkway and Muirlands Boulevard	The development of a 133,320-square-foot building for warehouse purposes would provide 15,700 square feet of light manufacturing area and 10,000 square feet of office space. The project has been approved by the City.
Irvine Marketplace Master Plan	Jamboree Road at I-5	This project is currently under construction.

Table 3-1. Cumulative Projects

Project Name	Project Location	Project Description and Status
Heritage Square Shopping Center Remodel	14100 Culver Drive	This remodel would result in renovation of the façade of two retail buildings and the construction of a new one-story supermarket building, in conjunction with on-site improvements including additional parking stalls, trash enclosures, and landscape/hardscape modifications. The project is currently under construction.
District 5 North	Intersection of Biome and Tank	This revision would introduce a new residential product type and reduce the total number of units by 43. The proposed residential units range in height from one to three stories and are between 1,603 and 3,225 square feet in area. The project is currently under construction.
City of Hope	Marine Way	This project consists of development of a new approximately 60,000-square-foot cancer treatment center and approximately 190,000-square-foot medical offices located in a portion of the FivePoint Gateway campus with a new aboveground parking structure along Barranca Parkway. The project is currently under construction.
Pacifica Place Master Plan	Northeast and southwest corners of Pacifica and Gateway	This master plan would result in construction of 889 apartment dwelling units across two multi-family residential buildings. This project also includes a request for a zone change and General Plan Amendment. The project is currently under construction.

Projects Adjacent to the City of Irvine

<u>Syphon Reservoir Improvement Project</u>	<u>Northeast of the project site, unincorporated County land</u>	<u>The Syphon Reservoir Improvement Project will increase the capacity of the existing Syphon Reservoir, which is part of the Irvine Ranch Water District (IRWD) recycled water system. The project will allow IRWD to store more recycled water to meet seasonal and future needs. By making more recycled water available, IRWD will reduce its dependence on costly imported water, making the community's water supply more self sufficient and protecting against future droughts.</u> <u>The proposed project has undergone a California Environmental Quality Act review process that included opportunities for public input and stakeholder engagement. A final environmental impact report for the project was approved by the IRWD Board of Directors on July 26, 2021.</u>
<u>Bowerman Power Renewable Natural Gas Plant</u>	<u>At Frank R. Bowerman Landfill, northeast of the project site, unincorporated County land</u>	<u>Excess landfill gases captured at the Frank R. Bowerman Landfill are currently burned at an incineration flare station. The proposed project is intended to further reduce the need to incinerate landfill gas at the flare station and instead direct the captured landfill gases to SoCalGas's existing natural gas pipeline system and allow SoCalGas to then utilize the captured landfill gas as renewable natural gas for customers. This effort will promote the beneficial reuse of existing and future landfill gas collected by the Frank R. Bowerman Landfill, support long-term sustainability goals in the region, and help reduce Orange County's reliance on fossil fuels.</u> <u>Additionally, the project will contribute to the California Public Utility Commission's Renewable Gas Program to procure renewable natural gas made by methane from organic waste from landfills and other sources, reduce the volume of landfill gas being flared, and help reduce greenhouse gas emissions from the Frank R. Bowerman Landfill. The renewable natural gas plant will be able to process 6,000 standard cubic</u>

Table 3-1. Cumulative Projects

Project Name	Project Location	Project Description and Status
		<u>feet per minute of landfill gas, equivalent to avoiding the greenhouse gas emissions from 60,196 tons of landfill waste each year. A Recirculated Focused Initial Study/Mitigated Negative Declaration was prepared in August 2025 and is going to the Orange County Board of Supervisors in a hearing to determine approval on December 2, 2025.</u>

Notes: AAA = All American Asphalt; I = Interstate; IRWD = Irvine Ranch Water District.

3.5.1, Project Components, page 3-6

Zoning and Land Use Changes

The proposed project would require a General Plan Amendment to change the City's Land Use Map from Recreation to Medium High Density Residential on the project site, with High Density Residential to be applied on the affordable housing portion of the project site only. Additionally, text, tables, and figure updates would be made in the Land Use Element to establish Planning Area 2 (Gateway Village). Additional General Plan updates include revisions to the figures in the Circulation Element; updates to figures, tables, and text in the Conservation and Open Space Element; and updates to figures in the Safety Element. A zone change to the Irvine Zoning Ordinance is also required to change the zoning classification of the project site from 1.5 – Recreation to 2.4J – Medium High Density Residential; add Chapter 9-2, which includes specific design guidelines for Planning Area 2; and amend Section 3-3-1, Section 3-37-15, and Chapter 9-6 for consistency purposes.

Additional Entitlements

The proposed project requires Tentative Tract/Parcel Maps to subdivide the site; Master Plans; a Park Plan; a Master Landscape and Trails Plan; Park Designs; and the annexation of County of Orange land parcels within the boundaries of the project site.

Residential Development

The project would consist of approximately 1,360 two- and three-story attached and detached homes over 65.5 acres (Figure 3-5, Conceptual Site Plan), which includes a 6-foot-high block wall along the entire project perimeter. Density ranges for different residential development areas would range from 10 to 22 dwelling units per acre at the lowest density to 30 to 40 dwelling units per acre at the highest density. The proposed 1,360 residential units represent an addition to the current overall General Plan residential unit allocation.

Two- to three-story single-family attached and detached housing of varying types would be constructed in Development Areas (DAs) 1a through 1d, 2a through 2d, and 3a through 3e, as shown on Figure 3-5.

Attached units would be constructed in DAs 1a through 1d, 2a through 2d, and 3a through 3e, as shown on Figure 3-5.

Multifamily affordable housing DAs of approximately 340 units are proposed. These would be located in DAs 2d and 3c, as shown on Figure 3-5.

Parks

The proposed project would include the construction of ~~five~~ three parks totaling approximately ~~7.2~~ 6.2 acres, consisting of a neighborhood parks/recreation area, a linear parks, and an approximately ~~4.9~~ 4.4-acre public park (South Park) complete with parking, restrooms, and trail staging for Gateway Preserve. In addition, a 1.2-acre landscape frontage would be included along Portola Parkway.

Jeffrey Space Open Trail

The JOST is a recreational resource for the residents of the City. It is an important element in the City’s overall Open Space system, linking the conservation and open space lands within the City. It provides a key linkage extending from the Pacific Ocean to the Santa Ana Mountains and Cleveland National Forest (City of Irvine 2024). The existing JOST runs south to north along Jeffrey Road from I-5 to Portola Parkway. The JOST is currently being extended westward and over the I-5 from Walnut Avenue to Barranca Parkway. The proposed project would include the extension of the JOST north approximately 2,750 feet from Portola Parkway to South Park at the entrance to the forthcoming Gateway Preserve (Figure 3-5) and would include a pedestrian bridge over Portola Parkway. The total acreage of the JOST extension under the proposed project would be approximately 9.5 acres. The JOST extension described herein is not part of the residential development component of the proposed project. It is a component of the overall project and within the scope of this EIR; however, it will be implemented independent of the residential development.

3.5.1, Project Components, page 3-9 (new subsection)

Reorganization

The project requires the annexation of two areas (the “Notch” parcels 1 and 2),¹ encompassing approximately 1.41 acres (Notch 1) and 0.56 acres (Notch 2), from the Orange County unincorporated area into the City of Irvine.² The annexation would adjust the boundary between Orange County’s unincorporated area and the City of Irvine. Figure 3-6, Annexation Area, shows the unincorporated areas for the proposed annexation are northwest of Bee Canyon Access Road.

The annexation consists of (1) annexation of two areas located in the Orange County unincorporated area, consisting of 1.41 acres and 0.56 acres, to the City of Irvine and (2) amendment of the City of Irvine’s sphere of influence. In addition, the annexation would result in a change of service providers, as shown in Table 3-2.

Table 3-2. Service Providers

<u>Service Provider</u>	<u>County of Orange (Prior to Annexation)</u>	<u>City of Irvine (Post Annexation)</u>
<u>Water</u>	<u>IRWD</u>	<u>IRWD</u>
<u>Sewer</u>	<u>IRWD</u>	<u>IRWD</u>
<u>Solid Waste</u>	<u>WM</u>	<u>WM</u>
<u>Police</u>	<u>City of Irvine Police Department</u>	<u>City of Irvine Police Department</u>
<u>Fire</u>	<u>OCFA</u>	<u>OCFA</u>

¹ The Notch parcels are on the eastern property line, which is irregular in shape and creates a notch with a jagged edge that makes it difficult to efficiently lay out streets, homes, and neighborhood amenities.

² “Annexation” means the inclusion, attachment, or addition of territory to a city or district.

Table 3-2. Service Providers

Service Provider	County of Orange (Prior to Annexation)	City of Irvine (Post Annexation)
Planning	County of Orange	City of Irvine Community Development Department

Notes: IRWD = Irvine Ranch Water District; OCFA = Orange County Fire Authority.

Upon completion of the annexation, the City would assume service responsibilities for the reorganized area and would be entitled to a portion of the revenue previously accrued to offset associated service costs. For the proposed project, a property tax exchange agreement must be negotiated and approved by both the City and the Orange County Board of Supervisors.

Section 3.5.4, New Added Section: Project Design Features, page 3.10

The following section is added to the Final EIR, showing PDFS that were previously included in the Draft EIR but were not included in this section and also including the new PDF-BIO-1, which has been added to this Final EIR (see also Section 3.2.5, Changes to Section 4.4, Biological Resources):

3.5.4 Project Design Features

The following project design features (PDFs) are incorporated into the project's design to reduce air pollutant emissions and indirect biological impacts:

PDF-AQ/GHG-1 All-Electric Residential Development. All proposed residential development would use all-electric appliances and end uses (including heating, ventilation, and air conditioning; water heating; and induction cooking).

PDF-AQ/GHG-2 Energy Efficient Appliances Within Residential Development. During construction activities, the project applicant or its designee would install ENERGY STAR®-rated appliances within the residential land uses, including but not limited to refrigerators, dishwashers, clothes washers, and ceiling fans.

PDF-AQ/GHG-3 Exceedance of Title 24, Part 6 Standards. The project would exceed the requirements of the 2022 California Code of Regulations Title 24, Part 6, Building Energy Efficiency Standards by 10%.

PDF-BIO-1 Signage. The project applicant will post wildland interface signage at all trailheads located adjacent to the Gateway Preserve on the project site. The signage shall educate users of the responsibilities associated with wildland interface and shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of domestic pets and humans on native communities and their inhabitants. The signage would inform users that they must remain on designated trails at all times, that pets must be kept on leash, and that unauthorized access to off-trail areas is strictly prohibited.

Section 3.6, Intended Uses of This Draft EIR, Permits and Approvals subsection, page 3-10

Permits and Approvals

The City would obtain all permits and approvals, as required by law. A list of permits or other forms of approval required for the proposed project is provided in Table 3-3 3-2. This list also includes the Orange County LAFCO and the California Department of Fish and Wildlife as responsible agencies. According to Section 15381 of the CEQA Guidelines, a “responsible agency” is defined as a public agency other than the lead agency that will have discretionary approval power over the project or some component of the project, including mitigation.

Table 3-3 3-2. Permits or Other Actions Required

Agency	Jurisdiction	Permit Regulatory Requirement/Approval
State		
California Department of Fish and Wildlife	California Fish and Game Code Section 1602	Section 1602 Lake and Streambed Alteration Agreement for Hicks Canyon Wash
Santa Ana Regional Water Quality Control Board	Section 401 of Clean Water Act/Porter-Cologne Water Quality Control Act	- Section 401 Permit for Hicks Canyon Wash - Stormwater pollution prevention plan - Construction General Permit
Local		
City of Irvine	Lead agency	General Plan amendments: - Changing the City’s Land Use Map from Recreation to Medium-High Density Residential on the project site, with High Density Residential to be applied on the affordable housing portion of the site only - Text, table, and figure updates in the Land Use Element to establish Planning Area 2 (Gateway Village) - Figure revisions in the Circulation Element - Figure, table, and text updates in the Conservation and Open Space Element - Figure updates in the Safety Element
City of Irvine	Lead agency	Irvine Zoning Ordinance changes: - Changing the zoning classification of the project site from 1.5 Recreation to 2.4J Medium-High Density Residential - Adding Chapter 9-2, Planning Area 2 - Amending Section 3-3-1, Section 3-37-15, and Chapter 9-6 for consistency purposes.
City of Irvine	Lead agency	Approval of Master Plans
City of Irvine	Lead agency	Approval of Tentative Tract/Parcel Maps
City of Irvine	Lead agency	Approval of a Water Quality Management Plan
City of Irvine	Lead agency	Approval of the Master Landscape and Trails Plan
City of Irvine	Lead agency	Approval of Park Plan
City of Irvine	Lead agency	Approval of Park Design Plans

Table 3-3 3-2. Permits or Other Actions Required

Agency	Jurisdiction	Permit Regulatory Requirement/Approval
City of Irvine	Lead agency	City Council approval of the project and certification of the EIR
City of Irvine	Lead agency	Approval of annexation for County of Orange land parcels within project boundaries
Responsible Agencies		
Local Agency Formation Commission of Orange County	Cortese Knox Hertzberg Local Government Reorganization Act of 2000	<u>Annexation Approval of the annexation of 1.97 acres of county parcels within project boundaries into the City of Irvine and concurrent agency sphere-of-influence amendments.</u> <u>Recordation of a Certificate of Completion with the County Recorder's Office upon satisfaction of all terms and conditions in the resolution ordering the reorganization.</u>
<u>California Department of Fish and Wildlife</u>	<u>California Fish and Game Code Section 1602</u>	<u>Section 1602 Lake and Streambed Alteration Agreement for Hicks Canyon Wash</u>

Note: EIR = environmental impact report.

Figures at end of Chapter 3

Figure 3-6, Annexation Area (provided at the end of this Final EIR chapter), has been added to the end of Chapter 3 of the Draft EIR.

3.2.3 Changes to Section 4.2, Agriculture and Forestry Resources

Section 4.2.4, Impacts Analysis, Threshold 4, pages 4.2-10–4.2-11

The Seed Farm does not involve a traditional agricultural use. Seed Farm operations include growing and tending to seed-producing plants. The intent of the Seed Farm is to conserve a natural seed bank for the area, with the goal of restoring sensitive habitats. The Seed Farm supplies seeds to a variety of local agencies, such as OC Waste & Recycling, the Orange County Transportation Authority, OC Parks, and the City of Irvine, for the implementation of their projects; it also supports internship and volunteer programs, as well as community service projects (Irvine Ranch Conservancy 2025). The Seed Farm is mission-driven and equipped with agency partnerships, and large-scale use of harvesting equipment and pesticides does not occur at the Seed Farm; thus, the Seed Farm is not a traditional agriculture use. Operations at the Seed Farm are multi-faceted and the Seed Farm is expected to withstand the potential edge effects described above more robustly than traditional agriculture. For the reasons described above, the Seed Farm, as compared to traditional agriculture, is also not as susceptible to incompatibility issues with neighboring land uses. Furthermore, a goal of the proposed project is to provide access to the adjacent open space lands for residents of the City, creating a “gateway.” The project includes the construction of the approximately ~~4.9~~ 4.4-acre South Park at the northern portion of the project site, which would provide recreational areas as well as access to adjacent open space lands via a new trailhead. The location of this new park would create a planned buffer between the project’s proposed residential development to the south and the Seed Farm to the northeast, thereby further protecting the Seed Farm’s seed bank from potential edge effects.

