RESOLUTION NO. 06-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TUSTIN, CALIFORNIA APPROVING AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT/ ENVIRONMENTAL IMPACT REPORT FOR THE DISPOSAL AND REUSE OF MCAS TUSTIN (UFEIS/EIR") FOR MCAS TUSTIN SPECIFIC PLAN AMENDMENT (ZONE CHANGE) 05-002 AND DISPOSITION AND DEVELOPMENT AGREEMENT 06-01; AND ADOPTING A REVISED MITIGATION MONITORING AND REPORTING PROGRAM

The City Council of the City of Tustin hereby finds, determines and orders:

A. That the City of Tustin ("City") and Tustin Legacy Community Partners (TLCP), LLC (a venture of Centex Homes, Shea Homes and Shea Properties) propose Amendments to the MCAS Tustin Specific Plan (collectively "Zone Change 05-002"). Zone Change 05-002 does not "substantially amend" the Specific Plan. Instead, Zone Change 05-002 generally adjusts Planning Area boundaries and redistributes and/or eliminates planned land uses within the Specific Plan area. Zone Change 05-002 would not increase the overall development potential or residential capacity currently allowed by the MCAS Tustin Specific Plan.

B. That the City and Tustin Public Finance Authority also propose to enter into a Disposition and Development Agreement with TLCP to facilitate the sale, leasing, and development of Tustin Legacy, including the Master Developer footprint ("DDA 06-01 "). The proposed DDA, which includes a proposed Development Plan establishes certain key terms, including but not limited to: (a) the phasing and conditions precedent to the City's obligation to sell and convey and/or lease certain property within each phase of the Master Developer footprint to the Master Developer; (b) the purchase price of the property to be conveyed to the Master Developer; and (c) establishes a schedule of performance for future development including obligations for construction of Tustin Legacy Backbone Infrastructure and Local Infrastructure.

C. That Collectively, Zone Change 05-002 and DDA 06-01 constitute a "project" that is subject to the terms of the California Environmental Quality Act ("CEQA") (Pub. Resources Code 921000 et. seq.).

D. That On January 16, 2001, the City Council adopted Resolution 00-90 certifying the FEIS/EIR and adopting findings of fact, a statement of overriding consideration, and a mitigation monitoring and reporting program. The FEIS/EIR evaluated the environmental impacts of the reuse

and disposal of MCAS-Tustin, which included the adoption of a Specific Plan and other implementing actions.

F. That as documented in the Addendum, Zone Change 05-0002 and DDA 06-01 do not create any new significant environmental effects or result in a substantial increase in the severity of any of the environmental effects previously identified the FEIS/EIR and addressed in the Findings of Fact and Statement of Overriding Considerations that the City Council adopted pursuant to Resolution 00-90. There have also been no changes in circumstances since certification of the FEIS/EIR that create any new significant impact or result in a substantial increase in the severity of any previously identified significant impact. Finally, no "new information of substantial importance" has surfaced since certification of the FEIS/EIR that must be addressed in an SEIR pursuant to CEQA Guidelines section 15162, subsection (a) (3).

G. That the City Council has considered the Addendum and Errata along with the FEIS/EIR prior to making a decision on Zone Change 05-002 and DDA 06-01 pursuant to CEQA Guidelines section 15164, and approves the Addendum and Errata, attached hereto as Exhibit 1.

H. That Zone Change 05-002 and DDA 06-01 would result in the same significant and unavoidable impacts that were identified in the FEIS/EIR and these impacts are overridden for the reasons set forth in the previously adopted Findings of Fact and Statement of Overriding Considerations, attached to Resolution 00-90.

I. That the Addendum and Errata refined certain mitigation and implementation measures that were previously adopted and incorporated into a Mitigation, Monitoring and Reporting Program. The City Council therefore adopts the Revised Mitigation Monitoring and Reporting Program, attached hereto as Exhibit 2.

PASSED AND ADOPTED at a regular meeting of the Tustin City Council held on the 3rd day of April, 2006.

DOUG DAVERT,
Mayor

PAMELA STOKER,
City Clerk

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS
CITY OF TUSTIN)

I, Pamela Stoker, City Clerk and ex-officio Clerk of the City Council of the City of Tustin, California, do hereby certify that the whole number of the members of the City Council of the City of Tustin is five; that the above and foregoing Resolution No. 06-43 was duly passed and adopted at a regular meeting of the Tustin City Council, held on the 3rd day of April, 2006 by the following vote:

COUNCILMEMBER AYES:	DAVERT, HAGEN, AMANTE, BONE, KAWASHIMA	(5)
COUNCILMEMBER NOES:	NONE	(0)
COUNCILMEMBER ABSTAINED:	NONE	(0)
COUNCILMEMBER ABSENT:	NONE	(0)

PAMELA STOKER,
City Clerk

MCAS TUSTIN

Zone Change (Specific Plan Amendment) 05-002
Disposition and Development Agreement
Development Plan

ADDENDUM

Prepared for:

City of Tustin
Community Development Department
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March 2006

MCAS Tustin
Zone Change (Specific Plan Amendment) 05-002, Master Developer Disposition and Development Agreement, and Development Plan

Addendum to the Final Environmental Impact Statement/ Environmental Impact Report for the Disposal and Reuse of MCAS Tustin

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Tustin, California 92780

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March 2006

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SECTION 1.0 INTRODUCTION

1.1 PREVIOUS ENVIRONMENTAL DOCUMENTATION

A Final Joint Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) for the Disposal and Reuse of Marine Corps Air Station (MCAS) Tustin and Mitigation Monitoring and Reporting Program for the EIS/EIR was prepared by the City of Tustin and the Department of the Navy (DoN) in accordance with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). The FEIS/EIR analyzed the environmental consequences of the Navy disposal and local community reuse of the MCAS Tustin site per the Reuse Plan and the MCAS Tustin Specific Plan/Reuse Plan. The CEQA analysis also analyzed the environmental impacts of certain "Implementation Actions" that the City of Tustin and City of Irvine must take to implement the MCAS Tustin Specific Plan/Reuse Plan, including but not limited to the adoption by the City of Tustin of the MCAS Tustin Specific Plan/Reuse Plan (herein referred to as the "Specific Plan"), and adoption of the MCAS Tustin Redevelopment Plan. The FEIS/EIR and Mitigation Monitoring and Reporting Program were adopted by the Tustin City Council on January 16, 2001.

The DoN published its Record of Decision (ROD) on March 3, 2001, as the environmental documentation for the disposal of surplus federal property at MCAS Tustin and approving the MCAS Tustin Reuse Plan.

The MCAS Tustin Specific Plan proposed and the FEIS/EIR analyzed a multi-year development period for the planned urban reuse project. When individual activities with the MCAS Specific Plan are proposed, the agency is required to examine the individual activities to determine if their effects were fully analyzed in the FEIS/EIR. The agency can approve the activities as being within the scope of the project covered by the FEIS/EIR. If the agency finds that pursuant to Sections 15162, 15164, and 15183 of the CEQA Guidelines no new effects would occur, nor would a substantial increase in the severity of previously identified significant effects occur, then no supplemental or subsequent EIR is required.

