

SECTION 3 CLARIFICATIONS AND REVISIONS

This section includes recommended clarifications and revisions to the Draft EIR including, but not limited to, those identified in Section 2. This section is organized by the respective sections of the EIR. Deleted text is shown as ~~strikeout~~ and new text is underlined.

3.1 DRAFT EIR NO. 331

SECTION 3 – PROJECT DESCRIPTION

1. The last paragraph on page 3-10 is hereby revised to read as follows:

~~“...This trail would link the Featherly Regional Park Trail and the Mountain Park site to the Santa Ana River Regional Bikeway and Santa Ana River Regional Trail (refer to Exhibit 3-8)....”~~

2. Exhibit 3-8 is hereby revised to change “Featherly Regional Park Trail” to “Santa Ana River Bikeway” and is provided at the end of this section.

SECTION 4.1 – LAND USE AND PLANNING

3. The 2nd sentence of the “Coal Canyon Biological Corridor” discussion on page 4.1-4 is hereby revised as follows:

~~“The Coal Canyon Biological Corridor encompasses Coal Canyon (649 acres), south of SR-91 and the Tecate Cypress Ecological Reserve (31 acres) north south of SR-91.”~~

SECTION 4.2 – AESTHETICS

4. Standard Condition 2-4 on page 4.2-27 is hereby revised as follows:

~~“SC 2-4 Prior to approval of street improvement plans for a development area; the property owner/developer shall submit a detailed lighting plan for review and approval by the Public Utilities Department. The plan shall be certified by a professional engineer and be prepared to minimize light spillover effects reviewed for compliance with adopted City standards.”~~

SECTION 4.3 – GEOLOGY AND SOILS

5. The first paragraph of Standard Conditions SC 3-3 on page 4.3-20 is hereby revised as follows:

“SC 3-3 In compliance with the Anaheim Municipal Code, prior to approval of each mass grading plan, the property owner/developer shall submit a preliminary geotechnical report prepared by an engineering geologist and geotechnical engineer to the Department of Public Works for review and approval. This report shall be prepared to the satisfaction of the City Engineer and shall address soil and geology related constraints and hazards identified in EIR No. 331 such as slope stability, settlement, liquefaction, and related secondary seismic

hazards. For grading within Caltrans right-of-way, a preliminary geotechnical report in compliance with Caltrans regulations shall be submitted and approved by Caltrans. Specifically, the report shall...”

6. The second bulleted item of MM 3-3, item n. on page 4.3-23 is hereby revised as follows:

- “The project contractor shall use a blasting seismograph to monitor and record air blast and vibration for blasts within 1,000 feet of residences and other occupied structures to verify that measured levels are within the recommended limits (as determined under the USOSM regulations) at those locations. If blasting is found to exceed specified levels, blasting shall cease, and alternative blasting or excavation methods that result in the specified levels not being exceeded shall be employed.”

SECTION 4.5 – WATER QUALITY

7. The first paragraph on page 4.5-28 is hereby revised to replace references to “mg/L” with “µg/L.”

SECTION 4.6 – BIOLOGICAL RESOURCES

8. The first paragraph and first bulleted item of MM 6-4 on page 4.6-64 are hereby revised as follows:

“MM 6-4 Prior to approval of mass or rough grading plans for Development Areas 1, 2, 3, 4 and 7, the project biologist shall provide to the Planning Department a translocation program for the many-stemmed dudleya, approved by the United States Fish and Wildlife Service and California Department of Fish and Game. The project biological monitor shall provide written notification to the Planning Department when the translocation program has been completed. The Mountain Park many-stemmed dudleya translocation program shall utilize the following techniques and meet the following standards:

- Relocation of a minimum of at least 50 percent of the corms from impact areas to receptor sites. The relocation of topsoil including corms (topsoil relocation method) shall occur in late fall/early winter (November-January). Corm salvage using the “soil sieving method” shall occur when soils are still dry; therefore, as early as possible between October and December. Corms collected using the “soil sieving method” shall be replanted as soon as possible after collection (November – January).”