3.2.4 Changes to Section 4.3, Air Quality

Section 4.3.3, Thresholds of Significance, Table 4.3-5, page 4.3-23

Table 4.3-5. CalEEMod Construction Land Use Development Summary

CalEEMod Land Use Type	CalEEMod Land Use Subtype	Land Use Amount (Size)	Land Use Size Metric	Building Square Footage	Land Use Acreage
Residential	Single Family Housing	408	DU	1,499,880	39.22
Residential	Condos/Townhouses	612	DU	648,720	16.96
Residential	Low-Rise Apartments	340	DU	360,400	9.42
Recreational	Health Club ^a	6.68	KSF	6,680	0.15
Recreational	Swimming Pool	3,216	KSF	3,216	0.07
Parking	City Park ^b Other Asphalt Surfaces	16.2	Acre	N/A	16.2
Recreational	Other Asphalt Surfaces City Park	8.7	Acre	N/A	8.7

Notes: CalEEMod = California Emissions Estimator Model; DU = dwelling unit; KSF = thousand square feet; N/A not applicable.

^a "Health Club" was the CalEEMod land use subtype used to reflect the clubhouse/amenity building.

^b This acreage includes the total proposed open space areas (recreation areas, linear park, Jeffrey Open Space Trail, and South Park), which are conservative acreages for the purpose of modeling air quality emissions.

Section 4.3.3, Thresholds of Significance, Table 4.3-8, page 4.3-27

Table 4.3-8. Land Use Development Summary for the Project under the Operational Scenarios

Project Component	CalEEMod Land Use Type	Land Use Amount (Size)	Building Square Footage	Population
Phase 1 Interim Operations (2029)				
Residential	Single Family Housing	123 DU	468,713	338
Residential	Condo/Townhouses	185 DU	312,475	507
Residential	Low-Rise Apartments	103 DU	112,625	282
Recreational	City Park ^a	16.2 Acres	0	—
Recreational	Clubhouse/Amenity Building	6.68 KSF	6,680	—
Recreational	Swimming Pools/Spa	3.22 KSF	3,216	—
Circulation	Other Asphalt Surfaces Roadways	8.7 Acres	0	—
Phase 2 Interim Operations (2031)				
Residential	Single Family Housing	260 DU	983,153	709
Residential	Condo/Townhouses	389 DU	425,228	1,063
Residential	Low-Rise Apartments	216 DU	236,238	591
Recreational	City Park	16.2 Acres	0	—
Recreational	Clubhouse/Amenity Building	6.68 KSF	6,680	—

Table 4.3-8. Land Use Development Summary for the Project under the Operational Scenarios

Project Component	CalEEMod Land Use Type	Land Use Amount (Size)	Building Square Footage	Population
Recreational	Swimming Pools/Spa	3.22 KSF	3,216	—
Circulation	<u>Other Asphalt Surfaces</u> <u>Roadways</u>	8.7 Acre	0	—
Full Buildout Operations (2032)				
Residential	Single Family Housing	408 DU	1,499,880	1,081
Residential	Condo/Townhouses	612 DU	648,720	1,622
Residential	Low-Rise Apartments (affordable housing)	340 DU	360,400	901
Recreational	City Park	16.2 Acres	0	—
Recreational	Amenity Building	6.68 KSF	6,680	—
Recreational	Swimming Pools/Spa	3.22 KSF	3,216	—
Circulation	<u>Other Asphalt Surfaces</u> <u>Roadways</u>	8.7 Acres	0	—

Source: Appendix B-1.

Notes: CalEEMod = California Emissions Estimator Model; DU = dwelling unit; KSF = 1,000 square feet.

^a This acreage includes the total proposed open space areas (recreation areas, linear park, Jeffrey Open Space Trail, and South Park), which are conservative acreages for the purpose of modeling air quality emissions.

3.2.5 Changes to Section 4.4, Biological Resources

Section 4.4.1, pages 4.4-2–4.4-3

A footnote has been added to this paragraph, as shown below:

Vegetation communities and land cover types mapped on the project site include two native vegetation communities, five naturalized vegetation communities, and four non-natural land cover types. These vegetation communities and land covers are described in further detail below and are summarized in Table 4.4-1. Vegetation communities with a state rarity rank of S1, S2, or S3, as well as those communities regulated by the resource agencies (U.S. Army Corps of Engineers [USACE], Regional Water Quality Control Board [RWQCB], and/or California Department of Fish and Wildlife [CDFW]), such as riparian habitats, are considered sensitive natural communities. No vegetation communities with a state rarity rank of S1, S2, or S3 were mapped on the project site. One riparian vegetation community (mulefat thickets), which is considered sensitive, was mapped in the previously permitted portion of the project site.¹ Vegetation communities and land cover types are described in further detail below.

¹ A portion of the project site was included in the PA1/PA2/PA9 Project (SCH No. 2004041080).

Section 4.4.3, New Section Added: “Project Design Features”

A new section has been added, requiring renumbering of all subsequent subsections. The new section includes a new PDF, provided in response to comments received, as shown below:

4.4.4 Project Design Features

The project design would incorporate the following PDF to reduce indirect biological impacts to the Gateway Preserve:

PDF-BIO-1 Signage. The project applicant will post wildland interface signage at all trailheads located adjacent to the Gateway Preserve on the project site. The signage shall educate users of the responsibilities associated with wildland interface and shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of domestic pets and humans on native communities and their inhabitants. The signage would inform users that they must remain on designated trails at all times, that pets must be kept on leash, and that unauthorized access to off-trail areas is strictly prohibited.

Section 4.4.4 (Draft EIR, Now Section 4.4.5 (Final EIR), Impacts Analysis, Threshold 1, “Summary,” page 4.4-36

All impacts relating to project impacts that would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species would be less than significant with mitigation incorporated.

As stated previously, indirect impacts can be long term and associated with development in proximity to biological resources. Implementation of the proposed project would result in the development of approximately 1,360 residential units, which would accommodate up to 3,604 residents. With the NCCP/HCP Habitat Reserve situated immediately north of the project site, and given that South Park would act as a gateway into the Gateway Preserve, the project would likely increase the usage of the NCCP/HCP Habitat Reserve, in particular the Gateway Preserve. Increased recreational uses within the Reserve could lead to edge effects that would result in indirect impacts to special-status wildlife and their habitats.

While the project is likely to increase the usage of the Gateway Preserve, passive recreational uses within the Reserve were assumed as a part of the NCCP/HCP and were analyzed pursuant to the requirements of CEQA in the EIR/environmental impact statement (EIS) prepared for the NCCP/HCP. The NCCP/HCP Habitat Reserve design was formulated with the understanding that public access, passive recreational uses, and development of future recreational facilities would be compatible with the Reserve System and public access and recreation are not prohibited in the portion of the Reserve located to the north of the project site (County of Orange 1996). Furthermore, it was understood from the outset of planning for the NCCP/HCP target species that significant portions of the public lands recommended for inclusion in the Reserve were originally acquired by local government agencies specifically for recreational purposes and it was determined that there is not an inherent conflict between the recreational uses permitted as a part of the NCCP/HCP and protection of sensitive biotic resources. Public access and recreation policies were identified in Section 5.8.3 of the NCCP/HCP to define uses that are “compatible with CSS [coastal sage scrub] protection and management” (County of Orange 1996). The passive recreational uses that the NCCP/HCP identified as being permitted within the permanent Habitat Reserve included, among others, hiking, equestrian, and mountain bike uses on designated and existing trails.

To address the potential for unauthorized uses within the NCCP/HCP Habitat Reserve, the proposed project includes PDF-BIO-1, requiring signage to be posted at all trailheads where the project site interfaces with wildlands in the Habitat Reserve. PDF-BIO-1 indicates that signage shall educate users of the responsibilities associated with wildland interface and shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of domestic pets and humans on native communities and their inhabitants. The signage would inform users that they must remain on designated trails at all times and that unauthorized access to off-trail areas is strictly prohibited. In addition, the project would be consistent with the policies in the General Plan, including Goal 2, Policy c, requiring that all City open space lands enrolled in the NCCP/HCP Reserve System be managed consistent with the terms, conditions, and obligations of the NCCP/HCP permit and Implementation Agreement and associated Recreation and Resource Management Plans (RRMPs), including the City's obligation to restore coastal sage scrub habitat in exchange for development of the open space trail system authorized in the RRMP, and Goal 5, Policy h, which calls for the minimization of intensive human use in preservation areas to ensure that use patterns and levels remain consistent with the NCCP/HCP and associated RRMPs. The Gateway Preserve RRMP, currently being developed by the City in coordination with USFWS, would ensure consistency with the City's General Plan and NCCP/HCP terms, conditions, and obligations.

Based on the above analysis, and with implementation of PDF-BIO-1, the proposed project's indirect impacts due to edge effects caused by increased recreational use of the NCCP/HCP Habitat Reserve would be less than significant.

Section 4.4.5 (Draft EIR), Now Section 4.4.6 (Final EIR), Mitigation Measures, MM-BIO-3, page 4.4-44

MM-BIO-3 **Pre-Construction Burrowing Owl Survey.** A qualified biologist shall conduct a pre-construction survey for burrowing owls prior to initial ground-disturbing activities, including vegetation removal, to assess whether any burrowing owls have colonized the site prior to the start of construction. The pre-construction survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the pre-construction surveys shall be repeated to ensure burrowing owl has not colonized the site since it was last disturbed. The pre-construction survey will occur within suitable habitat for burrowing owl, as determined by the biologist, and will be conducted in accordance with methods described in the CDFW 2012 Staff Report. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the applicant/developer shall immediately inform the California Department of Fish and Wildlife (CDFW). Prior to ground disturbance, the applicant/developer shall prepare a Burrowing Owl Management Plan, which shall be submitted to CDFW for review and approval at least 30 days prior to initiation of ground-disturbing activities. If burrowing owls are detected after ground-disturbing activities have been initiated, CDFW shall be notified in writing and contacted within 24 hours to determine a "no-disturbance" buffer. The qualified biologist shall record the observation with an entry in the California Natural Diversity Database and a Burrowing Owl Management Plan shall be submitted to CDFW for review and approval within 2 weeks of detection; ~~construction activities shall not occur within 400 feet of an active burrow until CDFW approves the~~

~~Burrowing Owl Management Plan.~~ The Burrowing Owl Management Plan shall include, at a minimum, the following.

1. An impact assessment that details the number and location of occupied burrow sites and acres of burrowing owl habitat with a qualitative description of the habitat vegetation characteristics that will be impacted.
2. Avoidance measures, including no-disturbance buffers ~~clearly delineated at a 250-foot radius around all occupied burrows located on site or within 250 feet of the disturbance footprint determined in coordination with CDFW,~~ with posted signs demarcating the avoidance area and by using stakes, flags, and/or rope or cord to minimize the disturbance of burrowing owl habitat. No construction shall occur within the avoidance buffer(s) without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated.
3. Monitoring requirements.

No take of burrowing owl shall occur without prior authorization in the form of an Incidental Take Permit (ITP) pursuant to California Fish and Game Code Section 2081. If overwintering or nesting burrowing owls are observed during the survey and impacts to burrowing owl cannot be feasibly avoided through implementation of the Burrowing Owl Management Plan, the applicant/developer will consult with CDFW and obtain appropriate take authorization from through the California Endangered Species Act ITP process. In the event an ITP is needed, occupied habitat that is temporarily impacted shall be restored to its original construction immediately following the completion of construction and compensatory mitigation for the permanent loss of occupied burrowing owl habitat shall be fulfilled through habitat replacement of equal or better functions and values to those impacted by the project at a minimum 1:1 ratio, or as otherwise determined through the ITP process. Mitigation shall be achieved through off-site conservation of habitat and/or purchase of appropriate credits at a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate shall be prepared to estimate the initial startup costs and ongoing annual costs of land management activities for the management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of an a non-wasting endowment to help the fund the land management activities undertaken by a qualified natural lands management entity ~~that is ultimately~~ selected to hold the conservation easement(s). The endowment ~~amount~~ shall be established following the completion of a project-specific Property Analysis Record (PAR) or similar PAR-like analysis to calculate the costs of in-perpetuity land management. The ~~Property Analysis Record PAR~~ shall take into account all land management activities required in the ITP to fulfill the requirements of the conservation easement(s), which are currently in review and development.

Section 4.4.5 (Draft EIR), Now Section 4.4.6 (Final EIR), Mitigation Measures, MM-BIO-6, page 4.4-48

MM-BIO-6 **Biological Monitoring.** To prevent impacts to areas outside the limits of disturbance, a qualified biologist shall be present on site to monitor during initial ground disturbance or vegetation removal activities.

Biological monitoring shall include the following tasks and responsibilities:

- **Tailgate Briefings.** Conduct a pre-construction briefing at the tailgate with construction personnel prior to vegetation removal or initial ground disturbance to outline the biological resources present at the subject work location, prohibition of littering, locations of covered trash receptacles, work location specific disturbance limits, procedures/training for minimizing harm to or harassment of wildlife encountered during construction. The tailgate briefing will include the presentation of a Worker Environmental Awareness Program, which shall include, at a minimum, required best management practices to prevent and/or minimize the spread of invasive plant species during construction.
- **Pre-Construction Sweeps.** Conduct pre-construction sweeps where construction work is scheduled for the day in areas with suitable habitat to support special-status wildlife or plants. Flush wildlife species from occupied areas immediately prior to vegetation-clearing and earth-moving activities during pre-construction sweeps.

Section 4.4.7 (Draft EIR), Now Section 4.4.8 (Final EIR), Cumulative Impacts, page 4.4-51

Most of the related cumulative projects are infill projects with minimal value to biological resources, involving the development of previously disturbed or developed lands that contain limited native vegetation and are isolated from naturalized areas by surrounding development. As such, these related projects would not be expected to support habitat that would be suitable for most special-status plant and wildlife species or contain other sensitive biological resources that could be incrementally impacted by the proposed project. Therefore, with the exception of City-regulated trees, which could occur in urban settings in the City, nearly all of the related projects would not result in incremental impacts to sensitive biological resources. ~~Three~~ Five related cumulative projects (Gateway Preserve, Orchard Hills Residential Master-Neighborhood 4, ~~and~~ AAA plant closure, Syphon Reservoir Improvement, and Bowerman Power Renewable Natural Gas Plant) are located in areas that may support similar habitats and present similar potential biological constraints to those present on the proposed project site. Therefore, the proposed project has the potential to incrementally contribute to the cumulative impacts of protected biological resources, including special-status plant and wildlife species and their habitat, jurisdictional aquatic resources, and City-regulated trees.