1.2 PURPOSE OF ADDENDUM

Pursuant to City Council direction given on November 3, 2004, Tustin Legacy Community Partners, LLC with its members being Centex Homes, Shea Homes, and Shea Properties (the "Master Developer") and the City of Tustin are proposing modifications to the MCAS Tustin Specific Plan which entail proposed Zone Change (MCAS Tustin Specific Plan Amendment) 05-002. Throughout this document, this action is also referred to as the "Specific Plan Amendment". The Master Developer, City and Tustin Public Financing Authority have also negotiated a proposed Disposition and Development Agreement (DDA), including a Development Plan, for the purchase and development of certain property located at the former MCAS Tustin (the "Master Developer footprint").

This document, prepared pursuant to CEQA, provides the following: (a) an analysis of whether there are any new or more substantial adverse environmental effects than analyzed in the FEIS/EIR under CEQA Guidelines Sections 15162 and 15183 and (b) an Addendum to the MCAS Tustin FEIS/EIR under CEQA Guidelines Sections 15164 and 15183.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Tustin is the lead agency for the project. The lead agency is the public agency that has the principal responsibility for carrying out or approving a project that may have a significant effect upon the environment. The

City, as the lead agency, has the authority for project approval and certification of the accompanying environmental documentation.

The purpose of this Addendum is to analyze the potential differences, if any, in the environmental effects associated with the Specific Plan and Implementing Actions previously approved by the City of Tustin, which were studied in the FEIS/EIR, and those associated with the proposed Specific Plan Amendment, DDA, and Development Plan (collectively these are referred to herein as the "proposed project") which are currently being proposed.

1.3 BASIS FOR AN EIR ADDENDUM

CEQA Guidelines Section 15164 states that: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred." Section 15162 of the State CEQA Guidelines states:

(a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but project proponents decline to adopt the mitigation measure or alternative.

The proposed project is consistent with the City of Tustin General Plan. Section 15183 of the CEQA guidelines (Projects Consistent with a Community Plan or Zoning) says in part:

> (a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.
>
> (b) In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:
>
> (1) Are peculiar to the project or the parcel on which the project would be located;
>
> (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
>
> (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
>
> (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.
>
> (c) If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact.

Through the analysis described in this document, the City of Tustin has determined that changes associated with the proposed project are not substantial. There are no new significant impacts resulting from these changes, nor is there any substantial increase in the severity of any previously identified environmental impacts. In addition, the changes with respect to the circumstances under which the project will be undertaken would not result in new or more severe significant environmental impacts. Where appropriate, the City has considered the availability of any new project design features (PDFs) and/or mitigation or avoidance measures to reduce previously identified significant environmental effects of the Specific Plan development. If new measures are available and appropriate, the City is requiring performance of these measures.

1.4 EVALUATION OF ALTERNATIVES

CEQA requires a comparative evaluation of the proposed action and alternatives to the project, including the "No Project" alternative. This Addendum relies on the MCAS Tustin Specific

Plan/Reuse Plan FEIS/EIR for the evaluation of alternatives. The FEIS/EIR evaluated two alternative land use plans in addition to the selected Alternative 1-LRA Reuse Alternative: (a) Alternative 2-Arterial Grid Pattern/No Core/High Residential and (b) Alternative 3-Arterial Loop Pattern/Reserve Area/Low Residential. The FEIS/EIR also evaluated the No Action Alternative. The FEIS/EIR (Section 2.5.3) found Alternative 1-LRA Reuse Alternative to be the most environmentally superior alternative and which best met the project objectives.

The FEIS/EIR addressed a reasonable range of alternatives for the project. The Specific Plan Amendment, DDA, and Development Plan are consistent with the General Plan. There have not been substantial changes in the environment or applicable regulations that would make a new alternative feasible or environmentally superior. Consistent with Section 15183 of the State CEQA Guidelines that identifies which environmental evaluation is required for projects that are consistent with a community plan or zoning, there is not a need to address new alternatives in this Addendum. Additionally, there are no circumstances cited in Section 15162 of the State CEQA Guidelines which require preparation of a subsequent EIR relative to alternatives.

1.5 SUMMARY OF FINDINGS

Based on the environmental checklist form prepared for the project (provided in Section 4) and supporting environmental analysis (provided in Section 5) and pursuant to Section 15162, 15164, and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that:

(a) The amended project does not propose substantial changes to the project which would require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIS/EIR;

(b) There have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects than previously analyzed in the FEIS/EIR; and

(c) No new information of substantial importance as described in subsection (a)(3) of Section 15164 has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

Additionally, all appropriate available PDFs, minimization, and mitigation measures have been evaluated and incorporated, as appropriate.

In accordance with CEQA Guidelines Section 15164, this Addendum to the previously certified FEIS/EIR is the appropriate environmental documentation for the proposed project. Potential environmental impacts resulting from the implementation of the Specific Plan Amendment, DDA, and Development Plan have been evaluated and, except for those previously determined to be significant and unavoidable in the FEIS/EIR, the impacts would be less than significant or reduced to a level considered less than significant with mitigation. For significant and unavoidable impacts, the City has considered the availability of new avoidance, minimization, and mitigation measures; has incorporated any available measures; and has determined that the project will continue to have the same significant unavoidable impacts related to: aesthetics, cultural resources, agricultural resources, traffic/circulation, air quality and cumulative impacts as the original project that was evaluated in the FEIS/EIR. Table 1-1 provides a summary of the level of significance of project impacts before and after mitigation as concluded in the FEIS/EIR and this Addendum.

TABLE 1-1
SUMMARY OF IMPACTS FOR THE FEIS/EIR AND THIS ADDENDUM

	FEIS/EIR		Addendum	
	Level of Significance Before Mitigation	**Level of Significance After Mitigation**	**Level of Significance Before Mitigation**	**Level of Significance After Mitigation**
Land Use	Significant	Mitigated to a level considered less than significant	Significant	Mitigated to a level considered less than significant
Socioeconomics	Less than significant	Less than significant	Less than significant	Less than significant
Utilities	Less than significant	Less than significant	Less than significant	Less than significant
Public Services and Facilities	Less than significant	Less than significant	Less than significant	Less than significant
Aesthetics	Significant	Significant	Significant	Significant
Cultural Resources	Significant	Significant	Significant	Significant
Biological Resources	Significant	Mitigated to a level considered less than significant	Significant	Mitigated to a level considered less than significant
Agricultural Resources	Significant	Significant	Significant	Significant
Soils and Geology	Less than significant	Less than significant	Less than significant	Less than significant
Water Resources	Less than significant	Less than significant	Less than significant	Less than significant
Hazardous Wastes, Substances and Materials	Less than significant	Less than significant	Less than significant	Less than significant
Traffic/Circulation	Significant	Significant	Significant	Significant
Air Quality	Significant	Significant	Significant	Significant
Noise	Significant	Mitigated to a level considered less than significant	Significant	Mitigated to a level considered less than significant

