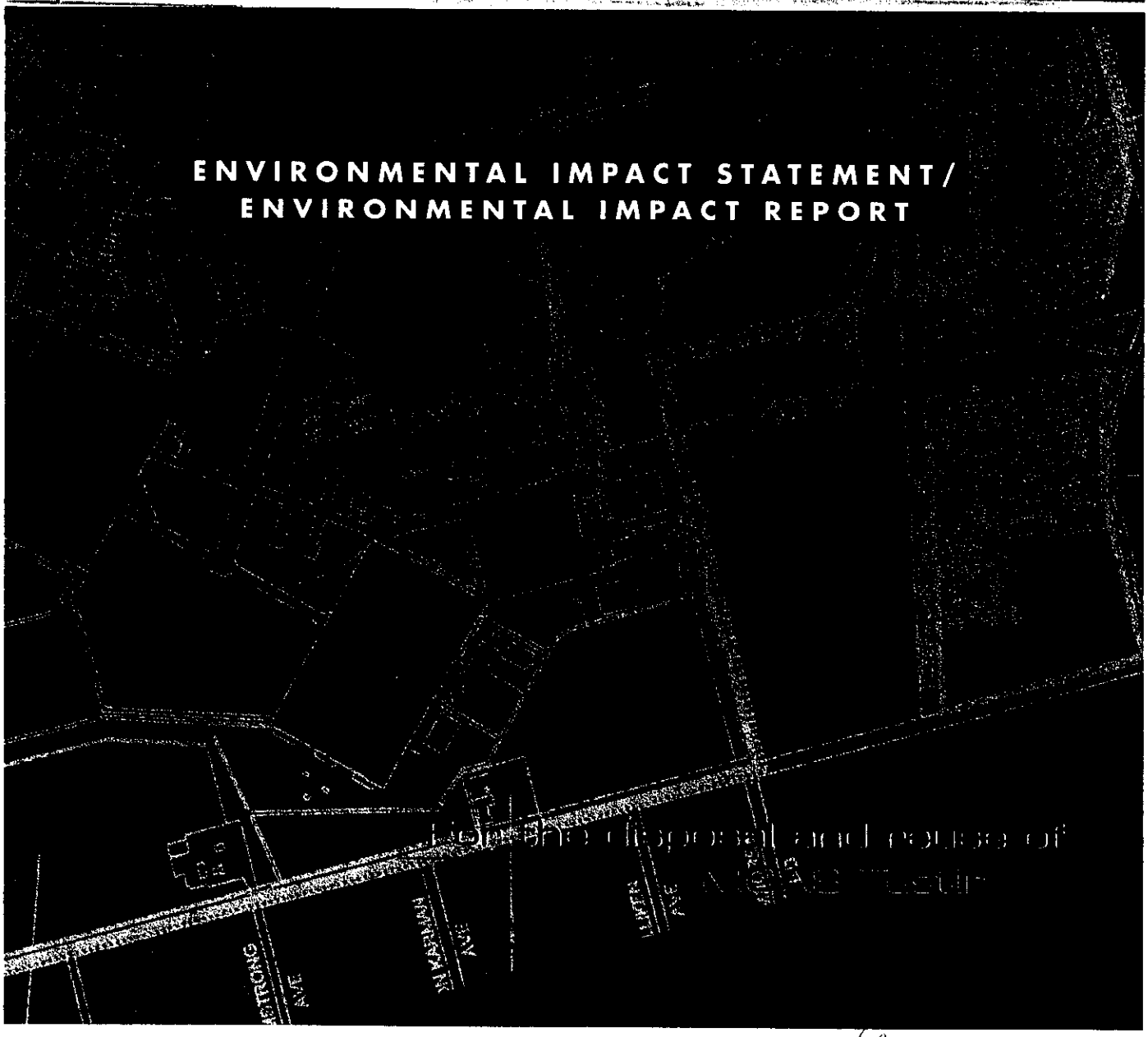
ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL IMPACT REPORT



RESPONSE TO COMMENTS ON THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE DISPOSAL AND REUSE OF MCAS-TUSTIN

The Final Environmental Impact Statement/Environmental Impact Statement/Environmental Impact Report for the Disposal and Reuse of MCAS-Tustin was circulated for public and agency review from December 23, 1999 to January 24, 2000.

In accordance with NEPA (42 U.S.C. § 4332 (1994) regulations and guidelines for CEQA (Cal. Pub. Res. Code § 2100 et. seq., as amended), the Final EIS/EIR includes a list of agencies, organizations, and individuals commending on the Final EIS/EIR; comment letters; and responses to the substantive environmental issues raised in the comments. If a comment did not relate to an environmental issue or was worded more as a statement to be entered into the record, it is noted.

COMMENT INDEX

AGENCY/ ORGANIZATION	COMMENTOR	LETTER REFERENCE
Federal Agency	None Received	N/A
State Agency	California Department of Transportation, District 12	State 1
Local Agency	City of Irvine City of Santa Ana County of Orange	Local 1 Local 2 Local 3
Private/Individual	Berklee Maughan The Gas Company IBC Consortium Law Offices of Ivan K. Stevenson	Private 1 Private 2 Private 3 Private 4

FEDERAL

AGENCIES

(None received)

STATE AND LOCAL

AGENCIES

COMMENT RECEIVED ON FINAL EIS/EIR

STATE OF CALIFORNIA—BUSINESS AND TRANSPORTATION AGENCY GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 12
3347 MICHELSON DRIVE, SUITE 100
IRVINE, CA 92612-0661

RECEIVED
JAN 28 2999
REDEVELOPMENT AGENCY

FAX AND SEND

January 24, 1999

Dana Ogdon
City of Tustin
300 Centennial Way
Tustin, CA 92680

IGR/CEQA
SCH#: 94071005
FEIR
Log # 572A,B,C

Dear Mr. Ogdon:

Subject: Disposal and Reuse of Marine Corps Air Station

Thank you for the opportunity to review and comment on the **Final Environmental Impact Report (FEIR) for the Disposal and Reuse of the Marine Corps Air Station (MCAS)**. The proposed land use project is for a 1600-acre mixed-use (residential/commercial) development. The proposed project is located in the City of Tustin and is bounded by the SR-55, I-5, SR-33, and I-405 freeways and the Eastern Transportation Corridor (241).

Caltrans District 12 is a reviewing agency and has the following comments:

State 1-1 a) The traffic mitigation measures are limited to the intersection of Dyer and SR-55. Mitigation measures should also include I-405 at the intersections of MacArthur, Jamboree, and Culver.

RESPONSE TO FINAL COMMENT

State 1-1 The Traffic Study did include analysis of the intersections at I-405/Jamboree, I-405/MacArthur, and I-405/Culver as well as for all freeway ramp connections and intersections within the study area. Analysis was performed for all alternatives and scenarios identified in the final EIS/EIR. A summary of freeway ramp intersection impacts is shown in Tables 4-3, 4-6, 4-15, 4-17, 4-18a, and 4-20 for the 2005 and 2020 scenarios for the various alternatives being considered. As identified in the Tables, none of the aforementioned locations are significantly impacted by the project to require mitigation.

COMMENT RECEIVED ON FINAL EIS/EIR

b) In addition to (traffic-related) comments submitted in our previous letters, the FEIR should analyze the following CMP intersections, in each alternative, in the final traffic study report. Also show acceptable Level of Service (LOS) per Caltrans standard in a five and seven year timeframe for each ramp connection(s):

State 1-2

-MacArthur Boulevard and I-405 southbound ramp
-MacArthur Boulevard and I-405 northbound ramp
-Dyer Road and I-55 southbound ramp
-Dyer Road and I-55 northbound ramp
-Redhill Avenue and I-5 southbound ramp
-Culver Drive and I-5 southbound ramp
-Culver Drive and I-5 northbound ramp
-Culver Drive and I-405 southbound ramp
-Culver Drive and I-405 northbound ramp
-Jamboree and I-5 northbound ramp
-Jamboree and I-405 southbound ramp

State 1-3 c) A LOS of "D' or better is recommended for the freeway ramp intersections.

State 1-4 d) The extension of the existing streets, connections of the proposed roads at various locations and the realignment of Tustin Ranch Road in all alternatives will increase the capacity of the listed intersections. A proportional improvements measure needs to be considered for the adjacent freeway(s) ramp intersections.

State 1-5 e) This project falls within Transportation Corridor Authority (TCA) non-competition zone(s). In reference to the proposed MCAS Tustin Reuse Plan, the Non-Competition clauses from the Eastern Transportation Corridor Cooperative No. 12-081, the Foothill Transportation Corridor Cooperative Agreement No. 12-210 and the San Joaquin Hills Transportation Cooperative Agreement No. 12-079 with TCA remain in full effect. Please see Attachment "A" for text of the Cooperative Agreement.

State 1-6 f) Although traffic mitigation measures are provided for on-site facilities and intersections at major State Highways or Freeways (e.g. SR-55), the FEIR does not adequately address impacts or offer mitigation measures for State Transportation Facilities in the vicinity of the project area. Also, a project of this magnitude would have a regional impact on the State Transportation System.

State 1-7 g) The average daily traffic (ADT) of 1000 used in the report should be justified.

State 1-8 h) Caltrans is assuming that all related on-site runoff will discharge to Peters Canyon Channel.

RESPONSE TO FINAL COMMENT

State 1-2 Since all of the intersections identified are freeway intersections, and freeways are part of the County's CMP system, then the ramp connections between a CMP intersection and the freeway are also considered to be subject to CMP level of service and impact criteria. All of the freeway locations within the study area have been analyzed in the final traffic study and any significant impacts have been identified (see tables in response No. 16). Level of service (LOS) at these locations has been shown per the OCTA guidelines with respect to CMP analysis requirements. The 2005 analysis in the final Traffic Study provides the required CMP information and satisfies the requirement for analysis in a five to seven year time frame for any significant land use decision.

State 1-3 Comment noted.

State 1-4 The extension of existing roadways and implementation of new roadways within the Base area will add capacity to the circulation system in and around the project. Due to the variation in traffic distribution patterns in the study area and the impacted locations, a proportional improvements measure was considered not to be equitable at all locations, and therefore, was not proposed. All freeway ramp intersections were analyzed and improvements identified where there were substantial project impacts.

State 1-5 Comment noted.

State 1-6 All of the freeway ramp connections and intersections within the study area were analyzed in the final Traffic Study and mitigation has been proposed for locations where there are substantial project impacts. See response No. 16.

State 1-7 The general criteria used in establishing the study area is based on including those roadways which show differences in traffic volume between the reuse alternative and baseline conditions of more than 1,000 average daily traffic. This is a criterion that has been used by the County of Orange in transportation studies and has been accepted as a general guideline for establishing an appropriate study area.

State 1-8 Comment noted. I have attached a copy of the responses to comments from the City Attorney's office and a copy of the comments from the Department of Transportation-District 12 for your use and reference. Please contact me if you have any questions.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Please continue to keep us informed of projects that may potentially impact our State Transportation Facilities. If you have any questions or comments, please contact Lynne Gear at (949) 724-2241.

Sincerely,

Robert F. Joseph, Chief
Advance Planning Branch

Attachment: TCA Cooperative Agreement(s) No. 12-081, No. 12-210, No. 12-079

cc: Ron Helgeson, HDQTRS
Terry Roberts, OPR
Roger Kao, Hydrology
Adnan Maiah, Project Management
Raouf Moussa, Traffic Operations

COMMENT RECEIVED ON FINAL EIS/EIR

ALLISON H. HART, City Manager

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

VIA FAX AND MAIL

January 28, 2000

Mr. Dana Ogdon
Senior Project Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

Subject: City of Irvine Comments on Final EIS/EIR for Reuse of MCAS Tustin

Dear Mr. Ogdon:

Thank you for the opportunity to comment on the Final Environmental Impact Statement/Environmental Impact Report for the disposal and reuse of Marine Corps Air Station, Tustin (State Clearinghouse No. 94-071005). These comments address the City of Tustin's responses to comments contained in the City of Irvine's August 27, 1999 letter. These comments on the Final EIS/EIR are being forwarded on this date pursuant to an extension granted on January 18, 2000 via voicemail from the Tustin Assistant City Manager to Irvine's Assistant to the City Manager.

The City appreciates efforts of the City of Tustin to revise the traffic study and address the various unfunded or uncommitted intersections. In our review of the new information provided, we are noting that there are still a number of intersections in both 2005 and 2020 impacted by the project, but without an identified funding source. These intersections were also identified in our previous comments submitted on August 27, 1999 and are depicted on Exhibits A & B of this letter. Funding sources should be

Local 1-1 identified for these intersections before the EIS/EIR is approved by the Tustin City Council.

Local 1-2 We continue to be concerned with the general issue of funding, phasing and improvement of roadways in the project area. As you know, the City completed a circulation phasing analysis for 2005 which shows roadways around the project area to be more impacted than the impacts shown in the EIS/EIR traffic study. Perhaps the discrepancy is a result of differing land use assumptions which were included in the cities' respective traffic models. Nevertheless, because certain intersection improvements remain unfunded: because our respective cities are using different traffic models especially for 2005, which

PRINTED ON RECYCLED PAPER

RESPONSE TO FINAL COMMENT

Local 1-1 Please see our previous EIS/EIR response L12-10. In addition, mitigation measure T/C-9 addresses fulfilling the timing and cost of transportation improvement obligations.

Local 1-2 The City of Irvine prepared the circulation phasing analysis for 2005. See Response L6-11. The model used in the EIS/EIR is a regional model recommended for use by traffic engineering professionals in all county cities.

COMMENT RECEIVED ON FINAL EIS/EIR

are based on different development assumptions; and because we continue to believe that the EIS/EIR mitigation program should be reconciled with the City's Irvine Business Complex EIR traffic study's mitigation program, a cooperative traffic study is still warranted as was recommended in our August 27, 1999 letter.

Local 1-3 In order to address this concern, the City of Tustin has proposed traffic mitigation measure T/C-9. However, this mitigation measure only requires the City of Tustin to host a scoping meeting to discuss roadway equity issues, without any commitment on Tustin's part to contribute toward additional offsite improvements. The study to be prepared by Tustin after the scoping meeting would not require participation by Irvine, and the City would be limited to reviewing and commenting on the study after its completion.

Based on our concerns with the absence of a cooperative study process in the proposed mitigation measure T/C-9, we recommend its modification as provided below:

Local 1-4 T/C-9: The City of Tustin shall enter into agreements with Caltrans, OCTA and the cities of Santa Ana and Irvine to ensure that feasible off-site roadway improvements are provided in conjunction with each development phase. The following mitigation implementation plan shall be provided in consultation with the above affected agencies and followed throughout the development of the project area. The mitigation implementation plan shall include, at a minimum, the following:

a. Traffic impact study reports shall be required with submittal of any applicable master plan or tentative subdivision map.

b. The required format for each traffic impact study report will be determined by the City of Tustin in consultation with the affected agencies. The required format will include evaluation of peak hour conditions at intersections significantly impacted by each phase of development within the traffic study area. The methodology and standards for assessing and mitigating impacts employed in such evaluation shall, at a minimum, be consistent with the methodology and standards employed in the traffic study contained in this EIS/EIR.

c. If an impacted intersection is estimated to exceed service level standards within either Santa Ana or Irvine, then appropriate feasible link and intersection improvements shall be submitted for review and comment by these jurisdictions, consistent with subparagraph d below.

RESPONSE TO FINAL COMMENT

Local 1-3 T/C-9 is comprehensive and includes the commitment of the City of Tustin to fund its fair share of the improvements. It also requires an agreement to be entered into with impacted agencies including Caltrans, Irvine and Santa Ana. Additional details will be left to the parties in their discussions.

Local 1-4 The network improvements expected by 2020 reflect cumulative impacts of the project and other projects that are "probable" as defined in the CEQA Guidelines. 14 Cal. Code of Regs. Section 15130(B) 2. The project's future impacts cannot be viewed in isolation; an analysis of probable future conditions requires an analysis of the project in the cumulative impact setting.

COMMENT RECEIVED ON FINAL EIS/EIR

d. The improvements needed to maintain the service level standards within Santa Ana or Irvine shall be required to be fully funded with the ability to proceed with the improvements in these jurisdictions prior to issuance of building permits for the relevant development phase, and said improvements shall be either completed or construction contract awarded prior to issuance of a certificate of occupancy.

e. Prior to approval of the first tentative tract map or tentative parcel map for the project, the City of Tustin shall establish a funding mechanism to fund the fair share obligation of the 2005 and 2020 time periods for the project. Such funding mechanism may be amended as appropriate based upon updated traffic analyses required pursuant to subparagraphs a-d above or other updated regional traffic model forecasting. Prior to issuance of any building permits, the project shall fully fund or contribute its fair share in accordance with the adopted fee program.

f. Prior to issuance of any building permits for each 5-year development phase within the project area, the City shall submit a trip monitoring report to the affected agencies showing the cumulative level of daily and peak hour trips authorized, along with commensurate roadway improvements, along with a funding program to implement such improvements.

Local 1-4 Relative to the discussion in Section 3.12.5, Future Roadways, the City of Tustin uses the concept of "probable projects" to define network improvements that the City of Tustin expects to be in place by 2020. The reference to CEQA Guideline section 15130, as a basis for assuming the construction of certain intersection improvements, is misleading because that Guideline describes the methodologies for performing a cumulative impact analysis rather than defining probable future conditions. "Probable projects" is not a defined term in CEQA or the CEQA Guidelines. Even in section 15130, probable projects does not include conditions of approval of a specific project, mitigation measures in a previous environmental document, or projects in a specific fee program. Please address this matter of interpretation before the final EIS/EIR is approved.

Response to Comment L-6-4

Please note that the City of Irvine will use this EIS/EIR for future discretionary actions as drafted, or as may be addended or supplemented.

RESPONSE TO FINAL COMMENT

Local 1-4 The network improvements expected by 2020 reflect cumulative impacts of the project and other projects that are "probable" as defined in the CEQA Guidelines. 14 Cal. Code of Regs. Section 15130(B) 2. The project's future impacts cannot be viewed in isolation; an analysis of probable future conditions requires an analysis of the project in the cumulative impact setting.

COMMENT RECEIVED ON FINAL EIS/EIR

Response to Comment L-6-6

Local I-5 The response provided is acceptable provided that the City's Community Development Department, the master homeowner association for Westpark, and the North Irvine Villages Association are given an opportunity to comment on any discretionary action in Planning Area 20.

Response to Comment L-6-8

Due to the significant project interface areas along Jamboree, Harvard, and Barranca, we are again requesting the addition of the following mitigation measure:

Local I-6 The City of Tustin shall coordinate with the City of Irvine during the review of any streetscape program for Jamboree, Harvard, and Barranca and will ensure that the compatibility issues with regard to the visual quality of these streets are satisfactorily addressed.

Thank you again for the opportunity to comment on the Final EIS/EIR. We look forward to working with the City of Tustin to implement a plan which will benefit both Tustin and Irvine. If you have any questions, please contact Peter Hersh at (949) 724-6456.

Sincerely,

for: ALLISON HART
City Manager

Enclosures

1. Exhibit A Year 2005 Assumed Intersection Improvement Locations
2. Exhibit B Year 2020 Assumed Intersection Improvement Locations
3. Listing of Exhibit A & B Intersections

RESPONSE TO FINAL COMMENT

Local I-5 Comment noted. See Response L6-8. In addition, any member of the public can request to receive notice of and may participate in the City of Tustin's planning decisions.

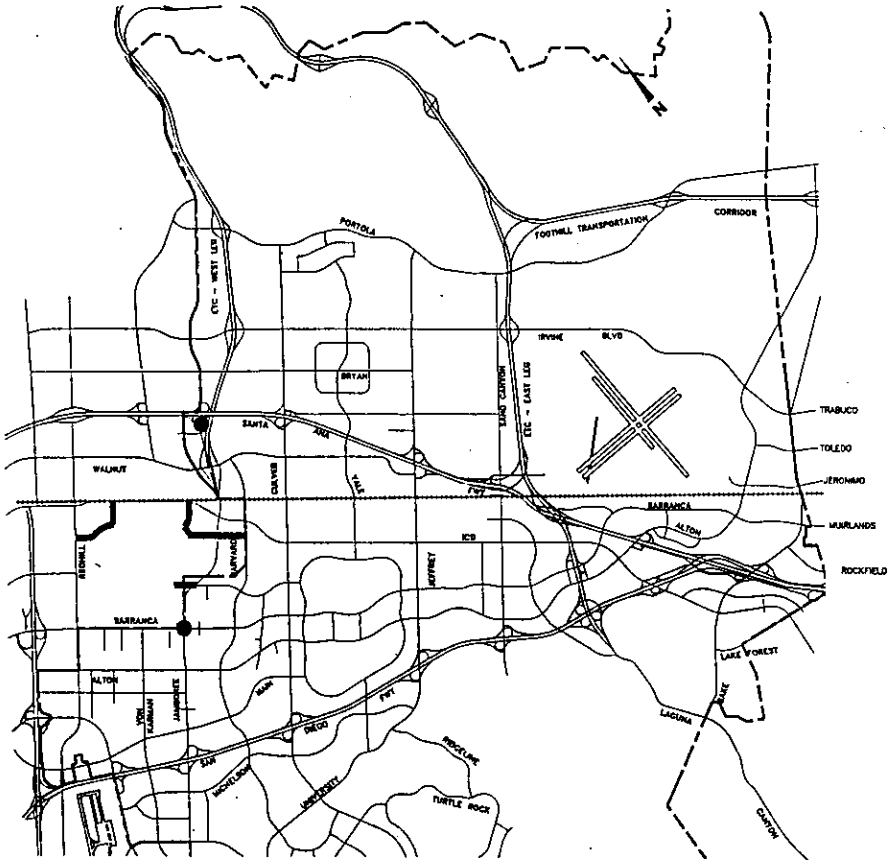
Local I-6 See Response L6-8. We believe this adequately addresses the City of Irvine's concern, and the additional mitigation measure is not warranted.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

EXHIBIT A

YEAR 2005 ASSUMED INTERSECTION IMPROVEMENT LOCATIONS WITHOUT IDENTIFIED FUNDING SOURCE



LEGEND:

- - - CITY BOUNDARY
- ■ - PROJECT RELATED TUSTIN BASE ROADWAYS
- ● - MCAST ASSUMED INTERSECTION IMPROVEMENT LOCATIONS FOR YEAR 2005 WITHOUT IDENTIFIED FUNDING SOURCE WITH MEASURABLE PROJECT IMPACT

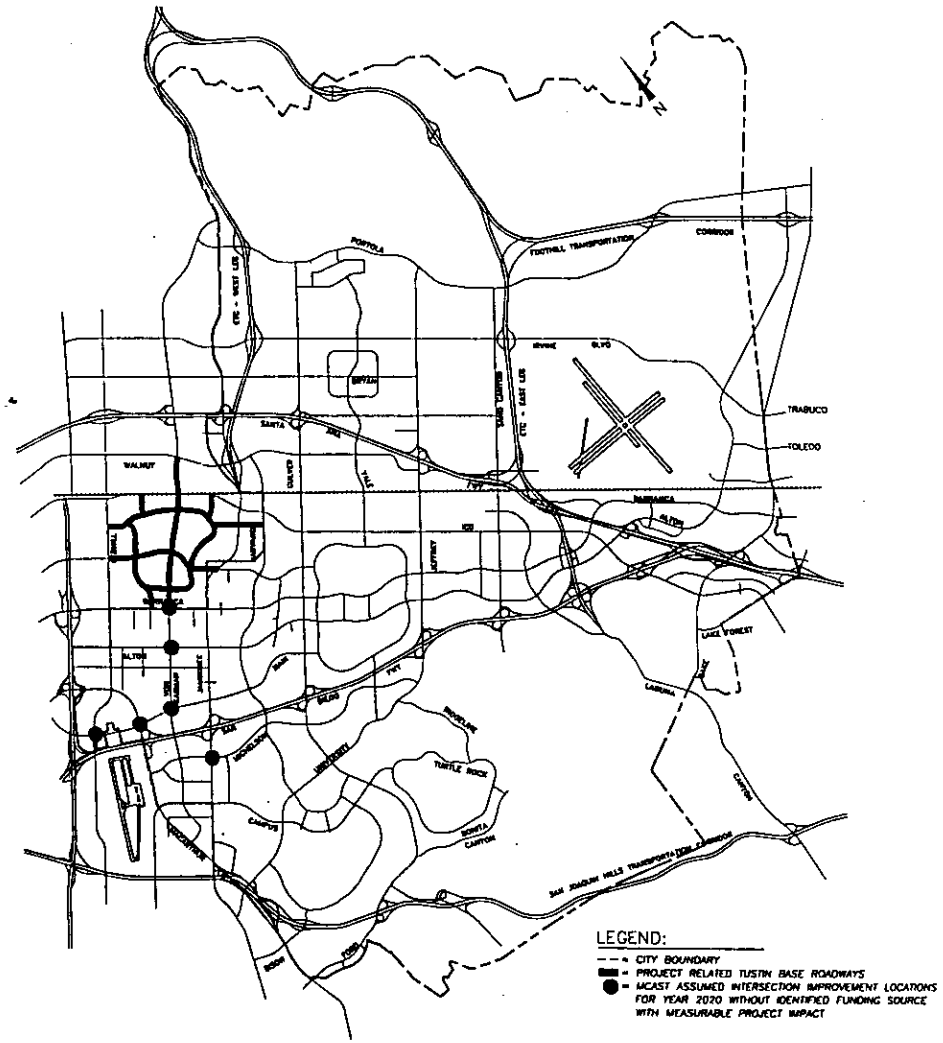
0605-93-05:02
MCAST REVIEW, Irvine, California

RKJK & ASSOCIATES INC.

COMMENT RECEIVED ON FINAL EIS/EIR

EXHIBIT B

YEAR 2020 ASSUMED INTERSECTION IMPROVEMENT LOCATIONS (BEYOND 2005 ASSUMED IMPROVEMENTS)



0805-99-05:03
MCAST REVIEW, Irvine, California

RKJK & ASSOCIATES INC.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

2005 Intersection Locations:
- Jamboree Rd. (NS) at I-5 SB Ramps (EW)
- Jamboree Rd. (NS) at Barranca Pkwy. (EW)

2020 Intersection Locations:
- Von Karman Ave. (NS) at Barranca Pkwy. (EW)
- Von Karman Ave. (NS) at Alton Pkwy. (EW)
- Von Karman Ave. (NS) at Main St. (EW)
- Red Hill Ave. (NS) at Main St. (EW)
- MacArthur Bl. (NS) at Main St. (EW)
- Jamboree Rd. (NS) at Michelson Dr. (EW)

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Thomas E. Lutz
COUNCILMEMBERS
Lisa Bist
Alberta D. Christy
Brett Franklin
Patricia A. McGuigan
Ted R Moreno

CITY OF SANTA ANA
PLANNING & BUILDING AGENCY
20 Civic Center Plaza (M-20)
P.O. BOX 1988 • Santa Ana, California 92702
Fax (714) 973-1461

CITY MANAGER
David N. Ream
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
Janice C. Guy

RECEIVED
JAN 24 2000
REDEVELOPMENT AGENCY

January 24, 2000

Mr. Dana Ogdon
City of Tustin
300 Centennial Way
Tustin, CA 92780

SUBJECT: Final EIS/EIR for Disposal and Reuse of Marine Corps Air Station, Tustin, California

Dear Mr. Ogdon:

This letter is provided to transmit the City of Santa Ana's comments on the MCAS Tustin Final EIS/EIR. Attached to this letter and incorporated by this reference are the comments provided to the City of Tustin on the Draft EIS/EIR on August 31, 1999. The Final EIS/EIR fails to adequately respond to several significant concerns raised at that time. Within a Final EIS/EIR, a lead agency's response to comments must state reasons for rejecting comments on significant environmental issues. Conclusionary statements unsupported by factual information, such as those provided in the MCAS Tustin Final EIS/EIR, are not adequate responses.

While the City of Santa Ana recognizes the challenge of providing detailed responses to each of the City's comments, we are disturbed by the fact that the Final EIS/EIR is not responsive to what we consider to be extremely important environmental issues and, therefore, fails to comply with CEQA and NEPA. These issues are not new and have been repeated on several occasions throughout the reuse planning process. While our complete comments are provided in the attachment, I will summarize some of the most significant below.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

Mr. Dana Ogdon
City of Tustin
January 24, 2000
Page Two

Local 2-1 The City continues to be critically concerned on the methodology that was used to determine traffic impacts in Santa Ana. In the Final EIS/EIR, the traffic model redistributes traffic throughout the region. Under Alternative 3, for instance, the project would generate approximately 295,000 vehicle trips per day. Given this high number of vehicle trips, we question how traffic projections and turning movements are actually projected to decrease at several intersections in the City of Santa Ana. Without a sufficient response to this comment, the City has significant concerns on the adequacy of the traffic impact analysis and the recommended mitigation measures provided in the Final EIS/EIR.

Local 2-2 Another fundamental concern with the Final EIS/EIR continues to be the definition of the committed roadway network. The Final EIS/EIR assumes built-out of a circulation system within Santa Ana by 2020. Many of the improvements needed to implement the committed roadway network as defined in the Final EIS/EIR are unfunded capital improvement projects in the City of Santa Ana. The assumptions, therefore, fail to assume the "worst case scenario" required by CEQA. As an example, common sense would indicate that Warner Avenue would serve as an important east/west travel route for vehicles going to and from the redeveloped base. The Final EIS/EIR assumes as a given that Warner Avenue would be widened to a capacity of six lanes as planned in the Master Plan of Arterial Highways. However, the City of Santa Ana has no plans or funds available to improve Warner Avenue to six lanes. This flawed assumption in the Final EIS/EIR, therefore, grossly distorts and under-reports the traffic impacts associated with the development of the base.

Local 2-3 Additionally, the Final EIS/EIR fails to determine the feasibility of implementing the recommended mitigation measures. Some of these mitigation measures could, in and of themselves, result in significant impacts to the City of Santa Ana and may not be able to be implemented. The analysis to determine the feasibility and environmental impacts associated with implementation of the recommended mitigation measures should be included in the Final EIS/EIR and should not be deferred to the preparation of subsequent environmental documentation.