3.2.6 Changes to Section 4.9, Hazards and Hazardous Materials

Section 4.9.5, Mitigation Measures, page 4.9-21

- MM-HAZ-2 **Soil Management Plan.** Prior to the issuance of a grading permit, the project applicant/developer or their designated contractor shall retain a qualified environmental consultant to prepare a soil management plan (SMP) that outlines the proper screening, handling, characterization, transportation, and disposal procedures for contaminated or potentially contaminated soils on site, as well as screening procedures for import of clean fill. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils. The SMP shall include on-site soil management requirements to avoid fugitive dust and stormwater runoff, including stockpile management, and response and reporting procedures in the event of a release of contaminated soils or violation of air quality or water quality rules (of the South Coast Air Quality Management District and Santa Ana Regional Water Quality Control Board, respectively). Clean fill shall be screened in accordance with the California Department of Toxic Substances Control (DTSC)

Advisory for Clean Imported Fill Material Fact Sheet and shall meet residential environmental screening levels applicable at the time of soil import (San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels or DTSC-Modified Screening Levels). The SMP shall be implemented by the project applicant or their designated contractor for all confirmed and suspected contaminated soils that require excavation and off-site disposal. The SMP shall also include procedures for the identification and proper abandonment of underground storage tanks, piping, sumps, or other features, should any be identified during demolition and construction activities. The SMP shall include procedures to meet all applicable federal, state, and local regulations (including those of the Orange County Health Care Agency and South Coast Air Quality Management District) associated with handling, excavating, stockpiling, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.

3.2.7 Changes to Section 4.11, Land Use

4.11.4, Impacts Analysis, Threshold 1, page 4.11-4

The proposed project would include an extension of the Jeffrey Open Space Trail (JOST), which is an important element in the City's overall Open Space system, linking the conservation and open space lands within the City. The existing JOST runs south to north along Jeffrey Road from Walnut Avenue to Portola Parkway. The proposed project would extend the JOST north, including constructing a pedestrian bridge over Portola Parkway, to terminate at the future Gateway Preserve (a separate project).

The proposed project would require the modification of the City's jurisdictional boundary line for the annexation of two areas, including 1.41 acres and 0.56 acres, from the Orange County unincorporated area. The annexation would adjust the boundary between the City of Irvine and the Orange County unincorporated area. The boundary between the City of Irvine and the Orange County unincorporated area would follow the line shown on Figure 3-6, Area of Annexation. As such, the proposed project would further connect existing communities and no impact would occur related to physically dividing an established community.

4.11.4, Impacts Analysis, Threshold 2, page 4.11-6

The PMP identifies the project site as a development opportunity site for a 70.5-acre Gateway Community Park. It describes Gateway Community Park as a "gateway to the JOST and surrounding open space, supporting both active and passive recreation opportunities including trails, disc golf, flexible fields, nature play and a possible indoor gymnasium." It also states that "Gateway may also be an ideal setting for an outdoor classroom, and/or art space, atelier, nature trails, universal or thematic playground or a large reservable picnic shelter/pavilion for events and programs" (City of Irvine 2017). The proposed project anticipates the construction of ~~five~~ three parks totaling approximately ~~7.2~~ 6.2 acres, including South Park, which would be adjacent to the open space to the north. There would also be connectivity to the North Irvine Open Space Preserve, with South Park acting as a transitional linkage.

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Conservation and Open Space Element Section, Goal 1, page 4.11-13

Policy (b): Require developers to conduct comprehensive environmental assessments to identify potential impacts on designated conservation and open space areas during project planning.	Consistent. The proposed project includes open space enhancements and has considered open space impacts. The proposed project would include the construction of five <u>three</u> anticipated parks that would offer open space and passive/active recreation for the proposed residential development totaling approximately 7.2 <u>6.2</u> acres. In addition, the proposed project also includes the extension of the JOST north 2,750 feet from Portola Parkway to the proposed South Park at the entrance to the forthcoming Gateway Preserve (Figure 3-5, Conceptual Site Plan) and would include a pedestrian bridge over Portola Parkway. Therefore, the proposed project would integrate open space elements into the proposed residential development. The project would provide accessible connections to open space and parks for its residents and the public.
--	---

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Conservation and Open Space Element Section, Goal 6, page 4.11-15

Policy (a): Continue to coordinate parks and recreational opportunities through the General Plan and Parks Master Plan to ensure adequate and timely development of parks and recreational areas.	Consistent. The proposed project includes parks and recreational components. The proposed project would include the construction of three parks that would offer open space and passive/active recreation its residents and visitors: Gateway Village Park would be 1.4 acres, the linear park would be 0.4 acres, and South Park would be 4.9 <u>4.4</u> acres. In addition, the proposed project also includes the extension of the JOST north 2,750 feet from Portola Parkway to the proposed South Park at the entrance to the forthcoming Gateway Preserve (Figure 3-5) and would include a pedestrian bridge over Portola Parkway. One of the private community parks would include amenities such as a clubhouse, pools, seating, and a playground. South Park would include parking, restrooms, and trail staging. An overarching goal of the project is to provide a transition from urban development to the nature preserve to the north, and together with the JOST, South Park would act as that transitional space ("the gateway").
---	--

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Conservation and Open Space Element Section, Goal 9, page 4.11-17

Policy (a): Continue to enforce zoning regulations mandating accessibility to open space for new residential, retail, and commercial developments.	Consistent. The proposed project would include the construction of five <u>three</u> parks that would offer open space for the proposed residential development totaling approximately 7.2 <u>6.2</u> acres.
--	--

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Land Use Element Section, Goal 4, page 4.11-26

Policy (c): Achieve a land-use balance through the following methods: ▪ Coordination of land use and circulation patterns to ensure adequate circulation capacity and infrastructure. ▪ Promotion of a diversity of housing types and affordability to meet the development objectives of the Housing Element. ▪ Designation of sufficient institutional land to meet the needs of each planning area. ▪ Provision of adequate housing opportunities to support employment growth. ▪ Preservation of open space areas, and development of retail/commercial to address the increase in housing units required to accommodate the updated housing element.	Consistent. The proposed project would be consistent with this policy for the following reasons: ▪ Proposed project transportation and circulation impacts have been assessed in Section 4.16, Transportation, of this Draft EIR. Analysis contained in this section is based on a VMT analysis prepared in accordance with the City's adopted Traffic Study Guidelines as well as a comprehensive traffic study performed for the project. As evaluated in that section, the proposed project would result in a less-than-significant impact with mitigation related to design hazards. ▪ The project would consist of 1,360 two- and three-story attached and detached homes. Density for different residential development areas would range from 10 to 22 DU/ac at the lowest density to 30 to 40 DU/ac at the highest density. The project would also include 25% affordable housing, consistent with the Surplus Land Act. ▪ The project would site additional housing close to existing institutional uses such as schools and day-care centers. ▪ The project would include an extension of the JOST and anticipated creation of five <u>three</u> new parks for active and passive recreational use.
---	---

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Land Use Element Section, Goal 6, page 4.11-28

Policy (a): Safeguard the public health, safety, and welfare of sensitive receptors/land uses when placing them near the following land uses: those dealing with hazardous substances, those causing excessive noise or dust, and those creating other conflicts. Simultaneously, ensure that proposed sensitive receptors/land uses do not impede the ongoing operation or expansion of airports, surface utilities, off-site hazardous waste facilities, solid waste facilities, manufacturing, research and development, mining and processing, or any land use involving hazardous substances as defined by federal and state regulations.	Consistent. The project site is approximately 1.25 miles west of the Frank R. Bowerman Landfill. There are many federal and state regulations in place to ensure that landfill operations minimize impacts to public health and safety. OC Waste and Recycling, which operates the landfill, is required to obtain multiple permits to operate the facility. There is an existing residential development within the Portola Hills neighborhood, which is located closer to the landfill, that is not negatively impacted by operation of the landfill. The project would not be subject to health, safety, or welfare concerns, nor would it impede continued operation of the landfill. The project site is also near the All American Asphalt (AAA) plant, which had long been a concern of local residents and was closed in 2024. The forthcoming Gateway Preserve Project includes a vision for redevelopment of the AAA plant into a park, interpretive center, and staging area for hiking.
--	---

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Land Use Element Section, Goal 6, page 4.11-29

Policy (j): The City is committed to preserving and planning for greenways in conjunction with planned residential and non-residential development projects. Recognizing the vital role that greenways play in enhancing the quality of life for residents, promoting environmental sustainability, and fostering community connectivity, the City will continue to prioritize their integration into development planning processes.	Consistent. The project proposes to develop five <u>three</u> new parks, create paseos, and extend the JOST from Portola Parkway to the entrance of the new Gateway Preserve. These project components represent new greenways that would integrate with the proposed residential village.
---	---

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Land Use Element Section, Goal 14, page 4.11-32

Policy (a): Establish and implement residential and nonresidential development objectives concurrent with revisions to the Housing Element that facilitate achieving a balanced mix of land uses, including housing, employment, parks and recreation, public services and facilities, and other public amenities.	Consistent. The project proposes the development of both single-family and multifamily residential and park and recreation uses that would benefit its residents as well as the general public. The project proposes to develop five <u>three</u> new parks, create paseos, and extend the JOST from Portola Parkway to the entrance of the new Gateway Preserve. These project components represent new greenways that would integrate with the proposed residential village. The extension of the JOST would include a new pedestrian bridge over Portola Parkway. The project would provide accessible connections to open space and parks for its residents and the public.
--	--

4.11.4, Impacts Analysis, Threshold 2, Table 4.11-1, Safety Element Section, Goal 3, page 4.11-36

Policy (j): Continue to promote the application of nature-based solutions (e.g., greenways, tree trenches) to improve resilience and preserve biodiversity.	Consistent. The project proposes to develop five <u>three</u> new parks, create paseos, and extend the JOST from Portola Parkway to the entrance of the new Gateway Preserve. These project components represent new greenways that would integrate with the proposed residential village.
---	---

Section 4.11.4, “Impact Summary,” page 4.11-40

Impact Summary

The project requires the annexation of two areas, encompassing approximately 1.41 acres and 0.56 acres, from the Orange County unincorporated area into the City of Irvine. The annexation would adjust the boundary between Orange County’s unincorporated area and the City of Irvine. Figure 3-6 shows the unincorporated areas for the proposed annexation are northwest of Bee Canyon Access Road.

The annexation consists of (1) annexation of two areas located in Orange County unincorporated area, consisting of 1.41 acres and 0.56 acres, to the City of Irvine and (2) amendment of the City's sphere of influence. In addition, the annexation would result in a change of service providers, as shown in Table 3-2, Service Providers. The annexation process would be organized through coordination with the Orange County Local Agency Formation Commission (LAFCO) and the City. The reorganization would require an agreement of property tax exchange between the County and the City and would require discretionary action from the Orange County LAFCO. Under the condition in which the annexation is approved, the jurisdictional control of the land would change and regulation of the reorganized area would change from the County of Orange General Plan to the Irvine 2045 General Plan.

~~Impacts~~ Overall, impacts from the proposed project related to land use and planning would be significant and unavoidable because the proposed project would conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Despite implementation of MM-GHG-1 through MM-GHG-4, the project would conflict with certain key attributes of the 2022 CARB Scoping Plan Update, which is intended to avoid or mitigate an environmental effect.

3.2.8 Changes to Section 4.14, Public Services

4.14.4, Impacts Analysis, Threshold 1, "Parks," page 4.14-16

In addition, the proposed project includes approximately ~~7.2~~ 6.2 acres of park space and the JOST. The remainder of the requirements would be paid through in-lieu fees by the individual developers developing the project. This additional park space would provide residents an alternative to off-site public parks and recreational facilities, allowing residents to recreate on the project site while incrementally reducing the project's impacts to off-site public parks and recreational facilities. Therefore, impacts associated with park facilities would be less than significant.

3.2.9 Changes to Section 4.15, Recreation

4.15.4, Impacts Analysis, Threshold 1, page 4.15-5

Less-Than-Significant Impact. The proposed project includes the development of a new residential community with 1,360 two- and three-story attached and detached homes. It is expected that the project population would use existing neighborhood parks, regional parks, and other recreational facilities in the City. However, the incremental impact of this additional population on the use of existing recreational facilities would not result in substantial physical deterioration of these facilities or acceleration thereof, even if the population exclusively used existing facilities. Also, pursuant to the Quimby Act (the goal of which is to reduce strain on existing parks and provide adequate park space to accommodate new residential development), the Conservation and Open Space Element of the General Plan (City of Irvine 2024b), and the Subdivision Ordinance (Chapter 10, Section 5-5-1004 of the Irvine Municipal Code), developers are required to dedicate park land and/or improvements/amenities and/or pay fees in lieu of dedication. Calculated using Table 4.15-1, such dedication would be at a rate of 5 acres per 1,000 persons, apportioned at 2 acres of community parks and 3 acres of neighborhood parks. Affordable housing projects have a reduced requirement of 3.5 acres of park land for every 1,000 population (2 acres of neighborhood park and 1.5 acres of community park). The project would have 1,020 units in the 12.6 to 31.0 range and 340 units in the 31.1 and above range, which equates to a total of 2,791 persons, as calculated using Table 4.15-1. For the proposed project, this equates to a requirement of approximately 5.58 acres of community park and 8.37 acres of neighborhood park. The proposed project includes approximately ~~7.2~~ 6.2 acres of park land. The remainder of the requirements will be paid via in-lieu fees by the individual developers developing the project.

Residents would likely most often use the project's recreational facilities close to their places of residence and would therefore not use existing facilities at a rate proportional to the population of the community. Construction of the project would also likely increase the usage of the Gateway Preserve, given the proximity to the trails and the fact that South Park would act as a gateway into the preserve. Furthermore, Jeffrey Road would dead-end into a cul-de-sac just beyond South Park, providing another opportunity for visitors to park and enjoy the preserve. Figure 4.15-1 shows the conceptual plan for this cul-de-sac. There may be additional hikers and off-road bicyclists that would use the trails in the preserve; however, funds collected from in-lieu park fees would help mitigate any physical deterioration to the Gateway Preserve, which would be an off-site impact of the implementation of the project. Additionally, the additional use of existing recreational facilities would be offset by the payment of in-lieu fees. Therefore, the project's impact on existing parks and recreational facilities would be less than significant and no mitigation is required.

3.2.10 Changes to Section 4.16, Transportation

4.16.5, Mitigation Measures, page 4.16-23

MM-TRA-3 **Expanded Bikeway Network.** The project shall include expansion of the bikeway network. Providing bike lanes and an enhanced bikeway network can increase access to and from transit hubs. This encourages a mode shift from vehicles to bicycles and displaces vehicle miles traveled.