SECTION 2.0 PROJECT BACKGROUND

2.1 MCAS BACKGROUND AND MCAS TUSTIN REUSE PLAN

Pursuant to the Defense Base Closure and Realignment Act of 1990 (Part A of Title XXIX of Public Law 101-510; 10 U.S.C. Section 2687 Note), as amended (the "Base Closure Law"), the Federal Government determined to close MCAS Tustin located substantially within the City of Tustin. In 1992, the City was designated as the Lead Agency or Local Redevelopment Authority under the Base Closure Law for preparation of a Reuse Plan for MCAS Tustin in order to facilitate the closure of MCAS Tustin and its reuse in furtherance of economic development of the city and surrounding region. The MCAS Tustin Reuse Plan was developed in accordance with this procedure and adopted by the Tustin City Council on October 17, 1996, and subsequently amended in September 1998.

Owned and operated by DoN for nearly 60 years, approximately 1,585 acres of property at the former MCAS Tustin were determined surplus to federal government needs and the military facility was officially closed in July 1999.

2.2 MCAS TUSTIN SPECIFIC PLAN

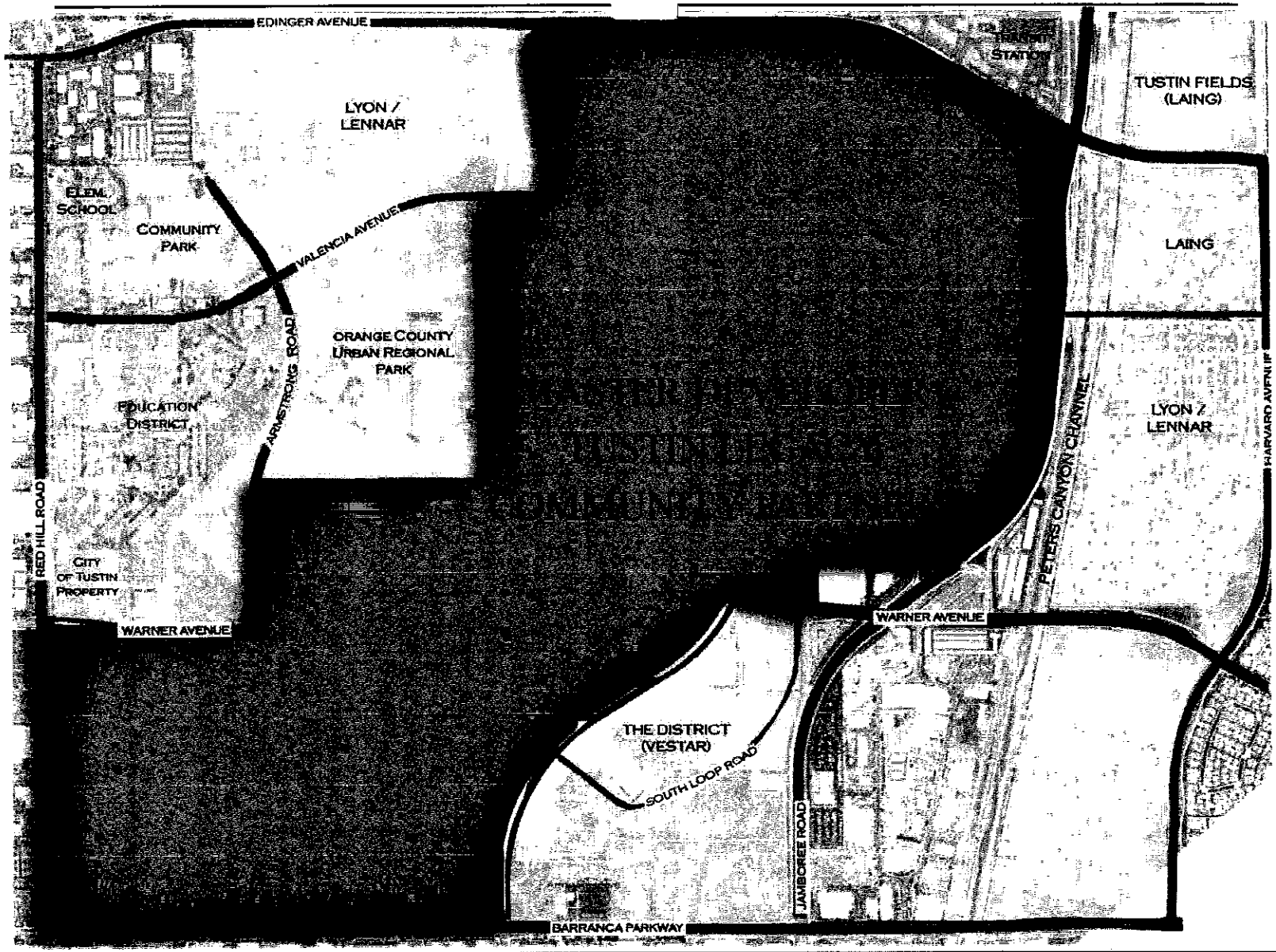
On January 16, 2001, the City of Tustin adopted a General Plan land use designation (MCAS Tustin Specific Plan) for that portion of the former MCAS Tustin within the City of Tustin (Tustin Legacy). The Specific Plan was adopted by the City Council on February 3, 2003 (Ordinance 1257), establishing the zoning designation, development standards, and entitlement framework for future development of Tustin Legacy within the City of Tustin, including approximately 820 acres of property comprising the Master Development footprint (refer to Exhibit 1). The Specific Plan conforms to and implements the Reuse Plan and the City's General Plan.

Tustin Legacy Community Partners, LLC (TLCP) was selected by the City to be the Master Developer of the Master Developer footprint after a Request of Qualifications process in October 2003 and entered into an Exclusive Agreement to Negotiate (ENA) with the City in November 2003 with the objective of reaching agreement on the terms of a DDA. The ENA implements the goals and objectives of the City as expressed in the Specific Plan, as amended. It is intended that the DDA, which includes a proposed Development Plan, will comply with the proposed Specific Plan Amendment.

Since the original adoption of the Specific Plan, minor amendments to the Specific Plan have been approved by the City of Tustin as follows:

- On March 7, 2005, the Tustin City Council approved Specific Plan Amendment/Zone Change 04-03 modifying certain Specific Plan site development standards as they affect Planning Areas 4 and 5 (Ordinance 1297). The applicant on this request was Marble Mountain Partners, LLC (William Lyon Homes and Lennar Communities).