RESPONSE TO FINAL COMMENT

Local 2-1 The traffic study for the Final EIS/EIR was prepared using regionally accepted methodology consistent with the Orange County Subarea Modeling Guidelines Manual and the Congestion Management Program/Growth Management Plan guidelines as appropriate for a project of this size with regional influence. This approach ensures the equitable treatment of all affected jurisdictions and allows an objective analysis based upon an accepted methodology in the entire traffic study area.

Traffic volumes throughout the region and study area will increase in the future as projected by demographic data and County traffic modeling. However, the future condition also includes improvements to roadways, the construction of new roadways, new land use patterns and more travel mode choices for commuters. The traffic model used for this project provides the latest traffic distribution patterns throughout the region. At some locations traffic increases while at others there is a decrease in traffic. Based upon land use generators and travel distribution patterns traffic volumes vary throughout the region.

Local 2-2 The committed roadway network is not defined as based upon funding as a criteria (refer to response L6-9). The committed roadway is based upon those traffic improvements that are planned for funding in a manner such as a capital improvement program, a special funding program or conditions of approval on a specific project.

Warner Avenue widening is included on the list of committed improvements since it appears as a long range improvement in the City of Santa Ana's General Plan Circulation Element dated December 1997. If the traffic study identified Project impacts to this roadway, appropriate mitigation based upon the level of impact has been identified.

Local 2-3 The mitigation measures of concern are not identified. As this is a Program EIR, as each development project is proposed, CEQA analysis will be required and the feasibility of implementation of mitigation measures addressed. See Responses L12-2 and L12-3 provided in Volume 2 of the Final EIS/EIR for a more detailed explanation.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Mr. Dana Ogdon
City of Tustin
January 24, 2000
Page Three

The reuse of the Marine Corps Air Station Tustin is a regionally significant project that would have profound impacts on the City of Tustin and the City of Santa Ana. It is in the best interest of all to provide resolution on critical concerns that affect both cities. With this in mind, we once again request that the City of Tustin respond adequately to our concerns before certifying the MCAS Tustin EIS/EIR.

We look forward to receiving your responses to our concerns. If you have any questions concerning our comments, please feel free to contact my office.

Sincerely,

Robyn Uptegraff
Executive Director

RU/DB/klp

Attachment

RESPONSE TO FINAL COMMENT

Local 2-4 Santa Ana's comments in their attached letter of August 31, 1999 were addressed in Volume 2 of the Final EIS/EIR.

COMMENT RECEIVED ON FINAL EIS/EIR

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Thomas E. Tait
COUNCILMEMBERS
Ian Bell
Alberto O. Christy
Brett Franklin
Patricia A. McGuigan
Ted J. Moreno

CITY OF SANTA ANA
PUBLIC WORKS AGENCY
601-A W. Fourth Street, M21 • P.O. BOX 1981
Santa Ana, California 92702

CITY MANAGER
David N. Ream
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
Janice C. Gray

August 31, 1999

RECEIVED
AUG 31 1999
REDEVELOPMENT AGENCY

Mr. Dana Ogdon
Senior Project Manager
City of Tustin
300 Centennial Way
Tustin, California 92780

RE: MCAS TUSTIN EIS/EIR COMMENTS/SCH No. 94071005

Dear Mr. Ogdon:

Local 2-4 Attached are the City of Santa Ana's comments on the Draft MCAS Tustin EIS/EIR. The reuse of the 1,600 acres for the construction of over 11 million square feet of development and 3,000 homes immediately adjacent to Santa Ana will obviously result in a dramatic increase from the activity levels of MCAS Tustin. As you will see from our comments, we continue to be deeply concerned regarding the potential traffic impacts to our community resulting from the reuse plan. We do not see a clear, accurate picture of potential impacts in the EIS/EIR traffic study and, therefore, cannot feel secure that impacts are adequately defined and fully mitigated.

We appreciate the time extensions granted to the City for our preparation of comments. We believe that our two communities have worked extremely well together through our joint powers authority to advance economic prosperity in both cities without sacrificing quality of life. It is our intent to continue to work cooperatively in this regard. We trust that Tustin will, in turn, work diligently to provide us with the information and assurances necessary to fully address our concerns over the base reuse plan and its environmental consequences.

Please feel free to contact me if there are any questions.

Sincerely,

Robyn Updegraff
Executive Director
Planning and Building Agency

RU/klp

Attachment

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

CITY OF SANTA ANA COMMENTS
ON
MCAS TUSTIN DISPOSAL/RE-USE EIS/EIR

General Comments

Table 2-16 on page 2-45 of the EIS/EIR provides a listing of various approvals and permits required to implement the Project, along with the Responsible Agencies
L12-1 charged with the responsibility for such actions. This table does not recognize the City of Santa Ana as a Responsible Agency. According to Section 21080 of the CEQA Statutes, a Responsible Agency is "a public agency, other than the Lead Agency, responsible for carrying out a project." In this regard, the City of Santa Ana will be responsible for approving street improvements and traffic signal upgrades within the boundaries of the City of Santa Ana. If the Project is approved, and circulation measures in EIS/EIR document are implemented, the City of Santa Ana will be required to amend its Circulation Element of the Santa Ana General Plan.

Program Level EIR

Chapter 7.0 of the EIS/EIR indicates that the document is a program level EIR as
L12-2 defined by Section 15168 of the CEQA Guidelines. Justification is given for this depiction based upon the following five Implementing Actions:

- Adoption of the MCAS Tustin Specific Plan;
- Amendments to the General Plans and Zoning Ordinances for the City of Tustin and the City of Irvine;
- Amendment to the County of Orange Master Plan of Aterial Highways;
- Final designation for MCAS Tustin by the California Trade and Commerce Agency under the LAMBRA Act; and
- Designation of MCAS Tustin and adjacent areas as a redevelopment project under California Community Redevelopment Law.,

The City of Santa Ana disagrees with this assumption by the City of Tustin based upon the following:

- Program EIRs have enough information to cover a series of actions. The Implementing Actions noted by the City of Tustin are all at the general plan and zoning levels. None go to a subdivision or area plan level.
- Program EIRs provide the specificity and detail to cover a wide spectrum of activity. The EIS/EIR provides details appropriate for the General Plan and Zoning levels, only. Information and analysis in the EIS/EIR are insufficient to adjudge its appropriateness for construction level development.

L12-1 CEQA defines Responsible Agency as "all public agencies other than the Lead Agency which have discretionary approval power over the *project*" (§ 15381 italics added). The City of Santa Ana is not a Responsible Agency under CEQA because it has no responsibility for approving the Reuse Plan/Specific Plan project, nor does MCAS Tustin lie within the jurisdictional boundaries of the City of Santa Ana. To the extent mitigation measures for traffic generated by development projects in the reuse plan area may require the City of Tustin and the City of Santa Ana to cooperate on the improvement of intersections in the traffic study area, such cooperation by Santa Ana does not make it a Responsible Agency under CEQA. Nevertheless, the City of Tustin has consulted with Santa Ana at every stage of the EIS/EIR process, especially on traffic issues, and will continue to do so.

This comment specifically addresses CEQA rather than NEPA requirements; therefore no response is required to address NEPA compliance.

L12-2 The guidelines for implementing CEQA require the City of Tustin and City of Irvine to examine subsequent proposed activities requiring a discretionary action in light of the Program EIR to determine whether additional environmental documents are required (14 Cal. Code of Regs. § 15168(c)). Once those individual, project-specific development applications are received, they will be evaluated under CEQA via the Initial Study process to determine whether or not project-specific impacts would be greater than those disclosed and mitigated in this Program EIR. If impacts would be different, then construction level EIRs or Mitigated Negative Declarations would be prepared. The Program EIR does not eliminate subsequent CEQA compliance. However, NEPA compliance would be fully satisfied by this joint FEIS/EIR for the federal action of disposal.

Chapter 7.0 describes the triggers for the mitigation of traffic impacts. This chapter incorporates by reference the mitigation and implementation measures in Chapter 4.0 for Alternative 1 as well. Measures in Chapter 4.0 also provide very specific processes to ensure that utilities and public services are provided concurrent with demand, and that impacts associated with cultural and paleontological resources, biological resources, soils and geology, water resources, hazardous materials, air quality, and noise would be mitigated. The mitigation measures for land use and aesthetics in Chapter 4.0 would be implemented via the Specific Plan implementation and review process.

This comment specifically addresses CEQA rather than NEPA requirements; therefore no response is required to address NEPA compliance.

- Program EIRs provide specific mitigation measures appropriate for the various levels of the program. The EIS/EIR provides specificity in mitigating future traffic impacts only.
- The City of Santa Ana regards the EIS/EIR as a Tiered EIR that will be followed by more detailed, construction level EIRs and Negative Declarations at project implementation levels.

Project Description Fails To Meet CEQA's Requirements

"An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR." (*San Joaquin Raptor v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 729, 32 Cal.Rptr.2d 704 .) The Draft EIS/EIR totally fails to meet this test.

L12-3 The Draft EIS/EIR fails to meet the *San Joaquin Raptor* test in a number of crucial areas. First, the document flails back and forth between being a Program and a Project EIR, and as such fails to meet CEQA's obligation that the each and every discretionary act for which this document will used must be clearly identified.

In so doing, the issue of whether and when deferred environmental analysis will be performed becomes nothing more than a shell game, with any person who wishes to comment being left in a quandary. CEQA does not allow the lead agency to defer environmental analysis that can be performed now to a later date simply by calling a portion of this document a Program EIR.

A number of critical impacts, such as mitigation of lost wetlands, traffic mitigation, and preservation of biological diversity do not have mitigation measures imposed. Instead, such mitigation measures are deferred to a later, unknown date.

For example, mitigation measure IA-9 calls for Tustin to "enter into agreements with Caltrans and the cities of Santa Ana and Irvine to ensure that off-site roadway improvements . . . are constructed." (Page 7-39.) This mitigation measure is illusory, regardless of whether the EIS/EIR is called a program or a project EIR. CEQA imposes on Tustin the following obligation with respect to significant traffic impacts:

a. Identify mitigation measures for project impacts
b. For impacts that can be reduced by alternative mitigation measures, determine which measure has the least impacts of its own
c. Determine whether the significant impacts, after imposition of mitigation measures, are reduced to a level of insignificance.

L12-3 This environmental document is intended to serve three actions and integrates the NEPA and CEQA compliance needs of several agencies, which is potentially confusing. As stated in Section 1.1, the first action is the federal (DON) action to "dispose of surplus federal property at MCAS Tustin for subsequent reuse." The second action is the local action (cities of Tustin and Irvine) defined in Section 1.2, as "implement a civilian reuse plan" with the purpose of reuse to offset the negative socioeconomic effects caused by BRAC, with a plan that provides housing and employment, addresses existing circulation and parkland deficiencies, and generates revenue to provide for infrastructure. To address the indirect and direct effects of both the federal and local actions, the joint EIS/EIR evaluates three possible reuse alternatives as well as the No Action Alternative. Those four alternatives are described in Chapter 2.0 and are analyzed at an equal level of detail in Chapter 4.0. A third action, which is subject to CEQA compliance only, is the required discretionary approvals for five implementing action items that together provide the mechanisms to implement the LRA Reuse Alternative (one of the three reuse alternatives evaluated in the joint EIS/EIR). Section 7.1 provides a description of the five implementing actions which serves as the project description for the CEQA-only portion of the document. The CEQA-only analyses of the implementing actions are provided in Section 7.2. Section 1.5 of the FEIS/EIR has been modified to provide further clarification on the distinction between the NEPA/CEQA analysis and the CEQA-only analysis; however, each discretionary action is listed in Chapter 1 of the FEIS/EIR, and detailed descriptions of those actions are provided in Chapters 2.0 and 7.0, as appropriate.

Mitigation is not being deferred in this EIS/EIR. Where significant impacts are identified, mitigation measures are identified to reduce that impact. However, since implementation of certain mitigation measures would occur at later times as build-out of the project occurs (i.e., when project-specific development impacts would actually occur), the measures provide for conditions to be placed on specific development projects or when impacts actually occur under those developments. For the cited issue areas of biological resources, the EIS/EIR identifies significant impacts to all wetland habitat on site which is the most conservative, reasonably foreseeable impact, given the lack of site-specific development proposals for the numerous, discontiguous wetland parcels. The required mitigation measure is to obtain necessary permits from resource agencies. It is most appropriate to link obtaining the actual permit to site-specific impacts because it is unknown at this time what proposals for avoidance and/or off-site mitigation may be possible. Additionally, the 404 permit process includes evaluation of alternatives.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Traffic mitigation is addressed similarly. It would be unreasonable to construct all the necessary roadway improvements for full build-out (+2020) at this point in time, so the mitigation measures (which are based on performance standards in the EIS/EIR) identify the type of improvement necessary to mitigate traffic impacts and define an ADT threshold that requires specific improvements to be constructed. Implementation of the mitigation would occur when the mitigation threshold is reached. Development projects would be conditioned to fund that project's share of improvements.

The traffic mitigation measures in Section 4.12 and subsection 7.2.11 have been carefully reviewed and, where necessary, clarification has been added to identify the timing, appropriate thresholds, and responsibility for necessary improvements. Those impacts that would remain significant even after mitigation are identified for all issue areas, including traffic. Section 6.1 of the EIS/EIR provided a complete list of significant, unmitigable impacts.

The EIS/EIR fails to do this. Given the very detailed land uses set forth in the three projects analyzed in the EIS/EIR, there is no doubt but that specific traffic impacts on the SR55 and streets in Santa Ana and Irvine can be identified at this time. Tustin is required to identify these impacts and to describe all feasible mitigation measures – not to defer this analysis. It is a separate question whether such analysis will be adequate when actual development approvals are put before Tustin; CEQA does not allow the use of the phrase 'program EIR' to be an excuse to defer mitigation.

Worst Case Scenario

The CEQA Guidelines requires the use of a worst case scenario in analyzing the impacts of projects. In the MCAS Tustin EIS/EIR, the traffic model does not appear to use a "worse case analysis". For example, presuming that the current
L12-4 "toll road" will be free at the time of ultimate project buildout is a best case analysis, and is contrary to factual information on the low level of ridership that exists at the time of drafting the EIS/EIR.

As an additional example, the traffic model assumes that the Santa Ana will change its current policy and allow a number of major streets to be restriped from 4 lanes to 6 lanes of traffic. A "worst case scenario' would assume that Santa Ana will continue to allow parking on these streets. Elimination of curb parking would in itself create a significant impact on businesses that use such parking – an impact which is not analyzed in the EIS/EIR despite CEQA's requirement that mitigation measures which cause significant impacts must be identified and studied.

Reasonable Range Of Alternatives

CEQA requires that an EIR describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the
L12-5 basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. (*Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553; *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal.3d 376). The Draft EIS/EIR fails to do so, including only two different alternatives to the proposed Project, all of which fall into a mixed use of housing, commercial and support uses. (The "No Project' alternative must be included in all EIRs.)

The reuse of the Tustin MCAS is a once in a century opportunity, not only to Tustin but to all of the citizens of Orange County. Table 2-2 at page 2-5 mentions a number of alternatives that were discarded and not analyzed. None of these potential alternatives were studied in the EIS/EIR.

CEQA provides that factors which allow alternatives to be discarded include:(i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.' (State CEQA Guidelines §

L12-4 The worst-case scenario is analyzed and mitigated as appropriate in the 2020 scenario, which assumes full project build-out and toll conditions on the corridors. The analysis of corridors with no-toll conditions is in the post 2020 analysis (subsection 4.12.7 of the EIS/EIR). That discussion is more qualitative in nature.

When performing transportation planning in Orange County, cities are required to be consistent with the OCTA's *Master Plan of Arterial Highways* (MPAH). All major arterials, including those in Santa Ana, are assumed to be six lanes as assumed in the MPAH, therefore the traffic model for this project assumed that condition. It is not the responsibility of every project which uses the model to determine how the myriad improvements assumed in the model (i.e., no on-street parking) would be accomplished.

L12-5 The commentor expresses concern regarding the process by which alternatives were considered and either accepted or rejected for detailed consideration in the EIS/EIR. There appears to be some confusion by the commentor about the discussion of the reuse planning process and the Task Force system by which the LRA Reuse Alternative was derived (Section 2.2), and the process by which alternatives were selected for detailed consideration in the EIS/EIR (Section 2.3). Instead of addressing every point, this response will clarify the distinction between the two processes.

Section 2.2 provides an overview of the reuse planning process which occurred from 1992 to 1998 when the Department of Housing and Urban Development (HUD) approved the reuse plan submitted by the LRA. Tables 2-1, 2-2, and 2-3 are related to that process only. The Task Force recommendations regarding various reuse scenarios were judged on criteria established by the LRA, the Task Force, and members of the community. This process is analogous to a feasibility study whereby the LRA, Task Force, and members of the community developed a Reuse Plan for further study in an EIS/EIR. The Reuse Plan and land use alternatives considered by the Task Force were approved by a vote, of which Santa Ana's representative concurred.

As part of this EIS/EIR process a separate screening process was completed to define the "reasonable range of alternatives" for detailed consideration in the EIS/EIR. That effort is summarized in Section 2.3. This screening effort did not use the criteria used by the Task Force. Instead it used five criteria based on CEQA and NEPA. Criterion 2 in Section 2.3 correlates to item (i) in the comment letter, criterion 3 correlates to item (iii) in the comment letter, and criteria 4 and 5 correlate to item (ii) in the comment letter. Criterion 1 is related to (ii) in the comment letter because if an alternative would not be large enough to use a substantial portion of the site it would

not be feasible. Several alternatives were considered in Section 2.3, including an alternative site. These alternatives were eliminated from detailed consideration consistent with the criteria set forth in CEQA and NEPA.

For purposes of this joint NEPA/CEQA document, the No Project Alternative is called the No Action Alternative and is discussed in subsection 2.4.4 and evaluated in Chapter 4. As discussed in subsection 2.5.2, certain aspects of Alternatives 2 or 3 would have lesser significant effects than Alternative 1. Alternative 3 would have fewer dwelling units than Alternative 1. Fewer students would be expected to be indirectly generated for the Santa Ana Unified School District under Alternatives 2 and 3. CEQA does not require the alternatives considered to lessen all of the impacts; nor does it require alternatives that lessen impacts in the areas cited by the commentor. The requirement in CEQA is to look at alternatives that would lessen "any" of the significant effects of the project. The EIS/EIR satisfies this requirement.

15126.6(c).) Finally, it is the obligation of Tustin as lead agency, which is not delegable to any "task force," to determine what alternatives should be analyzed under CEQA.. State CEQA Guidelines § 15126.6(a).)

Table 2-2 does not show that the discarded alternatives fail to meet "most" of the basic project objectives, are infeasible or are not environmentally superior. Many of the discarded alternatives appear to have been left out because they fail to meet an "issue of highest concern" set forth in a "community opinion survey"; the "need to create a positive financial impact" on Tustin's local economy. Alternatives eliminated as not being profitable enough for Tustin include the Rancho Santiago College Educational alternative (section 2.3.1 of Draft EIS/EIR), and a regional park such as Balboa or Golden Gate Park (section 2.3.2). It is impermissible under CEQA to eliminate alternatives because they are insufficiently profitable to Tustin (i.e., as stated at page 2-11, they do not "generate high sales tax or property tax revenues").

While the EIS/EIR claims to be analyzing three alternatives, for CEQA purposes, which require identification and description of the "project," Alternative 1 is the project and Alternatives 2 and 3 are the alternative to the project. The EIS/EIR admits that these two alternatives have greater traffic (and other) impacts than the Project itself (i.e., "Alternative 1"). This violates CEQA. The major alternative that should have been analyzed in the EIS/EIR is a less intense mixed use alternative to the project itself – a lower density alternative that generates fewer impacts to traffic, air quality, noise, loss of biological diversity and less need for potable water, sewer capacity and solid waste disposal.

Deferral of Mitigation Measures

Another major error in the EIS/EIR is deferring of major mitigation measures. For example, the EIS/EIR identifies a number of streets and intersections in Santa Ana
L12-6 where the Project will create or contribute to significant environmental impacts. At this point, however, the EIS/EIR basically halts its analysis.

CEQA does not permit such half measures. Having identified the Project as having significant impact on these streets and intersections, CEQA imposes the following additional requirements:

- Identify mitigation measure at each such street segment and intersection to reduce these significant environmental impacts to a level of insignificance. (State CEQA Guidelines § 15126.4.) This would require design of traffic improvements, such as additional lanes of traffic, dedicated right and/or left turn lanes, and realignments of streets. For each such intersection or street segment, the EIS/EIR must identify the additional right-of-way that would

L12-6 Section 4.12 of the EIS/EIR identifies mitigation measures for each intersection which would have significant impacts, and where there is no adequate mitigation, the impact is identified as significant and unmitigable. CEQA does not require the specific design of potential future off-site traffic improvements and of right-of-way acquisitions in this Program EIS/EIR. It would be premature to design future off-site traffic improvements at this "program" stage and serves no useful purpose to speculate on property needed for right-of-way acquisition to accomplish future potential traffic improvements. The City of Santa Ana will have the opportunity, as future project subdivision and other development approvals are considered, to comment on and provide input as project-specific development applications are considered, and to comment on and provide input during the subsequent CEQA process (L12-2). The City of Santa Ana will have control over the proposed design of off-site improvements and right-of-way acquisition in Santa Ana. The City of Tustin intends to work cooperatively with the City of Santa Ana on future off-site improvements in Santa Ana and where the two cities share intersections that would need improvements.

need to be acquired (condemned) and specify the properties involved.[1] The major purpose of CEQA is to advise the public of the environmental impacts of proposed projects. (State CEQA Guidelines § 15121.) Failure to identify these properties leaves private property owners without knowledge that approval will require them to lose their property.

L12-7 • If there are more than one option to reduce environmental impacts to a level of insignificance, compare the options. By failing to design and analyze each intersection and road segment, the EIS/EIR impermissibly defers to a later date analysis of whether these significant impacts can be mitigated. At a minimum, this requires a cost estimate of every mitigation measure. If there is more than one way to mitigate the impact, the EIS/EIR must analyze all such methods and select the mitigation which would create the minimum impacts of its own. (*Stevens v. City of Glendale* (1981) 125 Cal.App.3d 986.) Each such mitigation measure must be fully enforceable.

L12-8 • Only after imposition of every feasible mitigation measure, determine whether a statement of overriding consideration is required. The EIS/EIR jumps directly to this point, but skips the first two elements in the required analysis, violating State CEQA Guidelines § 15126.4(a)(1)(B).

L12-9 • As an additional example, the EIS/EIR takes this same approach with mitigating impacts on wetlands. The EIS/EIR defers the mitigation of such impacts to issuance of a 404 permit. Again, CEQA does not permit such deferred analysis when the impacts themselves are fully known and apparent at the time of preparation of the environmental document. If the analysis of the significant impact of losing these wetlands is not analyzed in the EIS/EIR when will it be? Consultation with the Army Corps of Engineers need not, and cannot be deferred. The EIS/EIR must also examine the alternative of expanding or altering the open space/park element of the Project to preserve all of the wetland area.

Mitigation Measures

L12-10 The CEQA Guidelines require that Mitigation Measures be appropriate to carry out the whole of the action. In the MCAS Tustin EIS/EIR, the traffic model includes mitigation measures that are non-funded capital traffic improvements in the City of Santa Ana. These measures are speculative, since the improvements may or may not ever be funded. A new mitigation measure must be added, to read:

[1] For all such properties located in the City of Santa Ana, the City will be a "responsible agency" under CEQA, and must use the EIS/EIR to support its discretionary act of acquisition and/or condemnation. (*Burbank-Glendale-Pasadena Airport Auth. v. Hensler* (1991) 233 Cal.App.3d 577.) As noted in this comment letter, the EIS/EIR errs in not recognizing Santa Ana as a responsible agency.

L12-7 All of the recommended mitigation measures have been evaluated whether or not there are feasible options for mitigation. The evaluation of mitigation options for significant impacts to agricultural resources (Section 4.8) is one example where the EIS/EIR examines various possible options and incorporates cost as a factor in determining feasibility. For other issue areas, the feasible mitigation measure(s) was more clear cut and such a detailed analysis was not warranted. CEQA Guidelines § 15126.4(a)(1)(B) clearly state that "measures may specify performance standards which would mitigate the significant effect of a project and which may be accomplished in more than one specified way." Further, § 15126.4(a)(1)(D)(2) states that measures must be enforceable through "permit conditions, agreements or other instruments" and mitigation measures may be "incorporated into the plan, policy, regulation or project design" that is being adopted. For every identified significant impact in the EIS/EIR, mitigation measures are identified, where feasible. In many cases, measures are incorporated into the project design or defined as implementing measures that would be required by the cities of Tustin and Irvine as appropriate. Some sections of the FEIS/EIR have been modified (primarily Section 4.12) to more clearly identify a threshold or permit condition that would ensure timely implementation of an identified mitigation measure.

This comment specifically addresses CEQA rather than NEPA requirements, therefore no response is required to address NEPA compliance. Refer to response to comment L12-3 regarding deferral of mitigation measures.

L12-8 The only reference to overriding considerations in the EIS/EIR is in Section 1.5 (Use of An Integrated Document). The reference merely identifies the process under CEQA which a lead agency must follow if selecting an alternative that would have significant, unmitigable impacts. The EIS/EIR analyses does not jump past exploration and identification of feasible mitigation measures.

This comment specifically addresses CEQA rather than NEPA requirements; therefore no response is required to address NEPA compliance.

L12-9 Refer to response to comment F2-2 regarding wetland impacts and mitigation and L12-3 regarding deferred mitigation measures. As shown in Figure 3.7-1, the jurisdictional waters outside of Peters Canyon Channel consist of small discontiguous parcels scattered in the remnants of isolated drainage ditches. It would not be feasible to encompass all of these locations in an expanded park element and still satisfy the LRA's purpose and need for reuse.

This comment specifically addresses CEQA rather than NEPA requirements, therefore no response is required to address NEPA compliance except as addressed in response to comment F2-2.

L12-10 In the traffic section, mitigation measures are provided for identified significant impacts that would result from reuse-generated traffic when added to other projected traffic (cumulative impacts) on the anticipated future circulation network. That future network is the "committed roadway network" as defined in Section 3.4 of Appendix F and Section 3.12 of the EIS/EIR. This committed network has been corrected in the Final EIS/EIR as described in response to comment L6-9. It is not based on funding as a criteria because it is based on the CEQA definition of "probable future projects." The commentor's recommended mitigation measure is not necessary or appropriate. Future development projects would be required to contribute in a timely manner the project's fair share of improvements. Refer to response to comment L12-3.

Where a proposed reuse alternative would cause a traffic impact, mitigation would be the full responsibility of the alternative's project proponent. Where the alternative would merely contribute to an impact, it is not appropriate to require full mitigation. CEQA Guidelines clearly state that there must be an "essential nexus (i.e., connection) between the mitigation measure and a legitimate government interest" (§ 15126.4(a)(4)(A)) and the "mitigation measure must be roughly proportional to the impacts of the project" (§ 15126.4(a)(4)(B)). The suggested mitigation measure for full funding of mitigation for which the reuse alternative would be only partially responsible is not appropriate.

> For each street improvement in the City of Santa Ana identified as mitigating the project's impact which is not currently listed as fully funded in the City of Santa Ana's Capital Improvement Plan, the City of Tustin shall fully fund such improvement, subject to repayment pursuant to a Reimbursement Agreement between the City of Tustin and the City of Santa Ana.

The traffic model includes other speculative mitigation measures in that it assumes that other, currently non-existent funding will exist to contribute to traffic improvements at intersections identified as "c" (i.e., the project will contribute to a significant effect at these intersections). A new mitigation measure must be added, to read:

> For each street improvement proposed in the City of Santa Ana for which the project is identified as contributing or "c," and for which funds are not currently available to pay for the City of Santa Ana's share of such improvements, the City of Tustin shall fully fund such improvement, subject to repayment pursuant to a Reimbursement Agreement between the City of Tustin and the City of Santa Ana.

Potable Water

The EIS/EIR states that the Irvine Ranch Water District (IRWD) has "indicated" that it can obtain sufficient potable water from the Metropolitan Water District (MWD) to supply the 3 million gallons per day that the Project needs. (Pages 4-46.) This is insufficient. Unless the IRWD has provided Tustin with a "will serve"
L.12-11 letter, then it must be presumed that water will not be available to serve the Project – in other words that provision of potable water will be another major significant environmental impact not analyzed in the EIS/EIR. MWD relies heavily on water from the Colorado River, and under U.S. Supreme Court orders, this water is being diverted away from California. In addition, it was only a few short years ago that MWD adopted mandatory cut-backs on all of its member agencies due to drought. If the Project is relying on well water, then it must analyze how such a major increase in pumping will not dangerously dewater the aquifer or deprive pre-existing users of their water rights.

Hazardous Waste

The Project includes alternatives showing residential development on areas that are currently contaminated with hazardous waste. Such a use may violate SB
L.12-12 501, California Health & Safety Code § 25220 et seq., which in general bars in perpetuity residential and other sensitive land uses within 2,000 feet of contaminated property. The EIS/EIR provides no analysis of the risks, healthwise or financial, of developing expensive homes over property that was formerly contaminated.

L.12-11 A "will serve" letter is typically issued when a subdivision or other specific development activity is under consideration, not at the time of consideration of reuse plans. However, civilian reuse of MCAS Tustin would lead to an increase in demand ranging from 1.5 to 2.8 million gallons per day of potable water. IRWD has indicated that it can supply this incremental increase in potable water demand (Section 4.3). Further, IRWD submitted a comment letter on the draft EIS/EIR which did not dispute the statement in Section 4.3 and, in fact, commented that the documents' measures to implement facility requirements were thorough (refer to comment letter L3).