4.16, Transportation, Figure 4.16-31

Figure 4.16-3, City of Irvine Bicycle Facilities, has been updated based on the Orange County Transit Administration's Orange County Bikeways map as suggested by Scott Shelley, Branch Chief, Local Development Review–Climate Change, of the California Department of Transportation. The updated figure is included at the end of this chapter.

3.2.11 Changes to Section 4.17, Tribal Cultural Resources

4.17.5, Mitigation Measures, page 4.17-16

MM-TCR-1 **Tribal Cultural Resources Monitoring.** Prior to the issuance of grading permits, the applicant/developer shall retain a Native American monitor (tribal monitor), initially attempting to retain such tribal monitor from the Gabrieleño Band of Mission Indians–Kizh Nation and Juaneño Band of Mission Indians, Acjachemen Nation–Belardes. The applicant/developer shall allow 45 days from initial contact with the above-listed Tribes to enter into a contract with the Tribes for monitoring services. If the applicant/developer can demonstrate they were unable to secure an agreement from either of the above-referenced Tribes, or if either of the contracted Tribes fails to fulfill its obligation under the contract terms, then the applicant/developer may retain an alternative qualified tribal monitor approved by the City. A copy of the executed contract(s) shall be submitted to the Irvine Community Development Department prior to the issuance of any permit necessary to commence ground-disturbing activities. A tribal monitor shall be present on a full-time basis during ground-disturbing activities, including mass grading of the site, and for any trenching or improvements when such activities extend below artificial fill deposits into native soils.

3.2.12 Changes to Section 4.18, Utilities and Service Systems

Section 4.18.1.5, Solid Waste, page 4.18-4

4.18.1.5 Solid Waste

~~Solid waste transfer and recovery facilities in the City are owned and operated by private entities and licensed and overseen by the state. The County of Orange maintains three closed landfills in the City, and there are 21 actively maintained and monitored landfills Countywide. The County operates compost facilities at three existing landfills. Residential, institutional, regional commercial, and industrial solid waste is presently collected by private firms, with residential and village commercial collections franchised by the City. Orange County Waste & Recycling (OC Waste & Recycling) manages three active landfills in Orange County: the Frank R. Bowerman Landfill, located in Irvine approximately 1.5 miles east of the project site; the Prima Deshecha Landfill, located in San Juan Capistrano, approximately 18 miles southeast of the project site; and the Olinda Alpha Landfill, located in Brea, approximately 18 miles northwest of the project site (City of Irvine 2024a).~~

The Frank R. Bowerman Landfill has a maximum permitted capacity of 266,000,000 cubic yards (CY), a remaining capacity of 205,000,000 CY, and a cease operation date of December 31, 2053 (CalRecycle 2024a). The Prima Deshecha Landfill has a maximum permitted capacity of ~~172,100,000~~ 172,800,000 CY, a remaining capacity of ~~128,800,000-125,300,000~~ CY, and a cease operation date of December 31, 2102 (~~CalRecycle 2024b~~ OC Waste & Recycling 2024). ~~The Olinda Alpha Landfill~~ This landfill would accept soil (inert waste) exported from the project site during grading (County of Orange 2024).~~In addition, the Olinda Alpha Landfill would accept as well as construction and operational solid waste. This landfill has a maximum permitted capacity of 148,800,000 CY, a remaining capacity of 17,500,000 CY, and a up until its~~ cease operation date of December 31, 2036, (~~CalRecycle 2024c~~).

4.18.4, Impacts Analysis, Threshold 1, Water Service/Infrastructure, Potable Water, page 4.18-16

To estimate water and sewer infrastructure design, potable water demands were estimated based on the maximum 1,360 DU allowed by existing zoning, which includes 927 DU of medium-high density and 433 DU of high-density residential. Using IRWD water factors, the ~~average day potable water demand is~~ average day demand would be approximately 146 gallons per minute (gpm), which equates to approximately 235 acre-feet per year (AFY), with a maximum-day demand of 0.35 mgd. Peak-hour demand is estimated to be 530 ~~gallons per minute (gpm)~~. Fire flow requirements are 3,000 gpm for both medium-high- and high-density residential land uses (Appendix K-1, Gateway Village SAMP).

4.18.4, Impacts Analysis, Threshold 2, page 4.18-22

As described above for water infrastructure, water and sewer service infrastructure design for potable water demand was estimated based on the maximum 1,360 DU allowed by existing zoning, which includes 927 DU of medium-high density and 433 DU of high-density residential. Using IRWD water factors, the ~~average day potable water demand is approximately~~ average day demand would be approximately 146 gpm, which equates to approximately 235 AFY (Appendix K-1, SAMP). The Water Supply Assessment assumes a slightly higher project water demand of 237 AFY in 2030 and 238 AFY in 2045.

4.18.4, Impacts Analysis, Threshold 3, page 4.18-23

Less-Than-Significant Impact. As previously discussed, water and sewer service infrastructure design was estimated for potable water demands based on the maximum 1,360 DU allowed by existing zoning, which includes 927 DU of medium-high density and 433 DU of high-density residential. Using IRWD water factors, the ~~average-day potable water demand~~ average-day demand would be approximately 146 gpm, which equates to approximately 235 AFY to 238 AFY, with a maximum-day demand of 0.35 mgd. Peak-hour demand is estimated to be 530 gpm.

4.18.4, Impacts Analysis, Threshold 4, page 4.18-23

Less-Than-Significant Impact. ~~Once operational,~~ The project would produce solid waste in association with operation and maintenance activities. Based on a project-specific air quality analysis (Appendix B-1, Air Quality and Greenhouse Gas Emissions Modeling), anticipated solid waste generation attributable to the proposed project is approximately 971 tons per year (see Table 4.18-1, Anticipated Solid Waste Generation). The project is anticipated to generate approximately 5,000 tons of construction and demolition debris over the project construction period (2027–2031) based on a residential per square foot estimate of construction and demolition waste from Los Angeles County (County of Los Angeles 2022).

4.18.4, Impacts Analysis, Threshold 4, after Table 4.18-1, page 4.18-23

As discussed in Section 4.18.1, OC Waste & Recycling manages three active landfills in Orange County: ~~the Frank R. Bowerman Landfill, located in Irvine approximately 1.5 miles east of the project site; the Prima Deshecha Landfill, located in San Juan Capistrano, approximately 18 miles southeast of the project site; and the Olinda Alpha Landfill, located in Brea, approximately 18 miles northwest of the project site. The Frank R. Bowerman Landfill has a maximum permitted capacity of 266,000,000 CY, a remaining capacity of 205,000,000 CY, and a cease operation date of December 31, 2053. The Prima Deshecha Landfill has a maximum permitted capacity of 172,100,000 CY, a remaining capacity of 128,800,000 CY, and a cease operation date of December 31, 2102. The Olinda Alpha Landfill would accept soil (inert waste) exported from the project site during grading. In addition, the Olinda Alpha Landfill would accept construction and operational solid waste. This landfill has a maximum permitted capacity of 148,800,000 CY, a with a combined remaining capacity of 17,500,000 347,800,000 CY, and a cease operation date of December 31, 2036 (CalRecycle 2024a, 2024b, 2024c).~~

~~The A conservative estimate of the net solid waste that is anticipated to be produced by the project would equate to approximately 0.0003% of the combined available capacity of these three landfills per year would equate to approximately 0.00003% of the combined available capacity of these three landfills. through the estimated closure dates.~~ As such, the project's solid waste generation would be minimal to negligible relative to available landfill capacity and relative to existing and future solid waste generation in the region. As such, the landfills that would serve the project are anticipated to have adequate capacity to accommodate the waste disposal needs of the project. In addition, the project would be required to comply with applicable state and local regulations related to solid waste, waste diversion, and recycling at the time of development. Additionally, the project would participate in the City's recycling programs, which would further reduce solid waste sent to regional landfills. Impacts would be less than significant.

4.18.7, Cumulative Impacts, page 4.18-28

~~4.18.1.6~~ 4.18.7.5 Solid Waste

The geographic scope for cumulative solid waste impacts is the greater Orange County area. As discussed in Section 4.18.1, OC Waste & Recycling manages three active landfills in Orange County: the Frank R. Bowerman Landfill, which has a remaining capacity of 205,000,000 CY and a cease operation date of December 31, 2053; the Prima Deshecha Landfill, which has a remaining capacity of ~~128,800,000~~ 125,300,000 CY and a cease operation date of December 31, 2102; and the Olinda Alpha Landfill, which has a remaining capacity of 17,500,000 CY and a cease operation date of December 31, 2036 (CalRecycle 2024a, 2024b, 2024c). The net solid waste that is anticipated to be produced by the proposed project would equate to approximately 0.0003% of the combined available capacity of these landfills through the estimated closure dates.

Development of cumulative projects could increase land use intensities in the area, resulting in increased solid waste generation in the service area for Orange County landfills. However, as described above, the regional landfills have a combined remaining capacity of approximately ~~351,300,000~~ 347,800,000 CY and are anticipated to remain open until between 2036 and 2102. The proposed project and cumulative projects would be required to comply with all applicable waste reduction and recycling requirements, including the City's recycling programs, which would further reduce solid waste sent to regional landfills. Additionally, the City is required to comply with the solid waste reduction and diversion requirements set forth in ABs 939, 341, 1327, 2176, 1374, and 1826 (see Section 4.18.2, Relevant Plans, Policies, and Ordinances). Project solid waste disposal would also be completed in compliance with the 2022 CALGreen; the City's Municipal Code Ordinance 21-19, which provides standards for the provision of solid waste (refuse) and recyclable material storage areas; and the City's Building Code, which requires development projects to complete and submit a Waste Management and Recycling Plan for approval prior to issuance of building permits. Therefore, implementation of the proposed project, in addition to the cumulative projects identified in Table 3-1, would not result in cumulatively considerable impacts related to solid waste. Cumulative impacts would be less than significant.

4.18.8, References, page 4.18-29

The following references have been added to the references list:

County of Los Angeles. 2022. Construction and Demolition Recycling and Reuse Ordinance. County of Los Angeles. Department of Public Works. https://pw.lacounty.gov/epd/cd/cd_attachments/CD_Guidelines_DRAFT2022.pdf.

OC Waste & Recycling (Orange County Waste & Recycling). 2024. Joint Technical Document, Prima Deshecha Landfill. June 2024.

3.2.13 Changes to Chapter 5, Other CEQA Considerations

Section 5.5, Growth-Inducing Impacts, Threshold 2, "Parks," page 5-7

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~~ 6.2 acres of parkland. The remainder of the requirements would be paid through in-lieu fees by the individual developers developing the project.

3.3 Changes to Appendices to the Draft EIR

Appendix I, Comprehensive Traffic Study, page 108

The traffic study in Appendix I is changed as follows (see ST/U) and is incorporated in the Final EIR by reference:

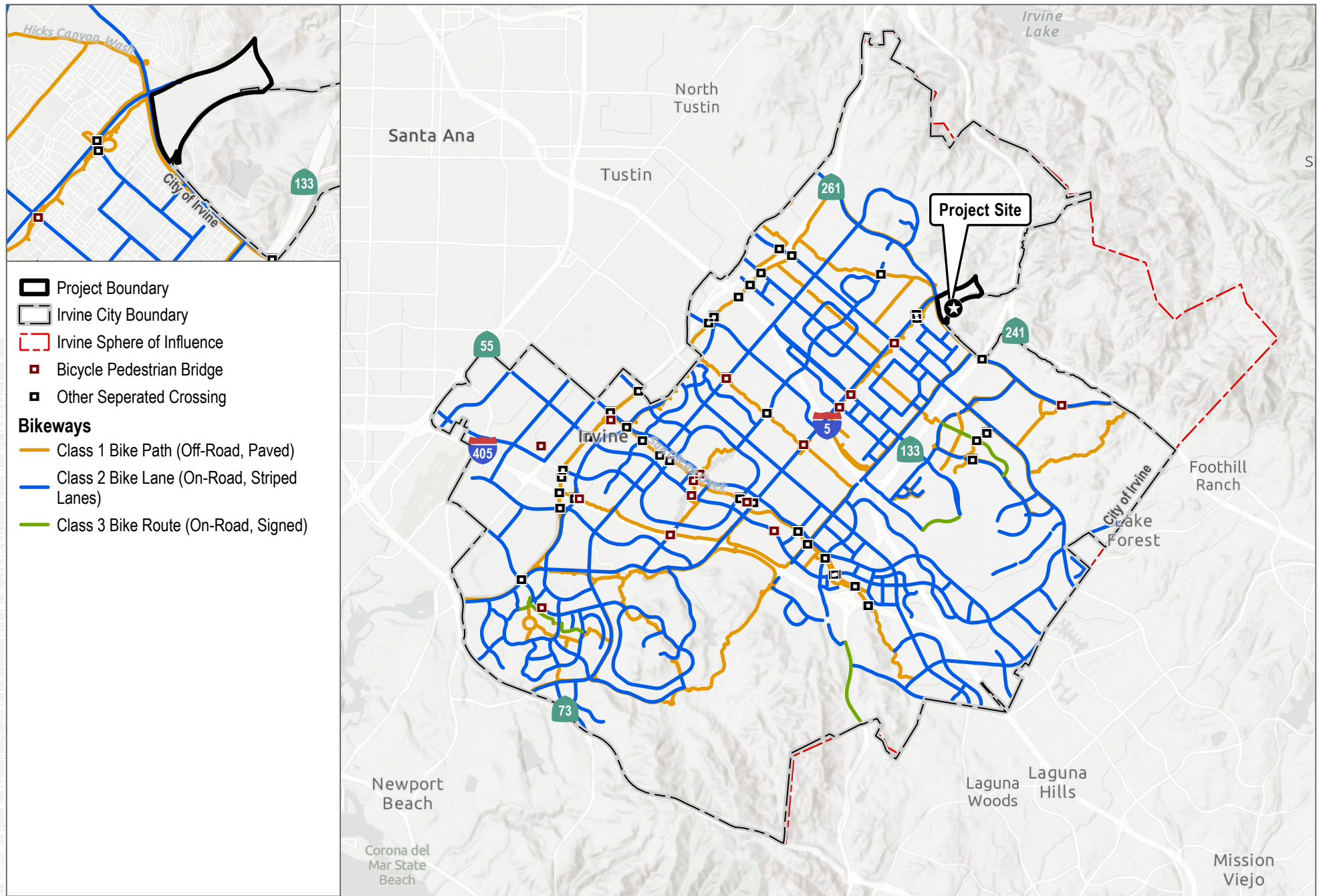
Transit Facilities

Objective C-7 of the City's General Plan aims to maintain a public transit system for trips within the City and to/from adjacent areas. OCTA provides ~~60~~ 51 bus routes throughout Orange County. The bus network includes local, community, and express routes. Within the proximity of the project site, there are no transit routes and stops nearby in the existing condition. The closest bus stops are located at the northwest and southwest corners of Jeffrey Road/Irvine Boulevard, which are approximately 1 mile from the project site. These bus stops service OCTA Route 167, which provides transportation to and from these bus stops and throughout the cities of Orange and Irvine via Jeffrey Road and has stops at the major activity centers, such as the Village at Orange, Irvine Valley College, and University Center. In addition, Irvine CONNECT, a free shuttle service, is provided by the City to connect the northern end of Irvine to the Irvine Train Station via Yale Avenue, with stops at parks, schools, hospitals, and shopping centers. It should be noted that the updated site plan provided by the developer will include a new transit stop and bus turnout on Jeffrey Road at approximately the northeast corner of Jeffrey Road and C Street. This new transit stop will serve the expanded Irvine CONNECT route, to be implemented by the City, with the extension going adjacent to the Irvine Gateway project. The Irvine CONNECT and OCTA bus system maps and bus stop locations are provided in Appendix F.