- On March 7, 2005, the Tustin City Council also pre-zoned MCAS Tustin Specific Plan Disposition Parcel 36 from the City of Irvine to the City of Tustin and amended the Specific Plan to establish Tustin site development standards for Disposition Parcel 36 (Ordinance 1294 and 1295). Disposition Parcel 36 was subsequently annexed to the City of Tustin. The applicant on this request was Marble Mountain Partners, LLC.



Master Development Footprint

Exhibit 1

BonTerra CONSULTING

Source: Tustin Legacy Community Partners, 2005

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- On June 5, 2005, the Tustin City Council approved Specific Plan Amendment 05-01 (Ordinance 1299). The purpose of this amendment was to facilitate the application and implementation of some of the requirements contained in the Specific Plan, and provide for minor clarifications and modifications as the amendment primarily related to density calculations, the definition of a development unit, and the transfer of residential units between planning areas. The City was the applicant on this request.

It should be noted that the City of Tustin conducted an Environmental Analysis Checklist and associated environmental review for each of these actions. In each case, the City Council determined that the amendments were within the scope of the FEIS/EIR and that none of the circumstances described in CEQA Guidelines Section 15162 triggered preparation of a supplemental or subsequent EIR.

2.3 ADDITIONAL BACKGROUND AND STATUS OF ENVIRONMENTAL SETTING

Historically, the former MCAS Tustin facility was used as a Marine Corps helicopter training facility. The facility is still largely undeveloped land that was previously used for interim agricultural out-leasing by the Marines, and is also improved with landing strips and tarmac areas. Irrigation and agricultural uses have ceased. While there has been considerable progress towards reuse and redevelopment at the former facility, many abandoned buildings and most obsolete infrastructure at the former facility have not yet been removed. The City has initiated a Phase I roadway project, Valencia/Armstrong, which includes some demolition of tarmac areas, landing strips, and some obsolete utilities. This will result in installation of roadway segments water, and sewer Tustin Legacy Backbone Infrastructure on a portion of the former facility as well as initial storm drains, and interim retention facilities.

Following an extensive review of requests for property at MCAS Tustin, the DoN approved the conveyance of a portion of the property at MCAS Tustin to the City of Tustin. This Economic Development Conveyance (EDC) for the former MCAS Tustin was approved on May 13, 2002, with the execution of a Memorandum of Agreement between the United States of America, acting through the DoN, and the City of Tustin (the "EDC Agreement"). The EDC Agreement provides for the phased conveyance of approximately 1,153 acres of property to the City of Tustin and includes all previously Navy-owned utility systems at the former facility and certain personal property items. The EDC Agreement also identified parcels that the federal government would auction to private developers. As part of the first phase of conveyance to the City under the EDC Agreement, 977 acres of property were initially conveyed.

Of the 1,153 acres to be conveyed to the City under the EDC Agreement, approximately 1,000 acres have been deeded to the City to date, while approximately 153 acres remain leased by the DoN to Tustin through a Lease in Furtherance of Conveyance (LIFOC) pending completion of a Finding of Suitability to Transfer (FOST) and approval by state and federal environmental regulators. The DoN also conveyed to the City all electrical, gas, telephone cable systems, water, sewer, and storm drain systems under ownership by the federal government by separate bill of sale.

Since the City entered into the EDC Agreement with the DoN, the following has occurred:

- The City entered into two Disposition and Development Agreements (DDAs) for MCAS Tustin Specific Plan Disposition Parcels 33 and 34 with WL HOMES (John Laing Homes). Pursuant to the DDA's, 25.3 acres were conveyed by the City to this developer for Tustin Field I (Parcel 33) and 36.84 acres for Tustin Fields II (Parcel 34). The DDAs complied with the Specific Plan. This development, including required infrastructure, is

currently under construction. It should be noted that the City of Tustin prepared an Environmental Analysis Checklist and associated environmental review for each development and determined that each development was within the scope of the FEIS/EIR and that none of the circumstances described in CEQA Guidelines Section 15162 triggered preparation of a supplemental or subsequent EIR.

- The City conveyed a 15-acre site to Rancho Santiago Community College District (RSCCD) at the proposed intersection of Warner Avenue and Armstrong Road. RSCCD has submitted plans to construct a law enforcement training facility authorized by the Specific Plan. This facility is currently under construction. RSCCD is the Lead Agency.

- A Conveyance Agreement was executed with South Orange County Community College District (SOCCCD) and the City. Under the terms of the Conveyance Agreement, the City conveyed 37.66 acres by quitclaim deed to SOCCCD and 30.71 acres were leased to them. Title to the leased property will be conveyed to SOCCCD when the DoN completes environmental remediation. SOCCCD is the Lead Agency authorized by the Specific Plan.

  SOCCCD plans to construct an Advanced Technology Education Park (ATEP) at the corner of Valencia Avenue and Red Hill Avenue. Plans have been submitted by SOCCCD for the initial phase of its ATEP and grading permits have been issued.

- A LIFOC was entered into between the City of Tustin and the DoN for a 24-acre community park shown on the northwest portion of the Specific Plan boundaries as authorized by the Specific Plan. The City of Tustin is the Lead Agency and has initiated preparation of a master plan for the park.

- A DDA has been executed between the City and Vestar/Kimco, L.P. for Reuse Plan Disposition Parcels 10, 11, and 12 located at the northwest corner of Jamboree Road and Barranca Parkway. The agreement provides for the phased acquisition of approximately 87 net acres of land. On June 8, 2005, approximately 56 acres were initially conveyed to the developer as part of Phase 1. The remaining 31 acres will be conveyed to the developer in Phase 2.

  All planning entitlements have been granted for development on the site of over one million square feet of retail space. The project, to be named *THE DISTRICT AT TUSTIN LEGACY*, will be a lifestyle and power retail center containing both big box and lifestyle uses such as restaurants, specialty retail, and a 14-screen, 3,000 seat theater. This development was authorized by the Specific Plan. Site demolition is completed and grading and building construction have been initiated. It should be noted that the City of Tustin conducted an Environmental Analysis Checklist and associated environmental review for this development and determined that it was within the scope of the FEIS/EIR and that none of the circumstances described in CEQA Guidelines Section 15162 triggered preparation of a supplemental or subsequent EIR.

- The City completed an analysis of an Irvine Ranch Water District (IRWD) Plan of Work for water and sewer improvements at Tustin Legacy. The City of Tustin subsequently coordinated with IRWD in IRWD's formation of the improvement district for the purpose of financing water and sewer facilities at Tustin Legacy. Such utilities are within the scope of the Specific Plan and comply with the requirements of the FEIS/EIR.

- Phase I Tustin Legacy infrastructure improvements were initiated in May 2005 and include construction of streets and utilities for Valencia Avenue from Red Hill Avenue to the West Connector, the West Connector, Landsdowne, and Armstrong from Valencia south to Warner Avenue (with IRWD water and sewer utilities being installed south to Barranca Parkway). These improvements implement infrastructure requirements of the Specific Plan, and the City of Tustin completed an Environmental Analysis Checklist demonstrating that impacts were analyzed as part of the FEIS/EIR (Resolution No. 04-81).