IRWD provides potable water from a mix of imported water from MWD and local well water. Section 4.10 of the EIS/EIR addresses new wells proposed by IRWD on site and addresses potential impacts to groundwater. It is not expected that IRWD would increase groundwater withdrawals over its historical production levels.

L.12-12 Each of the reuse alternatives proposes future residential development over identified hazardous waste sites. All IRP sites overlain by residential uses under Alternatives 1, 2, or 3 would meet residential standards. Remediation on most applicable sites has been performed and the sites are recommended for No Further Action. Sections 3.11 and 4.11 have been modified in the FEIS/EIR to address this issue. In general, deeds transferring lands from DON will contain institutional controls, such as deed restrictions and long-term monitoring, where necessary to protect human health.

Community Financing Plan

The City of Tustin has not provided the City with the "Community Financing Plan" or its "Business Offer to Navy." These documents are critical to the City's review of the Draft EIS/EIR. In addition, at a meeting held between the two cities last week, the City was provided copies of portions of what appears to be a prior, L12-13 non-circulated versions of the Draft EIS/EIR dated June 6, 1999. As can be seen from the attached excerpt, the list of impacted intersections was reduced in the 2+ week period between this screen check draft and the circulated Draft EIS/EIR. Since the traffic study, Appendix F, did not change over this time, it is not clear on what basis these intersections were removed. Public Resources Code § 21167.6(e)(10) provides that "all internal agency communications, including staff notes and memoranda related to the project or to compliance with this division" are part of the record of an EIR. Santa Ana requests copies of these documents including this screen check EIR pursuant to the provisions of the Public Records Act, Government Code section 6250 et seq.

Endangered Species Act Consultation

The EIS/EIR does not include the preliminary consultation with United States Fish & Wildlife Service regarding the existence of endangered or threatened species on the subject property. This appears to defer the CEQA requirement that the public be informed of the environmental impacts of proposed projects. L12-14 Moreover, such a consultation may possibly reveal, for example, that there were major flaws in the methodology of the diversity study performed and reported in the EIS/EIR, such as failure to include a sufficient number of on-site investigations, failure to schedule investigations during times most likely to discover flowering or migratory species of concern, etc.

COMPARISON WITH EARLIER DRAFT EIS/EIR COMMENTS:

We have compared our prior March 2, 1998 review comments with the June 1999 draft EIS/EIR document. Following this review it appears that:

1. Our previous comments regarding the study area boundaries were partially L12-15 addressed. However, we are not clear why the overall study area was not increased. There could be other associated impacts beyond the current boundaries.

2. A significant issue from our March 2, 1998 comments continues to be a L12-16 problem in this document and has still not been addressed. The cumulative projects and their impacts are included but not separated from the 2005, 2020 build-out, and post build-out project analyses. This methodology prevents the actual project traffic impacts from being accurately disclosed separate from cumulative impacts. Additional scenarios separating out these analyses are

L12-13 The City of Tustin's financial estimates of how it will fund infrastructure and other public facilities at MCAS Tustin, and its "Business Offer to the Navy" are not relevant to the City of Santa Ana's review of the EIS/EIR. Any internal drafts of the EIS/EIR are part of the "record of proceedings" that may be obtained should the City of Santa Ana file an action to challenge city's decision based on the EIR (Pub. Res. Code § 21167.6). However, there is no California legal authority to require their release at this time before the Final EIS/EIR and a project is approved. Under these circumstances the city relies on California Government Code Section 6255 that "the public interest served by not making the record public clearly outweighs the public interest served by disclosure." Such a premature release may harm the integrity of the decision-making process on the EIS/EIR and Reuse Plan/Specific Plan.

The text that was handed out inadvertently from the June 6, 1999 screencheck is very similar to the version that was distributed to the public in July 1999. Some minor clarifications were made regarding TSIA; some corrections were also made to the funding share percentage in Table 7-5, etc. These simply reflect comments and corrections from peer review at the federal and local agency level as is typical in the preparation of any document of this complexity and magnitude.

L12-14 As described in Chapter 8.0, consultation and coordination was initiated with the USFWS, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, California Department of Fish and Game, and many other agencies as part of this EIS/EIR. None of these agencies submitted written or oral comment during the scoping period. A biological survey was completed as part of this environmental process which included focused surveys for likely sensitive, threatened, or endangered species (American peregrine falcon, San Diego and Riverside fairy shrimp, southwestern pond turtle, loggerhead shrike, and burrowing owl). A wetlands survey was performed in concert with staff from the U.S. Army Corps of Engineers. As stated in Section 4.7, there are no federally listed threatened or endangered plant or animal species on the site so no Section 7 consultation was required. The USFWS and other resource agencies were also provided a copy of the EIS/EIR for review and comment.

L12-15 The study area for each issue is defined in an appropriate manner for that topic based on regulatory guidelines and standard professional practice. Refer to Chapter 3.0 of the EIS/EIR and individual issue areas in Chapter 3.0. As described in Appendix D, the traffic study area was enlarged in the revised traffic analysis in response to comments on the initial draft EIS/EIR (December 1997). As described in Section 3.12 of the EIS/EIR, the study area boundary for traffic was defined as those areas where reuse-

generated ADT would result in 1,000 more trips than under the future condition without reuse. This criteria is commonly utilized within the County of Orange in transportation studies. Additionally, in response to a request from the City of Santa Ana made during the initiation of the traffic study, four intersections outside this defined study area were included as well. A more detailed discussion of the rationale for the traffic study area is provided in Appendix F.

L12-16 The impacts associated with cumulative projects were included for the 2005 and 2020 project analyses. The 2005 Baseline and the 2020 Baseline analyses, in subsection 3.12.7 of the EIS/EIR, describe the cumulative project conditions and their traffic impacts, but they are labeled "reference" traffic. For clarity, the word "cumulative" has been added to the text of the FEIS/EIR. The 2005 and 2020 Alternative 1 analyses in subsection 4.12.3 of the EIS/EIR describe the future traffic conditions without reuse (i.e., cumulative) as compared with reuse. Subsections 4.12.4 and 4.12.5 contain similar project impact analyses for Alternatives 2 and 3. The impact and mitigation tables, Tables 4.12-6 and 4.12-9 for example, identify whether each impact is attributed solely to the project, or jointly to the cumulative and project effects.

COMMENT RECEIVED ON FINAL EIS/EIR

needed. Until the study clearly separates out the cumulative from project impacts, the identification of mitigation measures and which ones belong to the project versus cumulative projects is premature and cannot realistically be addressed.

L12-17 3. Several of the remaining comments in our March 2, 1998 letter, have still not been either partially or fully addressed in this 1999 document. These are comments numbers 2-7, 9, 11 (due to lack of diagrams with peak hour traffic volumes), 13, 16, 20, 28-30, 32 (in general), 33-35, and 37-39.

4. Although the traffic study has been repackaged since the City of Santa Ana provided our comments on March 2, 1998, we are concerned regarding some of the significant changes in the methodology and the results. For example:

L12-18 A. The June 1999 study utilized a different traffic distribution pattern than the 1999 study. It is unclear why the distribution pattern significantly changed. For example, the percent distribution for traffic on Edinger & Warner is 4% & 7% in the 1999 study and increased to 10% and 13%, respectively in the 1999 study. Given this increase, why are the recommended improvements for Edinger and Warner less in the 1999 study? It seems more likely that the improvements would stay the same or increase. This creates questions regarding the validity of the data.

L12-19 B. The June 1999 study utilized a base year (1993 data, Section 3.3) scenario approach that reduces the actual project impacts by approximately 25%. The City of Santa Ana has a maximum of two years to give credit for existing buildings and State CEQA guidelines, Section 15229, limits such credit to EIR's completed and certified within five years from the date that the federal record of decision was rendered. The credit for the MCAS Base does not accommodate City of Santa Ana or State CEQA requirements.

L12-20 C. The June 1999 study does not use the mid-block assessment methodology adopted by the City of Santa Ana's General Plan Circulation Element and by the County of Orange MPAH. (This comment was already given in 1998.) Instead, peak hour volumes were used. In some cases, this methodology indicates no impact where the County's Average Daily Traffic (ADT) analysis (and Santa Ana's) show an impact for the same location. We do not agree with this peak hour methodology due to its misleading results. Consequently, we again request that the appropriate City and County method be utilized so that the impacts are not underestimated.

L12-21 D. The June 1999 study states that any average volumes under 2% of the daily volume is "nominal". This is incorrect especially considering the high trip generation of this project. A 1.5% of daily traffic for Alternative 3 equates to approximately 4500 vehicles per day (VPD) or 450 vehicles per hour (VPH). We request that all traffic increases be re-included in the analyses without the introduction of this assumption.

RESPONSE TO FINAL COMMENT

L12-17 The March 1998 letter follows this comment letter, with responses for only those specific comments referenced in this letter.

L12-18 Differences in project internal trips, general trip distribution, and trip assignment compared to the previous traffic study are due to the incorporation of more recent data; specifically, OCTAM 2.8 and OCP-96 Modified data in the model forecasts (refer to Appendix D). Therefore, results of the traffic analysis, impacts, and mitigation, may be different from the previous traffic study. Traffic would increase on Edinger and Warner Avenues because the 1999 study assumes improvements on those roads are consistent with MPAH and the Santa Ana Circulation Element.

L12-19 As described in Section 3.1, the baseline year for analysis under BRAC documents is the year the entire MCAS Tustin, including family housing, was designated for closure (1993). This is a federal determination. Under CEQA, the baseline year is the year the NOP was issued (1994). The physical conditions within the reuse plan area were the same in 1993 and 1994. Because the federal record of decision has not been rendered, the referenced CEQA Guideline is not applicable.

L12-20 Before the advent of more sophisticated modeling capable of forecasting peak hour volumes, ADT volumes were often used as a basis for analyzing highway networks. With current peak hour modeling capability, the focus has been on the peak hour performance of the intersections comprising a roadway link. The County of Orange and OCTA GMP/CMP guidelines defer the determination of actual roadway link deficiencies to the peak hour performance of the intersections. The methodology for the MCAS Tustin EIS/EIR is consistent with those guidelines.

To help understand why the roadway link analysis is not used by those agencies, an example is discussed in this response. As shown in Table L12-20 following this response, the 2005 ADT V/C ratios on Dyer Road east of SR-55 would increase from 1.04 at baseline to 1.18, 1.21, and 1.20 for Alternatives 1, 2, and 3, respectively. Under the City of Santa Ana's guidelines, that would make this location a candidate for roadway widening from six to eight lanes. However, the intersections at either end of the link (#67 and #68 – SR-55 northbound ramps/Dyer Road and Pullman Avenue/Dyer Road) would both operate at level of service "C" or better. In addition, the peak hour midblock volumes also show that this link operates at level of service "D" or better. Roadway widening doesn't appear logical given that the peak hour midblock roadway section and intersections comprising the roadway link operate at acceptable levels.

L12-21 Volumes under two percent in reference to reuse trip generation are not nominal, and this is not an assumption in the traffic analysis. The word nominal was only mentioned in Appendix F in context of the No Action Alternative, which would have approximately 100 trips per day. This word is not used in Sections 3.12 or 4.12 of the EIS/EIR.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Table L12-20

LINK VOLUME SUMMARY
Santa Ana ADT Roadway Link Analysis

				BASELINE				REUSE ALT. 1				REUSE ALT. 2				REUSE ALT. 3			
	No. of	ADT	Pk Hr	ADT		Peak Hour		ADT		Peak Hour		ADT		Peak Hour		ADT		Peak Hour	
Link Location	Lanes	Cap	Cap	Vol	V/C*	Vol	V/C*	Vol	V/C*	Vol	V/C*	Vol	V/C*	Vol	V/C*	Vol	V/C*	Vol	V/C*
2005																			
82 Dyer w/o SR-73	6	36,000	4,800	54,000	1.04	3,480	.73	66,000	1.14	3,960	.83	68,000	1.21	4,080	.85	67,000	1.20	4,020	.84
2020																			
498 Edinger w/o Broadway	4	34,000	3,200	37,000	.97	2,220	.69	-	-	-	-	-	-	-	-	36,000	1.00	2,280	.71
496 Edinger w/o Grand	6	54,000	4,800	57,000	1.03	3,420	.71	-	-	-	-	-	-	-	-	58,000	1.04	3,480	.73
60 Edinger w/o SR-55	6	54,000	4,800	59,000	1.05	3,540	.74	-	-	-	-	-	-	-	-	60,000	1.07	3,600	.75
487 Lyon n/o Edinger	2	13,000	1,800	12,000	.92	320	.43	13,000	1.00	780	.49	13,000	1.00	780	.49	13,000	1.00	780	.49

- Not expected

E. The June 1999 study eliminated a number of mid-block locations potentially impacted by the project and previously included in the 1998 study. For example, some of the eliminated segments are:

L12-22

- Dyer e/o Halladay
- Dyer e/o Redhill
- Edinger e/o Ritchey
- Halladay s/o Dyer
- Halleday s/o Warner
- Lyon s/o McFadden
- Main s/o Alton
- Main n/o Sunflower

Additionally some of the segments included in the analysis show a reduction in daily volume resulting from MCAS which does not appear realistic.

F. The June 1999 study also eliminated a number of intersections that would be impacted by the proposed MCAS.

L12-23

G. For the short-range scenario (2005), the June 1999 study eliminated almost all of the recommended arterial improvements in the 1998 study. The original trip generation for the short-range scenario is 27,000 VPD; current trip generation for the short-range scenario (2005) is over 105,000 VPD. It is unclear why the findings of the methodology excluded the following improvements.

L12-24

LOCATION	EXCLUDED IMPROVEMENTS
Alton (Main to Standard)	Improve to 4 lanes
Alton (Daimler to Standard)	SR-55 4-lane overcrossing
Alton (Jamboree to Harvard)	Improve to 6 lanes
Bryan (Newport to Main)	Improve to 4 lanes
Columbine (Main to Halladay)	Improve to 4 lanes
Del Amo (SR 55 NB Ramps to Edinger)	Realign with SR-55 NB Ramps
Dyer/Barrance (SR-55 to Jamboree)	Improve to 6 lanes
Halladay/Standard (Dyer to Warner)	Realign Halladay to Standard
Harvard (Walnut to ICD)	Improve to 4 lanes
MacArthur (SR-55 to Campus)	Improve to 6 lanes
Main (Sunflower to San Diego Creek	Improve to 6 lanes
Warner (Bristol to Main)	Improve to 6 lanes

L12-22 The locations listed were not eliminated but are included within a larger link that has different end points. The links in the 1999 study which correspond are identified below. Refer to Figure 3.2 of Appendix F.

1998 Traffic Study	1999 Traffic Study
Dyer east of Halladay	81. Dyer west of Hotel Terrace
Dyer east of Red Hill	83. Barranca east of Red Hill
Edinger east of Ritchey	60. Edinger west of SR-55
Halladay south of Dyer	511. Standard Halladay west of Dyer (segment)
Halladay south of Warner	507. Standard Halladay west of Warner (segment)
Lyon south of McFadden	487. Lyon north of Edinger
Main south of Alton	515. Main north of MacArthur
Main north of Sunflower	117. Main north of Sunflower

Because of a "redistribution" effect in the traffic model, traffic volume decreases as well as increases may occur throughout the study area. Refer to Appendix D.

L12-23 The 1999 traffic study evaluated a larger study area and more intersections overall; the actual intersections which would be impacted vary from the 1998 study. This variation is due to the different demographic (OCP-96 Modified v. OCP-92) input and the more current traffic model (OCTAM 2.8 instead of OCTAM 2.0). Refer to Appendix D for further clarification in the difference between the two traffic reports.

L12-24 The facts supporting the committed roadway network assumptions were reviewed between the two traffic technical reports. Response to comment L6-9 describes the criteria used to establish the committed roadway network in the 1999 traffic report. Because the committed roadway network changed, some improvements identified in the 1998 report as part of the "background" would no longer be assumed as completed in the 1999 committed network. Additionally, as part of the response to comment process on the draft EIS/EIR (July 1999), the facts supporting the committed roadway network assumptions were reviewed in Santa Ana and corrected as appropriate. Each arterial questioned in the comment is addressed below:

Location	Status in November, 1999 Revised Traffic Study
Alton (Main to Standard)	Not part of corrected committed roadway network.
Alton (Daimler to Standard)	Not part of corrected committed roadway network.
Alton (Jamboree to Harvard)	Not part of corrected committed roadway network.
Bryan (Newport to Main)	Not part of corrected committed roadway network.
Columbine (Main to Halladay)	Not part of corrected committed roadway network.
Del Amo	Was within 1999 study, no change from 1998.
Dyer/Barrance	Not part of corrected committed roadway network.
Halladay/Standard	Not part of corrected committed roadway network.
MacArthur (SR-55 to Campus)	From SR-55 to Main, not a part of corrected committed roadway network; from Main to Campus exists as 5 lanes.
Main	Exists as 6 lanes
Warner	Not part of background in 1998 study and not part of corrected committed roadway network.

COMMENT RECEIVED ON FINAL EIS/EIR

H. The same in g) above applies for intersection improvements. The following locations were recommended for intersection improvements in the original study but eliminated in the June 1999 study.

L12-25

- Redhill & Dyer/Barranca
- Standard at Warner
- Main at MacArthur

Please note that the original trip generation for short range is approximately 80,000 VPD in the 2005 scenario (short range).

I. The same phenomenon applies for g) & h) above (short range or 2005) also applies for the long-range analysis.

L12-26

See attached Table 1 for previous recommended improvements eliminated in the June 1999 study.

5. With the large amount of data in this study, peak hour traffic volume exhibits are needed for all study intersections for adequate review, not just for the project area intersections that were provided. An exhibit showing all study intersections' peak hour volume scenarios for each alternative is critical to our agency's review. We request that peak hour traffic volume exhibits for all study area intersections be provided.

L12-27

Although this document notes that the peak hour intersection analyses are the basis for mitigation measures, with the exception of Figure 6-2 and 6-3 (development site), there are no peak hour traffic volume exhibits for the rest of the study area. Instead the data is listed only in Intersection Capacity Utilization (ICU) tables which is cumbersome and unclear for review.)

6. In Table 1-2, Traffic Analysis Performance Criteria: 1700 capacity is used for all lanes. Santa Ana uses 1600 for left-turn lanes and 1700 for all other lanes at an intersection. Additionally, Santa Ana does not allow credit for the right-turn-on-red (RTOR). This comment was already made in the March 2, 1998 letter. The City requests that its traffic analyses guidelines be utilized for Santa Ana intersections for this document. Additionally, mid-block link analyses are typically done on an Average Daily Traffic (ADT) basis rather than on a lane capacity basis as indicated. Why was 1600 per hour per lane used for mid-block lane capacity? This appears to create different results which are less conservative.

L12-28

in

RESPONSE TO FINAL COMMENT

L12-25 Refer to response to comment L12-24 for an explanation of why some "background" improvements in the 1998 traffic study are not assumed in the 1999 traffic study committed roadway network. All three of the intersections listed are not a part of the corrected committed roadway network (November 1999).

L12-26 As clarified in Appendix D, the 1999 traffic analysis assumed a slightly different committed roadway network. Refer to response to comments L12-24 and L12-25. A detailed review of Table 1 was completed and the June 1999 committed roadway network was reconsidered as defined in response to comment L6-9. As a result, the committed roadway network in the June 1999 study was corrected and the traffic model re-run. Resulting modifications to the network and impacts from reuse and mitigation are provided in Final Appendix F and Sections 3.12, 4.12, and 6.1 of the FEIS/EIR.

L12-27 The EIS/EIR contains a summary of technical information to help the lay person focus on the potential impacts associated with each of the alternatives and the mitigation. More detailed and technical information is retained in the traffic technical report (Appendix F). The information requested is contained in Appendix F.

L12-28 The traffic technical report for the EIS/EIR was prepared using regionally accepted methodology consistent with the Orange County Subarea Modeling Guidelines Manual adopted by the OCTA (August 1998) and Congestion Management Program/Growth Management Plan (CMP/GMP) guidelines as is appropriate for an action of this size with traffic impacts spanning several jurisdictions. It should be noted that subsequent to the referenced March 1998 letter, the City of Tustin contacted staff at the City of Santa Ana regarding various assumptions for the revised traffic analysis to be undertaken in response to comments received on the initial Draft EIS/EIR. In a letter to the City of Santa Ana dated August 17, 1998, the City of Tustin stated their intent to base the traffic modeling on the OCTA modeling guidelines and their understanding that Santa Ana would accept the Orange County methodology for ICU analysis instead of an earlier intersection capacity utilization (ICU) methodology only specific to Santa Ana. In a September 1998 meeting between traffic department staff members from Santa Ana and Tustin, the regional ICU methodology received verbal agreement.

COMMENT RECEIVED ON FINAL EIS/EIR

L12-29 7. In Table 3-4, Roadwey System Committed Improvements: This EIR appears to assume that all General Plan improvements will have been constructed by 2020. However, this is not a valid assumption since many needed improvements do not yet have funding commitments. The only committed improvement for Santa Ana is Edinger Avenue from Ritchey Street (rather than Lyon Street) to the east of Red Hill Avenue. The limits for this project should be corrected. With the exception of these Edinger Avenue improvements, all other Santa Ana "committed to" projects should be removed from this table and should not be in the base model analysis. These improvements must be listed as recommended instead. Additionally, this document's assumptions should be modified to reflect that while these projects may be needed, they are not necessarily funded. Also, there is no funded widening project on Warner Avenue from Bristol to Main Street. There is a rehabilitation project, but no widening project scheduled for his street. Additionally, for this table, the percent of commitment level that each funding source will be contributing should be indicated. (Also see prior comments.)

L12-30 8. With regard to mitigation measures, it is not clear which mitigation measures require restriping only versus lane additions with right-of-way "takes". In some locations it may not be feasible to provide the additional lanes without obtaining street widening and/or right-of-way. Please indicate throughout the document all improvements that will require street widening and right-of-way and indicate that those costs will be included and paid for by either fair share (Chapter 4 of the draft EIS/EIR) or 100 percent by the project, as applicable. For example, in Tables 4.12-8, 4.12-9, and 4.12-10, lane changes for mitigation are shown in bold with a note "without mitigation". What does this mean? Does it mean that a restriping of the lanes is feasible within the existing roadway width and right-of-way? Please clarify this information. For example, in Table 4.12-9, it is not feasible to add the lanes indicated for Grand and Dyer, Bristol and Warner, Standard and Edinger, Hutton Center and MacArthur without additional right-of-way. The need for right-of-way should be clearly indicated for each mitigation measure and all improvement costs must be identified. (This is a significant comment that was also made in 1998.)

L12-31 9. A statement regarding intersection improvements at interchanges occurs in several places (example on page 4-67). This statement says: "The exact nature of the improvement in each case would be the subject of special design studies in association with Caltrans." Understandably a Project Study Report (PSR)/Project Report (PR) might be required for these Caltrans improvements. However, in what manner will these currently non-identified improvements be insured to be fully tied-back, financially to the project?

RESPONSE TO FINAL COMMENT

L12-29 The committed roadway network is not defined based on funding as a criteria (refer to response to comment L6-9). The facts supporting the committed roadway network assumptions have been reviewed based on comments from the public, and corrections have been made to match the definition of "probable future projects." Based on the corrected committed network, traffic impacts in Santa Ana have been modified. Refer to revised Appendix F and Sections 3.12 and 4.12 of the FEIS/EIR. Refer to response to comment L12-26.

L12-30 Fair share responsibility of the various reuse alternatives and 100 percent responsibility has been identified in Section 4.12 of the FEIS/EIR. Mitigation costs for any future improvements are defined to include right-of-way as necessary. The referenced note is taken out of context. The footnote refers to any bold numbers in those tables. When bold, they reflect a change from the "base" condition (prior to mitigation). Determination of the exact mechanism for providing the number of lanes identified under mitigations best evaluated at the future CEQA compliance stage when proposed developments proceed through the entitlement process. Future conditions may change so lanes may be added via restriping or require right-of-way.

L12-31 The mitigation measure necessary to ensure adequate LOS at freeway ramp intersections, the appropriate fair share financial responsibility, and ADT thresholds trigger is provided in Section 4.12 of the FEIS/EIR. The referenced mitigation measure has been modified slightly for clarification.

COMMENT RECEIVED ON FINAL EIS/EIR

MAJOR CONCERNS WITH THE TRAFFIC STUDY DOCUMENT:

L12-32 10. With approximately 300,000 vehicles per day being generated by the project (in the worst case—Alternative 3), this document shows that traffic volume will decrease for several intersection turning movements in Santa Ana:

- fifteen years into the future from the "baseline" (2005 to 2020), and
- when the projects (Alt 1, 2, and 3) are each added to the 2005 and 2020 "baseline" conditions. *(Numerous examples can be found through-out the calculation sheets in Appendix F.)*

The above data will not reflect actual traffic impacts. Traffic over 15 years is likely to increase not decrease, and the magnitude of this development can be expected to add further additional traffic to the roadway network under any of the alternatives, not less for many turning movements. Although the data were presented in a different manner, our 1998 comments also stated this similar and significant concern.

11. So many critical aspects in the document require extensive review by traffic engineering professionals that we feel that this document does not meet the intention of CEQA guidelines, regarding having a readable document. For example:

L12-33
- The Draft EIS/EIR states that cumulative impacts have been addressed within the 2005 and 2020 project analysis. The City of Santa Ana finds that this methodology prevents the real circulation impact of the project from being accurately disclosed. Additionally, since the "project" impacts are inaccurately characterized, the resulting mitigation program is cumulative-based rather than reflecting the true project-level mitigation. The California Environmental Quality Act (CEQA) requires that the direct affects of a project be discussed within the EIR. The City of Santa Ana requests that the traffic study include separate impacts and mitigation measures for both projects and cumulative impact scenarios as requested in this document, our 1998 comments, and in our original correspondence to Ms. Gray of HNTB.

L12-34
- The term "baseline" is used with respect to 1993 and 1997 traffic and the term "base" is used in Tables such as 4-8 with yet a different meaning. The terminology is similar but appears to be applied differently. Although very pertinent, this is ambiguous and it remains unclear as to how the "baseline" relates to "existing". For example, the Military Base was open in 1993 "existing" and closed in 1997 (also "existing"). And which "existing" is being compared to the project—1993 or 1997. This is key to knowing if the project has an impact and it remains illusive in document. It is also unclear in Tables such as 4-8 if the alternatives are being compared to the "baseline" or "alternative + baseline" condition. This type of important information must not be ambiguous.

RESPONSE TO FINAL COMMENT

L12-32 Traffic volumes throughout the region and study area will increase in the future as projected by demographic data (OCP-96 Modified) and the County of Orange's current traffic model (OCTAM 2.8). However, the future condition will also include improvements to current roads, new roads, new land use patterns, and more choices for drivers. The traffic model redistributes traffic throughout the region, and at selected location volumes may either increase or decrease. Refer to Appendix D.

L12-33 Refer to response to comment L12-16.

L12-34 The term "baseline" is used for the 2005 and 2020 analysis referring to the cumulative traffic from surrounding area plus the volumes generated at the Air Station in 1993 (when Congressional action was taken to close MCAS Tustin). The term "existing" is used only in the context of the project stand-alone analysis. Here, "existing" identifies study area traffic counts made in 1997 and 1998, when there was still considerable activity at MCAS Tustin. The project stand-alone analysis is an unrealistic condition that was not mitigated.

For the impact analyses at 2005 and 2020, the 1993 baseline traffic volumes in the reuse plan area were used, plus anticipated future traffic for the surrounding area, to describe a future cumulative condition. ICU values were calculated at each intersection. The trips associated with reuse were added to that condition and ICU values calculated again. In this way the net impact of reuse was identified. Footnotes have been added as appropriate to clarify the meaning of the word "baseline" in this context. Table 4-8 in Appendix F and others like it use the term "base" to denote project impacts without mitigation. The definition of base is provided in the referenced table.

COMMENT RECEIVED ON FINAL EIS/EIR

L12-35 • The study needs to clarify what the project is. Alternative 3 appears to represent the worst case in terms of generating the most traffic. However, in several instances, it appears that Alternative 1 is being referred to as "the project," instead. This needs to be absolutely clear in this CEQA document and the assumptions should be on the conservative side—alternatives with more traffic, if that alternative is to be cleared.

L12-36 • On page 2-23, 2nd paragraph, the document states that: *Project traffic volumes that would be generated according to the trip distribution shown in figures 2-7 through 2-9 would not be directly added to the existing or projected volumes on the indicated roadways. Interaction between the project and the surrounding land uses results in a unique 'redistribution' effect for each alternative which is derived by the traffic model.* A close review of the data indicate that existing traffic is actually replaced by the MCAS traffic. This results in the minimizing of the actual traffic impacts. We disagree with these assumptions.

L12-37 • By the time the trips generated have been reduced several times down for internal trips, "interactions with surrounding area land uses," etc. (also see later detailed comment #14), the approximately 300,000 vehicles per day generated by the worst case project scenario results in very little new traffic on the *roadway*. We disagree with this significant underestimation of how much traffic will be on the streets. And, as a result, very little mitigation is needed due to the project when the opposite would be expected.

- This document states any volumes under 2% of daily volume are considered "nominal". With the high trip generation of this project (approximately 300,000 vehicles per day (VPD) Alternative 3), significant trips have been ignored due to this assumption. A 1.5% of daily traffic for Alternative 3 equates to approximately 4500 VPD or 450 vehicles per hour (VPH). We request that all traffic increases be included in the analyses and not simply disregarded. If these significant traffic volumes are ignored, the actual project impacts will be underestimated.

L12-38 • Regarding other inconsistent assumptions in this study, the Eastern Toll Road Corridor (ETC) opened in February of 1999. However, the baseline of either 1997 or 1993 (whichever was actually used) should not include the ETC being open.