9. The following mitigation measures are hereby included on page 4.6-65:

“MM 6-7 Prior to the approval of each final tract or parcel map or the issuance of grading permits, whichever occurs first, the property owner/developer shall provide the Public Works Department with a Natural Resource Management Plan to be included in the Conditions, Covenants, and Restrictions (CC&Rs) for open space areas to be maintained by the Homeowner’s Association. The Natural Resource Management Plan shall include requirements, including timing restrictions, for vegetation removal from water quality basins included

in the Water Quality Management Plan; management of native habitat within open space areas; proper management of household pets to avoid impacts to native species; and, rules and regulations for human use of open space areas.

MM 6-8 In conjunction with the sale of each dwelling unit, the property owner/developer shall provide each homeowner with a copy of the Nature Reserve of Orange County Wildland Interface Brochure, along with its attachments. The brochure shall be included as part of the sales literature for the project to educate homeowners on the responsibilities associated with living at the wildland interface. The brochure shall address relevant issues, including the role of natural predators in the wildlands and how to minimize impacts of humans and domestic pets on native communities and their inhabitants. A copy of the brochure shall be provided to the City of Anaheim Planning Department prior to the first final building and zoning inspection.

SECTION 4.7 – TRAFFIC AND CIRCULATION

10. The following impact statements on page 4.7-27 are hereby revised as follows:

“Impact 4.7-1 *The Weir Canyon Road/La Palma Avenue intersection in the City of Yorba Linda/Anaheim would operate at LOS E during the AM peak hour under the Year 2025 Committed Circulation System “no project” and “with project” scenarios as well as the Year 2025 MPAH Buildout “with project” scenario. The project’s contribution to the ICU value at this intersection under these scenarios is estimated to be 0.01 which would be a significant impact.*

Impact 4.7-2 *Based on the project’s significant impact at the Weir Canyon Road/La Palma Avenue intersection, the project is also assumed to significantly impact Weir Canyon Road south of the intersection (between SR-91 and La Palma Avenue) within the cities of City of Anaheim and Yorba Linda under the same scenarios.”*

11. The following subsection is hereby added to page 4.7-16 (immediately preceding Threshold 1), and to Table 1-1, Summary of Environmental Impacts and Mitigation Program (page 1-44, following Section 4.7 – Traffic and Circulation):

“Caltrans-related Project Feature Impacts

The Caltrans-related project features addressed in this EIR include improvements to existing roadway facilities, construction of new roadway facilities (including the SR-241/Weir Canyon Road interchange), and construction-related activities (e.g., grading and drainage facility modifications) in Caltrans right-of-way. The proposed roadway improvements would improve traffic conditions in the study area as addressed in the analysis included in Section 4.8, Traffic and Circulation. Construction-related activities such as slope and drainage facility modifications result in physical impacts and would not impact traffic conditions. The physical impacts of these activities have been

addressed in the respective topical sections in the Draft EIR (hydrology, water quality, biological resources, etc.). None of the Caltrans-related project features would involve the development of uses that would increase the amount of traffic generated by the project.”

12. The first two bulleted items of MM 7-1 on page 4.7-38 are hereby modified as follows:

“MM 7-1 Prior to issuance of first building permit, the property owner/developer shall make one lump sum payment for the fair share of the cost to the City of Anaheim for implementation of the following roadway and intersection improvements. Evidence of payment shall be provided to the Department of Public Works.

- Weir Canyon Road/La Palma Avenue Intersection- (1) Add a third northbound through lane and convert southbound right turn lane to shared third through/right turn lane; and (2) convert the second eastbound through lane to a shared second through/second right-turn lane (this would require eliminating the existing eastbound right-turn green arrow overlap with the northbound left turn movement). The first improvement is committed to be constructed before the Year 2010 by the Cities of Anaheim and Yorba Linda using secured Orange County Measure M funds and expected matching local funds that have yet to be allocated from the City of Yorba Linda and the City of Anaheim Redevelopment Agency. The property owner/developer is responsible for paying its fair share of the funds that have yet to be allocated by the City of Anaheim. The second improvement is not funded and the property owner/developer shall be responsible for paying its fair share of the entire cost of the improvement. The project share of future AM and PM peak hour traffic at this intersection under 2025 MPAH build-out conditions with East Orange GPA and MPAH amendments is approximately 37 percent.
- Weir Canyon Road between La Palma Avenue and SR-91 – Improve the operations of the section of roadway at SAVI Ranch Road/Weir Canyon Road through geometric improvements, adding directional signage and providing an interconnected signal to optimize traffic movement progression within the mid-block segment. ~~from a four-lane divided roadway to a six-lane divided roadway.~~ This ~~roadway improvement~~ is committed to be improved implemented by the Cities of Anaheim and Yorba Linda before the Year 2010 using secured ~~Orange County~~OCTA Measure M funds and matching local funds that have yet to be allocated. The property owner/developer is responsible for paying its fair share of the funds that have yet to be allocated by the City of Anaheim. The project share of future AM and PM peak hour traffic on this roadway under 2025 MPAH build-out conditions with the East Orange GPA and MPAH Amendments is approximately 30 percent.”