- In addition to the DoN EDC Agreement, the DoN also conveyed a 5.1-acre site to the City at Red Hill and Valencia for accommodation of a transitional homeless facility. The City of Tustin has entered into a Ground Lease and a Conveyance Agreement with the Orange County Rescue Mission (OCRM), which is currently constructing a Village of Hope. Under terms of the Conveyance Agreement, the City will convey the site to the OCRM upon OCRM's completion of all site improvements and its compliance with all pre-conditions to conveyance of the site. This use is permitted under the Specific Plan and was analyzed as part of the FEIS/EIR.

- The federal Department of Education (DoE) has conveyed a 10-acre site adjacent to Red Hill Avenue to the Tustin Unified School District (TUSD) for educational purposes. Within the City of Irvine the DoE has conveyed an 8-acre site adjacent to Harvard Avenue to the City of Irvine for park, and a 20-acre site at Harvard Avenue/Barranca Parkway to the Irvine Unified School District for educational purposes. These uses comply with the Specific Plan, and were analyzed as part of the FEIS/EIR and subsequently in a mitigated negative declaration.

- On March 2003, the City of Tustin entered into a Cooperative Agreement (D02-119) with the OCFCD and the County of Orange (hereinafter referred to as the "County") for the improvement of regional drainage facilities throughout the Tustin Legacy site (within the City of Tustin). The Cooperative Agreement identified conditions for the development of certain portions of Tustin Legacy, including largely improvements to a portion of Peters Canyon Channel within the City of Tustin. Specifically, the agreement establishes the terms and conditions under which the channel improvements will be scheduled, engineered, financed, constructed, operated, and maintained. It should be noted that the responsibility to construct the channel improvements can be passed from the City of Tustin to developers within the Specific Plan area. The City and the County subsequently approved Amendment No. 1 to Agreement DO2-119 which includes provisions for the construction of additional regional improvements to the Peters Canyon Channel within the City of Tustin, and milestones for implementation of these improvements.

  The City of Irvine required improvements for the portion of Peters Canyon Channel in its jurisdiction (from the City of Tustin limits to Barranca Parkway) to be completed by Marble Mountain Partners, LLP. The City of Tustin has entered into an agreement with the City of Irvine for funding of channel improvements in the City of Irvine by Marble Mountain Partners, LLP. The City of Irvine will use Community Facilities District fees for funding. As part of this agreement, these improvements have been incorporated into the Tustin Legacy Backbone Infrastructure Program.

- On December 6, 2004, the City of Tustin certified a Supplement to the FEIS/EIR for the Reuse and Disposal of MCAS Tustin for the Extension of Tustin Ranch Road between Walnut Avenue and the Future Alignment of the Valencia North Loop. The proposed

roadway is approximately one mile in length and includes an overpass and connector loop road to Edinger Avenue. The proposed roadway will join the existing southern terminus of Tustin Ranch Road at Walnut Avenue. The Supplement to the FEIS/EIR was prepared based on more refined engineering Project Study information available for this project that had not been fully available at the time the original FEIS/EIR was certified. The original FEIS/EIR did identify the development of this infrastructure project.

- As indicated above, certain property excluded from the EDC Agreement was offered by the DoN through a public bid sale. Approximately 192 acres of what was sold by the DoN is within the City of Tustin and approximately 47 acres are within the City of Irvine. The successful bidder for the parcels was a partnership of Lennar Communities and William Lyon Homes (Moffett Meadows Partners, LLC). The City of Tustin has subsequently entitled each of the Moffett Meadows Partners development sites on Reuse Plan Disposal Parcels 24 and 25 (Columbus Square) and 35 and 36 (Columbus Grove). Building demolition has been completed on each of the parcels and rough grading and construction has begun. City of Tustin entitlements for these residential projects were granted in the spring of 2005. Development will include a total of 1,075 units in Columbus Square of which 811 will be market rate and 266 units will be affordable to households of very low, low, and moderate income. The Columbus Grove development will include 465 units of which 423 units will be market rate units and 42 will be affordable. City of Irvine entitlements were granted for the Reuse Plan Disposal Parcel 37 (Columbus Grove) site to permit development of up to 402 dwelling units. Development in the City of Irvine is permitted by the MCAS Reuse Plan and zoning amendments adopted by the City of Irvine, and were analyzed in the FEIS/EIR. Construction has been initiated.

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT LOCATION

The site subject to proposed Zone Change (MCAS Tustin Specific Plan Amendment) 05-002 consists of the entire MCAS Tustin Specific Plan property within the City of Tustin in Orange County, California. The MCAS Tustin Specific Plan project area encompasses approximately 1,606 gross acres. The majority of the Specific Plan area (1,533 acres) is located in the southern portion of the City of Tustin. The remaining area is located within the City of Irvine. The City of Santa Ana borders the site to the southwest.

The Specific Plan area is bound by Red Hill Avenue on the west; Edinger Avenue (Tustin) and Irvine Center Drive (Irvine) on the north; Harvard Avenue on the east; and Barranca Parkway on the south. Jamboree Road transects the site and provides access to the Eastern Transportation Corridor.

While certain administrative clarifications and minor Specific Plan modifications associated with the proposed project will affect most property in the Specific Plan boundaries within the City of Tustin, the proposed Specific Plan Amendment will largely affect property within the Master Developer footprint. Similarly, the proposed DDA which includes the proposed Development Plan, will affect the Master Developer footprint. The Master Developer footprint primarily includes Planning Area 15 within Neighborhood G, Planning Area 7 within Neighborhood B, Neighborhood D, and Neighborhood E. The Master Developer footprint is approximately 820 acres which comprise about half of the former MCAS Tustin property. The Master Developer footprint is shown on Exhibit 1.

3.2 PROJECT COMPONENTS

The project evaluated in this Addendum includes three primary components described further in the sections below:

- Zone Change (MCAS Tustin Specific Plan Amendment) 05-002
- Disposition and Development Agreement
- Development Plan

3.2.1 ZONE CHANGE (SPECIFIC PLAN AMENDMENT) 05-002

Zone Change (MCAS Tustin Specific Plan Amendment) 05-002 is proposed by Tustin Legacy Community Partners, LLC (TLCP) and the City of Tustin. The proposed Specific Plan Amendment can be broadly described below by topic. The proposed Specific Plan Amendment is anticipated to be adopted prior to the DDA which includes the proposed Development Plan. It should be noted that the Specific Plan Amendment would not increase the overall density of development planned, including the area within the Master Developer footprint, though densities and uses within some neighborhoods would be adjusted. The Specific Plan Amendment generally readjusts Planning Area boundaries and redistributes and/or eliminates planned land uses within the Specific Plan area.