L12-39 • On page 1-3, last 2 paragraphs, the document states: *In analyzing the reuse alternatives, three time periods are addressed in the impact analysis: 1. Existing (Project stand-alone analysis) – Year 1997, 2. Short-Range – Year 2005; 3. Long-Range – Year 2020. In the existing time period analysis, project buildout is added to the existing (1997) transportation system and identifies the resulting impacts.* After reading this section and the document, what is the 'project buildout' (alternative 1, 2, or 3)? And, where is the "No Action" or "No Project" Alternative. Later in the same

RESPONSE TO FINAL COMMENT

L12-35 The term "project" in Final Appendix F refers to the variety of reuse alternatives that could be implemented in the reuse plan area, including caretaker status (No Action Alternative). Refer to Section 2.2 of Final Appendix F. For further clarification, the reference to project site has been replaced by reuse plan area in Section 1.0. Each of the three reuse alternatives and No Action are analyzed at an equal level of detail in Chapter 4.0 of Appendix F. There is no "project" in the CEQA sense.

L12-36 It is noted that the commentor disagrees with this assumption. However, Section 2.4 of Final Appendix F explains how the traffic model provides a more realistic portrayal of future traffic patterns by redistributing them based on interactions with future land uses in anticipated future travel patterns. The model was prepared by OCTA, the regional transportation planning authority in Orange County.

L12-37 Refer to response to comment L12-21 regarding use of the word nominal and L12-22 and L12-32 regarding trip distribution and interaction via the model.

L12-38 The ETC was not assumed to be open under existing conditions (refer to Figure 3-2 of Appendix F).

L12-39 As defined in Section 2.2 of Appendix F, "project buildout" refers to the total number of trips generated under each reuse alternative. Alternative 1 would have a buildout ADT of 109,804, Alternative 2 would have a buildout ADT of 108,246, Alternative 3 would have a buildout ADT of 114,534, and the No Action Alternative would have a buildout ADT of approximately 100. The text in Section 1.2 has been revised in the Final Appendix F to use the term "reuse alternative" instead of project. "Projected growth" and future transportation improvements in 2005 and 2020 are based on projections in OCP-96 Modified and OCTAM 2.8 as stated in the next paragraph on Page 1-4 of Appendix F.

COMMENT RECEIVED ON FINAL EIS/EIR

paragraph, it says: *The 2020 analysis also includes projected growth in the surrounding area plus changes in the transportation system.* Where is the "projected growth" elsewhere in the document that follows? This information should be clearly stated to satisfy CEQA requirements.

L12-40 • On page 1-4, 2nd paragraph, the document states: *In the analysis, such projects include roadway improvements that are projected to be funded in some manner, such as through a capital improvement program, a special funding program, or they are conditions of approval of specific projects. Such roadway improvements will be referred to hereinafter in this report as the "committed roadway network."* This gives the impression that all improvements are already programmed and funded, hence the project will have nothing left to mitigate. However, the reality is quite different. Many so-called committed projects are not funded at all or are at best are only partially funded. Since the analyses include all of these as completed, the analyses show a much "rosier" picture than will be the case and the project does not have to mitigate its true impacts. This needs to be corrected throughout.

L12-41 • The associated level of service values should be listed adjacent to the ICU results in all tables rather than having to cross-check the ICU data with a table elsewhere in the document.

L12-42 12. The methodology used by the author for street segment analyses determined that no mitigation would be needed for locations such as Edinger Avenue (49,000 vehicles per day (VPD)) west of Broadway and east of Main Street. However, when Santa Ana's (and County of Orange's MPAH) methodology is used for the same segment, 45,000 vehicles per day is the maximum allowed such that improvements are actually required for the volume of traffic forecasted. Hence, we again request that the MPAH (County's) methodology be utilized so that the project's impacts are not underestimated.

L12-43 13. Table 3-6 identifies what this study accepts as "intersection lane changes for 2005." For Santa Ana's intersections, several non-existent funding commitments are cited

GENERAL TRAFFIC AND CIRCULATION COMMENTS:

L12-44 14. The trip generation, distribution, and all of the reductions applied result in a significant and unrealistic reduction in the amount of traffic being assigned to the roadway network. This contributes to the document indicating significantly fewer impacts than would be anticipated for this magnitude of a project. Here is a list of the process used:

a) Gross trip generation rates were utilized and not appropriately "sourced" or referenced. We request that all references and assumptions be incorporated into the trip generation tables.

RESPONSE TO FINAL COMMENT

L12-40 The committed roadway network is not based on current funding as a criteria. Refer to response to comment L6-9. The final text of Appendix F has been corrected.

L12-41 The LOS values corresponding to ICU values have been added as a footnote to each table in the EIS/EIR containing ICU values. This allows the reader to easily determine the LOS for any ICU value without cross referencing another table.

L12-42 Refer to response to comment L12-20.

L12-43 Refer to response to comment L6-9 regarding funding criteria and the definition of committed network.

L12-44 a) Trip rates were taken from accepted and recent sources such as the ITE Trip Generation (6th Ed.) and SANDAG (1996) and this footnote has been added to Table 2-1 of Final Appendix F. Additionally, a column has been added to the appropriate tables in Section 4.12 of the FEIS/EIR to clarify the source. Refer to Appendix A to Appendix F for detailed trip rate sources. (Note: Appendix A to Appendix F is bound separately from the two volumes of the FEIS/EIR.)

b) It appears that all of the project trips were then reduced by 12% for "internal" trips. On what basis is this being assumed? In addition to being too high of a percentage, this type of reduction should not be generally applied to all land uses. Rather at most, perhaps a significantly smaller percentage might be applied to only residential land use.

c) The trips were further adjusted by assuming that MCAS trips are not directly added to existing and projected traffic volumes due to the interaction between between MCAS and the surrounding land uses.

d) The trips were again reduced or "adjusted" based upon the "interaction between MCAS and the surrounding land uses." This document asserts that the land use will not generate "new" trips to and from the study area network. Instead, the current trips already being generated by existing land uses will disappear or simply be replaced by an MCAS trip. Hence, the project's impacts are further minimized.

e) The trips were even further reduced by applying/crediting the baseline scenario with up to 25% (see baseline trip generation Table 3-3). As noted earlier, the baseline scenario has already "expired" according to Santa Ana's two year and CEQA's five year allowance.

f) The impact assessment was then compromised by using traffic analyses guidelines not adopted by Santa Ana, resulting in a better LOS (Table 1-2).

g) Impact assessment was further compromised by applying RTOR Saturation flow factors not used in Santa Ana; resulting in a better LOS.

h) Impact assessment was compromised by allowing the application of defacto lane assumptions to present a better LOS.

i) Actual LOS was further compromised by applying inconsistent traffic distribution percentage for base line condition resulting in the traffic pattern favoring the MCAS traffic over on street traffic; i.e. the model distributes traffic to accommodate MCAS generation (for example while Edinger Avenue at baseline would increase by approximately 25,000 VPD, the same segment on Warner Avenue will decrease).

j) The actual distribution is compromised by assuming a "committed street network" and intersection improvements at over 12 intersections where these improvements are not committed and/or funded. This presents a best case for MCAS by providing and assigning improvement by others that would be utilized by MCAS traffic without their contribution.

h) Project trip generation is not reduced. Some of the project trips are assigned internally by the traffic model. This internal trip distribution reflects the interaction of uses within the reuse plan area itself. Trip distribution patterns for the entire project in the reuse plan area (internal trip distribution) are derived from OCTAM 2.8. Refer to Section 2.4 of Final Appendix F.

c) Project trip generation is not adjusted (Section 2.4 of Appendix F). See response to comment L12-22 for an explanation of changes in areawide travel patterns with and without the project.

d) Project trip generation is not adjusted nor is the project impact minimized (Section 2.4 of Appendix F). Refer to response to comment L12-22 for an explanation of changes in areawide travel patterns with and without the project.

e) Refer to response to comment L12-19 regarding the applicability of Santa Ana and CEQA's five-year allowance for baseline. The reuse traffic generation net baseline traffic is typical BRAC practice.

f) Refer to response to comment L12-28 regarding use of Santa Ana's ICU methodology and to Section 1.4 of Appendix F describing the methodology for this study.

g) Refer to response to comment L12-28 regarding use of Santa Ana's ICU methodology and to Section 1.4 of Appendix F describing the methodology for this study.

h) No de facto right turn lanes were assumed for any location entirely within the City of Santa Ana. De factor right turn lanes were assumed elsewhere in the traffic study for locations in the cities of Irvine, Tustin, and Newport Beach.

i) The distribution patterns are in large part due to the assumptions within the regional model (Section 2.4 of Final Appendix F). Edinger Avenue is a regional facility and is expected to increase in traffic due to growth between 2005 and 2020 baseline. Unlike Edinger Avenue, Warner Avenue is not a regional facility. Furthermore, the development that directly loads onto Warner Avenue near the proposed reuse area is generally built out under future 2020 conditions without reuse. Therefore, the ADT would not be expected to change significantly with and without reuse on Warner Avenue east of Main Street and east of Grand Avenue.

j) Refer to response to comments L6-9 and L12-26 regarding the corrected committed roadway network and traffic impacts within Santa Ana.

COMMENT RECEIVED ON FINAL EIS/EIR

k) The resulting impacts were yet further reduced in at least some cases by applying the ATMS credit of 0.05 which can completely erase an impact at an intersection.

l) The project's actual impacts have been further compromised by not analyzing the mid-block location's congestion using the methodology commonly know in the profession, adopted in the City of Santa Ana General Plan Circulation Element, and included in the County of Orange MPAH.

m) Last but not the least, the analyses focus more on Alternative 1. However, the worse case scenario is alternative 3, which generates approximately 80,000 VPD more than Alternative 1. All three alternatives will be approved and/or the EIS/EIR will probably clear all alternatives to be utilized, but without having to mitigate the difference and worst case impacts.

L12-45 15. A close look at the daily traffic forecasted indicates major discrepancies and inconsistencies in traffic volumes. As an example, please note the traffic volumes on Edinger and Warner. (For additional examples, please refer to the attached tables in the back of these comments.)

TRAFFIC VOLUME SUMMARY			
LOCATION	1997	BASELINE	CHANGE
Edinger e/o Main	30,000	48,000	+18,000 VPD
Warner e/o Main	25,000	26,000	+31,000 VPD
Edinger e/o Grand	32,000	57,000	+25,000 VPD
Warner e/o Grand	19,000	18,000	- 1,000 VPD

It is unclear why Edinger east of Grand increases by approximately 25,000 VPD while Warner decreases by 1000 VPD for the same segment. Does the model use capacity constraints or other assumptions that force vehicles from one link to level or transfer vehicles to another location?

L12-46 16. The study states that baseline is developed by utilizing the estimated external trip generation for the MCAS Base in 1993. The baseline volumes developed by the model appear to be considerably higher than actual 1993 counts for the same segment. City of Santa Ana records indicates that 1993 traffic volumes

RESPONSE TO FINAL COMMENT

k) ATMS is not assumed for any location entirely within the City of Santa Ana, in accordance with that city's policy. ATMS was mistakenly placed on intersection #51(Main at MacArthur) and replaced with "convert northbound right-turn lane to a fourth northbound through lane." This has been corrected in the FEIS/EIR and Final Appendix F.

l) Refer to response to comment L12-20.

m) Both the traffic technical report and Sections 3.12 and 4.12 of the EIS/EIR evaluate the potential impacts and identify mitigation for all three reuse alternatives at an equal level of detail. Mitigation for traffic impacts are identified for Alternative 3 as well as Alternatives 1 and 2.

L12-45 Refer to response to comment L12-44i regarding the differences between Edinger and Warner Avenues.

L12-46 The term baseline can be confusing in the EIS/EIR and traffic technical report. There is a 1993 federal "baseline" traffic volume of approximately 12,000 ADT for MCAS Tustin operation at the time of the decision to close the facility. The impact tables in Section 4.0 of Appendix F use the term "baseline" to define cumulative future projected traffic at a specified year (i.e., 2005) with 1993 traffic from MCAS Tustin. This allows for comparison of the same time frame with reuse, thereby identifying both the net increase from reuse, as well as cumulative future traffic without reuse. For clarity, a footnote has been added to the tables in Final Appendix F.

for Edinger Avenue at the freeway are approximately 30,000 VPD. The baseline developed by the study is considerably higher.

L12-47 17. The EIS/EIR uses 1993 as the "baseline" for all traffic. As such, a traffic credit for the base was applied. The EIS/EIR is bound by Santa Ana's and CEQA's guidelines. In Santa Ana, a credit can only be given for up to 2 years from the date of building vacancy or demolition. Additionally, the use of a 1993 baseline violates State CEQA Guideline section 15229(f), which addresses this issue. This Guideline allows the use of a 1993 baseline only if this EIS/EIR were completed and certified within five years from 1993.

State CEQA Guidelines, Section 15229

15229. Baseline Analysis for Military Base Reuse Plan EIRs

(f) This section may be applied to any reuse plan EIR for which a notice of preparation is issued within one year from the date that the federal record of decision was rendered for the military base or reservation closure or realignment and reuse, or prior to January 1, 1997, whichever is later, but only if the EIR is completed and certified within five years from the date that the federal record of decision was rendered.

Note: Authority cited: Sections 21083 and 21087, Public Resources Code; Reference: Section 21083.1, Public Resources Code.

L12-48 19. The Post 2020 analysis is unrealistic in that the model assumes the transportation corridors operating as "free facilities". This assumption assigns a disproportionate amount of project traffic to the adjacent corridor instead of local surrounding roadways, again masking the true impact of the project. The post project build-out scenario should analyze traffic impacts with "toll" and "no toll" scenarios for the Foothill/Eastern and San Joaquin Transportation Corridors. The current traffic analysis assumes a "no toll" scenario. This is not acceptable to the City of Santa Ana.

L12-49 19. The TSIA fee approved by the Board in 1992 identified a specific list of projects with limited opportunity for partial funding. Mitigation associated with the reuse of the Marine Corps Air Station was not included in the approved list. Increasing the list of mitigations will minimize the opportunity for the original list to be implemented and necessitate the TSIA to amend all of its existing Transportation System Improvement Fee Resolutions. This is an action that we do not support nor see warranted by the project. Additionally, the improvements presented in Table 7-5 shall not be fully or partially funded by TSIA.

L12-50 20. The City of Santa Ana does not concur that mitigation measures in the Draft EIS/EIR that defer disclosing improvements to subsequent studies. This is also supported by the CEQA Guidelines Section 15168, Subd. (c) (5), which

L12-47 Refer to response to comment L12-19. Because the federal record of decision has not been rendered, the referenced CEQA Guideline is not applicable.

L12-48 The detailed impact analysis has been carried out for an interim year (2005) and year 2020, representing a 20-year planning horizon. This is consistent with transportation planning studies in Orange County in which the impacts are regional in nature. The use of data for a time frame beyond 2020 involves much speculation, and hence is only carried out on a limited basis.

The accepted (and indeed encouraged) procedure for traffic analyses of this regional scale is to use the 2020 traffic models and demographic data developed by OCTA for such purposes. The post-2020 data was included primarily for informational purposes and shows future traffic under two conditions. One condition is increases in land use in the city of Irvine (corresponding to buildout of the general plan) and the other is the eventual operation of the toll roads as free facilities. The toll free assumption was requested in comments on the initial draft EIS/EIR. Both conditions involve speculation with respect to the data being used and the time frame in which these conditions could possibly occur. The post-2020 scenario is not mitigated precisely because it is so speculative and possibly unrealistic. It may not be more realistic if the analysis did assume a toll scenario.

L12-49 The EIS/EIR identifies mitigation to address traffic impacts but does not identify utilizing TSIA fees for any of those measures. Table 7-5 of the EIS/EIR identifies the off-site mitigation summary for 2020 and does not indicate funding via TSIA fees.

L12-50 Refer to response to comments L12-3 and L12-6.

COMMENT RECEIVED ON FINAL EIS/EIR

states a program EIR will be most helpful in dealing with subsequent activities as it deals with the effects of the program as specifically and comprehensively as possible. Further, the CEQA court case of Sundstrom vs. County of Mendocino (1st Dist. 1988) 202 Cal.App.3d296, found that by deferring the identification of project mitigation, the County had evaded its responsibility to engage in comprehensive environmental review. Our concerns with the deferral of project mitigation are related to several locations.

L12-51 21. The list of 2005 mitigation measures is unclear regarding who will be responsible for the cost of these improvements; and what activity (i.e., issuance of building permits) would trigger the need to construct these improvements. The claim of committed improvements and/or a "committed network" as presented in the document is not valid and incorrect. These assumptions further contribute toward a gross underestimation of the actual impacts of the proposed project.

L12-52 22. In a letter to Kathryn Gray dated June 4, 1993, the City of Santa Ana identified certain intersections and ICU analysis methodology to be incorporated into the traffic study. These requests have been ignored and the Draft EIS/EIR does not reflect the scope of work requested in that letter. Our current guidelines are:

a) With respect to the ICU methodology for calculation, the City of Santa Ana does not allow for RTOR saturation flow factor of 0.75 or for the use of "defacto" right-turn lanes. The calculation and results, therefore, do not reflect actual intersections' level of service. Santa Ana's intersections need to be analyzed using the following criteria:

- 1700 through and right-turn movements.
- 1600 left-turn movements.
- signal clearance interval factor = 0.05.
- With no reference to RTOR saturation flow factors.
- Without crediting 'defacto' right-turn lanes.

b) Additionally, level of service values (LOS) should be noted adjacent to v/c (volume to capacity) ratios throughout the document. This will help the public review the document. This type of information should not need to be found elsewhere in the document.

c) The intersection of Technology Center and Dyer was not considered in the analysis.

RESPONSE TO FINAL COMMENT

L12-51 Refer to response to comments L6-9 and L12-26 regarding the committed roadway network. Various traffic mitigation measures are modified in Section 4.0 of Appendix F to more clearly identify phasing, performance thresholds, and mechanisms to ensure implementation of traffic mitigation.

L12-52 a) Refer to response to comment L12-28 for a discussion of the re-evaluation of intersections using the City of Santa Ana criteria.

b) Refer to response to comment L12-41.

c) The intersection of Technology Center and Dyer Road was considered in the analysis. Refer to intersection #58, Sutter and Dyer Road, of which Technology Center forms the north leg.

COMMENT RECEIVED ON FINAL EIS/EIR

d) The City requested that ICU analyses be conducted for the following scenarios:

- Existing.
- Existing plus entitled (cumulative).
- Existing plus entitled (cumulative) plus project by phase of project development.
- Existing plus entitled (cumulative) plus project build-out.
- Project alternatives plus existing and entitled (cumulative).

This requirement was not considered. Most importantly, the project by phase scenario, as it affects the implementation of mitigation measures, is associated with the various project phases. It is unclear why the project was included in its entirety in the analysis while it is recognized that a project of such magnitude will eventually be implemented utilizing several phases.

L12-53 23. The baseline traffic volumes are outdated. The data appear to be based on 1992/1993 traffic counts.

OTHER TRAFFIC AND CIRCULATION COMMENTS:

L12-54 24. In Table 3-7, Existing OCTA Bus Service: The bus service on Warner Avenue should be extended by OCTA.

L12-55 25. On page 4-17, there is no mention of lane closures during construction. This is a potential construction impact surrounding the development. Other construction impacts should also be listed. Additionally, construction should be phased to ensure minimum disruption to the Public.

L12-56 26. In Table 4-8, the City does not agree with advanced transportation management systems (ATMS) contributions replacing mitigation measures such as lane additions. For example, on page 4-18 and throughout the document, we do not concur with the ATMS reductions being taken at intersections where an ICU Analysis has been used. From a traffic perspective, a key assumption in the use of ICU analyses is that the most efficient signal operation of an intersection is already in place. If that is not the case but the ICU method is still used, then the v/c ratio should actually be increased by 0.05 (rather than credited by that amount) to more accurately reflect intersection conditions. Instead, this document credits the intersection with the 0.05 reduction. This appears to be "double dipping". We disagree that this 0.05 reduction in the v/c ratio should be taken for ATMS improvements. Also, since a significant impact ranges from 0.01 to 0.03, how is this reduction of 0.05 in the ICU "conservative"? Rather, it appears to be quite generous and not realistic as related to ICU analyses. The phasing plan thresholds for off-site improvements should be revised with these ATMS credits removed.

RESPONSE TO FINAL COMMENT

d) The ICU analyses requested were performed as part of the MCAS Tustin traffic technical analysis, as described below for each bullet point. The referenced tables from Chapter 4 of Appendix F are the ICU summaries for the impacted intersections. The complete analyses are in Appendix D to Appendix F, which contains the ICU results, and Appendix E to Appendix F, which contains the ICU worksheets. There are tables in Sections 3.12 and 4.12 of the FEIS/EIR that correspond to the tables listed below for Appendix F.

- Existing - Table 3-1, Existing (1997) ICU Summary

For Alternative 1

- Existing plus entitled (cumulative) - Tables 4-3 and 4-4, Columns 1 and 2 plus Tables 4-5 and 4-6, Columns 1 and 2
- Existing plus entitled (cumulative) plus project by phase of project development - Tables 4-3 and 4-4, Columns 3 and 4.
- Existing plus entitled (cumulative) plus project buildout - Tables 4-5 and 4-6, Columns 3 and 4
- Project alternatives plus existing and entitled (cumulative) - Alternatives 2 and 3 are analyzed in the same detail as Alternative 1. There are corresponding tables in Appendix F, Appendices D and E to Appendix F, and the EIS/EIR.

For this technical report, the impact analysis was performed for both full buildout (year 2020) and a partial buildout (2005) reflecting the fact that development would occur in phases over many years. The 2005 analysis considers only that part of the reuse alternative that would be developed by 2005, as specified in the trip generation tables, not full buildout.

L12-53 Refer to response to comment L12-19 regarding baseline for BRAC projects and L12-34 regarding baseline traffic volumes.

L12-54 The commentor's preference for an extended bus route is noted but does not have substantive value to the EIS/EIR analysis.

L12-55 The analysis of construction impacts in Section 4.12 of the FEIS/EIR has been modified to reflect these comments.

L12-56 Refer to response to comment L12-44k regarding application of ATMS in the City of Santa Ana. ATMS is a part of the approved IBC rezoning mitigation program and is appropriate for this analysis within the IBC. A footnote on all appropriate tables denotes those IBC intersections where the ATMS credit is applied (e.g., Table 4-1 of Appendix F).

Regarding the application of the ATMS reduction, it has been applied to at least some of Santa Ana's shared intersections with other agencies. We request this 0.05 significant reduction be removed from our shared or Santa Ana only intersections. However, page 4-2 end of last paragraph, further confuses this issue by stating that: *The ATMS credit of 0.05 for IBC locations and for locations in Irvine identified as an ATMS intersection are not shown in the ICU Table...or the calculation worksheets...but have been included in the analysis.* How can we be sure that this credit was not taken at all Santa Ana intersections also?

L12-57 27. Page 6-14, Section 6-3-B, Phasing Plan for Off-site Improvements: A reference should be made to Table 4-32 on Page 4-68 for the example of Jamboree Road and Barranca Parkway for better understanding of the numbers used in Step 1 and 2. Also, the Step 1 title ("Percentage of project causing the impact threshold to be exceeded") is confusing. In fact, the entire Section 6-3 is problematic. On page 6-14 and page 6-15: the phasing of off-site improvements needs to be clarified. And, it is not clear who is paying for what with regard to "fair share costs" and at what point. As conditions change, how would the phased improvements be implemented and "triggered". Instead, Santa Ana prefers to have the study attempt to identify which Agency should handle which improvements (subject to negotiation). Otherwise, constant revisions would be required as entitlements change.

L12-58 26 Page 6-15: It is not clear if the fair share costs of construction contributed by the City of Tustin would include right-of-way costs for Grand Avenue and Edinger Avenue.

L12-59 29. Page 6-16: Off-site Improvement Responsibilities, a clarification is needed regarding who will pay for "fair share improvements"? The City of Tustin, the developer or other?

L12-60 30. Page 6-16, Table 6-4: A clarification is needed regarding the percentage share of intersection mitigation. Does it refer to the financial responsibilities for the City of Tustin or the developer?

L12-61 31. Which improvements are intended to be exacted from MCAS? The study is not clear regarding this key issue. Santa Ana wants to insure that those impacts that the development is responsible for will be taken as exactions from the developer only and not paid for by TSIA funds.

L12-62 32. It is not clear where the fair share equation listed in the document came from. The consultant alluded to it being associated with OCP and/or OCTA. However, communication with OCTA on this matter indicates that the said equation is not "sanctioned" by them. We disagree with this formula and will want to consider other equations that are more directly tied to trips generated prior to them being extensively reduced.

L12-63 33. Long range assumptions assume that all transportation corridors will operate as toll free facilities. However, the latest estimates anticipate that the corridors

L12-57 The requested edits have been made in Final Appendix F. Section 6.3 of Appendix F demonstrates the amount of reuse (using trip generation as a measure) that would "trigger" off-site improvements by taking into consideration the available capacity of the intersection (as given by the ICU).

L12-58 Refer to response to comment L12-30.

L12-59 Refer to response to comment L12-10.

L12-60 Refer to response to comment L12-10.

L12-61 Refer to response to comment L12-49.

L12-62 Other equations can be used to show fair share responsibilities on a case-by-case basis. However, the EIS/EIR reflects the commonly used methodology by the County of Orange. The methodology takes into consideration the resulting ICUs with mitigation.

L12-63 Ultimate project buildout is assumed for year 2020 when toll conditions on the corridors are anticipated to still be in place. Refer to response to comment L12-48 regarding the toll-free scenario in the post-2020 scenario and the speculative nature of any traffic analysis beyond the 20-year timeframe.

won't be "toll-free" for 40 years (Year 2040). Under the "toll-free" scenario, some of the traffic on SR-55 might switch to the toll facilities, instead. However, as the lofts remain for 40 years, SR-55 can be expected to serve additional traffic than it would under "toll-free" conditions. The traffic projections need to be revised to accurately reflect this additional traffic on SR-55 and other adjacent roadways. The project build-out scenario should analyze traffic impacts with both a toll and toll free scenario and for the appropriate year.

L12-64 34. The mitigation for each specific project phase should be indicated.

L12-65 35. At this time, it is unclear as to how the City of Tustin intends to impose traffic impact fees, especially for residential development. How will the residential development within this project pay its fair share costs if not through TSIA fees? Will the residential developments within the project and all residential developments in the City be assessed for Traffic Impact Fees? If not, how will residential development be paying its fair share? The development of a significant number of residential units (ranging from 3500 to 5300 DU in the City of Tustin for build-out) does have an impact to the street system.

L12-66 36. A traffic study for a project of this magnitude—1600 acres— (generating approximately 300,000 vehicles per day) should carefully look at the potentially impacted areas. Traffic impacts associated with a project of such magnitude should be analyzed until project traffic would have no impact upon Santa Ana intersections.

L12-67 37. The discussion pertaining to ADT link deficiencies is unclear. Additionally, City of Santa Ana staff do not agree with the statement, "...for locations in the Cities of Tustin and Santa Ana, an ADT link deficiency is considered theoretical rather than actual if the intersection at the end of the link operates at acceptable levels." Please indicate the source for this assumption. Mitigation measures and recommendations made in this study based on this assumption must be corrected and MCAS's obligation(s) to mitigate roadway segments in Santa Ana should be identified.

L12-68 38. The study did not analyze the CMP intersection of 4th Street/Irvine Boulevard @ SR-55 in the City of Santa Ana. Because of its close proximity to the project, this intersection may be significantly impacted.

City of Santa Ana Projects and Related Improvements

L12-69 39. Some City of Santa Ana projects and their related mitigation improvements are assumed to be implemented when said this project comes on line. For example, MCAS traffic study assumes that the MacArthur Place development will be built at its original density and that all associated transportation improvements will be fully built on time. This is incorrect. The following are similar examples that should be carefully evaluated and compared to the study mitigation assumptions:

L12-64 Detailed mitigation measures are provided for a short-term scenario (2005) and the ultimate buildout (2020). Refer to response to comment L12-52d. ADT thresholds have been added to Section 4.12 of the FEIS/EIR for all three alternatives to ensure that improvements are in place as development proceeds over the buildout period.

L12-65 Refer to response to comment L12-10 regarding fair share responsibility for traffic improvements and L12-49 clarifying that TSIA funds would not be used to mitigate impacts associated with any reuse alternatives.

L12-66 Refer to response to comment L12-15.

L12-67 Refer to response to comment L13-20.

L12-68 The intersection location of Fourth Street/Irvine Boulevard at SR-55 northbound is outside the defined study area. Refer to response to comment L12-15.

L12-69 Refer to response to comments L6-9 and L12-22 regarding the assumed committed roadway network in the traffic analysis. Improvements described in the Santa Ana Circulation Element Final EIR were assumed for year 2020 analysis including Main Street/MacArthur Boulevard, Grand Avenue/Warner Avenue, Main Street/Warner Avenue intersection improvements, and Grand Avenue widening. The Main/Halladay Street alignment improvement is assumed for Post-2020 only.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

- **Main/MacArthur Intersection Upgraded to Dual Lefts:**

  Three through and seperate right turn lanes all four legs. Funding source: Private development. Funding for improvements are based on build-out of Hutton Center and MacArthur Place. These projects are not funded if these projects do not proceed.

- **South Grand and Warner:**

  Enhanced intersection ultimately to allow for dual lefts, 3 throughs, and separate right at all 4 legs. Funding source: No obligated source at this time. Dedication and improvements shall be secured as affected properties develop. One leg of each intersection conditioned at this time.

- **Main and Warner:**

  Enhanced intersection ultimately to allow for dual lefts, 3 throughs, and sapsrate right on south leg; single left, 3 through, and separate right on east/west leg; and 3 through, dual left, and separate right on north leg. Funding source: No obligated source at this time. Dedication and improvements shall be secured as affected properties develop. One leg conditioned at this time.

- **Main/Halladay Street Alignment:**

  Realign and upgrade street segments between Dyer and Columbine to 4 lanes. Funding source: No obligated source at this time.

- **Grand Avenue Widening:**

  - Widen Grand to 3 lanes each direction with landscaped median.
  - Funding source: No obligated source at this time. Dedication and improvements shall be secured as affected properties develop. Nothing conditioned at this time.