FIGURE 3-6
Annexation Area

INTENTIONALLY LEFT BLANK



SOURCE: Esri Imagery; Open Street Map 2023; City of Irvine 2023; OCTA 2025

INTENTIONALLY LEFT BLANK

4 Mitigation Monitoring and Reporting Program

4.1 Introduction

California Public Resources Code (PRC) Section 21081.6 requires that, upon certification of an environmental impact report (EIR), “the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation” (PRC Sections 21000–21177).

This Mitigation Monitoring and Reporting Program (MMRP) was developed in compliance with PRC Section 21081.6 and Section 15097 of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000–15387), and includes the following information:

- A list of mitigation measures
- The timing for implementation of the mitigation measures
- The party responsible for implementing or monitoring the mitigation measures
- The date of completion of monitoring

The City of Irvine must adopt this MMRP, or an equally effective program, if it approves the proposed Irvine Gateway Village Project (project) with the mitigation measures that were adopted or made conditions of project approval.

4.2 Mitigation Monitoring and Reporting Program Table

Table 4-1 presents the MMRP, including the mitigation measures, timing for their implementation, the party or parties responsible for implementing or monitoring the mitigation measures, and date of completion.

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Air Quality				
MM-AQ-1: Construction Equipment Exhaust Minimization. Prior to the commencement of any construction activities, the applicant or its designee shall provide evidence to the City of Irvine (City) of the following: For off-road equipment with engines rated at 25 horsepower or greater, no construction equipment shall be used that is less than Tier 4 Final. An exemption from the above requirement may be granted if the applicant documents that equipment with Tier 4 Final engines is not reasonably available, and the required corresponding reductions in criteria air pollutant emissions can be achieved for the project through other combinations of construction equipment. Before an exemption may be granted by the City's Community Development Director, the applicant's construction contractor shall demonstrate (1) that at least 3 construction fleet owners/operators in Orange County were contacted and that those owners/operators confirmed Tier 4 Final equipment could not be located within Orange County during the desired construction schedule and (2) that the proposed replacement equipment has been evaluated using California Emissions Estimator Model (CalEEMod) or other industry standard emission estimation method and documentation provided to the City to confirm that project-generated emissions will not exceed the estimated maximum daily construction criteria air pollutant emissions (with mitigation) set forth in Table 4.3-12 of the Draft EIR.	Prior to the commencement of any construction activities.	City of Irvine		
MM-AQ-2: Additional Construction Equipment Emission Reductions. Prior to the issuance of grading permits, the project applicant or its designee shall provide evidence to the City of Irvine (City) that the following strategies shall be implemented during the project's construction phase:	Prior to the issuance of grading permits.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
A. Use electric or hybrid powered equipment for small pieces of equipment under 25 horsepower (e.g., forklifts), as commercially available. B. Use cleaner-fuel equipment, such as replacing diesel fuel with compressed natural gas or renewable diesel, as commercially available. Commercially available equipment is herein defined as equipment sourced within 50 vehicle miles of the project site and within 10% of the cost of the diesel-fueled equivalent equipment. The project applicant must contact at least three contractors or vendors within Orange County and submit justification to the City if the specified equipment is not commercially available.				
MM-AQ-3: Use of Super-Compliant Low-VOC Paint During Construction. During construction, the project shall use super-compliant low-volatile organic compound (VOC) paint (less than 10 grams per liter VOC) for all interior and exterior paint applications for residential and nonresidential land uses.	During construction.	City of Irvine		
MM-AQ-4: Limit Truck and Equipment Idling During Construction. The project applicant shall reduce idling time of heavy-duty trucks either by requiring them to be shut off when not in use or limiting the time of idling to no more than 3 minutes (thereby improving upon the 5-minute idling limit required by the state Airborne Toxics Control Measure, 13 CCR 2485). The project applicant shall post clear signage reminding construction workers to limit idling of construction equipment.	Prior to construction.	City of Irvine		
MM-AQ-5: Low-VOC Cleaning Supplies and Paint Educational Program. Prior to the occupancy of any on-site development, the applicant or its designee shall provide evidence to the City of Irvine that the applicant/phase developer has developed a Green Cleaning Product and Paint education program to be made available at rental and purchasing offices and/or on websites. The educational program shall include a flyer (hardcopy and/or digital) that includes, at a minimum, an explanation of what	Prior to the occupancy of any on-site development.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
volatile organic compounds (VOCs) are, how VOCs affect us, and where to find low-VOC alternatives for cleaning supplies and paint, as well as including additional resources for learning more.				
MM-AQ-6: Use of Low-VOC Cleaning Supplies and Paint for Spaces Operated by Homeowner's Association. Prior to the issuance of building permits, the applicant or its designee shall provide evidence to the City of Irvine that for applicant (or its designee) and homeowner's association-operated spaces that provisions are in place to ensure that only zero- or low-volatile organic compound (VOC) cleaning supplies and super-compliant VOC paints (less than 10 grams per liter VOC) are used during project operation.	Prior to the issuance of building permits.	City of Irvine		
MM-AQ-7: Use of Zero-Emission Landscape Equipment for Homeowner's Association Land. Only zero-emissions landscaping equipment shall be used during project operation on homeowner's association land. Gasoline-fueled landscaping equipment shall be prohibited consistent with the City's Ordinance No. 23-25.	During project operation.	City of Irvine		
MM-AQ-8: Landscape Maintenance Equipment Emission Reduction. The project applicant shall implement the following landscape maintenance equipment emission reduction measures: ▪ Include Outdoor Electrical Outlets. Prior to the issuance of building permits, the project applicant or its designee shall provide evidence to the City of Irvine that the design plans include electrical outlets on the exterior of the structure to facilitate use of electrical lawn and garden equipment. ▪ Encourage Use of Existing Yard Equipment Exchange and Rebate Programs. The project's future homeowner's association shall educate future residents about the South Coast Air Quality Management District Electric Lawn Mower Rebate Program and the Commercial Electric Lawn and Garden Equipment Exchange Program. When conventional	Prior to the issuance of building permits.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
gasoline-powered yard equipment (e.g., lawn mowers, leaf blowers and vacuums, shredders, trimmers, and chainsaws) are exchanged for electric and rechargeable-battery-powered yard equipment, direct greenhouse gas (GHG) emissions from fossil-fuel combustion are displaced by indirect GHG emissions associated with the generation of electricity used to power the equipment.				
Biological Resources				
MM-BIO-1: Avian Nest Avoidance. Construction activities shall avoid the migratory bird nesting season (typically January 1 through October 31 for white-tailed kite, and from February 1 through August 31 for all other species), as feasible, to reduce any potential significant impact to birds that may be nesting within or adjacent to the construction area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey within 500 feet of impact areas must be conducted by a qualified wildlife biologist no more than 72 hours prior to initial ground-disturbing activities, including vegetation removal. If construction activities cease for more than 3 consecutive days, avian nesting surveys must be repeated no more than 3 days prior to resumption of construction activities. If an active bird nest is found, the nest location shall be added to construction plans and an appropriate no-disturbance buffer shall be established around the nest, the size of which shall be determined by the biologist based on the species' sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The no-disturbance buffer shall be clearly demarcated in the field with highly visible construction fencing or flagging, and construction personnel shall avoid the buffer area until the juveniles have fledged or the nest is no longer considered active, as determined by a qualified biologist. A qualified biologist shall serve as a construction monitor during those periods when construction activities will	During construction activities. If construction activities must occur during the migratory bird nesting season, an avian nesting survey within 500 feet of impact areas must be conducted by a qualified wildlife biologist no more than 72 hours prior to initial ground-disturbing activities, including vegetation removal. If construction activities cease for more than 3 consecutive days, avian nesting surveys must be repeated no more than 3 days prior to resumption of construction activities.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
occur near active nest areas to ensure that no inadvertent impacts to active nests occur. White-tailed kite is a California Department of Fish and Wildlife fully protected species, and a permitting pathway is not available to the project for take of the species. Therefore, the 500-foot buffer cannot be reduced if a white-tailed kite nest is found within the project site.				
MM-BIO-2: Demarcation of Disturbance Limits. To prevent inadvertent disturbance to sensitive vegetation and species adjacent to the proposed project area, temporary fencing and/or staking shall be installed prior to construction activities around the perimeter of the work areas, as feasible depending on topography and large vegetation. All construction activities, including equipment staging and maintenance, shall be conducted within the marked disturbance limits to prevent inadvertent disturbance to sensitive biological resources outside the limits of work. The marked disturbance limits shall be maintained throughout vegetation removal and grading, and any windblown trash generated by the project that collects on the fence will be regularly removed. Silt fencing shall be installed at disturbance limits where aquatic resources occur within 100 feet. Temporary 6-foot-high chain-link fencing covered with dust cloth shall be installed at disturbance limits where occupied least Bell's vireo habitat occur within 500 feet.	Prior to construction activities.	City of Irvine		
MM-BIO-3: Pre-Construction Burrowing Owl Survey. A qualified biologist shall conduct a pre-construction survey for burrowing owls prior to initial ground-disturbing activities, including vegetation removal, to assess whether any burrowing owls have colonized the site prior to the start of construction. The pre-construction survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the start of site preparation or grading activities. If ground-disturbing activities are delayed or suspended for more than 30 days after the pre-construction surveys, the pre-construction surveys shall	Prior to initial ground-disturbing activities. The pre-construction survey shall be completed no more than 14 days before initiation of site preparation or grading activities, and a second survey shall be completed within 24 hours of the	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
be repeated to ensure burrowing owl has not colonized the site since it was last disturbed. The pre-construction survey will occur within suitable habitat for burrowing owl, as determined by the biologist, and will be conducted in accordance with methods described in the CDFW 2012 Staff Report. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the applicant/developer shall immediately inform the California Department of Fish and Wildlife (CDFW). Prior to ground disturbance, the applicant/developer shall prepare a Burrowing Owl Management Plan, which shall be submitted to CDFW for review and approval at least 30 days prior to initiation of ground-disturbing activities. If burrowing owls are detected after ground-disturbing activities have been initiated, CDFW shall be notified in writing and contacted within 24 hours to determine a “no-disturbance” buffer. The qualified biologist shall record the observation with an entry in the California Natural Diversity Database and a Burrowing Owl Management Plan shall be submitted to CDFW for review and approval within 2 weeks of detection. The Burrowing Owl Management Plan shall include, at a minimum, the following. 1. An impact assessment that details the number and location of occupied burrow sites and acres of burrowing owl habitat with a qualitative description of the habitat vegetation characteristics that will be impacted. 2. Avoidance measures, including no-disturbance buffers determined in coordination with CDFW, with posted signs demarcating the avoidance area and by using stakes, flags, and/or rope or cord to minimize the disturbance of burrowing owl habitat. No construction shall occur within the avoidance buffer(s) without the consent of a monitoring biologist. The buffer shall remain in place until it is determined that occupied burrows have been vacated. 3. Monitoring requirements.	start of site preparation or grading activities.			