Land Use

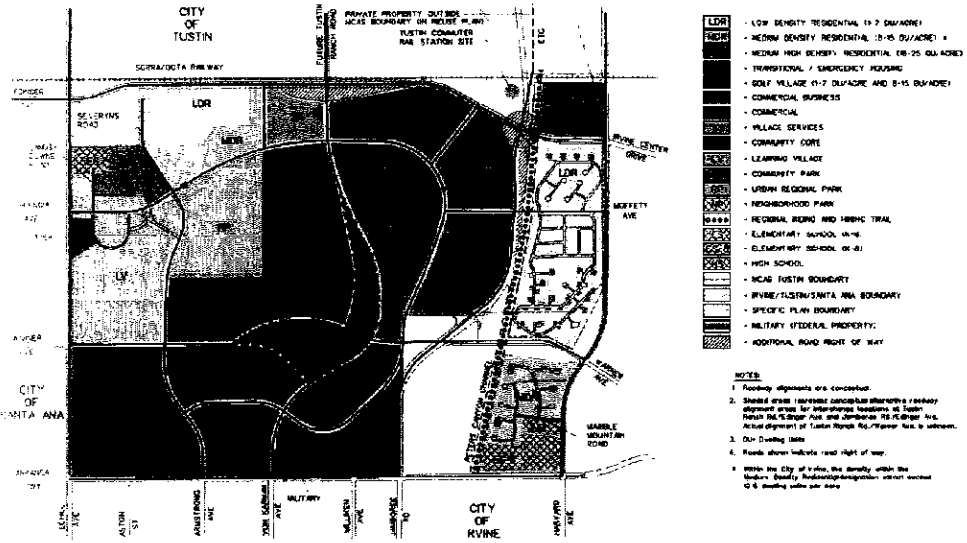
The following figures from the Specific Plan have been revised and are attached: Figure 2-1, Land Use Plan; Figures 2-2 and 3-2, Neighborhoods (same exhibit); and Figure 3-1, Land Use Planning Areas. For informational purposes, the current versions of these figures from the original Specific Plan are also attached. In summary, the following land use modifications are proposed.

1. Eliminate references to Golf Course uses in all sections of the Specific Plan. The Golf Course will no longer be a required land use within the Specific Plan. As a replacement for the golf course, public and private parks; greenbelts; trails; and open space areas will be integrated into the neighborhoods.

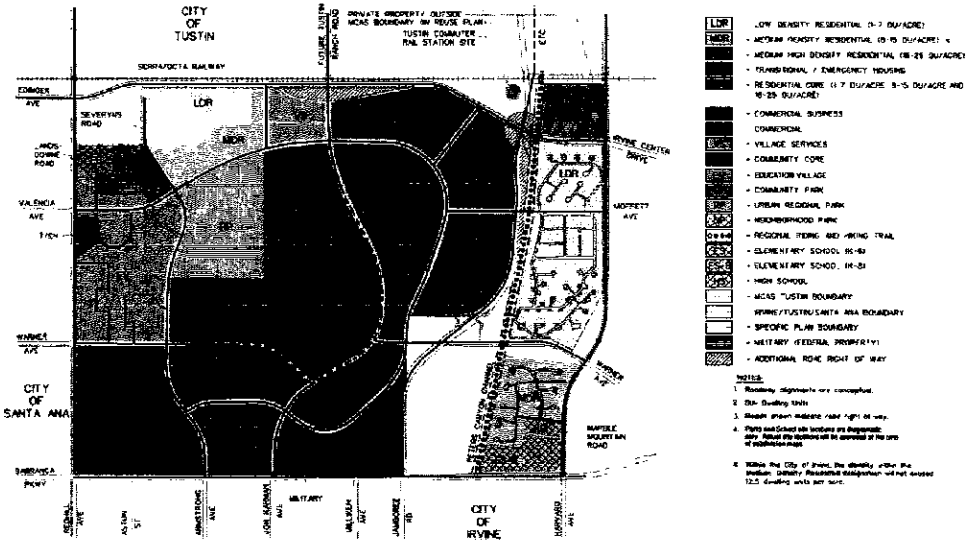
2. Increase park acreages to include an additional Community Park, a linear park system and other park areas. Land use tables have been updated to reflect this change.

3. Amend the boundaries of Neighborhood D, originally comprised of Planning Area 8 and the proposed high school, to incorporate Planning Areas 13 and 14 with Planning Area 8 into a single section of the Specific Plan document. This results in a revised southern Neighborhood boundary of Barranca Avenue rather than Warner Avenue. Planning Areas 13 and 14 would be also be amended to be included in the Community Core land use designation in the Specific Plan rather than the Commercial Business land use designation shown on the Land Use Plans (Figures 2-1, 2-2, 3-1, 3-2). The amended text includes: modifications to the permitted land uses within the Community Core and in Neighborhoods 8, 13, and 14; modifications to the trip budget distribution (the total number of trips remains the same); and development standards which support mixed use development (already permitted in the Community Core land use designation), with an overall floor area ratio of 0.5 and 891 dwelling units, of which a maximum of 123 units may be multi-family rentals as a permitted use. Floor area ratios for Planning Area 8 would be applied to the entire amended Community Core land use designation which will include Planning Areas 8, 13, and 14. Additionally, height limit restrictions have been added to the Community Core. Land use and trip budget tables (Tables 2-1, 3-1, 3-2, 3-3) have been updated to reflect this change. Revised changes to Table 2-1 are shown with underline (new text) and strikeout (deleted text), and the changes to Tables 3-1 and 3-2 are highlighted. Note that refinements to the Specific Plan land use statistics have been made during the subdivision and design review stage of individual projects. Refined land use statistics reflecting the entitled uses have been assumed for analysis purposes, and is further addressed in the respective analyses presented in Section 5 (e.g., traffic, population and housing).

4. Amend the boundaries of Neighborhood E, originally comprised of Planning Areas 9 through 14, to remove Planning Areas 13 and 14, and define the new eastern boundary for Neighborhood E as Armstrong Road. The amendment would consolidate acreages, land uses, and development standards and trip budget for Planning Areas 9 through 12 to provide a comprehensive land use pattern of primarily office park uses with some light industrial/R&D and commercial uses. Extended stay hotels would be added to the list of uses. The amendment eliminates separate Specific Plan sections for Planning Areas 9, 10, 11, and 12, and provides a single consolidated development standards section in the Specific Plan. As previously noted, land use and trip budget tables (Tables 2-1, 3-1, 3-2, and 3-3) have been updated to reflect this change.