- NOTE: None of the above referenced projects are "committed" improvements without the related supporting development. Enhanced intersections are implemented in pieces and ultimate build-out should require additional funding as revenues allow. The enhanced intersections would be completed. Potential funding sources for enhanced intersections are private development and TSIA fees, grants, etc.

- The MCAS traffic study is incorrect in assuming that all mitigation and roadway improvements will be built before MCAS and the MCAS traffic can then utilize the excess capacity generated by those improvements. Many projects are developing much more slowly than anticipated due to economic

COMMENT RECEIVED ON FINAL EIS/EIR

factors, resulting in a lower level of traffic, thereby deferring the need for many of the mitigation programs.

OTHER YEAR 2005 AND 2020 ANALYSES COMMENTS:

L12-70 40. This impact analysis should be placed before the mitigation section to justify the lists of recommended improvements.

L12-71 41. The City of Tustin's share of planned roadway improvements should be identified specifically as related to the MCAS impacts.

L12-72 42. In general, the volume/capacity ratios calculated for Santa Ana were lower than expected from previous work conducted for Santa Ana, including TSIA studies. This applies to existing calculations, existing with project, and existing without project, and for both the short and long terms.

L12-73 43. Additional discrepancies worth investigation are the ICU/LOS comparisons between the analysis scenarios with and without the project. The traffic study indicates that volumes will be reduced for several turning movements at the majority of Santa Ana intersections and that the mid-block level of service will actually improve as a result of adding project traffic. This appears specifically in Santa Ana intersections, and in the majority of study intersections in general. We disagree with these results and feel they are suspect.

L12-74 44. Based on our previous comments regarding trip distribution forecast and ICU methodology used in the MCAS study, we request recalculation of all impacted intersections in Santa Ana. The current analyses and (pertaining to Santa Ana) are not acceptable and would not be used to determine mitigation measures at Santa Ana intersections.

ADDITIONAL OBSERVATIONS:

L12-75 45. The report did not provide a means for City Staff to evaluate and assess the individual project impacts upon streets and intersections. A close look at the ICU calculation sheets presented in the appendix of the report reveals numbers and values that do not correspond to the amount of increase in traffic would be expected as a result of the project. The calculation sheets show that traffic volume is expected to "decrease" as a result of adding the MCAS traffic to the street system. For example, when baseline is compared to the various alternatives, traffic decreased noticeably at several intersections. These are Redhill & Warner, Tustin Village & McFadden, SR-55 SB ramps & Edinger, Redhill & Dyer, Redhill & Alton, Bristol & MacArthur, Bristol & Segerstrom, and Bristol & Warner. It appears that the model unloads specific movements to provide for anticipated MCAS traffic. This approach and the methodology are not acceptable. It provides for a much better level

RESPONSE TO FINAL COMMENT

L12-70 Section 4.12 of the EIS/EIR is structured so that impacts are discussed first and mitigation is linked to those locations with significant impacts.

L12-71 Refer to response to comments L12-10 and L12-16.

L12-72 The commenter's statement that the study results in lower V/C ratios than other studies done in Santa Ana is so noted.

L12-73 Refer to response to comment L12-32.

L12-74 Refer to response to comment L12-28.

L12-75 Refer to response to comment L12-32 regarding model results which may appear unlikely and response to comment L12-20 regarding the mid-block analysis.

COMMENT RECEIVED ON FINAL EIS/EIR

of service (LOS) at intersections where improvements may be needed, instead.

The methodology used for analyzing mid-block segments does not reflect actual operating conditions per the County of Orange MPAH and per the City of Santa Ana standards, both of which use LOS "C" for link capacities. As only one example, the calculation sheet in the appendix indicates a V/C ratio of 0.87 for Edinger Avenue w/o Broadway and e/o Main Street. Using the method developed by the writer of this report, no mitigation is needed. However, using MPAH and Santa Ana's standards, those segments carry approximately 49,000 vehicles per day which exceeds the maximum operating capacity for LOS "C" (45,000 VPD). Consequently, improvements are required. All mid-block analyses must therefore be developed using MPAH method so that the impacts are not underestimated.

L12-76 46. Under the baseline conditions in the link analyses, several incorrect roadway lanes are assumed as "existing". Please recheck all.

L12-77 47. Warner Avenue was assumed to have 6 lanes under not only the baseline but also the 2020 analyses. It is not funded for a widening nor is it anticipated to be at this time.

L12-78 48. The EIS/EIR also failed to include the extension of Alton Avenue as a viable transportation improvement to mitigation the MCAS impacts.

49. Additional comments for the summary tables are as follows:

Missing Information:

L12-79
- Table 4-5, intersection 79 - Red Hill/Alton is missing from the ICU tables.
- Table 4-30 is missing intersection 79 - Red Hill/Alton.
- Intersections are missing from mitigation lane and summary tables yet still included in ICU tables. See Table 4-8, and 4-14; intersection 59 - Hotel Terrace/SR55/Dyer.
- Intersections in mitigation lane and summary tables are missing from ICU tables. See Table 4-5 , Intersection 79 - Red Hill/Alton, etc.
- Other tables i.e. "summary of intersection mitigation results" or "summary of impacted intersections" are also missing a comparison for other intersections in the project.

Confusing Information:

L12-80 Through-out the project all tables for "mitigation lanes for ... impacted intersections" the term "base" is used to define "intersection lanes without mitigation". "Baseline" ICU calc tables should have been compared instead of "cause alternative 1" ICU calc tables. In most cases shown these tables were

RESPONSE TO FINAL COMMENT

L12-76 Refer to response to comments L13-19 and L13-46 regarding the discussion of baseline. In that analysis, the term "baseline" refers to the future cumulative traffic and future road network without reuse for a specified time period (2005 or 2020). Because it assumes implementation of the future committed roadway network, lane assumptions would not necessarily correlate to existing conditions. For example, eight lanes are assumed on Red Hill Avenue between Valencia Avenue and Dyer Road/Barranca Parkway for 2005 baseline and 2020 baseline, not six lanes as exist today. This improvement is assumed committed with the IBC project.

L12-77 Refer to response to comments L6-9 and L12-26.

L12-78 The extension of Alton Avenue at SR-55 was not analyzed as a viable transportation improvement because it was not needed to mitigate reuse impacts.

L12-79 Intersection #79, Red Hill Avenue and Alton Parkway, is listed in Table 4-5 of Appendix F as impacted, prior to the ATMS credit. An asterisk on that table specifically addresses this intersection. Because the ICU would be within acceptable levels with application of the ATMS credit, this intersection does not appear in other summary and mitigation tables. This location is recognized as an IBC intersection which assumes 1.05 (1.00 plus .05 for ATMS) as an acceptable level of service. This same explanation is a footnote at the bottom of Table 4-5. Intersection #79 in Table 4-30 was found under the Irvine heading in the draft EIS/EIR. The table has been revised in the FEIS/EIR to place it under a new Irvine/Santa Ana heading. Mitigation for ramp intersection #59, Hotel Terrace/SR-55 Northbound Ramps and Dyer Road, is included in Tables 4-9, 4-20, and 4-31. This intersection is not impacted in year 2005 and thus is not included in Tables 4-4, 4-15, and 4-26.

Careful review has been made of "summary of intersection mitigation results" and "summary of impacted intersections" for any locations in the study area that should be included and none are missing.

L12-80 Refer to response to comment L13-34.

COMMENT RECEIVED ON FINAL EIS/EIR

the same with the exception of intersection 77 - Red Hill/Warner (Tustin/Santa Ana). Tables 4-6,4-18,4-29, & 4-30.

Other Errors:

L12-81a • Table 4-5 , Intersection 79 - Red Hill/Alton location is identified as an ATMS Intersection and therefore discounted by .05 and thus shows no project impact but PM ICU is still .98 (not < .91).

L12-81b • Table 4-30 intersections 77 - Red Hill/Warner and 51- Main/MacArthur are showing as "ATMS." Santa Ana disagrees with this reduction being applied as stated earlier.

L12-81c • If alternatives result in no increase to ICU's, regardless of resulting ICU after mitigation they are just shown as "non-impacted." This may not actually be true especially in the case where an ICU is still > .91. I.e. Table 4-22 Intersection 198 - Bristol/Warner PM ICU = .94.

L12-81d • Table 4-19 intersection 79 - Red Hill/Alton and it's corresponding ICU table identifies lanes as "d" for de-facto right-turns. This is not Santa Ana policy.

L12-81e • Table 4-20 intersection 67 – SR-55 NB Ramps/Dyer for WB through lane uses 3 in the mitigation table but 4 in ICU table. This also occurs in Table 4-31.

L12-81f • Table 4-22 intersection 79 - Red Hill/Alton results show "ma" ("mitigated to adaquate level of service") yet PM ICU reads .97 (>.91) This result should read "mp" ("project impact mitigated") only. This also occurs in Table 4-33.

L12-81g • PM ICU for Intersection 51 - Main/MacArthur shows as .95 on Table 4-33 and the results show "mp". Yet ICU table clearly indicates ICU = 1.0 which would result in "nm" ("project impact not mitigated"). Similarly, intersection 198 - Bristol/Warner is showing AM and PM ICU's as .88 and .88 respectively and "ma" for each in T 4-33 yet ICU tables clearly indicate AM and PM ICU's = .85 and .97 respectively. This results in "mp" only (not ma).

RESPONSE TO FINAL COMMENT

L12-81 a. Impacts at Red Hill Avenue and Alton Parkway would not be significant because the intersection is within the IBC where the performance criteria allow LOS E as a non-significant impact. The ICU value is 1.03 which is less than the 1.06 value that would trigger a significant impact.

b. ATMS has not been applied to any intersection entirely within the City of Santa Ana. Intersection #77, Red Hill Avenue and Warner Avenue, is within both Tustin and Santa Ana. Because no other feasible mitigation can be identified, ATMS, is recognized by the City of Tustin and has been proposed to mitigate the intersection. Because intersection #51 is entirely within Santa Ana, ATMS was removed at Main and MacArthur. Mitigation for Alternative 3 year 2020 is identified as "convert northbound right-turn lane to a fourth northbound through lane."

c. Intersections with significant impacts have been identified according to OCTA CMP/GMP guidelines. At intersection #98, Bristol Street/Warner Avenue, the AM peak hour ICU would increase from .88 to .92 and the PM peak hour ICU does not change with and without reuse. Any future project proponent would only be required to mitigate the intersection based on AM peak hour significant impacts, as there would be no reuse impacts in the PM.

d. No de facto right-turn lanes were assumed for any location entirely within the City of Santa Ana. Intersection #79, Red Hill Avenue and Alton Parkway, is recognized as an IBC intersection. De facto right-turn lanes are recognized in IBC and City of Irvine ICU calculations.

e. The intersection of SR-55 northbound ramps at Dyer Road should actually reflect an eastbound free right-turn lane and four northbound through lanes per existing conditions. This correction has been reflected in the FEIS/EIR and Final Appendix F. With this correction, future operations would be acceptable for 2005, and no mitigation would be necessary. Additionally, corrections have been made as suggested to intersection #198, Bristol and Warner.

f. The results for Intersection #79, Red Hill Avenue and Alton Parkway, in Tables 4-22 and 4-33 of Appendix F are labeled correctly as "ma" because this location is recognized as an IBC intersection which assumes 1.03 (1.00 plus .03 for ATMS) as an acceptable level of service.

g. Because intersection #51 is entirely within Santa Ana, ATMS was removed. Mitigation for Main and MacArthur (under Alternative 3 year 2020) is replaced with "convert northbound right-turn lane to a fourth northbound through lane." Results of this mitigation show that the "mp" label is correct. Corrections have been made as suggested in the Final Appendix F and FEIS/EIR to intersection #198, Bristol and Warner.

TABLE 1

ARTERIALS

LOCATION	SHORT RANGE IMPROVEMENT	SHORT RANGE SOURCE	LONG RANGE IMPROVEMENT	LONG RANGE SOURCE	MCAS MITIGATION IMPROVEMENT	MCAS MITIGATION SHARE
San Joaquin Hills Transportation Corridor (SJHTC east of Jamboree)			Construct as toll way	1		
Alton (Main to Standard)	Improve to 4 lanes	3				
Alton (Dupont to Standard)	SR-55 4-lane traffic study					
Alton (at SR-55)						
Alton (Red Hill to Jamboree)			Construct HOV ramps	18		
Alton (Jamboree to Harvard)	Improve to 6 Lanes	5	Improve to 6 lanes	5		
Armstrong (Barranca to Loop Road North)					Extend from Barranca southerly of Loop Road north as a 4-lane roadway	100%
Bryan (Newport to Main)	Improve to 4 lanes	10				
Columbine (Main to Halladay)	Improve to 4 lanes	NC				
Del Amo (SR 55 NB Ramps to Edinger)	Realign with SR-55 NB Ramps	9				
Dyer / Barranca (SR-55 to Jamboree)	Improve to 8 lanes	6				
East Connector (Edinger to Loop Road)						
Edinger (east of Red Hill to west of Halladay)					Construct 4-lane roadway	100%
West Connector)					Dedicate right-of-way (short range)	100%
Edinger (SR 55 to east of Red Hill)			Improve to 6 lanes	9, 10		
Edinger (SR-55 to Del Amo)			Augment sections	NC		
Edinger (east of Red Hill to west of Halladay)			Improve to 6 lanes	10	Improve to 6 lanes along frontage (3rd Ely)	
Edinger (west of Jamboree to Harvard)			Improve to 6 lanes	10		
Halladay / Standard (Dyer to Warner)	Realign Halladay at Standard	3				
Harvard (Walnut to ICD)	Improve to 4 lanes	6				
MacArthur (SR-55 to Campus)	Improve to 8 lanes	5				
Main (Sunflower to San Diego Creek)	Improve to 6 lanes	5				
Main (Red Hill to Harvard)			Improve to 8 lanes	5	Construct as per Community Facilities & Infrastructure Plan	100%
McFadden (Standard to Main)						
Warner (Bristol to Main)	Improve to 4 lanes	3	Improve to 4 lanes	NC		
Warner (Main to Grand)			Improve to 8 lanes	NC		

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

TABLE 1

INTERSECTIONS

LOCATION	SHORT RANGE IMPROVEMENT	SHORT RANGE SOURCE	LONG RANGE IMPROVEMENT	LONG RANGE SOURCE	MCAS MITIGATION IMPROVEMENT	MCAS MITIGATION SHARE
47. Main & Warner			SBR	NC	2nd EBL	23%
			3rd WBT, WBR	NC		
			NBR	NC		
			3rd EBT	NC		
48. Main & Dyer			2nd SBL			
			Shared 3rd WBT/R			
			2nd NBL, convert NBR to shared 3rd NBT/R			
			2nd EBT			
49. Main & Alton			WBR, convert WBT to shared 2nd WBL/T	NC	3rd NBT (short range)	>100%
			2nd NBT, shared 3rd			
			2nd NBT, shared 3rd NBT/R, convert shared NBT/2nd NBT to NBL	NC		
51. Main & MacArthur A45 (Suite Arts)	SBR	14			4th WBT	23%
	WBR	14				
	NBR	14				
	EBR	14				
54. SR-55 SB Ramps & MacArthur	3rd WBT	3				
	3rd EBT	3				
55. Halladay & Warner			Shared 3rd EBT/R	NC		
			2nd WBT	NC		
56. Halladay & Dyer			Shared 2nd SBT/R	NC	2nd EBL	18%
			Convert WBR to shared 3rd WBT/R	NC		
			Shared 2nd NBT/R	NC		
			Shared 3rd EBT/R	NC		
57. Standard & Warner	Halladay (realigned with Standard): Provide L, T & shared 2nd T/R all legs	3	Shared 3rd WBT/R	NC	NBR	63%
			Shared 3rd EBT/R	NC	WBR	63%
59. Hotel Terrace / SR-55 & Dyer					4th EBT, EBR (short range)	38%
60. Grand & McFadden			2nd NBL, NBR	NC		
			2nd WBL, 3rd WBT	NC		
			WBR	9		
			2nd NBL, NBR	NC		
			2nd EBL, 3rd EBT, EBR	NC		

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

TABLE 1

INTERSECTIONS						
	SHORT RANGE		LONG RANGE		MCAS MITIGATION	
LOCATION	IMPROVEMENT	SOURCE	IMPROVEMENT	SOURCE	IMPROVEMENT	SHARE
61. Grand & Edwards			2nd SBL	9	Shared 4th EBT/R	30%
			NBR	9	WBR	30%
					2nd EBL (short-range)	30%
63. Grand & Warner			2nd SBL	13	2nd NBL (short-range)	69%
			3rd SBT	NC		
			2nd WBL, 3rd WBT	NC		
			3 NBT	13		
			NBR	NC		
			2nd EBL, EBR	NC		
			3rd EBT	13		
66. Grand & Dyer			3rd WBT	NC	Convert 3rd WBT to shared 3rd WBT/2nd WBR	
67. SR-55 NB Ramps & Dyer			Delete shared 2nd NBL/2nd NBR, convert NBR to free right	NC		
			Convert EBR to free right	NC		
68. Fullman & Dyer			Shared 4th WBT/R	NC	Convert shared 2nd NBL/T/R to 2nd NBL & add shared NBT/R	13%
			Shared 4th EBT/R			
69. Lyon & McFadden			Convert shared SBL/T to SBL, convert SBR to shared SBT/R	NC		
			Convert shared WBL/2nd SBT to WBL & convert WBR to shared 2nd WBT/R	NC		
70. Lyon & Edinger			WBR	13		
			SBR	9		
71. Rainey & McFadden (deficient under Santa Ana guidelines)			NBR	13	EBR	16%
			Convert shared 4NT/R to shared NBT/2nd NBR	NC		
72. Barclay & Edinger			2 WBL	9		
			2 NBL, NBR	NC		

TABLE 1

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

INTERSECTIONS

LOCATION	SHORT RANGE IMPROVEMENT	SHORT RANGE SOURCE	LONG RANGE IMPROVEMENT	LONG RANGE SOURCE	MCAS MITIGATION IMPROVEMENT	MCAS MITIGATION SHARE
73. Williams & McFadden		[illegible]		[illegible]	Convert SBT to shared 2nd SBLT & modify signal to provide N/S split phasing (short-range only)	[illegible]
74. Tustin Village & McFadden		[illegible]	EBR	[illegible]		[illegible]
		[illegible]	Convert 4th SBT to SBL	2, NC		[illegible]
75. SR-55 SB Ramps & Edinger	2nd WBL, shared 3rd WBT/R 3rd EBT Convert base NBR to dual NBR	3, 9, 13 3, 9, 13 3, 13		[illegible]		[illegible]
76. SR-55 NB Ramps & MacArthur	3rd EBT	[illegible]		[illegible]		[illegible]
77. Red Hill & Warner (deficient under Santa Ana guidelines)		[illegible]	2nd EBR	NC	Construct east leg of intersection; provide dual SBL	[illegible]
		[illegible]	SBR	5, 9, 13		[illegible]
		[illegible]	4th SBT	[illegible]		[illegible]
		[illegible]	4th NBT	[illegible]	Dual WBL, triple WBT, WBR; NBR triple EBT	100%
78. Red Hill & Dyer / Barrence	4th SBT	[illegible]		[illegible]	EBR	21%
	2nd WBL, 3rd & 4th WBT	[illegible]		[illegible]	Dedicate right-of-way	100%
	4th NBT	[illegible]		[illegible]	Participate in future study	[illegible]
	2nd EBL, shared 4th EBT/R	[illegible]		[illegible]		[illegible]
79. Red Hill & Alton		[illegible]	2nd WBT	[illegible]		[illegible]
		[illegible]	2nd EBL	[illegible]		[illegible]
		[illegible]	4th SBT	[illegible]		[illegible]
		[illegible]	4th NBT	[illegible]		[illegible]

SOURCE:
3. City of Santa Ana project.
[illegible]. Joint Cities of Irvine and Santa Ana project.
5. Implemented through or identified project conditioned improvements in the Irvine Business Complex (IBC) Recovery Mitigation Program.
6. Assumed by City of Irvine (TAM) database.
9. Conditioned for implementation with development of Pacific Center East.
13. Implemented through or identified project conditioned improvements in the Santa Ana/Tustin Transportation System Improvement Program (ASTTSIP)
[illegible]. Conditioned for implementation with development of MacArthur Place.
18. Joint OCTA and Cities of Irvine and Santa Ana project.

NC = NON-COMMITTED IMPROVEMENTS

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

2000 A117

ORIGINAL MCAS ARTERIAL VOLUMES AND V/C'S COMPARISON

LONG-RANGE ADT VC RATIOS

JUNE 1999 STUDY

ROAD SEGMENT	CITY	No-Project		New Project				No-Project		New Project				Change	
		ADT	V/C	ADT	V/C			ADT	V/C	ADT	V/C			ADT	V/C
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

2004-A.T.1

ORIGINAL MCAS ARTERIAL VOLUMES AND VC'S COMPARISON

LONG-RANGE ADT VC RATIOS

JUNE 1999 STUDY

ROAD SEGMENT	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC	ADT	VC
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

ORIGINAL MCAS ARTERIAL VOLUMES AND VIC'S COMPARISON

LONG-RANGE 401 VIC RATIOS

JUNE 1989 STUDY

COMMENT RECEIVED ON FINAL EIS/EIR

2020 ALT 1

ORIGINAL MCAS ARTERIAL VOLUMES AND V/C'S COMPARISON

LONG-RANGE ADT V/C RATIOS							JUNE 1999 STUDY				
	ADT -	CITY	No-Project		With Project		No-Project		With Project		CHANGE
ROAD SEGMENT	Capacity	STD	Volume	V/C	Volume	V/C	Volume	V/C	Volume	V/C	(ALT-B w/proj)
Alton s/o Main	25 000	28 000	14 000	0.56	14 000	0.56	5 000	0.20	5 000	0.20	0
Dyer e/o Main	56 300	45 000	41 000	0.73	41 000	0.73	36 900	0.66	38 000	0.68	1 000
Dyer e/o [illegible]	56 300	45 000	40 000	0.71	41 000	0.71	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Dyer w/o [illegible]	56 000						45 000	0.73	46 000	0.82	1 000
Dyer w/o SR-55	56 000						64 000	1.04	77 000	1.38	13 000
Dyer e/o Red Hill	75 000	80 000	73 000	0.97	79 000	1.05	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Edinger w/o [illegible]	38 000						37 000	0.97	37 000	0.97	0
Edinger e/o Main	56 300						48 000	0.86	48 000	0.86	0
Edinger e/o Standard	56 300	48 000	38 000	0.67	37 000	0.66	47 000	0.83	48 000	0.86	1 000
Edinger e/o Grand	56 300	45 000	41 000	0.76	44 000	0.78	57 000	0.97	57 000	1.01	0
Edinger e/o Lyon	56 300	45 000	45 000	0.8	46 000	0.82	56 000	0.99	56 500	1.00	0
Edinger w/o SR-55	56 300						59 000	1.05	58 000	1.03	-1 000
Edinger e/o [illegible]	56 300	45 000	52 000	0.92	52 900	0.92	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Grand n/o Edinger	56 300	45 000	43 000	0.76	49 000	0.87	36 000	0.64	41 000	0.73	5 000
Grand s/o Edinger	56 300	45 000	36 000	0.63	42 000	0.75	38 000	0.57	42 000	0.75	6 900
Grand n/o Warner	56 300	45 000	36 400	0.64	41 000	0.73	36 000	0.53	43 000	0.76	7 000
Grand s/o Warner	56 300	45 000	31 000	0.55	31 000	0.5	29 000	0.41	29 000	0.50	-1 000
Grand s/o Dyer	56 300	45 000	29 000	0.52	31 000	0.6	30 000	0.41	28 000	0.50	-2 000
[illegible] s/o Dyer	35 000	30 000	25 000	0.71	23 000	0.66	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
[illegible] s/o Warner	35 000	30 000	17 000	0.66	17 000	0.48	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Lyon s/o McFadden	17 500	18 000	11 000	0.66	11 000	0.58	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Lyon n/o Edinger	13 000						17000		13 000	1.00	1 000
Lyon s/o Edinger	17 500	18 000	5 000	0.48	5 000	0.4	7 000	0.41	8 000	0.54	1 000
MacArthur e/o Main	56 300	45 000	45 000	0.80	45 000	0.8	64 000	1.11	64 000	0.98	0
Main n/o Edinger	37 500	30 000	36 000	0.96	36 000	0.96	27 000	0.72	33 000	0.88	[illegible]
Main s/o Warner	56 300						35 000		35 000	0.62	-1 000
Main n/o Warner	56 300	46 000	48 000	0.87	44 000	0.78	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Main s/o Dyer	56 300	45 000	32 000	0.59	31 000	0.61	30 000	0.57	36 667	0.65	-1 333
Main n/o MacArthur	56 300						37 000	0.66	36 000	0.64	-1 000
Main s/o Sunflower	56 300						31 000	0.55	30 000	0.53	-1 000
Main s/o Alton	56 300	45 000	48 000	0.85	48 000	0.85	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
Main s/o MacArthur	56 300	45 000	37 000	0.66	37 000	0.66	NO DATA	NO DATA	NO DATA	NO DATA	NO DATA
McFadden e/o Standard	25 000	20 000	25 000	1.00	26 000	1.04	20 000	0.66	20 000	0.80	0
McFadden e/o Grand	37 500	30 000	27 000	0.72	27 000	0.72	25 000	0.54	24 000	0.64	-1 000
McFadden w/o Williams	37 500	30 000	33 000	0.88	32 000	0.85	23 000	0.61	23 000	0.61	0
[illegible] n/o Edinger	25 000	20 000	10 000	0.4	10 000	0.4	6 000	0.32	6 000	0.32	0
[illegible] s/o Edinger	25 000	20 000	14 000	0.56	15 000	0.6	13 000	0.52	12 000	0.48	-1 000
[illegible] s/o Warner	25 000	20 000	18 000	0.72	18 000	0.72	10 000	0.40	11 000	0.44	1 000
Standard s/o Warner	25 000						10 000	0.40	11 000	0.44	1 000
Standard n/o Dyer	25 000						4 000	0.16	4 000	0.16	0
[illegible] s/o McFadden	25 000	20 000	18 000	0.72	18 000	0.72	16 000	0.64	16 000	0.64	0
Warner w/o Main	56 300	45 000	40 000	0.71	49 000	0.87	37 000	0.66	42 000	0.75	5 000
Warner e/o Main	56 300	45 000	35 000	0.62	41 000	0.73	31 000	0.55	38 000	0.67	7 000
Warner w/o Standard	56 300	45 000	30 000	0.53	42 000	0.75	21 000	0.41	31 000	0.55	10 000
Warner w/o Grand	56 300	45 000	31 000	0.56	44 000	0.78	26 000	0.46	38 000	0.67	12 000
Warner e/o Grand	56 300	45 000	37 000	0.66	57 000	1.01	18 000	0.32	40 000	0.71	22 000
IRVINE/SANTA ANA											0
Alton e/o Red Hill (3)	37 500	30 000	31 000	0.83	39 000	1.04	5 000	0.13	4 000	0.11	-1 000
Red Hill s/o Alton (3)	75 000	100 000	58 000	0.77	65 000	0.87	35 000	0.47	42 000	0.56	7 000
TUSTIN/SANTA ANA											0
McFadden e/o Williams	34 400						31 000	0.90	30 000	0.79	-1 000
Red Hill n/o Dyer/Barranca	56000						26000	0.46	33000	0.59	7 000
Warner w/o Red Hill	56000						13000	0.23	30000	0.72	17 000

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

2&3 AL7 2

ORIGINAL MCAS ARTERIAL VOLUMES AND V/C'S COMPARISON

LONG-RANGE ADT V/C RATIOS

ROAD SEGMENT	ADT Capacity	CITY 2010	No Project Volume	No Project V/C	With Project Volume	With Project V/C	JUNE 1999 STUDY No Project Volume	No Project V/C	With Project Volume	With Project V/C	CHANGE (ADT & Volume)
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

ORIGINAL MCAS ARTERIAL VOLUMES AND VIC'S COMPARISON

LONG RANGE HDT VIC MATRICES

JUNE 1999 STUDY

RESPONSE TO FINAL COMMENT

Local 2-5 Santa Ana's comments in their attached letter of March 2, 1998 were addressed in Vol. 2 of the Final EIS/EIR.

COMMENT RECEIVED ON FINAL EIS/EIR

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Robert L. Richardson
COUNCILMEMBERS
Enny Espinoza
Brett Hamilton
Thomas E. Tait
Patricia A. McGarvin
Ted R. Amerson

CITY OF SANTA ANA
PLANNING & BUILDING AGENCY
20 Civic Center Plaza, M-191 · P.O. Box 1988
Santa Ana, California 92702
Tel (714) 647-5800

CITY MANAGER
David N. Ream
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
James C. Gray

March 2, 1998

Mr. Dana Ogden
City of Tustin
300 Centennial Way
Tustin, CA 92780

RE: DRAFT EIR/EIS ON BASE DISPOSAL AND REUSE OF MARINE CORPS AIR STATION

Dear Mr. Ogden:

Local 2-5 Thank you for the opportunity to review the Draft EIR/EIS for the Marine Corps Air Station. We appreciate the City of Tustin's community outreach and including Santa Ana in the planning process. Due to the scale of the proposed project, we have concerns regarding the potential traffic impacts upon Santa Ana. We offer the following comments for your consideration.

GENERAL TRAFFIC AND CIRCULATION COMMENTS:

1. Staff has been provided the opportunity to comment on various circulation-related documents over the past three years (e.g., Phasing Plan, Community Facilities & Infrastructure Report, Screencheck Traffic Study); however, it was not until the release of the Draft EIR/EIS that an integrated analysis of traffic impacts and a mitigation program was presented.