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
No take of burrowing owl shall occur without prior authorization in the form of an Incidental Take Permit (ITP) pursuant to California Fish and Game Code Section 2081. If overwintering or nesting burrowing owls are observed during the survey and impacts to burrowing owl cannot be feasibly avoided through implementation of the Burrowing Owl Management Plan, the applicant/developer will consult with CDFW and obtain appropriate take authorization from through the California Endangered Species Act ITP process. In the event an ITP is needed, occupied habitat that is temporarily impacted shall be restored to its original construction immediately following the completion of construction and compensatory mitigation for the permanent loss of occupied burrowing owl habitat shall be fulfilled through habitat replacement of equal or better functions and values to those impacted by the project at a minimum 1:1 ratio, or as otherwise determined through the ITP process. Mitigation shall be achieved through off-site conservation of habitat and/or purchase of appropriate credits at a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate shall be prepared to estimate the initial startup costs and ongoing annual costs of land management activities for the management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of a non-wasting endowment to fund the land management activities undertaken by a qualified natural lands management entity selected to hold the conservation easement(s). The endowment shall be established following the completion of a project-specific Property Analysis Record (PAR) or similar PAR-like analysis to calculate the costs of in-perpetuity land management. The PAR shall take into account all management activities required in the ITP to fulfill the requirements of the conservation easement(s), which are currently in review and development.				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
MM-BIO-4: Least Bell's Vireo Mitigation. Prior to initial ground-disturbing activities, including vegetation removal, the applicant/developer shall prepare a mitigation plan in accordance with the requirements for conditional coverage identified in the Implementing Agreement for the Natural Community Conservation Plan & Habitat Conservation Plan, County of Orange Central and Coastal Subregion (NCCP/HCP). The mitigation plan shall be developed in coordination with the Wildlife Agencies (U.S. Fish and Wildlife Service and California Department of Fish and Wildlife) and the Natural Communities Coalition (NCC) and shall include, at a minimum, the following: 1. Compensatory mitigation requirements for impacts to occupied least Bell's vireo habitat, which shall be, at a minimum, 1:1 for low-quality habitat, 2:1 for moderate-quality habitat, and 3:1 for high-quality habitat, or as otherwise determined during coordination with the Wildlife Agencies. Compensatory mitigation shall be met through habitat restoration/enhancement activities at an appropriate location (which may include the reserve or other open space) and which may include planting of riparian trees and shrubs and/or brown-headed cowbird trapping. 2. Requirements for monitoring and adaptive management of least Bell's vireo habitat within the NCCP/HCP Reserve, including brown-headed cowbird trapping, consistent with Chapter 5 of the NCCP/HCP. 3. Design modifications and other on-site measures that are consistent with the project's purposes, and which avoid or minimize impacts and provides appropriate feasible protections for least Bell's vireo. At a minimum, the following measures shall be included: a. Seasonal Avoidance. To avoid direct impacts nesting individuals and eggs/young, vegetation-disturbing activities within suitable and occupied least Bell's vireo	Prior to initial ground-disturbing activities.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
habitat shall occur from September 16 (or sooner if a Wildlife Agency–approved project biologist demonstrates to the satisfaction of the Wildlife Agencies that all nesting is complete) through March 14 to avoid the least Bell’s vireo breeding season. For other project-related construction that cannot be restricted to outside the least Bell’s vireo breeding season, construction noise monitoring and reduction will be provided as detailed below. b. Noise Monitoring. To minimize potential adverse impacts to least Bell’s vireo from construction-related noise and vibration, non-vegetation clearing construction-related activities within 500 feet of occupied and suitable least Bell’s vireo habitat would be timed to occur outside of the breeding season to the extent feasible. For construction-related activities within 500 feet (152.40 meters) of occupied or suitable least Bell’s vireo habitat, and that must occur within the least Bell’s vireo breeding season, on-site noise reduction techniques shall be implemented to limit construction-related noise within the occupied habitat areas to levels that do not exceed 60 A-weighted decibel (dBA) hourly energy equivalent level (L_{eq}) or pre-construction ambient noise levels, whichever is greater. Noise reduction techniques shall be implemented as necessary to ensure that noise thresholds are not exceeded. These techniques may include but are not limited to installation of temporary sound barriers, utilization of quieter equipment, adherence to equipment maintenance schedules, and/or shifting construction work away from occupied areas. c. Biological Monitoring. All construction-related activities within 500 feet of occupied least Bell’s vireo habitat shall be monitored by a Wildlife Agency–approved biologist. The biologist shall submit weekly letter reports (including				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
photographs of impact areas) via email to the Wildlife Agencies while construction-related activities within 500 feet of occupied habitat are ongoing. The weekly reports will document that authorized impacts were not exceeded and all avoidance and protection measures were complied with. The reports will also summarize the duration of vireo monitoring, the location of construction activities, the type of construction that occurred, and equipment used. The reports will specify numbers, locations, and sex of vireos (if present); observed vireo behavior (particularly in relation to construction activities); and any remedial measures employed to avoid impacts to vireo individuals. Raw field notes should be available upon request by the Wildlife Agencies. Any unauthorized impacts to vireo or vireo habitat shall be reported to the Wildlife Agencies within 24 hours. A final report shall be submitted to the Wildlife Agencies and the NCC within 60 days of project completion that includes (1) as-built construction drawings with an overlay of occupied habitat that was impacted and avoided, (2) photographs of avoided occupied habitat areas, and (3) other relevant summary information documenting that authorized impacts were not exceeded and that all mitigation plan measures were generally complied with. Prior to initial ground-disturbing activities, including vegetation removal, the applicant/developer shall obtain concurrence from the Wildlife Agencies that the NCCP/HCP conditions of coverage for least Bell's vireo have been satisfied and that incidental take of least Bell's vireo is authorized under the terms of the NCCP/HCP. If it is determined that incidental take of least Bell's vireo resulting from the project is not conditionally covered under the NCCP/HCP, take authorization shall be obtained through the federal Section 7 Consultation or Section 10 processes and state 2080.1				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
consistency determination or 2081 Incidental Take Permit requirements.				
MM-BIO-5: Crotch's Bumble Bee Pre-Construction Surveys. Pre-construction surveys for Crotch's bumble bee shall be conducted within the construction footprint prior to initial ground-disturbing activities, including vegetation removal, that would occur during the Crotch's bumble bee queen flight season through the gyne (reproductive female) flight season (February 1 through October 31). The pre-construction survey shall be conducted by a qualified biologist familiar with the species' behavior and life history and shall include (1) a habitat assessment and (2) focused surveys, both of which shall be based on recommendations described in the Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species, released by the California Department of Fish and Wildlife (CDFW) on June 6, 2023, or the most current version at the time of construction. If suitable habitat is not completely cleared during the year of the initial habitat assessment and pre-construction surveys, additional pre-construction surveys shall be repeated within remaining suitable habitat each year ground-disturbing construction activities are scheduled to occur within suitable habitat during the queen flight season through the gyne flight season (February 1 through October 31). Additional pre-construction surveys would not be necessary once all suitable habitat is removed. The habitat assessment shall, at a minimum, include historical and current species occurrences; document potential habitat on site, including foraging, nesting, and/or overwintering resources; and identify which plant species are in bloom and their percent cover. Incidental observations of potential nest resources shall also be noted. For the purposes of this mitigation measure, nest resources are defined as abandoned small mammal burrows, bunch grasses with a duff layer, thatch, hollow trees, brush piles,	Prior to the initial ground disturbance.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
and human-made structures that may support bumble bee colonies, such as rock walls, rubble, and furniture. Potential overwintering resources are defined as bare soil, leaf litter, pine needle duff layer, and bunch grasses. ▪ In each year that a habitat assessment is conducted, if nesting resources are determined to be present in the impact area, focused surveys shall be conducted. Focused surveys shall be performed by a biologist who is in possession of a valid Memorandum of Understanding with CDFW (and a valid Scientific Collecting Permit, if applicable) and include at least three survey passes spaced 2 to 4 weeks apart. The timing of these surveys shall coincide with the Colony Active Period for Crotch's bumble bee (April 1 through August 31) and shall coincide with the presence of floral resources on site. Surveys may occur between 1 hour after sunrise and 2 hours before sunset. Focused surveys shall not be conducted during wet conditions (e.g., foggy, raining, or drizzling) and surveyors shall wait at least 1 hour following cessation of rain to start or resume surveys. Focused surveys shall be conducted when conditions include sunny to partly sunny skies, a temperature greater than 60°F, and sustained wind speeds less than 8 mph, unless other bees or butterflies are flying, in which case focused surveys can be conducted outside of these weather parameters. ▪ A written survey report shall be submitted to the City and CDFW within 30 days of the completion of pre-construction surveys. The report shall include survey methods, weather conditions, and survey results, including a detailed habitat assessment, floral resources blooming and percent cover, bumble bee species observed, floral species that bumble bees were observed visiting, nesting and overwintering habitat surveyed, and a figure showing the locations of any Crotch's bumble bee nest sites or individuals observed. The survey report shall include the qualifications/resumes of the				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
surveyor(s) and approved taxonomist(s) for identification of photo vouchers. If Crotch's bumble bee nests are observed, the survey report shall also include avoidance measures, and the location information shall be submitted to the California Natural Diversity Database at the time of, or prior to, submittal of the survey report. ▪ If Crotch's bumble bee is not detected during the focused surveys, no further action or mitigation would be required. If nest resources occupied by Crotch's bumble bee are detected, avoidance measures shall be implemented including, but not limited to, the establishment of no-disturbance zones within 50 feet of the nest, or within a distance determined by a qualified biologist through evaluation of topographic features and/or distribution of floral resources. Construction shall not occur within the no-disturbance zone(s) until the colony is no longer active (i.e., no bees are seen flying in or out of the nest for 3 consecutive days, indicating the colony has completed its nesting season and the next season's queens have dispersed from the colony). If the avoidance of nests is not feasible, or if take of foraging individuals is anticipated, the applicant/developer shall consult with CDFW regarding the need for incidental take authorization pursuant to Section 2081 of the California Fish and Game Code. ▪ Mitigation for take of Crotch's bumble bee will be fulfilled through compensatory mitigation at a minimum 1:1 nesting habitat replacement of equal or better functions and values to those impacted by the project, or as otherwise determined through the Incidental Take Permit process. Mitigation shall be accomplished either through off-site conservation or through a CDFW-approved mitigation bank. If mitigation is not purchased through a mitigation bank, and lands are conserved separately, a cost estimate shall be prepared to estimate the initial start-up costs and ongoing annual costs				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
of management activities for the management of the conservation easement area(s) in perpetuity. The funding source shall be in the form of an endowment to help the qualified natural lands management entity that is ultimately selected to hold the conservation easement(s). The endowment amount shall be established following the completion of a project-specific Property Analysis Record to calculate the costs of in-perpetuity land management. The Property Analysis Record shall take into account all management activities required in the Incidental Take Permit to fulfill the requirements of the conservation easement(s), which are currently in review and development.				
MM-BIO-6: Biological Monitoring. To prevent impacts to areas outside the limits of disturbance, a qualified biologist shall be present on site to monitor during initial ground disturbance or vegetation removal activities. Biological monitoring shall include the following tasks and responsibilities: ▪ Tailgate Briefings. Conduct a pre-construction briefing at the tailgate with construction personnel prior to vegetation removal or initial ground disturbance to outline the biological resources present at the subject work location, prohibition of littering, locations of covered trash receptacles, work location specific disturbance limits, procedures/training for minimizing harm to or harassment of wildlife encountered during construction. The tailgate briefing will include the presentation of a Worker Environmental Awareness Program, which shall include, at a minimum, required best management practices to prevent and/or minimize the spread of invasive plant species during construction.	Prior to initial ground disturbance.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
▪ Pre-Construction Sweeps. Conduct pre-construction sweeps where construction work is scheduled for the day in areas with suitable habitat to support special-status wildlife or plants. Flush wildlife species from occupied areas immediately prior to vegetation-clearing and earth-moving activities during pre-construction sweeps. ▪ Spot Checks. Supervise and conduct regular spot checks during construction work, focusing on areas determined to have potential to support special-status species (as determined by a qualified biologist), to ensure against direct and indirect impacts to biological resources that are intended to be protected and preserved. ▪ Relocating Wildlife. A qualified biologist shall capture animals that are in immediate harm's way and cannot move out of the work area on their own and relocate them to nearby undisturbed areas with suitable habitat located outside of the construction area but as close to their origin as possible. All wildlife moved during project activities shall be documented by the biologist on site. ▪ Dust Control Monitoring. Periodically monitor the construction site to see that dust is minimized. If the biological monitor determines that dust is adversely affecting special-status species, the monitor will require the construction personnel to implement best available control measures to reduce dust. Examples of such best available control measures include periodic watering of work areas, application of environmentally safe soil stabilization materials, and/or roll compaction. ▪ Open-Hole Inspections. At the end of each workday, any open holes (including large/steep excavations) shall be inspected by the on-site biologist and subsequently fully covered to prevent entrapment of wildlife species. If fully covering the excavations is impractical, ramps will be used to provide a means of escape for wildlife that enter the excavations, or				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
open holes will be securely fenced with exclusion fencing. If common wildlife species are found in a hole, the biological monitor shall immediately be informed, and the animal(s) shall be removed.				
MM-BIO-7: Coastal California Gnatcatcher Monitoring. To minimize potential indirect impacts to coastal California gnatcatcher, construction-related activities within 500 feet of occupied habitat shall be timed to occur outside the coastal California gnatcatcher breeding season (February 15 through August 30). Should construction activities occur within 500 feet of coastal sage scrub habitat east of Bee Canyon Access Road during the breeding season (between February 15 and August 30), pre-construction surveys for coastal California gnatcatcher shall be conducted in all suitable habitat within 500 feet. Pre-construction surveys shall be conducted by a permitted coastal California gnatcatcher biologist and shall include three site visits, conducted 1 week apart, with the final site visit conducted no more than 7 days prior to the start of construction. If coastal California gnatcatcher is not detected, no further mitigation related to this species shall be required. If coastal California gnatcatcher is detected but breeding behaviors are not observed, work may proceed and weekly surveys shall continue until the individual(s) leave the area, breeding behaviors and/or nesting is detected, the breeding season ends, or construction ends. If breeding and/or an active nest is observed, the limits of the occupied habitat and a 500-foot avoidance buffer shall be delineated on construction plans, and all construction personnel working near the nest buffer shall be made aware of the presence of occupied gnatcatcher habitat. To the extent feasible, no construction activities shall occur within the 500-foot avoidance buffer during the breeding season. Should it be necessary for construction activities to occur within 500 feet of occupied habitat during the breeding season, noise monitoring would be required to ensure that project-related activities do not	Prior to construction.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
result in noise levels above 60 A-weighted decibels (dBA) equivalent continuous sound level (L_{eq}) (1 hour) or the ambient noise level, whichever is higher. If any project activities exceed 60 dBA or the designated existing ambient noise level, construction activities shall be halted until noise reduction measures (such as a sound wall) can be implemented to reduce noise levels to below 60 dBA hourly L_{eq} or ambient noise levels, whichever is higher.				
MM-BIO-8: Waters and Wetland Mitigation. Prior to impacts within waters regulated by the Regional Water Quality Control Board (RWQCB), the applicant/developer shall coordinate with the Santa Ana RWQCB (Region 8) to ensure conformance with the requirements of the Porter–Cologne Water Quality Control Act, including applicable requirements to obtain an individual Wastewater Discharge Requirement. Prior to impacts within waters regulated by California Department of Fish and Wildlife (CDFW), the applicant/developer shall coordinate with CDFW (South Coast Region 5) to ensure conformance with California Fish and Game Code Section 1602, including applicable requirements to obtain a Lake and Streambed Alteration Agreement. Permanent impacts to jurisdictional aquatic resources shall be mitigated through the completion of a restoration program at an applicant/developer-sponsored mitigation site. The total mitigation requirement will be 0.32 acres, providing a 2:1 mitigation-to-impact ratio, of which at least 0.03 acres shall be composed of establishment/re-establishment, ensuring no net loss of waters of the state. The balance of the mitigation requirement shall be met through a combination of creation, re-establishment, and/or enhancement. A habitat mitigation and monitoring plan shall be prepared in accordance with resource agency guidelines and shall be approved by the Resource Agencies (i.e., RWQCB and CDFW). The	Prior to impacts within waters regulated by the RWQCB and CDFW.	Santa Ana RWQCB, CDFW, City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
habitat mitigation and monitoring plan shall include, but is not limited to, a conceptual planting plan including planting zones, grading, and irrigation, as applicable; a conceptual planting plant palette; a long-term maintenance and monitoring plan; annual reporting requirements; and proposed success criteria. Any applicant-sponsored mitigation shall be conserved and managed in perpetuity via a conservation easement and any entity performing long-term management of the mitigation lands shall be funded in perpetuity.				
MM-BIO-9: Tree Ordinance Tree Inventory and Permit. Prior to issuance of a grading permit for the project, a tree inventory shall be conducted within the project development area to identify and map tree species subject to the City tree removal permit. If significant trees subject to a tree removal permit are identified within the project development area, a tree removal permit shall be obtained from the City prior to issuance of the grading permit and conditions of the tree removal permit shall be implemented.	Prior to issuance of grading permits.	City of Irvine		
Cultural Resources				
MM-CUL-1: Cultural Resources Sensitivity Training. Prior to the initiation of ground-disturbing activities, construction crews shall be made aware of the potential to encounter cultural resources and the requirement for cultural monitors to be present during these activities. Topics addressed should include definitions and characteristics of cultural resources and tribal cultural resources, regulatory requirements and penalties for intentionally disturbing cultural resources, and protocols to be taken in the event of an inadvertent discovery.	Prior to the initiation of ground disturbance.	City of Irvine		
MM-CUL-2: Cultural Resources Monitoring and Inadvertent Discovery Protocols. A Cultural Resources Monitoring and Inadvertent Discovery Plan (Plan) shall be prepared by an archaeological principal investigator meeting the Secretary of the Interior's Professional Qualification Standards for Archaeology, and subject to City of Irvine (City) review prior to initiation of	During all initial ground-disturbing activities.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
construction. The Plan shall detail, at a minimum, requirements for archaeological monitoring (as applicable); roles and responsibilities; inadvertent discovery, management, and communication protocols; and daily and post-construction reporting. An archaeological monitor shall be present during all initial ground-disturbing activities for the project in areas with the highest perceived archaeological sensitivity. This includes areas along Hicks Canyon Wash and throughout the northeastern portion of the project area, which has not been subject to past mass-grading efforts. Areas of lower sensitivity, including areas previously graded for agricultural use shall be subject to weekly spot checks. Archaeological monitoring may be adjusted (increased, decreased, or discontinued) at the recommendation of the archaeological principal investigator based on inspection of exposed cultural material and the observed potential for soils to contain intact cultural deposits or otherwise significant archaeological material. The archaeological monitor shall have the authority to temporarily halt work to inspect areas for potential cultural material or deposits. In the event that unanticipated archaeological deposits or features are exposed during construction activities, all construction work occurring within 50 feet of the find shall immediately stop until the archaeological principal investigator is provided access to the project site and can assess the significance of the find and determine whether additional study is warranted. The work exclusion buffer may be adjusted as appropriate to allow work to feasibly continue at the recommendation of the archaeological principal investigator. Should it be required, temporary flagging shall be installed around the resource to avoid any disturbance from construction equipment. The potential for avoidance and preservation in place should be the primary consideration of this initial process. The significance of the find shall be assessed as outlined in the				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
California Environmental Quality Act (CEQA) Guidelines and statute (14 CCR 15064.5[f]; California Public Resources Code Section 21082). If the archaeological principal investigator observes the discovery to be potentially significant under CEQA, additional efforts, such as the preparation of an archaeological treatment plan, testing, and/or data recovery, are warranted prior to allowing construction to proceed in this area. Daily monitoring logs shall be completed by the on-site archaeological monitor. Within 60 days following completion of construction, the archaeological principal investigator shall provide an archaeological monitoring report to the City. This report shall include the results of the cultural monitoring program (even if negative), including a summary of any findings or evaluation/data recovery efforts, and supporting documentation that demonstrates that all mitigation measures defined in this environmental impact report were appropriately met. Appendices shall include archaeological monitoring logs and documentation relating to any newly identified or updated cultural resources. This report shall be submitted to the South Central Coastal Information Center once considered final.				
MM-CUL-3: Unanticipated Discovery of Human Remains. In accordance with Section 7050.5 of the California Health and Safety Code and the requirements of the California Environmental Quality Act (CEQA) Guidelines Section 15064.5(e), if human remains are found, the Orange County Coroner (County Coroner) shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California Public Resources Code Section	During construction.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
5097.98, NAHC must immediately notify the person or persons it believes to be the Most Likely Descendant of the deceased Native American. The Most Likely Descendant shall complete inspection after being granted access to the site and make recommendations for the treatment and disposition, in consultation with the landowner, of the human remains and associated grave goods.				
Geology and Soils				
MM-GEO-1: Paleontological Resources Impact Mitigation Program. Prior to commencement of any grading activity on site, the applicant shall retain a qualified paleontologist per the 2010 Society of Vertebrate Paleontology guidelines. The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program for the Project. The Paleontological Resources Impact Mitigation Program shall be consistent with the 2010 Society of Vertebrate Paleontology guidelines and shall outline requirements for preconstruction meeting attendance and worker environmental awareness training, where monitoring is required within the proposed project site based on construction plans and/or geotechnical reports, procedures for adequate paleontological monitoring and discoveries treatment, and paleontological methods (including sediment sampling for microvertebrate fossils), reporting, and collections management. The qualified paleontologist shall attend the pre-construction meeting and a qualified paleontological monitor, per the 2010 Society of Vertebrate Paleontology guidelines, shall be on site during all rough grading and other significant ground-disturbing activities (including augering) in previously undisturbed, fine-grained Pleistocene alluvial deposits. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the paleontological monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot-radius buffer. Once documentation and collection of the find is	Prior to commencement of any grading activities.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
completed, the paleontological monitor will remove the rope and allow grading to recommence in the area of the find.				
Greenhouse Gas Emissions				
MM-GHG-1: Electric Vehicle Charging Infrastructure. The project applicant or designee shall provide electric vehicle (EV) charging infrastructure that meets or exceeds 2022 California Green Building Standards Code Tier 2 standards A4.106.8.1 for single-family homes and A4.106.8.2 for multifamily dwellings to encourage use of EVs, consistent with Appendix D, Table 3, of the 2022 CARB Scoping Plan.	During project operation.	City of Irvine		
MM-GHG-2: Energy Conservation. Prior to the issuance of building permits, the project applicant or its designee shall provide evidence to the City that the residential and recreational building design plans include the following energy conservation measures: a) A solar photovoltaic electricity-generating system shall be installed at the proposed on-site amenity building to the extent feasible. b) Outdoor lighting shall be light emitting diode (LED) or other high-efficiency lightbulbs. c) Prior to the issuance of building permits, the Project applicant or its designee shall submit building plans illustrating installation of cool pavements in place of dark pavements within walkways and patios. Walkways and patios shall use natural grey or uncolored concrete with a Solar Reflectance Index (SRI) value of 0.39. d) Information on energy efficiency, energy efficient lighting and lighting control systems, energy management, and existing energy incentive programs shall be provided to future residents of the project.	Prior to the issuance of building permits.	City of Irvine		
MM-GHG-3: Water Use Efficiency and Water Conservation. Prior to the issuance of building permits, the project applicant or its designee shall provide evidence to the City of Irvine that the	Prior to the issuance of building permits.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
residential and recreational building design plans include water use efficiency and conservation measures, including the following: a) High-efficiency appliances/fixtures to reduce water use, and/or include water-efficient landscape design b) Low-flow or high-efficiency water fixtures c) Water-efficient landscapes with lower water demands than required by the California Department of Water Resources 2015 Model Water Efficient Landscape Ordinance d) Planting of native and drought-tolerant plant species where permissible under fuel modification requirements e) Educational materials provided to future tenants and building occupants about water saving behaviors and water-conserving landscaping				
MM-GHG-4: Solid Waste Reduction. Prior to the issuance of building permits for the project, the project applicant shall provide building plans that include the following solid waste reduction measure: a) Provide storage areas for recyclables and organic waste in new construction, and food waste storage, if a pick-up service is available.	Prior to the issuance of building permits.	City of Irvine		
Hazards and Hazardous Materials				
MM-HAZ-1: Pre-Demolition Hazardous Materials Abatement. Prior to issuance of a demolition and/or grading permit, the applicant or its designee shall ensure that demolition or renovation plans and contract specifications incorporate appropriate abatement procedures for the removal of materials containing asbestos, lead, polychlorinated biphenyls, hazardous material, hazardous wastes, petroleum and oil products, and universal waste items. Survey for and abatement of these materials must be completed by a licensed contractor in accordance with state regulations. Further, all abatement work shall be done in accordance with	Prior to the issuance of a demolition and/or grading permit.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
federal, state, and local regulations, including, but not limited to, those of the U.S. Environmental Protection Agency (which regulates disposal), federal Occupational Safety and Health Administration, U.S. Department of Housing and Urban Development, California Occupational Safety and Health Administration (which regulates employee exposure), California Department of Public Health (which certifies lead paint workers), and the South Coast Air Quality Management District.				
MM-HAZ-2: Soil Management Plan. Prior to the issuance of a grading permit, the project applicant/developer or their designated contractor shall retain a qualified environmental consultant to prepare a soil management plan (SMP) that outlines the proper screening, handling, characterization, transportation, and disposal procedures for contaminated or potentially contaminated soils on site, as well as screening procedures for import of clean fill. The SMP shall include health and safety and training procedures for workers who may come in contact with contaminated soils. The SMP shall include on-site soil management requirements to avoid fugitive dust and stormwater runoff, including stockpile management, and response and reporting procedures in the event of a release of contaminated soils or violation of air quality or water quality rules (of the South Coast Air Quality Management District and Santa Ana Regional Water Quality Control Board, respectively). Clean fill shall be screened in accordance with the California Department of Toxic Substances Control (DTSC) Advisory for Clean Imported Fill Material Fact Sheet and shall meet residential environmental screening levels applicable at the time of soil import (San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels or DTSC-Modified Screening Levels). The SMP shall be implemented by the project applicant or their designated contractor for all confirmed and suspected contaminated soils that require excavation and off-site disposal. The SMP shall also include procedures for the identification and	Prior to the issuance of a grading permit.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
proper abandonment of underground storage tanks, piping, sumps, or other features, should any be identified during demolition and construction activities. The SMP shall include procedures to meet all applicable federal, state, and local regulations (including those of the Orange County Health Care Agency and South Coast Air Quality Management District) associated with handling, excavating, stockpiling, and disposing of contaminated soils; the proposed disposal facility that will accept the contaminated soils; and appropriate procedures, notifications, permitting requirements, handling, and disposal requirements for decommissioning any underground storage tanks.				
Transportation				
MM-TRA-1: Affordable and Below Market Rate Housing. The project shall include affordable and below market housing integrated into the design. Individuals living in affordable multifamily housing have lower rates of car ownership and higher rates of other transportation modes, such as transit, bicycling, and walking.	Prior to project implementation.	City of Irvine		
MM-TRA-2: Pedestrian Network Improvement. The project shall include pedestrian network improvements. Providing sidewalks and an enhanced pedestrian network encourages people to walk instead of drive, and this mode shift results in a reduction in vehicle miles traveled.	Prior to project implementation.	City of Irvine		
MM-TRA-3: Expanded Bikeway Network. The project shall include expansion of the bikeway network. Providing bike lanes and an enhanced bikeway network can increase access to and from transit hubs. This encourages a mode shift from vehicles to bicycles and displaces vehicle miles traveled.	Prior to project implementation.	City of Irvine		
MM-TRA-4: Traffic Signal Installation. The project shall include a traffic signal at "A" Street on Jeffrey Road if and when the extension of Jeffrey Road to SR-241 is built, to satisfy both TDP-3	The signal will only be installed if and when the extension of Jeffrey Road to SR-241 is built.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
and TDP-12 criteria in the Buildout Approved Plus Project condition.				
Tribal Cultural Resources				
MM-TCR-1: Tribal Cultural Resources Monitoring. Prior to the issuance of grading permits, the applicant/developer shall retain a Native American monitor (tribal monitor), initially attempting to retain such tribal monitor from the Gabrieleño Band of Mission Indians–Kizh Nation and Juaneño Band of Mission Indians, Acjachemen Nation–Belardes. The applicant/developer shall allow 45 days from initial contact with the above-listed Tribes to enter into a contract with the Tribes for monitoring services. If the applicant/developer can demonstrate they were unable to secure an agreement from either of the above-referenced Tribes, or if either of the contracted Tribes fails to fulfill its obligation under the contract terms, then the applicant/developer may retain an alternative qualified tribal monitor approved by the City. A copy of the executed contract(s) shall be submitted to the Irvine Community Development Department prior to the issuance of any permit necessary to commence ground-disturbing activities. A tribal monitor shall be present on a full-time basis during ground-disturbing activities, including mass grading of the site, and for any trenching or improvements when such activities extend below artificial fill deposits into native soils. If determined necessary by the tribal monitor, further monitoring shall continue until grading and excavation is complete or until the tribal monitor determines, based on field observations, that there is no likelihood of encountering tribal cultural resources (TCRs). Alternatively, monitoring shall be reduced from full time to part time or spot-checking if determined appropriate by the tribal monitor based on monitoring results. The tribal monitor shall complete daily monitoring logs providing descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. If TCRs are discovered during	Prior to the issuance of grading permits.	City of Irvine		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
grading or excavation, the construction contractor shall divert all earthmoving activity within and around the immediate area of discovery (within 100 feet) until the tribal monitor or Tribe has had a reasonable opportunity to assess the nature and significance of the find. Project personnel shall not collect or move any TCR materials until the find has been assessed and evaluated. Project personnel shall not collect or move any human remains, items of patrimony, or associated grave goods.				
Wildfire				
MM-WF-1: Pre-Construction Requirements. Prior to the commencement of construction activities, the project applicant/developer shall ensure the following requirements are met in accordance with Orange County Fire Authority (OCFA) Guideline B-01, Fire Master Plans for Commercial & Residential Development, Appendix A, Access During Construction. Access and water supply during construction shall comply with California Fire Code Chapter 33 and the provisions listed below. Construction activities that do not comply with these requirements may be suspended at the discretion of the fire code official until a reasonable level of compliance is achieved. At no time shall construction impair/obstruct existing fire lanes or access to the operation of an existing fire hydrant (or hydrants) serving other structures. The developer shall provide alternative access routes, fire lanes, and other mitigation features when existing roadways or fire hydrants may need to be moved or altered during construction to ensure adequate fire and life-safety protection. Such alternatives and features shall be submitted to OCFA for review and approval prior to alteration of existing conditions Lumber Drop Inspection: An inspection shall be scheduled with an OCFA inspector to verify that access roadways, fire lanes, and operable fire hydrants have been provided for buildings under	Prior to the commencement of construction activities.	OCFA		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
construction and prior to bringing combustible materials on site. The inspection shall verify the following: ▪ The street address of the site shall be posted at each entrance. Projects on streets without names or street signs posted at the time of construction shall include the project name, tract number, or lot number for identification. ▪ Gates through construction fencing shall be equipped with a Knox padlock or breakaway lock/chain. ▪ When required by the OCFA inspector, fire lanes shall be posted with “Fire Lane – No Parking” signs, or “No Parking Areas” will be identified to maintain obstruction-free areas during construction. ▪ Provisions shall be made to ensure that fire hydrants are not blocked by vehicles or obstructed by construction material or debris. A 3-foot clear space shall be provided around the perimeter of each hydrant and no parking or similar obstructions shall be allowed along the adjacent road within 15 feet of a hydrant. Inoperable fire hydrants shall be bagged. Temporary Fire Access Roads: Temporary access roads (construction roads that do not match the final location and configuration of permanent roads as approved on a Fire Master Plan) and temporary hydrants may be permitted for single-family residential model construction or a single detached custom home less than 5,500 square feet in area with the conditions listed below. They may be allowed on a case-by-case basis for other structures with additional requirements, as determined by the fire code official. Conditions allowing the construction of these temporary access roads and hydrants include the following: ▪ Plans for temporary access shall be submitted to the OCFA Planning and Development Services Section. Plans will show proposed temporary roadway locations, location of models, space dedicated to storage of construction materials, and				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
parking for work crews and construction vehicles. The plans shall clearly state that they have been submitted for temporary access and hydrants. ▪ Plans shall be stamped and signed by a licensed civil engineer stating that the temporary access road can support 94,000 pounds of vehicle weight in all weather conditions. Plans shall also provide manufacturer's documentation that demonstrates suitability of the material, specifically as a road stabilizer. ▪ Parking plans shall include details on how the construction site will enforce fire lanes and no-parking zones. ▪ Aboveground invasion lines are acceptable for water supply, as follows: - Drawings shall show details of how the line will be secured in place (e.g., size, depth, and interval of rebar tie-downs) and protected from vehicular damage (e.g., K-rails or bollards). - An invasion line may be run underground if the depth of bury can support the 94,000-pound weight of a fire apparatus. - The temporary water line must provide the required fire flow; calculations may be required. - The pipe shall be listed for fire service. - Fire hydrants shall consist of a minimum 6-inch-diameter barrel with one 2.5-inch outlet and one 4-inch outlet. This shall be noted on the plan. ▪ All other access and water requirements shall apply (e.g., width, approach clearance, premises identification, locks, gates, barriers). ▪ The approved plan for temporary access and water supply shall be available at the construction site prior to bringing combustible building materials on site.				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
- An inspection by OCFA personnel is required to verify adherence to the approved plan prior to bringing combustible materials on site. Phased Access: Incremental installation of permanent access roadways as shown on a Fire Master Plan may be permissible for commercial and residential developments. If phased installation is anticipated, the site superintendent or designee shall review the installation process with an OCFA inspector during the lumber drop inspection or pre-construction meeting. Depending on the complexity of the installation, size of the project, and other project-specific factors, the inspector may allow phased installation to proceed immediately or may first require that all or some of the following items are satisfied: - The extent of building construction - Location of operable hydrants serving all buildings under construction - The location of construction fencing, barriers, and vehicle access gates - The location of all temporary or permanent “fire lane—no parking” signs - Equipment/materiel staging locations - Worker parking areas In addition, the following requirements for phased access shall be met: - Phasing plans shall be stamped and signed by a licensed civil engineer stating that the access road can support 94,000 pounds of vehicle weight in all weather conditions. The final road section less the final lift of asphalt topping may be acceptable if certified by the engineer. - The phasing plan shall identify any anticipated areas where fire department access roadways may be temporarily inaccessible due to trenching, slurry coating, striping, or other				