13. The third bulleted item of MM 7-1 on page 4.7-38 is hereby revised as follows:

- “Weir Canyon Road/Santa Ana Canyon Road Intersection – Convert eastbound third through lane to third left-turn lane. ~~This is a non-committed long-range improvement and the applicant~~The property owner/developer shall be responsible for paying its fair share of the entire cost of the improvement as determined by the Department of Public Works. The project share of future AM and PM peak hour traffic at this intersection under 2025 MPAH build-out conditions with the East Orange GPA and MPAH Amendments is approximately 35 percent. The City of Anaheim shall monitor the Level of Service at this intersection at a minimum every two years and, per the requirements of the OCTA Measure M funding, is committed to funding the remaining costs of the improvements at such time as the improvements are deemed necessary to provide an acceptable Level of Service D at this location.”

SECTION 4.8 – AIR QUALITY

14. The following mitigation measure is hereby included in Section 4.8.3 (page 4.8-26):

“MM 8-5 Prior to commencement of grading activities in Development Area 3, the property owner/developer shall install a six-foot chain link fence with scrim along the northwestern property boundary. The fence shall be installed between Weir Canyon Road and Oak Canyon Drive. Proof of installation (letter from the property owner/developer and photographs of the fence) shall be submitted to and verified by the Public Works Department.”

SECTION 4.10 – HAZARDS AND HAZARDOUS MATERIALS

15. The 1st sentence of the 2nd paragraph on page 4.10-1 is hereby revised as follows:

“Information in this section is based on ...*Report of Site Assessment Activities and Remedial Design* (November 2004) and *Environmental Site Characterization Report* (January 2005) collectively, the GeoSyntec ESAs)....”

16. The following text is hereby added to the 3rd paragraph of Section 4.10.1, Existing Conditions, on page 4.10-2 to provide current information regarding the former Industrial Asphalt facility:

“The former Industrial Asphalt facility, a 4-acre parcel within the quarry site (refer to Exhibit 4.10-1) is being investigated by the former owners under a Voluntary Cleanup Agreement with the California Department of Toxic Substance Control.”

17. The 2nd sentence of the 1st full paragraph on page 4.10-3 is hereby revised as follows:

“The Remediation Plan provides plans for further assessment and remediation of potential environmental conditions...”

18. The last sentence of page 4.10-4 is hereby revised as follows:

“All wells were non-detect except for well GB-9, which exhibited a concentration of 12 ug/L.”

19. The first sentence on page 4.10-5 is hereby revised as follows:

“The highest concentration of NDMA detected, 12 ug/L at well GB-9, exceeds the Department of Health Services guidance for drinking water of 0.01-0.02 ug/L.”

20. Mitigation measure MM 10-1 on page 4.10-15 is hereby revised to read as follows:

“MM 10-1 The Robertson’s Ready Mix Quarry area will not be developed until after reclamation and remediation are complete. Based on the Environmental Site Assessments performed for the project site (included in Appendix J), it is not anticipated that any underground storage tanks, septic systems, leach fields, or significant soil contamination will be encountered during construction, as construction shall occur after remediation and reclamation are complete. During grading activities, ~~in the event these subsurface features or contaminated soil are encountered during site grading,~~ work shall immediately cease in the area and the property owner/developer shall notify the Fire Department and Public Utilities, Environmental Services Division, and retain a qualified hazardous materials engineer to assess the impacts and prepare a response plan using the risk-based cleanup standards of the City of Anaheim and the Orange County Health Care Agency, and any appropriate guidelines issued by the California Environmental Protection Agency, Department of Toxic Substance Control, and the United States Environmental Protection Agency, applicable to residential land use. Upon approval of the response plan by the Fire Department ~~or other agency,~~ as applicable, the engineer shall obtain any required permits, oversee the removal of such features and/or conduct the response work to the satisfaction of the Fire Department or other agency, as applicable, until closure status is attained.”