Current Figure 2-1, Land Use Plan



Revised Figure 2-1, Land Use Plan

Land Use Plan

Current and Revised Figure 2-1

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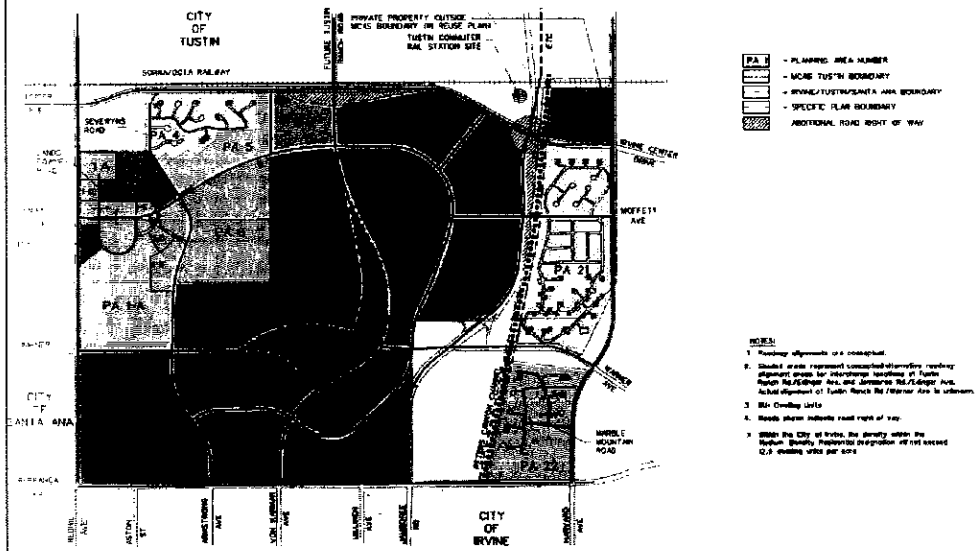
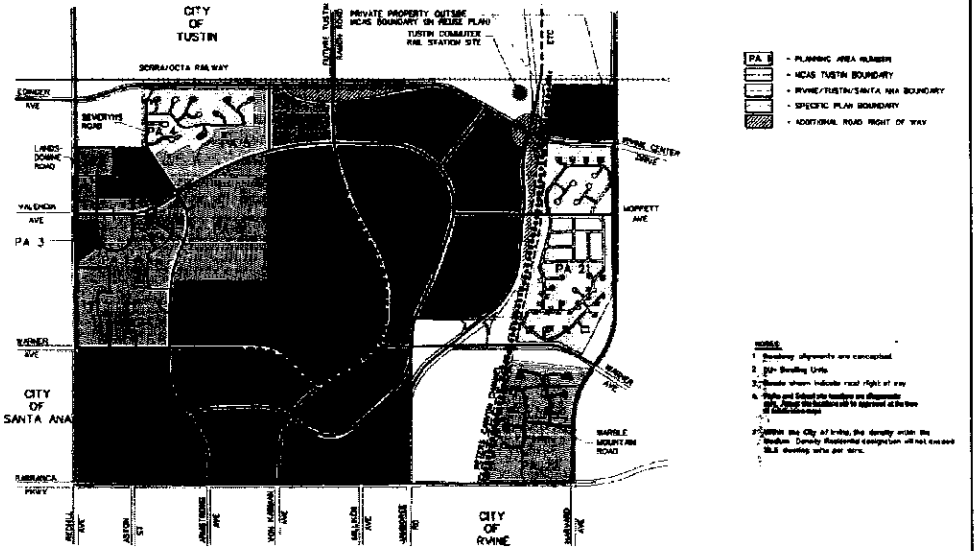


Current Figure 3-1, Land Use Planning Areas



Revised Figure 3-1, Land Use Planning Areas

Land Use Planning Areas

Current and Revised Figure 3-1

Source: Tustin Legacy Community Partners 2003 and 2005

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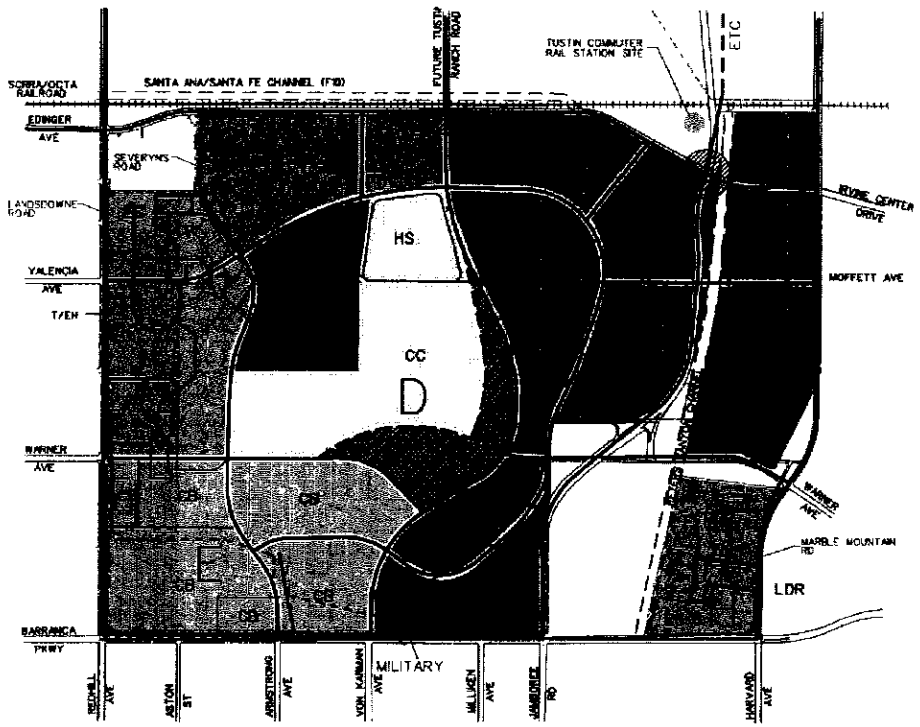
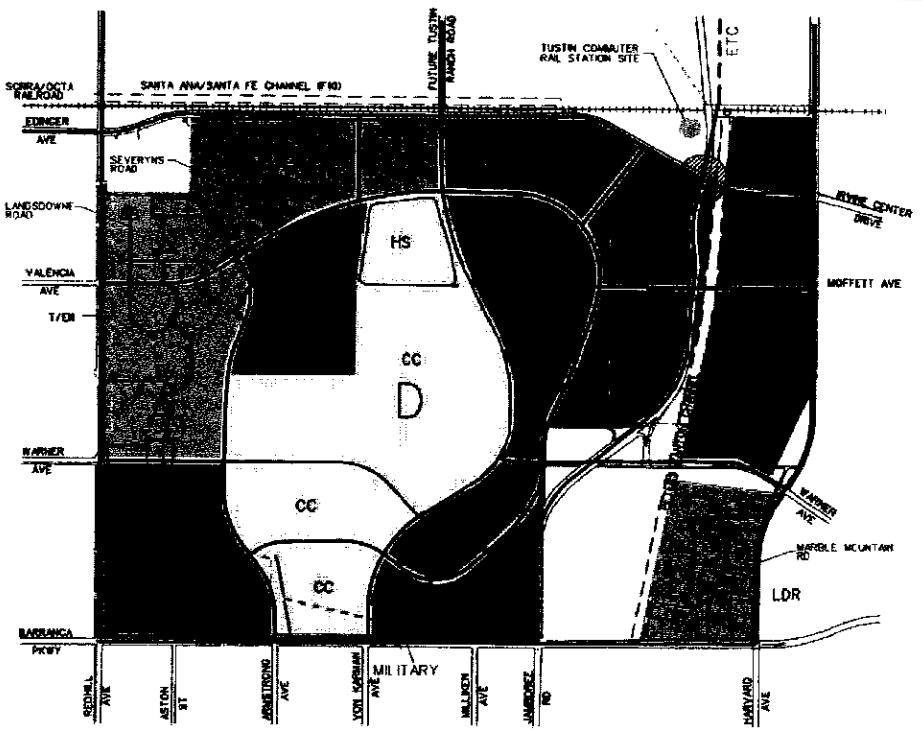