L12-82 2. The Draft EIS/EIR states on page 4.10-33 that cumulative impacts and thus cumulative projects have been addressed within the short-range and long-range project analysis. The City of Santa Ana finds that this methodology prevents the real circulation impact of the project from being accurately disclosed. Additionally, since the "project" impacts are inaccurately characterized, the resulting mitigation program is cumulative-based rather than reflecting the true project-level mitigation. The California Environmental Quality Act (CEQA) requires that the direct effects of a project be discussed within the EIR. The City of Santa Ana requests that the traffic study includes separate impacts and mitigation

This letter was submitted in March 1998 in response to the initial draft EIS/EIR. Only those comments specifically identified in the preceding August 1999 comment letter are responded to because only those items were raised by the City of Santa Ana during the public comment period on this revised EIS/EIR. Responses are limited to comments 2 through 7, 9, 11, 13, 16, 20, 28, 29, 30, 32, and 33 through 39.

L12-82 Refer to response to comment L12-16 regarding analysis of cumulative traffic and traffic generated by the various reuse alternatives.

measures for both projects and cumulative impact scenarios as requested in our original correspondence to Ms. Gray of HNTB dated June 4, 1993.

Additionally, please indicate what cumulative projects were assumed for the traffic model.

L12-83 3. The long-range analysis is unrealistic in that it indicates (pages 1-3 and 1-4 of Appendix I) that the model assumes the transportation corridors operating as "free facilities". This assumption assigns a disproportionate amount of project traffic to the adjacent corridor instead of local surrounding roadways, again masking the true impact of the project. The project build-out scenario should analyze traffic impacts with "toll" and "no toll" scenarios for the Foothill/Eastern and San Joaquin Transportation Corridors.

4. Mitigation Measure No. 3 on page 4.10-35 of the Draft EIS/EIR states:

L12-84 "The City of Santa Ana and the City of Tustin shall implement necessary roadway improvements for affected locations within the City of Santa Ana jurisdiction, in accordance with a prior agreement (Transportation System Improvement Authority (TSIA). For other deficient Tustin intersections that are not covered in the TSIA agreement, the City of Tustin will include the improvements for these locations as part of future City Capital Improvement Programs, and will participate in these improvements on a fair share basis."

We request that the wording of this mitigation measure be strengthened to indicate that the TSIA mitigation list will not be expanded to include the base.

L12-85 5. The City of Santa Ana has concerns with the traffic mitigation measures in the Draft EIR/EIS that defer disclosing improvements to subsequent studies. We find this to be supported by the CEQA Guidelines Section 15168, Subd. (c) (5), which states a program EIR will be most helpful in dealing with subsequent activities as it deals with the effects of the program as specifically and comprehensively as possible. Further, the CEQA court case of Sundstrom vs. County of Mendocino (1st Dist. 1988) 202 Cal.App.3d296, found that by deferring the identification of project mitigation, the County had evaded its responsibility to engage in comprehensive environmental review. Our concerns with the deferral of project mitigation are related to several locations including the following intersections:

a. 78. Redhill & Dyer/Barranca; EBR.
b. 59. Hotel Terrace/SR-55 & Dyer; 4th EBT, EBR.
c. 67. SR-55 NB Ramps & Dyer; 2nd NBL.

Additionally, regarding intersections 59 and 67 mentioned above, there appears to be an inconsistency on page 4.10-34 of the Draft EIS/EIR. These two intersections are listed on the page without referencing that they will be studied at some future date, as stated on page 4.10-48.

L12-83 Refer to response to comment L12-63 regarding analysis of reuse impacts with various toll conditions on the ETC.

L12-84 Refer to response to comment L12-61 regarding revisions made to mitigation measures in Section 4.12 of the FEIS/EIR to state that TSIA funds would not be used for mitigating reuse impacts.

L12-85 See response to comment L12-3. Based on the traffic forecasts in the 1999 traffic technical report, intersection #78, Red Hill and Dyer/Barranca, would not have significant impacts. Mitigation for intersections #59, Hotel Terrace/SR-55 northbound and Dyer, and #67, SR-55 northbound ramps and Dyer, identified in the FEIS/EIR and Final Appendix F based on the 1999 traffic forecasts.

COMMENT RECEIVED ON FINAL EIS/EIR

L12-86 6. There is no discussion regarding ICU/LOS after the implementation of the mitigation measures. Please provide this information for all Santa Ana intersections.

7. On page 4.10-33, in the list of short-range mitigation measures for intersections 59, 61, 63, and 73, it is unclear who will be responsible for the cost of these improvements; and what factor (i.e., issuance of building permits) would trigger the need to construct these improvements.

L12-87 8. What is the time frame of "long-range" circulation phasing described in the traffic section? This is specifically important for the review and overall assessment of the document.

L12-88 9. In a letter to Kathryn Gray dated June 4, 1993, the City of Santa Ana identified certain intersections and ICU analysis methodology to be incorporated into the traffic study. The Draft EIS/EIR does not fully reflect the scope of work requested in this letter. For example:

a) With respect to the ICU methodology for calculation, the City of Santa Ana does not allow for RTOR saturation flow factor of 0.75. The calculation and results, therefore, do not reflect actual intersections' level of service. The City of Santa Ana requested the following criteria:

i. 1600 through and right-turn movements.
ii. 1500 left-turn movements.
iii. Signal clearance interval factor = 0.02.

No reference was made to RTOR saturation flow factor.

b) The intersection of Technology Center and Dyer was not considered in the analysis.

c) The City requested that ICU analyses be conducted for the following scenarios:

i. Existing
ii. Existing plus entitled.
iii. Existing plus entitled plus project by phase of project development.
iv. Existing plus entitled plus project build-out plus cumulative projects
v. Project alternatives plus existing and entitled

This request was not considered. Most importantly, our request to phase the mitigation according to specific project phases appears by have been ignored. It is unclear why the project was included in its entirety in the analysis while it is recognized that a project of such magnitude will eventually be implemented utilizing several phases.

RESPONSE TO FINAL COMMENT

L12-86 The requested information is in Appendix F. The summary tables contain three columns of data for all impacted intersections (for example refer to Table 4-11). The first column is ICU values in year "2020 baseline" which refers to future buildout of cumulative projects without reuse. The second column is "2020 Reuse Alternative 1" which provides the ICU values with implementation of that reuse alternative. The third column shows the ICU values after implementation of recommended mitigation measures.

L12-87 Clarification regarding payment of fair share mitigation and triggers to ensure implementation of required mitigation has been added in Section 4.12 of the FEIS/EIR.

L12-88 Refer to response to comment L12-28 regarding the Santa Ana ICU methodology. Refer to response to comment L12-52e regarding the intersection of Technology Center and Dyer. Refer to response to comment L12-52d regarding the ICU analysis process.

Additionally, for scenarios iii, iv, and v above, the City of Santa Ana requested that the traffic study identify feasible project mitigation measures to acceptable levels of service or existing level of service which ever is worse. Again, this request was not considered.

10. In order to reflect more accurate assessment of project impact in Santa Ana, the study area should be expanded to include the following:

a) Intersections along Edinger west of Grand.

b) Intersections along Warner west of Main.

c) Intersections along McFadden west of Grand.

d) Intersections along Dyer west of Main.

e) Intersections along Main, Standard, and Grand north and south of the project.

L12-89 11. In general, evaluation of the appropriate study area is difficult due to the lack of project-specific traffic volume data.

12. A "Year 2000" interim year traffic analysis does not appear to be practical. Little, if anything will be built and occupied on the base at that time. A more realistic interim period would be in the year 2010 time frame.

L12-90a 13. The traffic study and related Traffic/Circulation analysis in the EIR/EIS presents the data and findings in a manner which is very difficult to interpret, draw conclusions and compare results.

L12-90b • The traffic distribution data does not completely cover the study area, which is already limited.

L12-90c • Short-range future ADT volumes are not shown.

L12-90d • Short-range future peak hour volumes are not shown.

L12-90e • Long-range future ADT volumes are not shown.

L12-90f • Long-range peak hour volumes are not shown.

L12-90g • The study is missing analysis of access to freeway on-ramps.

L12-89 Project-specific traffic volumes are distributed to the network in Figures 2-7, 2-8, and 2-9 of Appendix F. Refer to response to comment L12-15 regarding the definition of the study area.

L12-90 a. All the requested data and figure are contained in Appendix F and appendices to that appendix. Selected data focusing on impacts and mitigation is carried into the EIS/EIR.

b. Project trip distribution for each reuse alternative can be found in Figures 2-7, 2-8 and 2-9 of Appendix F. A percentage is shown for roadway segments with two percent or more of project-generated trips. Segments with no percentage shown would have one percent or less project-generated trips.

c. Short-range (2005) future ADT volumes are shown in Figures 3-7, 4-3, 4-9, and 4-15 of Appendix F.

d. Short-range (2005) future peak hour volumes are given in Appendix D to Appendix F.

e. Long-range (2020) future ADT volumes are shown in Figures 3-6, 4-5, 4-11, and 4-17 of Appendix F.

f. Long-range (2020) future peak hour volumes are given in Appendix D to Appendix F.

g. Ramp intersections are included in the analysis.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

SPECIFIC TRAFFIC AND CIRCULATION COMMENTS:

Study Area:

14. Page 1-4—The study must clearly indicate the logic beyond selecting such a study area as presented in Figure 1-2. While the study states that most of the City of Tustin was included in the analysis, areas in Santa Ana closer to the base than those in Tustin were not considered. A traffic study for a project of this magnitude—1600 acres— (generating approximately 225,000 vehicles per day) should carefully look at the potentially impacted areas.

Analysis Scope:

15. Page 1-3, paragraph 2—The short range is defined as year 2000 and is not consistent with the statement in the same paragraph stating that the County Growth Management Plan and Congestion Management Program require 5 to 7 years.

16. The long-range assumption is also unrealistic. It assumes that all County transportation corridors would be operating as "free facilities". It would take almost 30 years to accomplish this task. The project build-out scenario should analyze traffic impacts with toll and no toll scenarios. Also, please include when the model assumes said long-range plan would be implemented. L12-91

17. Page 1-3, last paragraph—Please clarify the time frame for the long-range analyses.

18. Page 1-4, paragraph 1—It is unclear how the traffic model was used to forecast Santa Ana traffic. The discussion included County of Orange, City of Tustin, and City of Irvine with no reference to Santa Ana.

19. Page 1-7—The ADT volumes are not related to generally acceptable methodology for mid-block location. The City follows OCTA MPAH guidelines. Countywide LOS "C" is used for link capacity and LOS "D" is used for intersections. Regardless of link V/C ratios, if a link volume exceeds LOS "C", widening is required. Please refer to the OCTA MPAH and revise your mitigation methodology approach accordingly.

20. Page 1-8—The traffic analysis performance criteria for Santa Ana is not correct with respect to RTOR. This approach does not reflect actual operating conditions at the intersection. L12-92

21. Page 1-9—The discussion pertaining to ADT link deficiencies is unclear. Additionally, City of Santa Ana staff does not agree with the statement, "...for locations in the Cities of Tustin and Santa Ana, an ADT link deficiency is considered theoretical rather than actual if the intersection at the end of the link operates at acceptable levels." Please indicate the source of this assumption. Mitigation measures and recommendations made

L12-91 Refer to response to comments L12-4 and L12-4B regarding future impacts with and without a toll on the ETC.

L12-92 Refer to response to comment L12-28 regarding Santa Ana's ICU methodology.

in this study based on this assumption must be corrected and MCAS obligation(s) to mitigate roadway segments in Santa Ana should be identified.

22. Page II-3, paragraph 3—It is unclear why the study referred to Phase I as being representative of "no project". Please clarify.

Trip Distribution:

23. Page II-9-11—The table shows a difference in internal trips between total trips and total trip ends. Additionally, the subsequent discussion indicates that each trip has two ends. This assumption generates a questionable reduction in the project trip generation and an overall underestimation of project traffic impacts. It is almost universally recognized that the 8% (17,000 trips) already accounts for a trip with two ends—one at the origin and one at the destination within the study area. Please clarify.

24. It is unclear how many internal trips are actually considered in the calculation. Figure II-4 indicates 7% for short range and 15% for long range while the table on page II-9 indicates 8% of total trips and 15% for total ends. Please clarify.

25. Page II-11, paragraph 2—Indicates that the percent of trips interacting with land uses within the study area is 36% and outside the study area is 56%, for a total of 92%. The actual distribution percentages presented on Figure II-4 indicate only 80% of the trips for the short range and 78% for the long range, i.e., 12% to 14% of the trips are missing. Please clarify whether the remainder of the trips are being distributed internally within the study area or outside the study area.

AreaWide Travel Pattern:

26. We agree with the route area internal trips and trips within the study area presented in the previous section. However, we do not agree with the conclusion that the number of trips within the study area are lower with the project compared to without the project. The change in trip distribution pattern as a result of the introduction of a land use to an area is understood, but those trips will not disappear, just impact other intersections. Please provide clarification.

Transportation Setting:

27. Page III 6 & 7—V/C ratio and the resultant mitigation measures are not per city standards. The V/C ratio calculations for mid-block locations are somewhat meaningless and do not follow the County of Orange and the Orange County Transportation Authority guidelines for link capacities and mitigations.

L12-93 28. It is unclear why Table III-4 on page 22 was included without subsequent analysis and justification of mitigation measures.

L12-94 29. Page III-43, paragraph 3, indicates that the long-range circulation system assumes build-out of the County and cities' Master Plan of Arterial highways. This appears unlikely to happen, as all circulation improvements are subject to uncertain funding.

L12-95 30. Page III-11 The study did not analyze the CMP intersection of 4th St./Irvine Boulevard @ SR- 55 in the City of Santa Ana. Because of its close proximity to the project, this intersection may be significantly impacted.

31. The traffic study used an outdated City of Santa Ana Capital Improvement Program as a basis for assumed improvements. Many of these assumed improvements have been deferred due to the recession and other factors. The City of Santa Ana will be pleased to provide an updated CIP.

L12-96 32. The City of Santa Ana projects related mitigation improvements are assumed to be implemented when the projects come on line. For example, the MCAS traffic study assumes that the MacArthur Place development will be built at its original intensity and all associated transportation improvement will be constructed. At this time it appears that the MacArthur Place development will not be built at its original intensity, and the roadway improvements recommended in the study will not be constructed as originally programmed. The following are similar examples that should be carefully evaluated and compared to the study mitigation assumptions:

- Main/MacArthur Intersection Upgraded to Dual Lefts:

Three through and separate right turn lanes all four legs. Funding source: Private development. Funding for improvements are based on build out of Hutton Center and MacArthur Place. These projects are not funded if the development projects do not proceed fully conditioned at this time.

- South Grand/Warner:

Enhanced intersection ultimately to allow for dual lefts, 3 throughs, and separate right at all 4 legs. Funding source: No obligated source at this time. Dedications and improvements shall be secured as affected properties develop. One leg of each intersection is conditioned at this time.

- Main and Warner:

Enhanced intersection ultimately to allow for dual lefts, 3 throughs, and separate right on south leg; single left, 3 through, and separate right on east/west leg; and 3 through, dual left, and separate right on north leg. Funding source: No obligated source at this time.

L12-93 New traffic forecasts and a revised traffic technical report make this comment non-applicable. Refer to Appendix D.

L12-94 Refer to response to comments L6-9 and L12-26 regarding the definition of committed roadway network and funding as a criteria.

L12-95 Refer to response to comment L12-68.

L12-96 Refer to response to comment L12-69.

Dedications and improvements shall be secured as affected properties develop. One leg is conditioned at this time.

- **Grand Avenue Widening:**

Widen Grand to 3 lanes in each direction with landscaped median.
Funding source: No obligated source at this time. Dedications and improvements shall be secured as affected properties develop. Nothing is conditioned at this time.

- **Balance of Near Term Improvements Documented in Tustin/Santa Ana JPA Study.**

No project is fully funded at this time.

NOTE: None of the above referenced projects are "committed" improvements without the related supporting development. Enhanced intersections are implemented incrementally and ultimate build out will require additional funding as revenues allow. Potential funding sources for enhanced intersections are private development, TSIA fees, grants, MCAS Reuse Plan, etc.

L12-97 33. The MCAS traffic study assumes that all mitigations and roadway improvements will be built before MCAS, and the MCAS traffic can then utilize the access capacity generated by those improvements. This assumption is unrealistic because many projects are developing more slowly than anticipated due to economic factors, resulting in a lower level of traffic, thereby deferring the need for many of the mitigation programs.

L12-98 34. The proposed phasing of major roadways and other on- and off-site improvements does not appear to be synchronized with development phasing.

L12-99 35. The City of Tustin should contribute its fair share toward the construction of the Alton Bridge over the SR-55 (Costa Mesa Freeway).

Long Range Impact Analysis:

36. The long-range impact analysis should precede the mitigation section to justify the list of recommended improvements.

L12-100 37. The traffic study assumes that certain non-master-planned roadway and intersection improvements will be built, with or without the project. Such assumed improvements should be deleted from the traffic study unless these improvements have funding commitments and/or are programmed capital improvements.

L12-97 Refer to response to comment L12-26.

L12-98 Refer to response to comment L13-64.

L12-99 Refer to response to comment L12-78.

L12-100 Refer to response to comments L6-9 and L12-26.

COMMENT RECEIVED ON FINAL EIS/EIR

38. Pages IV-1 through IV-16 include all mid-block and link capacity calculations. These
L12-101 calculations and the resulted recommended changes in the number of lanes and mitigation do not follow the County CMP and MPAH guidelines for mid-block improvements.

39. The City of Tustin's share of planned roadway improvements should be identified
L12-102 specifically as related to the MCAS impacts.

40. When planning the arterial system, the generally acceptable practice is to use LOS C for link capacities, with LOS D at intersections. A comparison of the values used in this analysis and the values used by the City of Santa Ana and Countywide is presented on Table 1. Applying the County guidelines would significantly change the results and conclusions presented in Table IV-2. It is also anticipated that the number of roadway links that would require mitigation as a result of MCAS will increase. Please also refer to our comments under the Analysis Scope section regarding the methodology used in this analysis.

41. The City of Santa Ana is not aware of any methodology that relates recommended mitigation at a specific link to the adjacent intersections LOS. The results and recommendations presented in Table IV-3 and Figure IV-3 are not acceptable.

42. In general, the volume/capacity ratios calculated for Santa Ana were lower than expected based on previous analysis conducted for Santa Ana, including TSIA studies. This applies to existing calculations, existing with project, and existing without project, and for both the short and long terms.

43. Additional discrepancies worth investigation are the ICU/LOS comparisons between the analysis scenarios with and without the project. The traffic study indicates that intersection and mid-block level of service will actually improve as a result of adding project traffic. This appears in the 153 study intersections in general, and specifically in Santa Ana intersections.

44. A close look at Table IV-5, page IV-22, would support this phenomenon. It indicates that of the 153 study intersections, the project would impact only 28 intersections. The majority of the 28 intersections has nominal impact (i.e. between 2% and 5%). This also appears unrealistic for a project that generates 225,000 vehicles per day.

45. The attached Table 2 summarizes Santa Ana intersections ICUs. A close look at the table would indicate that ICUs have improved at 22 locations during the AM and PM peak hours as a result of adding traffic associated with the base. This appears to be unrealistic. Examples of the improved locations are presented below:

Main at Warner
Main at Dyer
Main at Alton
Southbound SR-55 Ramps at MacArthur

RESPONSE TO FINAL COMMENT

L12-101 Refer to response to comment L12-20.

L12-102 The traffic analysis (Appendix F and Section 4.12 of the FEIS/EIR) has been modified to better identify the percentage share of planned roadway improvements associated with impacts resulting from any reuse alternative. The City of Tustin and City of Irvine, as applicable, are responsible for ensuring that future developers are conditioned to fund necessary improvements.

Significant discrepancies also exist if MCAS traffic study results are compared to the results from the City of Santa's recent General Plan Circulation Element. Please refer to the "no base scenario comparison" at any of the ten listed intersections.

46. Based on our previous comments regarding trip distribution forecast and ICU methodology used in the MCAS study, we request recalculation of all impacted intersections in Santa Ana. The analysis and conclusions presented from page IV-17 to IV-42 (pertaining to Santa Ana) are not acceptable to determine mitigation measures at Santa Ana intersections.

47. Please identify if the percentage presented in Table IV-6 is to be applied to the fullest to mitigate an intersection to an acceptable LOS or for only a small portion of the mitigation. Use Main/MacArthur as an example.

48. With respect to project alternatives analysis, the analysis follows the same methodology used to evaluate the impacted intersections and link locations. Therefore, the results and recommendations are not acceptable to the City of Santa Ana and we request recalculation using the City of Santa Ana standards. Some observations are noted as follows:

    - Although Alternative 2 is approximately 25,000 vehicles per day higher than Alternative 1, link volumes tend to decrease. Examples include Grand S/O Warner, Main S/O Edinger, Main S/O Dyer, etc.

    - The same applies for the intersection capacity analysis when ICUs during the critical PM peak hour either remained the same or decreased for Alternative 2 as compared to Alternative 1. Examples include the intersections of Main/Alton, Grand/Dyer, and Ritchey/Edinger. Again, this is unrealistic since Alternative 2 generates 25,000 more cars than Alternative 1.

<u>Short Range Analysis:</u>

49. It is unclear why the short-range analysis is placed after the long-range analysis.

50. Please refer to our previous comments pertaining to intersection capacity utilization mid-block analysis, recommended mitigations, and analysis methodology. All of our comments for the long range are applicable for the short-range analysis herein.

51. The short range generates approximately 2,300 vehicles during the morning peak hour and 3,100 during the evening peak hour. Based on this trip generation, a close look at Table V-2 would indicate that impacts on Santa Ana intersections will be higher than those associated with Main/Alton, Grand/Edinger, Grand/Warner, etc.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

Transportation Improvements:

52. This section represents additional discussion regarding the recommended mitigations and analyses conducted in the report. We believe that the foregoing comments remain valid for this section; however, we reserve the right to review this section once calculations and analyses are revised to the satisfaction of City of Santa Ana staff.

Land Use:

53. The proposed land use plan included in the specific plan and project alternatives is generally compatible with adjacent land uses in Santa Ana. We have no issues related to the general plan amendment or land use plan.

This concludes our comments on the draft EIR/EIS. We thank you for your continued willingness to work toward the resolution of transportation and planning issues. Please contact Shahir Gobran at (714) 647-5615 for any specific questions related to our traffic comments.

Sincerely,

Robyn Updegraff
Executive Director

RU/MD

Attachment

c. George Alvarez, Engineering Services Manager
Joyce Amerson, Transportation Manager
Shahir Gobran, Transportation Analyst
Mayn DeRosa, Environmental Coordinator

TABLE 1

Road Segment	Existing Conditions: Lanes	MCAS STD: ADT Capacity	MCAS STD: City STD	Volume	V/C	Long-Range ADT V/C Ratios: Lanes	ADT Capacity	City STD	No Project: Volumes	V/C	With Project: Volume	V/C
Alton a/o Main	4	23 000	20 000	4 000	0 18	4	23 000	20 000	14 000	0 86	14 000	0 56
Dyer a/o Main	6	56 300	45 000	23 000	0 41	6	56 300	45 000	41 000	0 73	41 000	0 73
Dyer a/o Halladay	6	56 300	45,000	29 000	0 52	6	56 300	45 000	40 000	0 71	4 000	0 71
Dyer a/o Red hill	6	56,300	45 000	25 000	0 50	6	76 000	90 000	73 000	0 67	79 000	1 05
Edinger a/o Standard	4	37 300	56 000	25 000	0 75	6	56 300	46 000	38 800	0 67	37 000	0 66
Edinger a/o Grand	6	56 300	45 000	22 000	0 37	6	56 300	46 000	43 800	0 76	44 000	0 76
Edinger a/o Lyon	4	37,300	30 000	31 000	0 83	6	56 300	45 000	45 000	0 80	46 000	0 22
Edinger a/o Rodney	4	37 300	30 000	32 000	0 26	6	56,300	45 000	22 000	0 92	62 000	0 92
Grand a/o Edinger	6	68 300	45 000	22,000	0 46	6	56 300	45 000	43 000	0 76	48 000	0 67
Grand a/o Edinger	6	56,300	45,000	24 000	0 43	6	30 300	45 000	33 000	0 62	42 000	0 75
Grand a/o Warner	6	56 300	45,000	26,000	0 46	6	56 300	46 000	36 000	0 64	41 000	0 73
Grand a/o Warner	6	56,300	45,000	22,000	0 38	6	56,300	46,000	28 000	0 50	28 000	0 56
Grand a/o Dyer	6	56,300	45,000	21,000	0.37	6	56 300	45 000	29 000	0 52	20 000	0 36
Halladay a/o Dyer						4	22 000	20 000	22 000	0 22	22 000	0 56
Halladay a/o Dyer						4	23 000	20 000	17 000	0 68	17 000	0 68
Lyon a/o McFadden	2	12,300	10 000	11 000	0 88	2	12 500	10 000	11 000	0 88	11 000	0 88
Lyon a/o Edinger	2	12,300	10 000	4 000	0 32	2	12 300	10 000	8 000	0 40	6 000	0 40
MacArthur a/o Main	6	56 300	45 000	35 000	0 62	6	56 300	45 000	45 000	0 80	45 000	0 56
Main a/o Edinger	4	37,000	30 000	28 000	0 76	4	37 300	56 000	56 000	0 86	56 000	0 56
Main a/o Warner	6	68 300	45 000	26 000	0 56	6	56 300	45 000	46 000	0 82	44 000	0 78
Main a/o Dyer	6	56,300	45 000	26 000	0 46	6	56 300	46,000	52 000	0 92	51 000	0 91
Main a/o Alton	6	56 300	45,000	26 000	0 46	6	56 300	46 000	46 000	0 85	46 000	0 85
Main a/o MacArthur	6	56,300	46,000	22 000	0.39	6	56,300	45 000	37 000	0 66	37,000	0 66
McFadden a/o Standard						4	28 000	56 000	28 000	1.00	20 000	1 04
McFadden a/o Grand						4	37 300	56 000	27 000	0.72	27,000	0.72
McFadden w/o Williams						4	37,300	56 000	33 000	0.88	32 000	0.85
Rodney a/o Edinger	4	25 000	20 000	6,000	0.32	4	25,000	20 000	10 000	0 40	10,000	0 40
Rodney a/o Edinger	4	25,000	20,000	9 000	0 36	4	25000	20 000	14 000	0 56	18,000	0 80
Standard a/o Warner	4	25 000	20 000	11,000	0 44	4	25,000	20 000	18 000	0.72	18 000	0.72
Village Way a/o McFadden	4	25 000	20 000	17,000	0 68	4	25 000	56 000	18 000	0.76	18 000	0.72
Warner w/o Main	4	37 300	56 000	27 000	0 72	6	56 300	45,000	40 000	0 71	48 000	0 87
Warner a/o Main	4	37 300	56 000	26 000	0 67	6	56 300	45 000	30 000	0 53	41,000	0 73
Warner w/o Standard	4	37 300	30 000	23 000	0 61	6	30 300	45 000	25 000	0 52	43 000	0 78
Warner w/o Grand	4	37 300	56 000	22 000	0 56	6	56 300	46 000	31 000	0 55	44 000	0 76
Warner a/o Grand	6	56 300	45,000	19 000	0 34	6	56,300	45 000	37 000	0 66	57 000	1.01
Irvine/Santa Ana												
Alton w/o Red Hill (s)	4	37 300	56 000	6 000	0 13	4	37 300	56 000	36 000	0 82	39 000	1 04
Red Hill a/o Alton (S)	0	56 300	45 000	25 000	0 44	6	73 000	100 000	56 000	0 77	63 000	0 87

Capacity at LOS E City of Santa Ana uses MPAH standard: Max LOS is "D"