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
construction activities after they have been installed and inspected. The plan shall indicate the anticipated period of impairment and include provisions for providing plating over trenches and alternative access routes, notification to the fire department, and/or other forms of mitigation when such roadways are impaired. ▪ A parking plan shall be provided for the construction site detailing how the fire lane no-parking regulations will be enforced. The plan shall include a clause stating that “the job-site superintendent is responsible for informing the work crews of parking requirements and that the entire job site is subject to shutdown by the OCFA inspector if parking is in violation of fire lane posting.” ▪ The approved phasing plan shall be available at the construction site prior to bringing combustible building materials on site. A lumber drop inspection by an OCFA inspector will be required prior to the commencement of each phase; additional inspection fees will be due for each phase. ▪ All other access and water requirements shall apply (e.g., width, approach clearance, premises identification, locks, gates, barriers).				
MM-WF-2: Fire-Resistant Landscape Plan. The proposed landscape plan shall be implemented in accordance with defensible space principles discussed in the project-specific Fire Behavior Analysis and Fuel Modification Plan (Appendices J-1 and J-3 to the Draft EIR) and using fire-resistant plant material in accordance with the Orange County Fire Authority (OCFA) Fuel Modification Zone Plant List. Some plant communities and their associated plant species have increased flammability based on plant physiology (resin content), biological function (flowering, retention of dead plant material), physical structure (bark thickness, leaf size, branching patterns), and overall fuel loading. Given the project site’s proximity to High and Very High Fire	Prior to issuance of building permits.	OCFA		