21. Mitigation measure 10-3 on page 4.10-15 is hereby revised as follows:

“MM 10-3 Prior to approval of any grading plans within a development area wherein the Southern Trails Pipeline exists or is proposed to be relocated, the property owner/developer shall submit a safety plan to the Fire Department. If there are any environmental concerns relating to developing adjacent to the pipeline or relocating it identified during subsequent reviews, the property owner/developer shall be responsible for financing/implementing any necessary mitigation measures. The safety plan shall be consistent with safety regulations adopted by the Fire Department and shall also be consistent with the requirements of MM 10-4. The safety plan shall be reviewed by the Questar Pipeline Company and approved by the Fire Department. Relocation of the pipeline shall occur at no cost to the City.”

SECTION 4.12 – PUBLIC SERVICES & UTILITIES

22. MM 12-2 on page 4.12-15 is hereby revised as follows:

“MM 12-2 Prior to approval of street improvement plans, the property owner/developer shall submit Traffic Management Plans to the City of Anaheim Department of Public Works and Yorba Linda Public Works Department for proposed street

improvements within the respective jurisdictions for review and approval. The Traffic Management Plans shall describe traffic control measures that shall be implemented to maintain traffic flow in all directions where utility improvements are being implemented in existing roadways. Said traffic management measures shall be implemented on-going during road construction, and may include flagmen, appropriate signage and traffic control barriers consistent with City of Anaheim requirements.”

23. Mitigation measure MM 12-7 on page 4.12-26 is hereby revised as follows:

“MM 12-7 Prior to approval of street improvement plans, the property owner/developer shall submit Traffic Management Plans to the Department of Public Works describing traffic control measures that shall be implemented to maintain traffic flow in all directions where utility improvements are being implemented in existing roadways. The traffic control measures may include flagmen, appropriate signage and traffic control barriers consistent with City of Anaheim requirements, or other appropriate measures. The Traffic Management Plans shall be reviewed and approved by the Department of Public Works, Traffic Engineering Division.”

SECTION 4.13 – RECREATION

24. The 2nd sentence of the first full paragraph on page 4.13-2 is hereby revised as follows:

“The 689-acre Coal Canyon Biological Corridor encompasses Coal Canyon (649 acres) ~~south of SR-94~~ and the Tecate Cypress Ecological Reserve (31 acres) ~~north south of SR-91.~~”

25. The following text is hereby included on page 4.13-3 under the “Trails” subsection:

“Following is a description of the Weir Canyon and Gypsum Canyon trails as identified in the County of Orange Master Plan of Regional Riding and Hiking Trails. It should be noted that when the City of Anaheim updated its General Plan in May 2004, the portion of the Weir Canyon Trail along Santa Ana Canyon Road was deleted from the Trails Plan (Figure G-5). Additionally, the City’s Trail plan does not provide for an eastern trail connection from Gypsum Canyon to Coal Canyon, as described by the County for the Gypsum/Coal Canyon Regional Riding and Hiking Trail. Rather, from Gypsum Canyon the trail alignment extends west, and passes under SR-241 to connect with the trail system in Anaheim Hills. The trails proposed as part of the Mountain Park Specific Plan project are consistent with the City’s General Plan.

- The Weir Canyon Trail begins at Irvine Regional Park. The trail connects to three different County trails, including the Santiago Creek, Peters Canyon, and Newport Boulevard Trails. The Weir Canyon Trail is proposed to extend through future Weir Canyon Regional Park to the ridge overlooking the Santa Ana River. From the ridge the trail is aligned through several open space areas leading to Santa Ana Canyon Road near Weir Canyon Road. From that location the trail extends east along the Santa Ana Canyon Road to a point one mile west of the project, where it currently ends. The final destination of the trail is the County’s Featherly Regional Park (Canyon Recreational Vehicle Park) and the Santa Ana River Trail.

