

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

570 WEST AVENUE 26, SUITE 100, LOS ANGELES, CALIFORNIA 90065

TELEPHONE: (310) 589-3230

FAX: (310) 589-2408

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January 31, 2013

Kevin Canning
OC Public Works/OC Planning
County of Orange
300 N. Flower Street
Santa Ana, CA 92702-4048

Notice of Preparation and Initial Study Esperanza Hills Specific Plan (PA 120037/VTTM 17522)

Dear Mr. Canning:

The Wildlife Corridor Conservation Authority (WCCA) provides the following comments on the Notice of Preparation (NOP)/Initial Study (IS) for the Esperanza Hills Specific Plan (PA 120037/VTTM 17522). WCCA was created to provide for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente Hills, Chino Hills, and the Cleveland National Forest in the Santa Ana Mountains.

The proposed project entails 340 single-family residential units on 468.8 acres, bordered by Chino Hills State Park (CHSP). There would be 146.9 acres of undisturbed natural open space and 83.9 acres of landscaping as part of the fuel modification plan (IS/NOP, p. 2). Two options for access are proposed. The project is located within the unincorporated portion of Orange County and within the City of Yorba Linda's Sphere of Influence. According to the IS/NOP, annexation may occur at a future date.

Given the location of the project in the Chino Hills and adjacent to CHSP, the scale of the proposed development, and the potential for extensive significant biological impacts, WCCA has numerous concerns regarding the project. Looking at the proposed tract map, there would be minimal remaining contiguous blocks of open space left on the site. It is difficult to think of a project design that could squeeze in any more lots than are currently proposed. Also, the current design provides for a minimal buffer between the proposed development and CHSP. The project would result in substantial or wholesale destruction of two major drainages, which currently connect to CHSP. Looking at Exhibit 5, Vegetation Communities in the IS/NOP, there would be vast destruction of native plant communities. WCCA is also concerned with the inconsistency of the proposed project with the underlying County General Plan Land Use designation of Open Space and Zoning Code designation of Agricultural.

The currently proposed project is a classic example of archaic, mass grading land use. There has been an enormous investment of public money to protect CHSP; this investment should not be compromised by poor planning. WCCA cannot see how the County would be able to justify issuing a statement of overriding considerations for the anticipated biological impacts associated with this project. Avoidance of significant environmental impacts, notably to biological resources, should be primary strategy that the County adopt for this project. The County should require, and the applicant should implement, what is in the best interest for the citizens of Yorba Linda and Orange County. Please consider the following additional comments.

Need for Adequate Analyses of Environmental Impacts

Given the project site's location, it is clear that the site is integral to, and not just a separate piece from the, ecological matrix and wildlife corridor in this part of Chino Hills. This site contributes to the ecological viability of the resources in CHSP. The Draft Environmental Impact Report (DEIR) should explicitly identify the regional value of the site including its contribution to the biological viability of the drainages, native plant communities, and wildlife habitats.

The DEIR must include clear tables showing acreages of impacts to each plant community. A figure should be included in the DEIR showing the mapped plant communities overlain on the site plan. Another figure should be included in the DEIR showing the drainages (as defined by California Department of Fish and Wildlife) overlain on the site plan, and how they continue in CHSP. All impacts associated with the project including pads, roads, grading, fuel modification, etc. should be included in these tables and figures.

The DEIR must quantify and analyze the cumulative effects of the Esperanza project together with the other neighboring proposed projects on biological resources in the region. This quantitative cumulative analysis must include plant communities, drainages, wildlife movement, and sensitive species (e.g., golden eagles).

The DEIR must adequately analyze the anticipated indirect impacts to CHSP, including those from lighting, noise, exotic plant species, pets such as cats, illegal trails, and other increased human-related activity. The DEIR must include measures to avoid, minimize, and mitigate those potential impacts.

The DEIR must include line-of-sight before and after views from trails in CHSP. This must include trail locations where the project would be most visible and trails that are the closest to the project site. The DEIR should address measures to avoid, minimize, and mitigate adverse impacts from public viewing areas.

The DEIR must include a thorough analysis of the consistency and inconsistency of the project with CHSP General Plan.

Need for Meaningful Alternatives

The DEIR must include meaningful alternatives (at least two) that substantially reduce impacts to biological resources, including plant communities and drainages, and that significantly increase the buffer with CHSP.

One of these alternatives must eliminate development in the entire northeast rectangular nob of the site, except for water tanks and roads for the tanks, if necessary. In this alternative, this undeveloped open space rectangle should be offered as a fee simple dedication to a conservation/land management agency. (See next section, Need for Adequate, Full-Proof Measures to Protect Remaining Open Space.) If the applicant argues that this is not economically feasible, that statement must be accompanied by a vetted economic analysis. As stated above, WCCA cannot see how the County could justify a Statement of Overriding Considerations for significant biological impacts for this project.

The DEIR should include one or more alternatives (including the removal of lots, if necessary), which reduces any significant adverse view impacts from trails in CHSP.

Need for Adequate, Full-Proof Measures to Protect Remaining Open Space

It is critical that the DEIR explicitly include in the project description for the proposed project and all alternatives, and in the mitigation measures, adequate open space protections, including open space dedication(s) and monitoring/management funding. This measure should specify that the remaining open space onsite shall be protected in perpetuity through a fee title dedication to a conservation and land management agency acceptable to the County of Orange and the California Department of Fish and Wildlife. An appropriate entity to accept this dedication could be California State Parks, WCCA, or the Mountains Recreation and Conservation Authority. The DEIR should specify that this dedication shall occur prior to the issuance of any grading permit.

WCCA also recommends DEIR include in the project description for the proposed project and all alternatives, and in the mitigation measures, the requirement for perpetual funding for management of the open space. It does not make sense for public agency to take on that expense, in essence subsidizing the development. The project description and mitigation measures should identify the specific, pre-permit issuance timing of the establishment of the open space funding (e.g., by placing the funding in an escrow account) – such as – prior to the issuance of a grading or other permit, map recordation, vegetation removal, or issuance of a certificate of occupancy.

Relationship to Other Projects

It appears that both project options would involve access through the Cielo Vista site (located adjacent to, and west of, the Esperanza site). The Esperanza site access depends on the Cielo Vista site. Also, according to the IS/NOP (p. 1), access to two parcels to the north (Bridal Hills LLC parcel and Yorba Linda Land LLC parcel) will be provided for in the proposed project lot and street design. This implies that the Esperanza project will have growth-inducing impacts, as it removes an impediment (i.e., lack of access) to two other developments.

Because these other projects are linked to the Esperanza project, we recommend that the DEIR address all these projects together in one DEIR. At the very least, these other three projects should be thoroughly considered in the cumulative impacts or growth-inducing (for the Bridal Hills LLC parcel and Yorba Linda Land LLC parcel) section of the DEIR. Because of the clear links to the Esperanza project, and in order to provide a meaningful analysis to the reviewers, this analysis should not be limited to a qualitative impact analysis, but rather should include a quantitative impact analysis as well (e.g., for impacts to plant communities and drainages).

Other Comment

The DEIR must demonstrate on figures that no fuel modification will be necessary within CHSP for the proposed project and all alternatives.

We appreciate your consideration of these comments. Please maintain our agency on your email/ mailing lists for this project. If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3230, ext. 121, or by email at judi.tamasi@mrca.ca.gov.

Sincerely,

Glenn Parker
Chairperson