Blank cell indicates no data was provided

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

TABLE 2

Existing ICU Summary			Short-range ICU Summary Phase 1 Proposed Project				Change		Long Range ICU Summary Proposed Project				Change		City Future Baseline No Marine Base	
			No Project		With Project				No Project		With Project					
	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
Tustin/Irvine/Santa Ana																
Red Hill & Dyer/Barranca	0.57	0.91	0.63	0.79	0.67	0.79	0.04	0.02								
Red Hill & Dyer/Barranca	0.60	0.95	0.63	0.82	0.70	0.81	0.07	-0.01								
Santa Ana																
Main & Warner	0.63	0.63	0.85	0.97	0.89	0.63	0.04	-0.02	0.80	1.03	0.84	1.08	0.04	0.05	1.18	1.18
Main & Dyer	0.80	1.31	0.87	1.08	0.82	1.04	-0.05	-0.04	0.91	1.16	0.80	1.16	-0.02	0.01	1.00	1.65
Main & Alton	0.36	0.44	0.36	1.09	0.81	1.07	0.02	-0.02	0.56	1.08	0.88	1.03	0.02	-0.05	1.01	1.17
Main & Columbine	0.74	0.98	0.42	0.37	0.13	0.36	0.01	-0.01	0.56	0.73	0.84	0.73	-0.02	-0.01		
Main & MacArthur	0.84	0.81	0.63	0.80	0.36	0.80	0.00	-0.08	0.56	1.10	0.56	1.18	0.01	0.08	1.20	1.13
Main & Sandpointe	0.71	0.42	0.35	0.36	0.33	0.63	-0.02	-0.03	0.44	0.63	0.45	0.62	0.01	-0.01		
Hutton Circle & MacArthur	0.64	0.77	0.73	0.85	0.76	0.80	0.02	0.00	0.84	1.25	0.83	1.17	-0.01	-0.08		
SR-55 SB Ramps & MacArthur	0.78	0.97	0.86	0.38	0.86	0.37	0.00	-0.02	0.84	0.80	0.84	0.84	0.00	-0.05		
Halladay & Warner	0.46	0.08	0.46	0.57	0.50	0.36	0.02	0.01	0.30	0.44	0.41	0.54	0.11	0.10		
Halladay & Dyer	0.80	0.81	0.36	0.36	0.70	0.86	0.02	-0.02	0.83	0.95	0.81	0.88	0.02	0.02		
Spurgeon & Warner	0.41	0.64	0.80	0.87	0.82	0.84	0.02	-0.03	0.74	0.61	0.36	1.01	0.14	0.30		
Butler & Dyer	0.80	0.36	0.30	0.46	0.37	0.46	-0.02	0.00	0.88	0.59	0.35	0.81	-0.02	0.02		
Hotel Terrace & Dyer	0.36	0.77	0.36	0.36	0.88	0.36	0.02	0.02	0.81	1.02	0.79	1.20	-0.02	0.17		
Grand & McFadden	0.36	0.70	1.07	0.36	1.08	0.85	0.01	-0.01	0.76	0.64	0.63	4.72	0.08	0.06	1.02	0.95
Grand & Edinger	0.82	0.81	0.80	1.01	0.36	1.07	-0.02	0.06	0.81	0.80	0.36	0.36	0.07	0.00	1.37	1.16
Grand @ St. Andrew Pl.	0.36	0.36	0.48	0.87	0.46	0.71	-0.02	0.04	0.48	0.36	0.49	0.83	0.01	0.07		
Grand & Warner	0.83	0.77	1.13	1.10	1.07	1.13	-0.06	0.02	0.87	0.80	0.79	0.36	0.22	0.29	1.02	1.16
Grand & Hotel Terrace	0.38	0.87	0.88	4.08	0.39	0.36	0.00	0.01	0.32	0.83	0.80	0.81	-0.02	-0.02		
Grand & SR-55 SB Off Ramp	0.45	0.38	0.45	0.46	0.47	0.44	0.02	0.00	0.78	0.70	0.70	0.80	-0.05	-0.02		
Grand & Dyer	0.77	0.87	0.83	0.83	0.82	0.87	0.01	-0.02	1.27	1.18	1.14	1.20	-0.11	0.02	1.00	1.14
SR-55 NB Ramps & Dyer	0.76	0.80	0.75	0.36	0.80	0.96	0.08	0.02	1.21	0.87	1.14	1.03	-0.03	0.02	1.04	0.99
Fullerton & Dyer	0.47	0.80	0.70	0.81	0.67	0.83	-0.03	0.02	0.83	0.96	0.84	0.87	-0.01	0.04	0.81	1.14
Lyon & McFadden	0.91	0.80	0.80	1.01	0.81	0.36	-0.02	-0.00	0.81	1.22	0.36	1.23	-0.02	0.01		
Lyon & Edinger			0.80	0.78	0.83	0.74	-0.02	-0.04	0.84	0.79	0.86	0.76	0.02	0.00		
Ratchey & Edinger			0.86	1.04	0.84	1.04	-0.02	0.00	0.79	1.18	0.80	1.14	0.01	-0.02		
SR-55 SB Ramps & Edinger			0.88	0.82	0.83	0.08	-0.01	0.08	0.83	1.09	0.81	1.08	-0.01	-0.01	0.87	1.16
Rainey & McFadden	0.83	0.65														
Ratchey & McFadden	0.53	0.80														
Williams & McFadden	0.70	0.65														
Williams & McFadden	0.73	0.67														
Tustin Village & McFadden	0.70	0.77														
Tustin Village & McFadden	0.72	0.74														
Red Hill & Alton (S)			0.82	0.88	0.84	0.80	0.03	0.04	0.89	0.76	0.83	0.88	0.03	0.10		
Red Hill & Alton (S)			0.87	0.88	0.86	0.89	0.01	0.03	0.78	0.74	0.87	0.84	0.00	0.10		
Red Hill & Warner	0.45	0.56														
Red Hill & Warner	0.45	0.56														

Blank cell indicates no data available

Negative number improvements in LOS as a result of MCAS

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

MAYOR
Miguel A. Pulido
MAYOR PRO TEM
Thomas E. Tait
COUNCILMEMBERS
Tita Sisk
Alberto O. Chaney
Brett Franklin
Patricia A. McGregor
Ted S. Moreno

CITY OF SANTA ANA
OFFICE OF THE CITY ATTORNEY
20 CIVIC CENTER PLAZA M-29 · P.O. BOX 1988
SANTA ANA, CALIFORNIA 92702
(714) 647-5201 · Fax (714) 647-6515

CITY MANAGER
David N. Sears
CITY ATTORNEY
Joseph W. Fletcher
CLERK OF THE COUNCIL
Janice C. Guy

RECEIVED
AUG 27 1999
ADMINISTRATION

VIA FACSIMILE (714.838.1602) AND FIRST CLASS MAIL

Christine Shingleton, Assistant City Manager
City of Tustin
300 Centennial Way
Tustin, California 92680

Re: Tustin MCAS Base Disposal and Reuse EIS/EIR
State Clearinghouse No. 94071005

Dear Ms. Shingleton:

L13-1 This letter is provided in an attempt to clarify the date by which comments are to be provided to the City of Tustin, which is the lead agency on the above referenced EIS/EIR. Previously, you had graciously agreed to extend the date by which comments were due.

You written response advising the City of Santa Ana of this extension, dated August 18, 1999, stated that the comment period would be extended until "5pm on September 27."

It is my understanding that at the meeting between the City of Tustin and the City of Santa Ana late Tuesday afternoon, you stated that it was your intention to provide an extension only until August 27 and not September 27. As I am sure you understand, it is difficult for our staff to be advised at the end of the day Tuesday that Tustin takes the position that the extension provided now expires only two short days from now and not another month.

This difficulty is exacerbated by the fact that it was only discovered this morning that a number of pages that Tustin passed out at this meeting late Tuesday were not excepts from the EIS/EIR as was represented, but were rather excerpts from a prior non-circulated draft of the document. These earlier draft pages included a number of subtle yet crucial differences from the publicly circulated EIS/EIR. Since the pages that were passed out included a number of critical portions of the EIS/EIR, such as Table 7-5 at page 7-39 (the Offsite Intersection Mitigation Summary), this has naturally intensified staff's confusion.

L13-1 This letter clarifies the date of the extended comment period. The formal written response from the City of Santa Ana was received on August 31, 1999 and is included as comment letter L12.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

While Santa Ana has no desire to delay finalization of the EIS/EIR, it must be recognized that this is an extensive document and is time consuming to review. The EIS/EIR is over 550 pages and the accompanying brand new Attachment F exceeds this length. An asserted one week extension to review over 1,000 pages of environmental documentation is rather short – and it is particularly short given the fact that Tustin created the confusion by explicitly extending the comment period in writing to September 27. The 45 day minimum comment period set forth in CEQA is based upon the fact that draft EIRs should be less than 150 pages in length, and even if of unusual scope or complexity, less than 300 pages. (State CEQA Guidelines § 15141.)

In an effort to amicably resolve this question, and to allow Tustin to move forward with this process in the most expeditious fashion possible, the City of Santa Ana is willing to not hold Tustin to the September 27 deadline for comments set forth in your August 18 written communication. Santa Ana is perfectly willing to provide you with its comments no later than the close of business on Friday September 3, 1999. In order to meet this schedule, numerous Santa Ana employees will have to redirect their efforts to this response in lieu of other pressing matters. However, Santa Ana is willing to do so in order to keep the process moving forward.

Please let either me at the number above, or Robyn Uptegraff, Executive Director of Planning and Building Agency, at (714) 667-2700, that this proposal is acceptable at your earliest convenience. I am certain that you regret the error contained in your August 18 communication and share Santa Ana's wish to avoid making a miscommunication into a issue between our two cities.

Please make this letter part of the administrative record for both the Record of Decision and CEQA certification of the EIS/EIR. It constitutes a comment of the City of Santa Ana to the Draft EIS/EIR. Thank you for your kind consideration and attention to this matter.

Very truly yours,

Joseph W. Fletcher, City Attorney

By _____
Benjamin Kaufman
Chief Assistant City Attorney

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

County of Orange
California

anice M. Mittermeier
hief Executive Officer

RECEIVED
JAN 27 2000
REDEVELOPMENT AGENCY

January 24, 2000

Dana Ogdon
Senior Project Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

SUBJECT: Final EIS/EIR for the Disposal and Reuse of MCAS Tustin

Dear Mr. Ogdon:

Thank you for the opportunity to provide comments on the Final EIS/EIR. County staff has reviewed the document and has identified the attached technical comments for your consideration. If it would be helpful, staff is available to meet with you to discuss these comments and how they may be addressed.

The County appreciates the City of Tustin's ongoing coordination efforts relative to issues of mutual concern. We fully intend to continue the cooperative relationship we have enjoyed with your city.

If you have any questions, please contact Melinda Bowman at 834-4414.

Sincerely,

Michael M. Ruane, Assistant CEO
Strategic and Intergovernmental Affairs

Attachment

Cc: George Britton (NCL 99-55)

H:\tus062

County Executive Office
10 Civic Center Plaza
Third Floor
Santa Ana, California
92701-4062

Tel: (714) 834-2345
Fax: (714) 834-4416
Web: www.oc.ca.gov

COMMENT RECEIVED ON FINAL EIS/EIR

TECHNICAL COMMENTS – MCAS TUSTIN FINAL EIS/EIR

Submitted by the County of Orange

January 21, 2000

Alternatives

Local 3-1 The County appreciates that the city-approved MCAS Tustin Specific Plan/Reuse Plan incorporates many projects critical to the long-range development of facilities to support and enhance regional service delivery (Children's Emergency Shelter, Regional Park, Youth and Family Resource Center, Animal Care Facility, Archeo/Paleo Curation and Storage and Regional Law Enforcement Training Center). Each facility will play a significant and important role. It is with this in mind that the following clarification is requested. It appears from our review that while these uses are identified in Alternative 1, they are not specifically mentioned in the narrative descriptions of Alternatives 2 and 3. We wish to reiterate the importance of incorporating these uses into each alternative.

Solid Waste

Local 3-2

1. **Page 3-44, Section 3.3.9, Solid Waste:** The first paragraph of this section, last sentence should be updated. As of 6/30/99, the Frank R. Bowerman Landfill has used 28.5 million cubic yards of its capacity.

2. **Page 4-42, Solid Waste Disposal:** The fourth paragraph of this page, second sentence should be updated. As of 6/30/99, the Frank R. Bowerman Landfill has used 28.5 million cubic yards of its capacity.

3. As an informational measure, it should be noted that no landfills in Orange County are permitted to accept hazardous waste. The nearest facility to Orange County that accepts hazardous waste is the Azusa Land Reclamation Facility. They can be contacted at (626) 334-0719.

Recreational Bikeways/Trails

Local 3-3

1. **Volume 2, Comments and Responses (County of Orange letter, L1-14):** The County continues to assert that a Class 1 bikeway linkage between Peters Canyon Bikeway and the regional park parcel would be a valuable component for safe recreational and commuter cycling. Although there was no master planned connection between Tustin LTA and the Peters Canyon Bikeway, this project provides an opportunity for such a facility. This logical link is suggested for inclusion into the MCAS Tustin Specific Plan/Reuse Plan recreational bikeway/trail concept plan and the EIS/EIR.

Flood Control

Local 3-4

1. **Page 3-40, Section 3.3.3 Drainage:** The third paragraph states that "the existing storm drain system consists of pipes…near the intersection of Red Hill Avenue and Barranca Parkway." This statement appears to be associated with Valencia Storm Drain, and not Barranca Storm Drain (OCFCD Facility No. F09P15) tributary to Barranca Channel which should also be described.

2. **Page 3-40, Section 3.3.3 Drainage:** The fourth paragraph states that "OCFCD is currently assessing how to improve this channel [Santa Ana-Santa Fe Channel]." As clarification, study of Santa Ana-Santa Fe is not currently underway. In addition, no funds are programmed for this facility at this time.

   This comment also should apply to page 4-38 and elsewhere where such a statement was made.

3. **Page 3-97, Section 3.9.3 Seismic Setting -Flooding Attributable to Dam Failure After an Earthquake:** This section states that "only Peters Canyon and Rattlesnake reservoirs exist upstream of the reuse plan area." Other retarding basins are also located upstream of the reuse plan area. These

RESPONSE TO FINAL COMMENT

Local 3-1 Comment noted. Each alternative, however, stands on its own.

Local 3-2 Comments 1, 2, and 3 noted.

Local 3-3 Comment noted.

Local 3-4 Comments 1 through 7 are noted.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

include Eastfoot, Orchard Estates, Hicks, East Hicks, and Trabuco Retarding Basins. Please note that the State of California Office of Emergency Services might have issued waivers for the preparation of Dam Inundation Maps for some or all of these facilities.

This comment should apply to page 4-120, Section 4.9.3 Alternative 1 – Impacts – Flooding Attributable to Dam Failure After an Earthquake and other applicable sections which discuss this subject.

4. **Page 3-102, Section 3.10.4 Surface Water Quality**: The second paragraph states that "Barranca Channel...discharges into Peters Canyon Channel just to the south of the site." As clarification, Barranca Channel discharges into San Diego Creek, not Peters Canyon Channel.

5. **Page 4-37, Section 4.3.3 Alternative 1 – Operation Impacts – Drainage**: The last paragraph on this page indicates that a conceptual storm drain plan has been developed that includes improvements to Barranca Channel. The permit application recently submitted by the City of Tustin did not include any proposed improvements to Barranca Channel. We are currently working with the City to resolve concerns regarding its permit application.

6. **Page 4-39, Section 4.3.3 Alternative 1 – Operation Impacts – Drainage**: The second paragraph on this page states that "The system [improved drainage system] can be provided by the cities of Tustin and Irvine, and OCFCD; therefore impacts under Alternative 1 would be less than significant." As stated in our previous comments, "OCFCD programs funds for construction of flood control facilities on an annual basis based on county-wide priorities. Given the limited funding available to OCFCD it should not be assumed that OCFCD will have funds necessary to improve these facilities prior to or contemporaneous with the proposed development." It is suggested that the response to this comment contained in Volume 2 of the FEIS/EIR (Response L1-3) should apply to not only Peters Canyon Channel (F06) but also to Barranca Channel (F09), Barranca Storm Channel (F09P15) and Santa Ana-Santa Fe Channel (F10). As clarification, the fair share contribution is necessary even if storm water from the reuse plan area would not "exceed the planned capacity" of the channels.

   While a revised response and implementation measure (l) which was added to Section 4.3 of the FEIS/EIR may be acceptable, it should be noted that in order for developers to adequately protect their development projects without worsening flooding conditions elsewhere, it may be necessary for ultimate flood control improvements to be constructed. If improvements to OCFCD's flood control system have not preceded the development projects, developers need to construct flood control improvements that are necessary to provide the required protection to the development.

7. **Page 4-48, Section 4.3.4 Alternative 2 – Operation Impacts – Drainage**: The last paragraph on this page states that "the improvements proposed to the regional channels under Alternative 1, including Peters Canyon Channel, would also be carried out under Alternative 2. The improvements to Barranca Channel identified for Alternative 1 would also need to occur under Alternative 2..." The text for Alternative 1 does not include a detailed discussion of improvements needed for Barranca Channel nor does it clearly indicate that improvements to Peters Canyon and Santa Ana-Santa Fe Channels are needed to implement the reuse plan.

   This comment also applies to page 4-52, Section 4.3.5 Alternative 3 – Operation Impacts – Drainage.

Tus063

PRIVATE / INDIVIDUALS

COMMENT RECEIVED ON FINAL EIS/EIR

Berklee Maughan
14331 Green Valley Dr.
Tustin, CA 92780
714-832-4848

RECEIVED
JAN 24 2000
REDEVELOPMENT AGENCY

January 24, 2000

Mr. Dana Ogdon
Sr. Project Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

Dear Mr. Ogdon:

RE: Finial Environmental Impact Statement/Environmental Impact Report (EIS/EIR) For Disposal And Reuse Of MCAS - Tustin, California.

Private 1-1 Comments on the initial Draft of the EIS/EIR indicated the need to reduce the impact on local and regional air quality from the projects' stationary and mobile sources.

As you know, the Clean Air Act (CAA) legislates that air quality standards set by federal, state and county regulatory agencies establish maximum allowable emission rates and pollutant concentrations from sources of air pollution. Yet all of the projects' (alternatives 1, 2 & 3) mitigation measures in the final EIS/EIR exceed the regulatory agencies maximum allowable emission rates and pollutant concentrations.

Traffic circulation plans for all three alternatives in the EIS/EIR do not completely mitigate the projects' generated vehicular traffic impact within the Southwest Tustin community. For example, unmitigable impacts would occur at the intersection of Tustin Ranch Road and Walnut Avenue. This condition increases the impact on local air quality from the projects' mobile sources. In fact, the EIS/EIR Abstract states that potentially significant and not mitigable impacts are related to air quality emissions and traffic circulation.

Southwest Tustin already has the highest density in Tustin. With the projects' quantifiable increases in air emissions and the deterioration of the surrounding air quality measured in the final EIS/EIR, all three of the proposed alternatives will significantly impact Southwest Tustin's cumulative air quality even after the projects' mitigation measures are in place.

RESPONSE TO FINAL COMMENT

Private 1-1 Comments noted. Unfortunately, the South Coast Air Basin already has the worst air pollution problem in the nation (p. 3-148 of the EIS/EIR). Without the project, for three air quality pollutants it is projected that Federal and State Air Quality Standards will not be attained in the near future (p. 3-149 of the EIS/EIR). It is acknowledged that each of the alternatives has a significant unmitigated air quality impact, although one alternative has fewer such impacts. Mitigation measures have been included in the Final EIS/EIR that will be adopted and implemented to reduce potential short-term air quality impacts from construction and long-term operation emissions from mobile (vehicular) and stationary sources. However, there are no feasible mitigation measures that will reduce this impact to a less-than-significant level. A statement of overriding considerations will be prepared and will be made part of any findings by the City Council for approval of any of the alternatives. Such finding shall be part of the staff report presented to the Planning Commission and City Council, and shall be available to the public prior to and at the public meetings when the project is considered.

It should be noted that the South Coast Air Quality Management Control District (SCAQMD) provided only two comments on the Draft EIS/EIR requesting clarifications of information presented in the document pertaining to Air Quality Impacts. The City of Tustin circulated a Final EIS/EIR to the SCAQMD on December 23, 1999 that included revisions reflecting these requested clarifications. The City has not received any comments on the Final EIS EIR from the SCAQMD.

COMMENT RECEIVED ON FINAL EIS/EIR

On page 2-43 the EIS/EIR states: As shown in Table 2-15, buildout operations air emissions under all three alternatives would exceed South Coast Air Quality Management District (SCAQMD) thresholds, for all analyzed pollutants except PM_{10}. Besides exceeding SCAQMD thresholds, page 5-10 states: Each of the three reuse alternatives, in conjunction with the projected growth in the South Coast Air Basin (SCAB), would contribute to cumulative air quality impacts within the SCAB. Both this projects' contribution and the total contribution from all projects in the SCAB are considered significant by the SCAQMD based on the District's thresholds of significance for individual development projects.

In addition the EIS/EIR says on page 4-207: Air quality impacts would be considered significant if subsequent reuse of MCAS Tustin would violate any ambient air quality standard or contribute to an existing or projected air quality violation.

Under the National Environmental Policy Act (NEPA), air quality impacts would be considered significant if subsequent reuse of MCAS Tustin would be inconsistent with the assumptions or objectives of the 1994 Air Quality Management Plan (AQMP), the most recently adopted AQMP by the United States Environmental Protection Agency (USEPA).

Under the California Environmental Quality Act (CEQA), air quality impacts would be considered significant if the subsequent reuse of MCAS Tustin would be inconsistent with the assumptions or objectives of the 1997 AQMP, the most recently adopted AQMP by the State of California.

If the development project alternatives 1, 2, and 3 are not in compliance with federal and state requirements regarding air quality, what are the overriding considerations to supersede federal and state air quality requirements?

The EIS/EIR vindicates the claim that development project alternatives 1, 2 and 3 are not in compliance with federal and state air quality requirements. On page 4-220: **Alternative 1** would not be consistent with the 1994 and 1997 AQMP's. This would be a significant, unmitigable impact.

On page 4-225: **Alternative 2** would not be consistent with the 1994 and 1997AQMP's, which would be a significant impact. On page 4-227: Mitigation measures for alternative 2 would not reduce air quality impacts below a level of significance.

On page 4-229: **Alternative 3** would not be consistent with the 1994 and 1997 AQMP's, which would be a significant impact. Mitigation measures for alternative 3 would not reduce air quality impacts below a level of significance.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

An example of the level of significance is set forth below:

Alternative 1

	Carbon Monoxide (CO)	Oxides of Nitrogen (NOx)	Reactive Organic Compounds (ROC)
After implementation of control measures. Net reduced emissions. Pounds Per Day Produced >	13,333	3,116	867
SCAQMD Pounds per day Threshold >	550	100	75
Air Pollution Exceeds SCAQMD daily standards by	24 times	31 times	12 times

Alternative 2

	Carbon Monoxide (CO)	Oxides of Nitrogen (NOx)	Reactive Organic Compounds (ROC)
After implementation of control measures. Net reduced emissions. Pounds Per Day Produced >	17,855	3,891	1,252
SCAQMD Pounds per day Threshold >	550	100	75
Air Pollution Exceeds SCAQMD daily standards by	33 times	39 times	17 times

Alternative 3

	Carbon Monoxide (CO)	Oxides of Nitrogen (NOx)	Reactive Organic Compounds (ROC)
After implementation of control measures. Net reduced emissions. Pounds Per Day Produced >	18,271	3,940	1,303
SCAQMD Pounds per day Threshold >	550	100	75
Air Pollution Exceeds SCAQMD daily standards by	33 times	39 times	17 times

COMMENT RECEIVED ON FINAL EIS/EIR

Based on the information provided, it is anticipated that both adults and children will be at risk because the air quality is impacted by quantifiable increases in air emissions and a deterioration of ambient air quality which expose community residents to significant and severe air pollution conditions.

Facts presented in this letter and the EIS/EIR indicate that air pollution from the project is in excess of the Clean Air Act standards and is generated by this project. When complete buildout occurs in the region, the local community and the South Air Basin will have more air pollution because this project was allowed to exceed the SCAQMD thresholds of significance for individual development projects.

With three elementary schools, one high school and one college proposed for this development project, and two existing elementary schools and one middle school less than a mile from the project, more care needs to be given to the projects' air quality.

This is required by the Protection Of Children From Environmental Health Risks And Safety Risks, Executive Order 13045 signed April 21, 1997. The EIS/EIR on page 6-7 states that no disproportionate impacts to children are anticipated. If polluted air is bad for adults, it is worse for children according to the Executive Order which states that children breathe more air in proportion to their body weights than adults. Furthermore, it defines environmental health risks and safety risks to mean risks to health or to safety that are attributable to substances that the child is likely to come in contact with or ingest, such as the air we breathe.

At issue is the compliance of all three alternatives of the development project with the National Environmental Policy Act (NEPA), the Clean Air Act (CAA), and the California Environmental Quality Act (CEQA) with regard to air quality.

Previous commentors have stated that the CEQA requirement is to look at alternatives that would reduce "any" significant effects of the project. The project needs an alternative that should have been analyzed in the final EIS/EIR with a lower density which would generate less traffic and acceptable air quality.

Since the final EIS/EIR has not identified any new reasonable alternatives to reduce significant air pollution, which is above CAA standards, and the United States Environmental Protection Agency (EPA) Ratings Summary has identified adverse environmental impacts, the EPA needs to work with the lead agency to reduce air quality impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, the EPA should refer air quality impacts to the Council on Environmental Quality (CEQ).

Sincerely,

Berthlee Maughan

cc: The Honorable C. Christopher Cox
The Honorable Norma Glover, SCAQMD

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

The Gas Company

RECEIVED
JAN 10 2000
REDEVELOPMENT AGENCY

January 5, 2000

Southern California Gas Company

Mailing Address:
Box 3334
Anaheim, CA
92803-3334
SC8321

City of Tustin
300 Centennial Way
Tustin, Ca 92780

Attention: Dana Ogdon

Subject: E.I.R. - For the disposal and reuse of Marine Corps Air Station, Tustin, California.

Private 2-1 This letter is not to be interpreted as a contractual commitment to serve the proposed project but only as an information service. Its intent is to notify you that the Southern California Gas Company has facilities in the area where the above named project is proposed. Gas service to the project could be served by an existing main without any significant impact on the environment. The service would be in accordance with the company's policies and extension rules on file with the California Public Utilities Commission at the time contractual arrangements are made.

The availability of natural gas service, as set forth in this letter, is based upon present conditions of gas supply and regulatory policies. As a public utility, the Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. We can also be affected by actions of gas supply or the condition under which service is available, gas service will be provided in accordance with revised conditions.

Estimates of gas usage for non-residential projects are developed on an individual basis and are obtained from the Commercial-Industrial Market Services Staff by calling (800) 427-2000. We have developed several programs which are available upon request to provide assistance in selecting the most energy efficient appliances or systems for a particular project. If you desire further information on any of our energy conservation programs, please contact this office for assistance.

Sincerely,

Robert S. Warth
Technical Supervisor

saf
encl.
eircomm.doc

RESPONSE TO FINAL COMMENT

Private 2-1 Comment noted.

COMMENT RECEIVED ON FINAL EIS/EIR

IBC CONSORTIUM
3311 Michelson Drive
Irvine, California 92612
(949) 553-1220
(949) 553-1154 Facsimile

RECEIVED
JAN 24 2000
REDEVELOPMENT AGENCY

January 24, 2000

Mr. Dana Ogdon
Senior Project Manager
City of Tustin
300 Centennial Way
Tustin, CA 92780

Subject: Final EIS/EIR for the Disposal and Reuse of MCAS Tustin

Dear Mr. Ogdon:

On behalf of the Irvine Business Complex (IBC) Consortium, I have reviewed the revised traffic impact analysis (TIA) and FEIS/EIR traffic section of the above referenced document (dated December, 1999) and offer the following comments.

Committed Roadway Network

We appreciate that the FEIS/EIR was revised and the traffic model was re-run to include only those roadway improvements that are "probable future projects" per CEQA Guidelines (14 Cal. Code of Regulations §15130), such as roadway projects included in a capital improvement program, conditions of approval for a specific project or required mitigation measure for a previous environmental document, or projects included in a specific fee program.

Based on this interpretation, the following IBC intersection improvements were revised in the TIA:

Year 2005 (Table 3-6)

- Red Hill/MacArthur (added free NBR and EBR)
- Jamboree/I-405 NB ramps (reduced NBT from 4 to 3 lanes)
- Jamboree/I-405 SB ramps (reduced NBT from 4 to 3 lanes)

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

Mr. Dana Ogden
January 24, 2000
Page 2

Year 2020 (Table 3-5)

- Red Hill/MacArthur (reduced WBT from 4 to 3 lanes, reduced EBL from 3 to 2 lanes)
- MacArthur/Michelson (reduced NBL from 2 to 1 lane)
- Jamboree/Main (reduced EBT from 4 to 3 lanes)
- Jamboree/Michelson (reduced WBT from 3 to 2 lanes, eliminated free NBR, reduced EBT from 3 to 2 lanes, and eliminated EBR lane to a de facto right turn).
- Harvard/Michelson (eliminated intersection from table)
- Culver/Michelson (eliminated intersection from table)
- MacArthur/Jamboree (eliminated NBR)
- The Intersection Improvements of Jamboree/Barranca are based in part upon a 1998 Memorandum of Agreement (MOA) between Tustin, Irvine, and the TCA.

These revised tables, however, continue to assume several unfunded roadway and intersection improvements within IBC, as stated in our original comment letter dated August 23, 1999. The improvements that should also be eliminated in the future analysis include the following:

Private 3-1

- Alton Parkway (between Red Hill and the San Diego Creek)
- Alton Parkway/Von Karman
- Barranca Parkway (between Red Hill and Jamboree)
- Barranca Parkway/Von Karman
- Von Karman Avenue (between Barranca and Main)
- Von Karman/Main
- Jamboree/Alton
- MacArthur/Main

The FEIS/EIR should state that these roadways are not probable future projects, as the funding and implementation of these improvements is unknown. Use of these infeasible improvements means that the analysis of circulation impacts associated with the MCAS Tustin Reuse project relies on mitigation measures deferred. In order to address any interim impacts associated with the uncertainty of implementation of IBC Rezone Mitigation Program projects, the TIA should be revised to eliminate these improvements from the assumed future roadway network.

The City of Irvine also commented as to the assumption of unfunded improvements in the FEIS/EIR traffic analysis. The City included exhibits of those improvements that are identified as unfunded in their comment letter (dated August 27, 1999). These locations include the same IBC locations identified above (i.e., Alton Parkway, Barranca Parkway, and Von Karman Avenue).

RESPONSE TO FINAL COMMENT

Private 3-1 See Response L12-10 of Volume 2 of the Final EIS/EIR. The lack of current funding for a roadway project that meets the CEQA definition of a "probable future project" doesn't mean the project is infeasible in the 2020 timeframe. As that timeframe approaches, specific development projects will be evaluated based on this Program EIR; a supplemental EIR or mitigated negative declaration may be prepared. See Response L12-2. See Response L12-10. The referenced roadway and intersection improvements are in the City of Irvine and are mitigation measures in a final EIR certified by the City of Irvine for the buildout of the IBC. If the IBC consortium believes such improvements are no longer feasible, that should be addressed with the City of Irvine. The lack of current funding for a roadway project that meets the CEQA definition of a "probable future project" doesn't mean the project is infeasible in the 2020 timeframe. As that timeframe approaches, specific development projects will be evaluated in the regional context based on this Program EIR; a supplemental EIR or mitigated negative declaration may be prepared. See Response L12-2.

COMMENT RECEIVED ON FINAL EIS/EIR

Mr. Dana Ogden
January 24, 2000
Page 3

Private 3-2 It is our position that the TIA should be revised to reflect a true worst case scenario, by not assuming that these improvements are either funded or in place by the year 2005 or 2020. Mitigation measures and fair share contributions should be based on this corrected roadway network.

Fair Share Contribution

Private 3-3 The FEIS/EIR and traffic study have been revised to include the project's fair share percentage for each improvement, based on an ADT threshold to trigger the future improvements. The ADT threshold methodology is described in Section 4.4.C.1 of the traffic study.