- The Gypsum Canyon Trail begins at the mouth of Gypsum Canyon at the Santa Ana River Trail. The trail is proposed to extend south into Gypsum Canyon, connecting to the Windy Ridge ranch road (Gypsum/Coal Canyon Regional Trail). The trail extends east along Windy Ridge until it enters Coal Canyon. The trail continues north into Coal Canyon where it links with the Santa Ana River Trail. Along its route the trail intersects the Main Divide Trail. This spine trail follows the mountainous ridge into the Cleveland National Forest, connecting to Casper's Wilderness Park.

26. PDF 13-1 on page 4.13-9 is hereby revised to read as follows:

"PDF 13-1 The Mountain Park Specific Plan includes the implementation of the public Gypsum Canyon Creek Regional Riding and Hiking Trail (refer to Exhibit 3-8 of the Draft EIR, Open Space, Trail and Bikeway Plan). Prior to approval of each tentative tract or parcel map that the trail is located within, the final alignment and final design for the Gypsum Canyon Creek Regional Riding and Hiking Trail shall be reviewed and approved by the Community Services Department and County of Orange Harbors, Beaches and Parks Department and shown on the tract or parcel map. An offer of dedication of trail easements to the County of Orange shall occur concurrently with recordation of final tract or parcel maps. Trail improvements shall be completed prior to final building and zoning inspections for the first building within said tracts."

SECTION 4.14 – CULTURAL RESOURCES

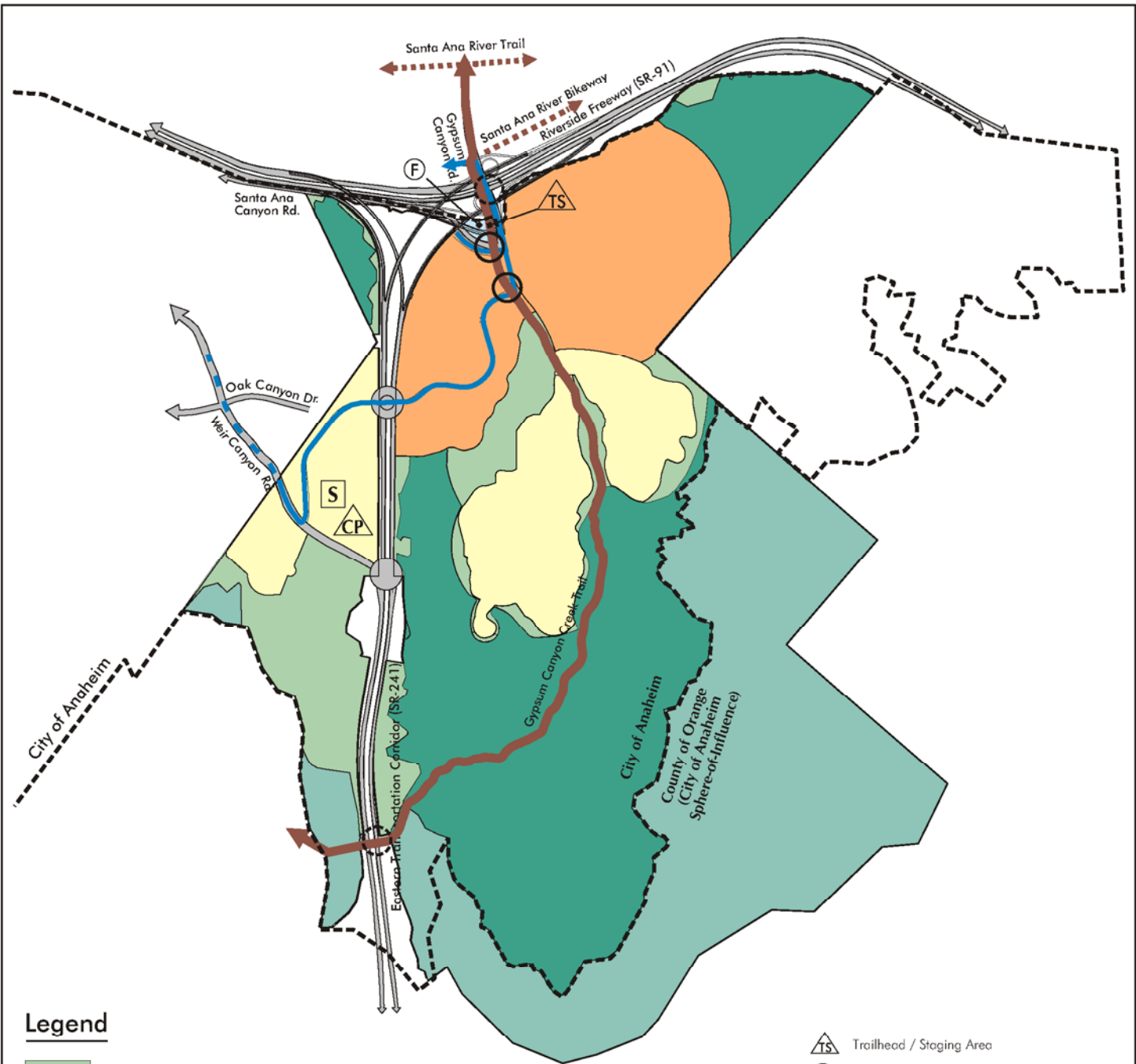
27. Mitigation Measure 14-1 on page 4.14-6 is hereby revised to read as follows:

"MM 14-1 Prior to the approval of a grading plan or issuance of a building permit, whichever occurs first, the property owner/developer shall retain a County-certified archaeologist (project archaeologist) and submit written confirmation of this to the Department of Public Works. The project archaeologist shall observe grading activities and recover, catalogue, analyze, and report archaeological resources as necessary in the previously undeveloped portions of the development area. The project archaeologist shall be present at the pre-grade conference. The project archaeologist shall submit to the Planning Department, and Department of Public Works, Development Service Division, a written plan with procedures for archaeological resource monitoring. For work within Caltrans right-of-way, the plan shall be submitted for review by Caltrans Cultural Resources staff. This plan shall include procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the resources as appropriate and a requirement that a Native American monitor retained by the property owner/developer be present during any required excavation. If the archaeological resources are found to be significant, the project archaeologist shall determine appropriate actions – in cooperation with the City of Anaheim or Caltrans, if within Caltrans right-of-way – for exploration and/or data recovery to adequately recover the scientifically significant information from or about the archaeological resource. The project archaeologists shall prepare any excavated material to the point of identification. Following the completion of grading, the archaeologists shall prepare a report

detailing the results of the monitoring program to be presented to the City of Anaheim Planning Department. The report shall follow the guidelines of the California Office of Historic Preservation (1990). Excavated finds shall be offered for curatorial purposes to a qualified scientific institution accessioned into a qualified scientific institution that meets, or exceeds, the requirements of 36CFR79.

3.2 MOUNTAIN PARK SPECIFIC PLAN

1. Exhibit 5 is hereby revised to change “Featherly Regional Park Trail” to “Santa Ana River Bikeway” and is provided at the end of this section.



Legend

- Other Open Space (310 Acres)
- NCCP/HCP Reserve (Natural Communities Conservation Plan/Habitat Conservation Plan (940 acres)
- TNC ACE (The Nature Conservancy Anaheim Conservation Easement) (913 acres)
- Institutional
- Low-Medium Density Residential
- Low-Medium Hillside Density Residential
- City of Anaheim Limits
- Proposed Riding, Hiking, Pedestrian and Mountain Bike Trail*
- Existing Regional Riding & Hiking Trail
- Proposed On-Road City Bikeway (Class II)
- Existing On-Road Bikeway (Class II)
- Trailhead / Staging Area
- Existing Undercrossings
- Proposed Riding & Hiking Trail Undercrossings
- S School
- Fire Station
- CP Community Park
- Toll Road Overcrossing
- Toll Road Interchange