Table 4-1. Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Agency Responsible for Monitoring	Initials	Date of Completion
Hazard Severity Areas, the project landscape plan shall not include plants that are highly flammable. The landscape plan shall be submitted to OCFA for review and approval prior to issuance of building permits. No plant that is listed as undesirable (according to OCFA's 2014 Orange County Undesirable Plants List) shall be included within the proposed project without prior approval by OCFA.				

INTENTIONALLY LEFT BLANK

Appendix A

Related Correspondence

Chengyi Zheng
55 Haviland
Irvine, CA 92620
CHENGYI616@GMAIL.COM
949-285-4167
October 19, 2025

City of Irvine Planning Commission
1 Civic Center Plaza
Irvine, CA 92606

Dear Members of the Irvine Planning Commission,

I am writing to express my strong opposition to the proposed development of 80.5 acres into 1,138 dwelling units in the City of Irvine. As a resident deeply invested in the well-being and sustainability of our community, I believe this project poses significant risks to our quality of life, infrastructure, and environment. While I recognize the need for housing growth, this proposal appears to prioritize density over thoughtful planning, potentially exacerbating existing challenges without adequate mitigation. Below, I outline several key concerns that highlight why this development should not proceed as planned.

1

First, the assigned schools for this area—Stonegate Elementary and Sierra Vista Middle School—are already overburdened. These institutions currently have the highest student enrollments in the Irvine Unified School District (IUSD) for their respective categories. Adding hundreds of new families from 1,138 units would inevitably lead to overcrowded classrooms, strained resources, and diminished educational quality. Our schools are a cornerstone of Irvine's appeal, and further overloading them without expanding facilities or redistricting could undermine the district's reputation for excellence and negatively impact student outcomes.

2



Second, the project would significantly worsen traffic congestion, particularly in light of the ongoing development of the Gateway community. Irvine's roadways are already experiencing increased strain from recent growth, with key arteries like Jeffrey Road and Portola Parkway seeing heightened volumes during peak hours. Introducing traffic from over a thousand new households—potentially adding thousands of daily vehicle trips—would compound these issues, leading to longer commute times, higher accident risks, and reduced air quality from idling emissions. Without comprehensive traffic studies and infrastructure upgrades, such as widened roads or enhanced public transit options, this development risks turning our neighborhoods into gridlocked zones.

3

Third, there is no planned shopping center or commercial hub to support the five new communities that have been developed in Irvine in recent years, including areas like Portola Springs and Great Park Neighborhoods. Residents in these expanding regions already face inconvenience due to limited local retail and services, forcing longer drives for essentials and contributing to unnecessary traffic. Approving another large residential project without addressing this gap would further isolate new and existing communities, straining regional resources and diminishing the self-sufficiency that has long defined Irvine's master-planned design.

4

Fourth, the development's proximity to the mountains heightens wildfire risks in an area already vulnerable to such threats. As climate change intensifies dry conditions and Santa Ana winds, building densely near wildland-urban interfaces could endanger lives and property. Recent California wildfires underscore the dangers of unchecked expansion into fire-prone zones; without robust firebreaks, evacuation plans, and defensible space requirements, this project could amplify hazards for the entire community, overburdening our fire department and increasing insurance costs for all residents.

5

In addition to these concerns, I urge the Commission to consider the broader environmental and infrastructural impacts. This development would result in the loss of valuable open space, disrupting local wildlife habitats and reducing recreational opportunities that contribute to residents' mental and physical health. Furthermore, Irvine's water resources are under perpetual strain in drought-prone Southern California; adding 1,138 units could exacerbate shortages without corresponding investments in conservation or alternative supplies. Public services, including police and emergency response, may also become stretched thin, potentially compromising safety in a city known for its low crime rates.

6

Finally, such high-density housing could lead to a decline in neighborhood aesthetics and property values, eroding the balanced, family-friendly character that draws people to Irvine.

7

8

9

I respectfully request that the Planning Commission reject this proposal or, at minimum, require substantial revisions, including scaled-back density, integrated commercial spaces, school capacity expansions, and thorough environmental impact assessments. Our city's future depends on sustainable growth that preserves what makes Irvine exceptional. I am available to discuss these concerns further and appreciate your consideration of community input.

10

Sincerely,
Chengyi Zheng



Response to Letter to Planning Commission

Chengyi Zheng
October 19, 2025

- 1 This comment serves as an opening remark, describing the commenter's understanding of the project scope and voicing their general concern with the project's potential effect on City's residents, infrastructure, and environment. The comment generally states concerns with the project's environmental mitigation but does not reference a specific environmental impact or associated mitigation measure. This comment does not pertain to the adequacy of the environmental analysis or the EIR. No further response is warranted.
- 2 The comment states a concern about the project's impact on the capacity of schools in the area. See the response to Comment I1-3, which addresses the concerns raised in this comment.
- 3 The comment states a concern that traffic congestion would worsen under the proposed project, resulting in higher accident risks. See the response to Comment I1-2, which addresses the direct impact of traffic congestion. Transportation-related hazards, which include accident risks, are addressed in Section 4.16, Transportation. As summarized in this section, the level of service (LOS) during the AM peak hour and PM peak hour was analyzed at more than 100 intersections throughout the project area, including 11 key intersections along Jeffrey Road from the project site to Interstate 405. No significant LOS impacts were found related to transportation hazards. As discussed in the response to Comment I1-2, if the extension of Jeffrey Road were to be built in the Buildout condition, then a traffic signal at "A" Street on Jeffrey Road would be required to mitigate the operational deficiency at the Jeffrey Road/"A" Street intersection to provide safe and efficient operation (MM-TRA-4). With implementation of MM-TRA-4, the project would result in a less-than-significant impact relating to substantially increasing transportation hazards. The comment states that traffic studies and infrastructure are needed to address traffic impacts. The Irvine Gateway Comprehensive Traffic Study was prepared by LSA Associates for the proposed project and potential infrastructure improvements, such as MM-TRA-4, were assessed in Section 4.16, Transportation.

The comment also states a concern that traffic congestion would worsen under the proposed project, resulting in degraded air quality. Operational air quality impacts, which include vehicle emissions, are analyzed in Section 4.2, Air Quality. Operation of the project would result in emissions from mobile sources, including vehicular traffic generated by residents, employees, customers, and visitors. As detailed in Section 4.3.3, pollutant emissions associated with long term operations were quantified using the California Emissions Estimator Model. To reduce vehicular emissions during operation, the project would implement MM-GHG-1, requiring the installation of additional electric vehicle chargers beyond Title 24 requirements. Air quality pollutant exposure to sensitive receptors, including the potential generation of carbon monoxide (CO) hotspots from vehicular traffic, is also analyzed in Section 4.2, Air Quality. As noted in that section, because the project would not contribute vehicles to any study intersection that would experience more than 100,000 vehicles per day during construction or operation and would not result in on-site CO emissions that would exceed the South Coast Air Quality Management District's local significance threshold during construction, a CO hotspot is not anticipated to occur, and associated impacts would be less than significant. No further response is warranted.

- 4 The comment states that there are not sufficient commercial facilities in the project area to support new residents. See also response to Comment I1-4, which addresses the concerns raised in this comment.
- 5 The comment states a concern regarding the dangers of building residences near wildland–urban interfaces at the project level and cumulatively. The comment suggests the project applicant implement firebreaks, evacuation plans, and defensible space requirements to address wildfire concerns. Wildfire impacts are analyzed in Section 4.19, Wildfire. As described in that section, the project, combined with other projects and planned development in the region, would increase population and/or activities and potential ignition sources in a Very High Fire Hazard Severity Zone, which may increase the potential of a wildfire and/or the need for evacuations during a wildfire event. However, the project and other individual projects located in the area would be required to comply with applicable fire and building codes, which include mandatory fire prevention and protection features that reduce the likelihood of a fire igniting and spreading to off-site vegetated areas. Projects would be required to comply with vegetation clearance and fuel modification requirements, as mandated by the City’s Municipal Code and the California Fire Code.

An Evacuation Travel Time Analysis (Appendix J-2) was performed for the project. The project’s contribution to the potential to impair emergency evacuation, in combination with cumulative projects, would not be cumulatively considerable because the Evacuation Travel Time Analysis determined that the project and cumulative projects in the area would evacuate within the Federal Emergency Management Agency (FEMA) recommended timeframe (total of 90 minutes); the project would include improved road conditions and on-site locations to safely shelter in place, and the project and cumulative projects would be required to adhere to all state building codes to minimize the spread of a wildfire. Therefore, the cumulative impact would be less than significant.

Furthermore, as discussed in Section 4.19, Wildfire, the project site could be affected by the Santa Ana winds. Factors that could increase wildfire risk include the electrical components associated with the project (e.g., cables, inverters, transformer). To reduce potential impacts related to the exposure of occupants to pollutant concentrations from a wildfire, the project would implement MM-WF-1 (Pre-Construction Requirements) and MM-WF-2 (Fire-Resistant Landscape Plan). With implementation of these measures, the project would result in less-than-significant impacts with mitigation incorporated. No further response is warranted.

- 6 The comment raises general concerns related to the loss of open space and associated disruption of wildlife habitats and recreational opportunities. Project impacts related to wildlife habitat and recreation are discussed in Section 4.4, Biological Resources, and Section 4.15, Recreation, respectively. As concluded in Section 4.4, project impacts that would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species would be less than significant with mitigation incorporated (MM-BIO-1 through MM-BIO-7). The project would include new and expanded recreational opportunities for residents, as described in the responses to Comments I2-6 and I2-7. This comment does not raise any specific concerns regarding the adequacy of the environmental analysis or the EIR. No further response is warranted.

- 7** The comment raises a concern about the project's impact on water resources available to the City. This topic is discussed in Section 4.18, Utilities and Service Systems. As concluded in that section, based on the proposed project's Water Supply Assessment (Appendix F-1) and Water Supply Verification (Appendix F-2), adequate water supplies are available to meet the water demands associated with full Water Resources Master Plan build-out, which includes all currently undeveloped areas in the Irvine Ranch Water District (IRWD) service area, based on current General Plan information and more specific information available to IRWD, under the normal year, single dry year, and multiple dry year conditions, through 2045. As a result, there would be sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years. This comment does not raise any specific concerns regarding the adequacy of the environmental analysis or the EIR. Therefore, no further response is warranted.
- 8** The comment raises concerns about the project's impact on the City's public services, specifically police response. The project's impacts on public services are assessed in Section 4.14, Public Services. As concluded in that section, the project would have a less-than-significant impact on police services and ability to maintain acceptable service ratios, response times, or other performance objectives. Per City Municipal Code Section 2-9-60, the project would be required to pay a Systems Development Charge that would be used for future facility improvements necessary to ensure contribution of its fair share of the cost of police 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. This comment does not raise any specific concerns regarding the adequacy of specific environmental analysis or the EIR. Therefore, no further response is warranted.
- 9** The comment notes general concerns related to the project's impact on the neighborhood's aesthetics, property values, and existing character. Aesthetic impacts are discussed in Section 4.1, Aesthetics; property values are not a topic covered by CEQA. As discussed in Section 4.1, Aesthetics, the project's design would be consistent with applicable scenic regulations. Therefore, the project would not conflict with applicable zoning and other regulations governing scenic quality, which is the applicable CEQA threshold used to determine if the project would result in a significant aesthetic impact in an urbanized area. This comment does not raise any specific concerns regarding the adequacy of specific environmental analysis or the EIR. No further response is warranted.
- 10** The comment requests that the Planning Commission reject the project as proposed. It asks for the project to be redesigned. This comment does not raise any issues pertaining to the adequacy of specific environmental analysis or the EIR. Therefore, no further response is warranted.

INTENTIONALLY LEFT BLANK