The following presents the findings of the Alternative 1 Mitigation results:

Year 2005 (Table 4-10)

- Von Karman/Barranca - 100% project share - mitigated to adequate LOS (Add 2nd NBR)
- Jamboree/Barranca - 1998 MOA

Year 2020 (Table 4-11)

- Jamboree/Barranca - 1998 MOA
- Red Hill/Main - 100% project share - mitigated to adequate LOS (Add Free SBR)
- Von Karman/Michelson - 22% project share - mitigated to adequate LOS (Add 2nd EBL)
- Jamboree/Alton - 100% project share - mitigated to adequate LOS (Add 5th NBT)

We appreciate the revisions that have been made to the mitigation measures to address the need to place ADT thresholds to trigger future improvements (i.e., T/C-2). In particular, we understand from Tables 4.12-7 and 4.12-9 of the FEIS/EIR that specific ADT thresholds have been placed on the project relative to the Jamboree/Barranca intersection. We further understand that these ADT thresholds will require that this intersection be maintained at an acceptable level of service by the construction of unidentified future Improvements. Although the IBC Fee Program has assumed that this intersection ultimately will be grade separated, we can support the revised mitigation measure recognizing that the project can not proceed beyond the specified ADT thresholds until the unidentified future improvements (which potentially could be a grade separation) are made to the intersection to maintain an acceptable level of service.

RESPONSE TO FINAL COMMENT

Private 3-2 When examining buildout of the project now at a 2020 horizon, it is appropriate to place the project in the regional cumulative impact context and make reasonable assumptions based on existing roadway plans, approvals and fee programs. It is not realistic or required by CEQA to assume the project will be built out in a vacuum. Since each subsequent development proposal will be evaluated for conformance with the Program EIR, development specific mitigation measures will be timely adopted. Such subsequent development proposals may be less traffic intense or require revisions to the specific plan.

Private 3-3 Comment noted.

COMMENT RECEIVED ON FINAL EIS/EIR

As stated in our previous comments, some of the improvements funded and programmed for implementation within IBC either are under construction, paid for in part or in whole by IBC development fees, or are already constructed, paid for in part or in whole by IBC development fees. We insist that the MCAS Tustin Reuse project be responsible to pay for that increment of recently constructed or funded capacity enhancements within IBC used by the reuse project, in addition to the fair share contributions identified above.

Thank you for the opportunity to submit these comments. I eagerly await a response and appropriate revisions to the FEIS/EIR traffic analysis and mitigation measures.

Sincerely,

Sue Whittaker
IBC Consortium

SBW:ldw

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RECEIVED
JAN 24 2000
REDEVELOPMENT AGENCY

RESPONSE TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE DISPOSAL AND REUSE OF THE MARINE CORPS AIR STATION TUSTIN

LAW OFFICES OF IVAN K. STEVENSON
IVAN K. STEVENSON, BAR NUMBER: 62906
JEFFREY L. BOYLE, BAR NUMBER: 129990
501 Deep Valley Drive, Suite 315
Rolling Hills Estates, CA 90274
(310) 541-9344
Attorneys for Osumi Farms, Inc.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE DISPOSAL AND REUSE OF THE MARINE CORPS AIR STATION TUSTIN

INTRODUCTION

The Final Environmental Impact Statement/Environmental Impact Report for the disposal and reuse of the Marine Corps Air Station, Tustin, (EIS/EIR Report) does not address the fact that the Prime Farmland that exits on the base, as designated by the State of California, will be destroyed, based upon the proposed land development plans. There is no need for this destruction, nor the socio-economic ramifications which will result therefrom. Instead, both agricultural and non-agricultural land uses can be harmonized, so that they can co-exist on this former base.

The EIS/EIR Report, states that the City of Tustin does not have the economic means to purchase or lease land for agricultural purposes. However, the EIS/EIR Report ignores Federal programs that recognize the importance of preserving the vital national resource of viable productive farmland, and which provide funding for such land preservation.

Private 4-1 Therefore, it is respectfully requested that a plan be adopted which preserves the designated Prime Farmland on this former Marine Corps Air Station.

THE EXISTING FARMING OPERATIONS ARE ENTITLED TO PROTECTION BASED UPON THE RATING PROVIDED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE

Osumi Farms has been farming approximately 400 acres of land on the Tustin Marine Corps Air Station since 1984. Osumi Farms has leased this land from the Federal government.

With the recent closing of this Marine Corps Air Station, there have been pressures to construct commercial and residential buildings, not only on the urban and built up portions of the base, but to develop, and thus destroy, Prime Farmland, as designated by the State a California, as well as other land on the base.

Those seeking to construct commercial and residential structures on this land participated in completing a Draft Environmental Impact Report/Environmental Impact Statement, stating that there had been no history of farming on the Marine Corps Air Station and that they should be able to build on this Prime Farmland, among other areas on the base. In response, Osumi Farms filed a Response to the Draft Environmental Impact Statement/Environment Impact Report. This Response is incorporated herein.

Osumi Farms is not seeking to increase the amount of farmland on the former base, nor to interfere with development of the non-agricultural use areas of the base. Instead, Osumi

RESPONSE TO FINAL COMMENT

Private 4-1 See Response 11-1 of Volume 2 of the Final EIS/EIR. We recognize that the commenter disagrees with the response. The purpose and need to reuse MCAS. Tustin is to offset the negative socio-economic effects of base closure by developing a balanced reuse plan that will provide housing and employment opportunities, solve existing community circulation and recreation park land deficiencies, and generate sufficient revenue (property tax, sales tax or others) to support the investment in infrastructure required to improve the site for civilian purposes. The commenter recommends that the City acquire the base property and then leave all or the currently farmed portion for agricultural purposes. The commenter acknowledges that this would require a revision to the proposed Reuse Plan. While temporary leases for farming may be feasible under the Reuse Plan, it is not feasible for the City to allow all of the base or the existing farmed portion to be permanently devoted to agriculture. The City revenues from such leasing and uses would not be sufficient to pay for infrastructure costs: the use would generate few jobs; the use would be an obstacle to solving community circulation and circulation deficiencies. In summary, the commenter's proposal is not feasible to accomplish and achieve the purpose of the project.

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Farms simply has sought to protect those existing Prime Farmland areas on which it has been farming.

The Osumi Farms grows fresh produce, which is sold throughout the Southern California area, and in particular, the Orange County area. Osumi Farms employs numerous people who live throughout Orange County. Osumi Farms supports a number of other businesses in the Orange County area that process, ship and sell the produce grown by Osumi Farms. Further, Osumi Farms continues to be a productive business operation, which has provided a unique opportunity for restaurants, as well as households, in this urban area to have immediate access to freshly grown produce, which promotes the health and quality of living in the region.

According to the 7.5 minute series overlay map for the Tustin Quadrangle topographical map, generated by the State of California, the Marine Corps Air Station consists of portions of property which have been designated as Prime Farmland by the State of California. At this point, protection for this Prime Farmland is available under the *Farmland Protection Policy Act*, pursuant to 7 *United States Code*, Section 4201, et seq. and the *Code of Federal Regulations, Agricultural*, Section 5, Part 657, et seq.

To accomplish this protection, Osumi Farms has obtained the necessary information from Mr. Robert Hewitt, of the United States Department of Agriculture, NRCS, at 950 North Ramona Boulevard, Suite 6, San Jacinto, California 92582, (909) 654-7139. A copy of this form, containing the rating data for the subject Prime Farmland is attached hereto as Exhibit A.

The United States Department of Agriculture (USDA) has determined that the rating of the subject Prime Farmland is 203 points, which far exceeds the 160 point threshold to trigger federal protection. This rating provided by the United States Department Agriculture on this Farmland Conversion Impact Rating form, which itself is generated by the USDA, is remarkable in that the Farmland Conversion Impact Rating form, attached to the Final Environmental Impact Statement/Environmental Impact Report presents a rating of 131 points which is lower than the 160 point threshold. Although the USDA determined the value to be to be 203, it is unclear who generated the 131 number written on the subject form that is a part of the EIS/EIR Report (page 3 - 86) and on what that 131 number is based.

It is apparent that the form in the EIS/EIR Report has a questionable authenticity and accuracy in and of itself, in that it raises question as to the validity of the Report. It also raises serious questions of deals made behind closed doors in an effort to gain the right to develop this land at all costs, including land which Congress has determined must be protected as a vital natural asset and resource.

COMMENT RECEIVED ON FINAL EIS/EIR

FEDERAL LAW PROVIDES PROTECTION FOR LAND THAT IS DETERMINED TO BE PRIME FARMLAND

It is stated in Part 657.1 of the *Code of Federal Regulations, Agriculture*, cited supra, that the NRCS "is concerned about any action that tends to impair the productive capacity of American agriculture . . . ." Under Part 658.2 of this code section, farmland "means prime or unique farmlands as defined in section 1540(c)(1) of the Act or farmland that is determined by the appropriate state or unit of local government agency or agencies with concurrence of the Secretary to be farmland of statewide or local importance . . . ." As described herein, the State of California has designated certain lands in this state as constituting Prime Farmland. The referenced 7.5 minute series topographical map and the corresponding overlay map, produced by the State of California, confirm that certain portions of the former base constitute Prime Farmland.

Pursuant to Part 658.3(a), the purpose of this Act "is to minimize the extent to which Federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses . . . ." Since portions of the subject base have been found to constitute Prime Farmland, since there are people who are willing and able to continue to farm this Prime Farmland, and since the Federal government has the statutory framework in place to provide funding for preserving this land, there is no reason that this noble and vital preservation effort cannot be fulfilled.

Therefore, at this point the opportunity should be utilized to allow funding to be furnished under these Federal code sections, as well as California's *Williamson Act*, to provide funding to preserve this Prime Farmland before it is paved over and lost.

RETAINING THE STATUS OF THE EXISTING FARMLAND USE AREA OF TDE BASE CONFERS A SIGNIFICANT PUBLIC BENEFIT

The EIS/EIR Report dismisses the simple solution of formulating a reuse plan that preserves and incorporates the agricultural resources, currently located on the former MCAS, Tustin. The EIS/EIR Report contends that there is no public purpose served if the City of Tustin were to enter into a lease with a private farm or farms to put the subject Prime Farmland to agricultural uses.

On the contrary, many priceless benefits will remain with the public by retaining the subject Prime Farmland for agricultural use. In this age of supermarkets and Internet food providers it is easy to forget that fruits and vegetables are not grown on supermarket shelves. Rather, the production of produce is dependant upon rich soils, available irrigation water sources, access to farm equipment and supply facilities, as well as a transportation and distribution system. Since the public consumes fresh produce, both directly from the market as well as indirectly through restaurants, it is unclear on what the EIS/EIR Report bases its conclusion that farming does not benefit the public at large.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

By preserving this finite amount of Prime Farmland in the heart of Orange County, the City of Tustin will continue to provide its citizens, as well as others in the area, with the unique benefit of being able to purchase and consume fresh, locally grown crops. This allows fresher food to be available in local supermarkets and restaurants, at a lower cost than importing crops from elsewhere. This keeps the benefit of the agricultural resources locally within Orange County, including the Cities of Tustin and Irvine. Thus, the City of Tustin, and the surrounding areas, will not be completely dependant upon produce from central and northern California or other parts of this country and world for its produce.

Self-reliance should be considered a unique and valuable attribute for this area. Although Osumi Farms is not implying that famine will ensue if farming is eliminated from this former base, but one need only look to certain areas of this world which have food distribution problems, such as in the former Soviet Union, China or North Korea to see the real nature and effect of food distribution problems. Further, if one has ever been to any state in the mid or far east portion of this country during winter, any fresh produce on sale is never of the quality available here in California, and such produce is usually not in the condition to which we in California have grown accustomed. Thus, one of the elements that produces the high quality of life here in California is constantly accessible locally grown produce, that is available to us in a fresh state.

The presence of the subject farmland has provided about 400 to 500 jobs to carry out farming operations. However, the EIS/EIR Report, states that the employment of this variety is "temporary" (page 3-87). This characterization is inaccurate and misleading. Despite any images from a John Steinbeck novel that the EIS/EIR Report tries to create regarding migrant workers, farming employment is permanent and continuous. Farming in Orange County, unlike in other sections of this county, is a year round operation. Even when it appears to the untrained eye that the land is fallow, which itself performs a productive function, there are periods when the ground must be tilled and the seeds must be sowed. Therefore, farming is a continuous operation, even during the winter months, that requires the constant employment of workers.

Farming has been an ongoing process on the subject land for the past 17 years by Osumi Farms alone, and for many years earlier by other farmers. This farming has been economically viable throughout the years, and has supported the local economy by not only providing income to hundreds of people who work directly on the farm and live in the area, but to provide indirectly employment to people who provide farm supplies, who fix the machinery and who pack, process, deliver and sell the produce all the way up to the retail store level. An example of employment that is truly "temporary" would be the construction work done if one of the reuse plans is implemented. Hence, the EIS/EIR Report reflects a lack of understanding, or wilful ignorance, of the broad impact on employment that the destruction of the subject farmland would cause. Osumi Farms has discussed thoroughly this impact in its Response to the Draft EIS/EIR, and specifically the negative domino effect that ousting Osumi Farms, or any other farming operations, from the subject Prime Farmland will have. However the EIS/EIR Report completely fails to address these issues and thus the validity of this Final Report is questioned.

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

Another concern raised in the EIS/EIR Report is the loss of aesthetics by developing the site by constructing movie theaters, strip malls, parking lots and other structures that would cover this Prime Farmland. The two blimp hangars located on the former MCAS, Tustin, are perhaps the city's most recognizable landmarks. Since they have been located on federal land, the City of Tustin has never had jurisdiction over them. Now that the benefits of those hangars may inure to the City of Tustin, the city does not appear to be strongly against retaining them. By retaining those hangars and the farmland surrounding them, the City would be doing the public a benefit, not only in retaining a distinguishing set of landmarks which would not be duplicated by any other surrounding cities, but the city would be maintaining the aesthetics of an open space that Prime Farmland provides, along with the availability of locally grown fresh produce.

In the Response of the Southern California Association of Governments (SCAG), in ancillary growth policy 3.07, SCAG supports sub-regional policies which recognize agriculture as an industry. SCAG also supports the preservation of agricultural land and the provision of compensation for property owners holding lands in "greenbelt" areas. SCAG recognizes the irreversible loss of farmland and requests additional information which graphically depicts the extent and significance of the agricultural land. On the other hand, the EIS/EIR Report has not done so; the only document it contains is the Conservation Impact Rating form which is improperly scored for the subject Prime Farmland. Perhaps the Local Redevelopment Authority (LRA) knows that if it includes a map or graphic depiction of the site, it will be observed that there would be an extremely significant loss of Prime Farmland, as designated by the State of California, that demands an exhaustive search for options to preserve such Prime Farmland. This still has not been done.

The California Environmental Quality Act of 1970 (CEQA) requires public agencies to adopt feasible mitigation measures to lessen substantially or to avoid significant adverse environmental impacts. As the comments state, it is not economically possible for the City of Tustin to purchase farmland elsewhere. Osumi Farms respectfully suggests a feasible alternative. The agricultural resources currently being utilized on MCAS, Tustin, should not be disturbed. The cost would be to have the LRA revise its reuse plans. In fact, there were comments to the correspondence of several federal agencies that stated that detailed land use planning will occur at a later date. As such, the retention of agricultural resources must be readdressed. One cannot forget that there is no guaranty that the federal government will approve any of the reuse alternatives. If they are universally rejected, it will no doubt be predicated upon the grounds that nonrenewable natural resources are irreversibly eliminated. This is particularly applicable in Orange County wherein the arable land is being paved

Likewise, the LRA dismissed other farmland protection alternatives. Osumi Farms disagrees with the Site Assessment Evaluation that gave the site a 131 rating. (Page 3-86) Osumi Farms believes that the subject Prime Farmland invokes a rating well above the 160 threshold where the protections of the Farmland Protection Act are triggered. As described herein, the USDA, through Mr. Hewitt, assigned 203 points to the subject Prime Farmland. This is the

RESPONSE TO FINAL COMMENT

USDA's form, and thus the provision of 203 points to it for the subject Prime Farmland cannot be ignored.

Moreover, the LRA dismisses the suggestion of the Department of Conservation that agricultural conservation easements constitute an unlawful gift of public funds under Article XVI, Section 6 of the *California Constitution*. However, California law holds that the primary purpose is whether the public funds are to be used for a public or private benefit. The California Court of Appeal, Second District, has reasoned that money "spent for public purposes is not a gift even though private persons may benefit." (*Community Memorial Hospital v. County of Ventura* (1996) 50 Cal.App.4th 199, 207).

Osumi Farms is not asking that the subject land be purchased with public money and then the title to that land be conveyed to Osumi Farms, or any other private entity. Rather, the land should be acquired at the government level and then dedicated to agricultural purposes, so that Osumi Farms, and/or any other farming operation, may obtain a lease for the property. The money from the lease would be paid into the purse of the City of Tustin, or other appropriate public entity.

Public benefit would be derived through the salvation of a scarce and unrenewable natural resource: Prime Farmland. Even if neither Orange County nor the City of Tustin have a general plan that advocates preservation of Prime Farmland, it is indisputable that the California and Federal governments do. Further, despite the general plans of the local governmental subdivisions, the scarcity of Prime Farmland throughout Orange County mandates that appropriate measures be utilized to preserve the remaining arable Prime Farmland in the County. These meritorious factors compel the LRA to evaluate thoroughly, and ultimately reverse its position, and to allow continued agricultural production on the subject Prime Farmland in any reuse alternative that is eventually selected.

In reviewing the EIS/EIR Report, the most notable benefit of the reuse plans is in the promotion of generating a "fast buck" in the short term, at the expense of long term goals such as the preservation of agriculture and open spaces, aesthetics, air quality, traffic control and circulation, biological and cultural resources, noise levels, as well as environmental resources. All of these goals would suffer along with the general quality of life, not just in the City of Tustin, but the greater Orange County area.

The feasibility of a reuse plan should not be judged strictly upon short term economic considerations. There are consequences to turning the former MCAS, Tustin, site into just another community, so that this area of Orange County looks no different that the endless shopping center areas of the San Fernando Valley.

Osumi Farms is not against reuse of the MCAS, Tustin, sites for non-agricultural uses. Instead, Osumi Farms seeks to protect those small areas of Prime Farmland on the former base that have been already used for agricultural purposes. A balance can, and should be, struck

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

where development of the former base coexists with the existing agricultural uses. None of the alternatives in the EIS/EIR Report attempt to strike a balance between agricultural and non-agricultural uses. Instead, the EIS/EIR Report treats the Prime Farmland as a nuisance which should be paved over and eliminated as quickly as possible.

The City of Tustin exhibits the belief that it is its own "Manifest Destiny" to develop the subject base, and nothing, including the presence of Prime Farmland, as designated by the State of California and deemed in need of protection by the Federal government in the afore-mentioned code sections, can prevent it from doing so, even if it is not in the best interest of the greater public. Such a myopic attitude which values short term profits for the few, over long term investment in the quality of life for the many, should not control the final decision.

FEASIBILITY

A second reason offered by the LRA to support its position that Prime Farmland should be eliminated, is the lack of feasible mitigating alternatives. In support of this conclusion, the LRA states that purchasing other land, and leasing it to private farmers, would constitute an unconstitutional public gift, and that the City of Tustin could not afford to purchase offsite farmland or convert the existing development on MCAS Tustin to farmland. These lands would be obtained through appropriate government funding if need be, including at the Federal level. More realistically, the subject Prime Farmland could simply be maintained in its present status, at no expense to any governmental agency. No cost represents no loss or impact. Thus, this Prime Farmland may continue to be farmed as it is now.

In rejecting the mitigation proposal of protecting the land currently used for farming, the EIS/EIR Report states that there is no public purpose for the City of Tustin to enter into a lease with a private party. As discussed above, there are countless public benefits, on which a monetary value cannot be placed, to which the LRA has decided to cast a blind eye. This is the only alternative proposed by Osumi Farms that was not rejected on the grounds of financial infeasibility. Given the facts that establish a substantial public benefit from retaining the agricultural nature of the section of the former base, this proposal constitutes a feasible means of mitigating what would otherwise be the irreversible loss of a scarce natural resource: Prime Farmland.

Another proposal is that the Federal government may not deed the entire site to the cities involved but rather, deed the area of the land not currently used for agriculture and retain areas where agriculture is continuing. This is something that has not been considered. There seems to be no middle ground with the reuse proposals. The prevailing notion appears to be that either the entire site is razed and every foot developed with mini-malls and theaters, or the economy will be brought into a crashing depression because farming operations are allowed to continue on those limited sections of Prime Farmland on the subject base. Considering the available options while using such thinking in the extremes, where there is no room to compromise, will not yield the best use of the land for the greatest number of people.

COMMENT RECEIVED ON FINAL EIS/EIR

Basically the City of Tustin appears to be concerned with one thing only: a short term financial gain. The entire EIS/EIR Report appears to have been bought and paid for with only that objective in mind. Education, history, culture, agriculture, and recreation probably would not bring as much fast money to the city as the land developers' shopping malls or convenience stores. However, it is not a matter that any region of Orange County has an acute lack of strip malls, cineplexes, nor large shopping centers, such as South Coast Plaza. What Orange County is lacking is agriculture and open space. As the name implies, Orange County was once a major producer of oranges and other agricultural products. Anyone who spends time driving about Orange County learns, that there are fewer and fewer orange trees and other types of agriculture in Orange County. This agriculture is being slowly but steadily paved over and thus destroyed.

Another rejected mitigation proposal was the establishment of transfer development rights (TDRs). This was rejected by the LRA as not viable. However, this was advocated by California's Department of Conservation. It appears that one of the reasons for its perceived non-viability is that the program may not be successful, even if it is on a city level basis. The LRA states that neither it, nor the City of Tustin, have the authority to create such a program outside its jurisdiction. But they do have the power to do it within. If the City of Tustin had confidence in its suggested alternative, then the City, as the farmland owner and holder of the TRD, can sell farmland at a later date for higher density development. If its reuse alternative will truly be successful as it promotes, the City ought to put its money where its "alleged public interests" are and consider this option. If land values increase because of surrounding development, as a result of the reuse, then the City will experience a greater profit when these development rights are transferred.

Although increasing farmland in Orange County would be ideal, that is not what is being asked for by Osumi Farms or the State Department of Conservation. Yet the reason that the mitigation measures were rejected is because they may not increase the amount of farmland in the county. Osumi Farms respectfully requests that the LRA conserve Orange County's natural resources instead of saying that something in "theory" will not be profitable.

CONCLUSION

The Cites of Tustin and Irvine, as well as Orange County, will likely receive a substantial windfall after the Federal government turns over the former MCAS, Tustin, to those entities. The City of Tustin can also develop land north of the former base that was previously restricted because of air operations. But the LRA does not think that is enough. The proposed reuses will not completely solve the concerns of many of the local residents. In fact, the reuse alternatives may compound them. But that is acceptable to those who seek to develop every foot of the former base.

To an increasing number of people, the identity of the City of Tustin is that of an auto center, a jewelry exchange and the location where Los Angeles Dodger Shawn Green

RESPONSE TO FINAL COMMENT

attended high school, as well as the location of two blimp hangars. While the auto center may not be a source of civic pride, the blimp hangars, and that era of aviation history they embody, are the most identifiable aspect of the city when commuting through or around it. Yet the City of Tustin does not seem at all reluctant to eliminate those two unique slices of aviation history and Americana, along with the surrounding agricultural open spaces, and replace them with ubiquitous and non-distinct strip malls, movie theaters among other development. The City of Tustin will gain the reputation as a city interested only in stuffing its coffers with fast money and not protecting the concerns of its citizens or instilling civic pride by preserving its fast depleting uniqueness.

Profitable or otherwise, one cannot buy that which is irretrievably lost. The annihilation of Prime Farmland will cause irreparable harm, not just to private parties, but to the public at large. It is respectfully requested that the LRA look more closely at alternative considerations as well as its conclusion that the loss of Prime Farmland is unmitigable, and that consideration be given to the suggestions contained herein.

The failure to address properly the mitigation issues in a realistic and non-biased manner makes the subject EIS/EIR Report reek of collusion to push through rapid unfettered development, rather than to fulfill the true intent and purpose of the Environmental Impact Statement and Report legal provisions.

The removal and destruction of Prime Farmland unquestionably has dire, long term environmental impacts which the EIS/EIR Report, and its authors, refuse to acknowledge. Thus, no efforts have been made to work to a solution for the benefit of the environment as well as the general taxpaying public who are directly affected by the quality of the environment.

Respectfully Submitted By:

By:_____
Jeffrey L. Boyle
Law Offices of Ivan K. Stevenson
Attorney for OSUMI FARMS

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request: September, 1999
Name Of Project: Marine Corps Air Station, in Tustin, CA	Federal Agency Involved: United States Marine Corps
Proposed Land Use: Agriculture	County And State: Orange County, California
PART II (To be completed by SCS)	Date Request Received By SCS:

Does the site contain prime, unique, statewide or local important farmland? Yes ☐ No ☒ (If no, the FPPA does not apply – do not complete additional parts of this form)

Acres Irrigated: 18,000 | Average Farm Size: 2.80

Major Crop(s): Row Crops, Citrus	Farmable Land In Govt. Jurisdiction: Acres: 37,000 %	Amount Of Farmland As Defined In FPPA: Acres: N/A %
Name Of Land Evaluation System Used: California Storie Index	Name Of Local Site Assessment System: NONE	Date Land Evaluation Returned By: May 21, 1999

PART III (To be completed by Federal Agency)	Alternative Site Rating: Site A	Site B	Site C	D
A. Total Acres To Be Converted Directly	1,585			
B. Total Acres To Be Converted Indirectly	0			
C. Total Acres In Site	1,606			
PART IV (To be completed by SCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	682			
B. Total Acres Statewide And Local Important Farmland	20			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	.007			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				
PART V (To be completed by SCS) Land Evaluation Criterion				
Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	80			

PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points				
1. Area In Nonurban Use	15	10			
2. Perimeter In Nonurban Use	10	8			
3. Percent Of Site Being Farmed	20	20			
4. Protection Provided By State And Local Government	20	0			
5. Distance From Urban Builtup Area	15	0			
6. Distance To Urban Support Services	15	0			
7. Size Of Present Farm Unit Compared To Average	10	10			
8. Creation Of Nonfarmable Farmland	10	10			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	20			
11. Effects Of Conversion On Farm Support Services	10	10			
12. Compatibility With Existing Agricultural Use	10	10			
TOTAL SITE ASSESSMENT POINTS	160	108			
PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	100			
Total Site Assessment (From Part VI above or a local site assessment)	160	108			
TOTAL POINTS (Total of above 2 lines)	260	208			

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☐

Reason For Selection:

The subject land for which protection is sought has been designated as Prime Farmland by the California Department of Conservation. This land meets the criteria designated under 7 CFR 658.5(b). Further, based upon existing and proposed residential and commercial growth for the region designation of this land provide protection for what will be a last remaining open space and source. This form has been approved by Robert S. Hewitt, United States Department of Agriculture, NRCS, 950 N. Ramona Blvd., Suite 6, San Jacinto, CA 92582, (909) [illegible]-7139

EXHIBIT "A"

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

DISTRIBUTION & NOTIFICATION LIST FOR RESPONSE TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL REPORT FOR THE DISPOSAL AND REUSE OF THE MARINE CORPS AIR STATION, TUSTIN

Federal Agencies

Advisory Council on Historic Preservation
U.S. Army Corps of Engineers, LA District, Environmental Resources Program
U.S. Department of Education
U.S. Department of Justice, Office of Justice Programs
U.S. Department of Health and Human Services
U.S. Department of Housing and Urban Development
U.S. Environmental Protection Agency, Region 9
U.S. Department of Agriculture

Department of Defense

Naval Facilities Engineering Command, Alexandria, VA.
Naval Facilities Engineering Command, SOUTHWESTDIV
Base Realignment and Closure Office, MCAS Tustin
Office of Economic Adjustment
Secretary of the Navy

Department of the Interior

Fish and Wildlife Service
National Park Service
Office of Environmental Affairs
Office of Environmental Policy and Compliance

Department of Transportation

Federal Highway Administration
Environmental Division

State Agencies

California Air Resources Board
California Department of Education
California Department of Fish and Game, Region 5
California Department of Health Services
California Department of Toxic Substance Control
California Department of Parks and Recreation
California Department of Transportation, District 12
California Department of Water Resources

COMMENT RECEIVED ON FINAL EIS/EIR

California State Lands Commission
Governor's Office of Planning and Research
State of California, Clearinghouse
State Office of Historic Preservation

Politicians

Honorable Dianne Feinstein
Honorable Barbara Boxer
Honorable Loretta Sanchez
Honorable Christopher Cox

Regional Agencies/Special Purpose Agencies

South Coast Air Quality Management District
Southern California Association of Governments
Transportation Corridor Agency
Regional Water Quality Control Board

County Agencies

Orange County Board of Supervisors
Orange County Flood Control District
Orange County Sanitation District
Orange County Transportation Authority
Orange County Environmental Management Agency
Orange County Chief Executive Officer of Strategic Affairs

Other Special Interests

California Preservation Foundation
Heritage Orange County, Inc.
Irvine Historical Society
National Trust for Historic Preservation
Orange County Historical Society

Libraries

Orange County Public Library, Administrative Office
Orange County Public Library, Irvine Heritage Park
Orange County Public Library, Tustin Branch
University of California, Irvine, Main Library

RESPONSE TO FINAL COMMENT

COMMENT RECEIVED ON FINAL EIS/EIR

RESPONSE TO FINAL COMMENT

Local Jurisdictions

City of Tustin
City Manager's Office
Planning Commission
Mayor and City Council

City of Irvine
City Manager's Office

City of Santa Ana
Community Development

Utilities/Public Services

Utilities
Irvine Ranch Water District
Southern California Edison Company
Southern California Gas Company

Public Services
Irvine Unified School District
Santa Ana Unified School District
South Orange County Community College District
Tustin Unified School District

Newspapers
Los Angeles Times
Orange County Register
Tustin Weekly

Dana Ogden
Senior Project Manager
City of Tustin
300 Centennial Way
Tustin, CA 92680