Total Open Space Acres = 2,163

* Referred to as Proposed Regional Riding & Hiking Trail per County Standards

Open Space, Trail & Bikeway Plan

Mountain Park Specific Plan Amendment EIR No. 331

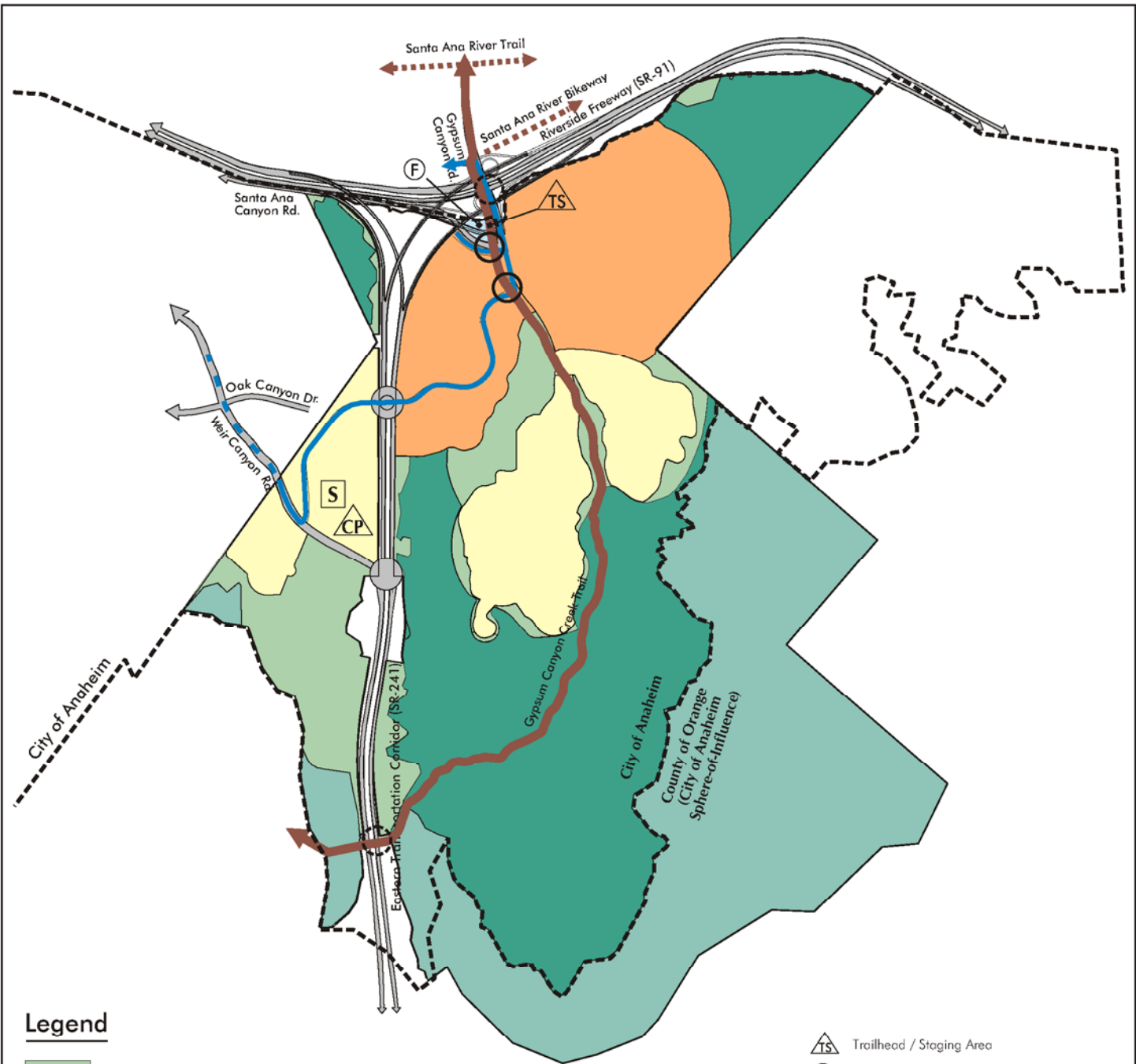
Revised Exhibit 3-8

June 10, 2005

Source:



Not To Scale



Legend

- Other Open Space (310 Acres)
- NCCP/HCP Reserve (Natural Communities Conservation Plan/Habitat Conservation Plan (940 acres)
- TNC ACE (The Nature Conservancy Anaheim Conservation Easement) (913 acres)
- Institutional
- Low-Medium Density Residential
- Low-Medium Hillside Density Residential

- City of Anaheim Limits
- Proposed Riding, Hiking, Pedestrian and Mountain Bike Trail*
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Total Open Space Acres = 2,163

* Referred to as Proposed Regional Riding & Hiking Trail per County Standards

Public Trail Plan

Mountain Park Specific Plan (SP90-4, Amendment No. 1)

Revised Exhibit 5

June 10, 2005



Not To Scale