LEGEND

- NEIGHBORHOOD A - LEARNING VILLAGE
- NEIGHBORHOOD B - VILLAGE HOUSING
- NEIGHBORHOOD C - REGIONAL PARK
- NEIGHBORHOOD D - COMMUNITY CARE
- NEIGHBORHOOD E - EMPLOYMENT CENTER
- NEIGHBORHOOD F - REGIONALLY-ORIENTED COMMERCIAL DISTRICT
- NEIGHBORHOOD G - RESIDENTIAL CARE
- NEIGHBORHOOD H - IRVINE RESIDENTIAL
- MCAS TUSTIN BOUNDARY
- IRVINE/TUSTIN/SANTA ANA BOUNDARY
- SPECIFIC PLAN BOUNDARY

THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS (LOCATION AND SIZING) WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT APPROVALS NEEDED BY THE RESPECTIVE AGENCY WITH JURISDICTION

Current Figures 2-2 and 3-2, Neighborhoods



LEGEND

- NEIGHBORHOOD A - EDUCATION VILLAGE
- NEIGHBORHOOD B - VILLAGE HOUSING
- NEIGHBORHOOD C - REGIONAL PARK
- NEIGHBORHOOD D - COMMUNITY CORE
- NEIGHBORHOOD E - EMPLOYMENT CENTER
- NEIGHBORHOOD F - REGIONALLY-ORIENTED COMMERCIAL DISTRICT
- NEIGHBORHOOD G - RESIDENTIAL CORE
- NEIGHBORHOOD H - IRVINE RESIDENTIAL
- MCAS TUSTIN BOUNDARY
- IRVINE/TUSTIN/SANTA ANA BOUNDARY
- SPECIFIC PLAN BOUNDARY

THIS IS A GRAPHIC REPRESENTATION OF A PLANNING/ENGINEERING CONCEPT. FINAL DESIGN SOLUTIONS (LOCATION AND SIZING) WILL BE PROPOSED AND REVIEWED AS PART OF SUBSEQUENT APPROVALS NEEDED BY THE RESPECTIVE AGENCY WITH JURISDICTION

Revised Figures 2-2 and 3-2, Neighborhoods

Neighborhoods

Current and Revised Figures 2-2 and 3-2

Source: Tustin Legacy Community Partners 2003 and 2005

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5. Amend Neighborhood G, Planning Area 15 as follows:

   a. Eliminate all references to the Golf Course originally identified in Planning Area 15;

   b. Add the land use designation for Medium High Density Residential (MHDR) as an acceptable use to allow for the transfer of unused units from Planning Area 20 to Planning Area 15. Add accompanying standards for this use, using the MHDR standards from Planning Area 20. The new MHDR land use designation and standards in Planning Area 15 will permit a maximum of 192 MHDR dwelling units, which is noted in the amended text;

   c. Add the provision for office uses, using the same list of allowable uses and floor area ratio development standards from amended Planning Area 7;

   d. Add congregate care facilities for the elderly as a conditional use; and

   e. Expand the list of allowable commercial uses to include a full range of typical neighborhood commercial uses while eliminating hotel uses. Commercial uses would be limited to the area adjacent to Tustin Ranch Road and between the North Loop Road and Warner Avenue.

6. Amend regulations in certain portions of Planning Areas 7 through 15 to update use categories, including: the addition of parks to the list of allowable uses in all planning areas; changing daycare limits to match state requirements; updating terminology for adult uses; and consolidating uses within general categories.

7. Amend Planning Area 7 within Neighborhood B to reduce the total square footage of development permitted within it and to accommodate a transfer of square footage to Neighborhood G in order to allow development of certain commercial uses within Planning Area 15.

8. Land use and trip budget tables (refer to Revised Tables 2-1, 3-1, 3-2, and 3-3) have been updated to reflect the changes above. However, the overall number of trips that will be generated by new development within the Specific Plan area has not significantly changed from the original projections. The projected trips have only been redistributed within the Specific Plan boundary.

REVISED SPECIFIC PLAN TABLE 2-1
LAND USE PLAN SUMMARY

Land Use Designation	Gross [1] Acreage	Range of Dwelling Units
RESIDENTIAL		
Low Density	181.3	1 – 7 du/acre
Medium Density	125.1	8 – 15 du/acre
Medium-High Density	29.4	16 – 25 du/acre
Transitional/Emergency Housing	5.1	
Residential Core~~Golf Village Low Density~~	245.8 ~~48.5~~	1 – 7 du/acre, 8 – 15 du/acre, 16 – 25 du/acre
~~Golf Village Medium Density~~	~~55.2~~	~~8 – 15 du/acre~~
SUBTOTAL	**586.7** ~~**444.6**~~	**3,710 Dwelling Units Max.**
COMMERCIAL/BUSINESS		
Commercial/Business	164.8 ~~265.2~~	
Commercial	55.3	
Residential Core[2] ~~Golf Village [2]~~	29.3 ~~171.7~~	
Village Services	20.7	
Community Core	310.6 ~~225.2~~	16 – 25 du/acre[2]
SUBTOTAL	**580.7** ~~**738.1**~~	**891 Dwelling Units Max.**
INSTITUTIONAL/RECREATIONAL		
Education~~Learning~~ Village	128.3~~0~~	
Community Park	24.1	
Urban Regional Park	84.5	
SUBTOTAL	**236.9~~6~~**	
RIGHT-OF-WAY		
Arterial Roadways	173.4 ~~158.4~~	
Drainage (Flood/Stormdrains)	28.5	
SUBTOTAL	**201.9** ~~**186.9**~~	
GRAND TOTAL	**1606.2**	**4,601 Dwelling Units Max.**
Less Federal Property	16.7	
Less Private Property	4.1	88 Dwelling Units
Total MCAS Tustin Disposal Acreage	**1,585.4**	**4,518 Dwelling Units**

NOTES:
1. Gross acreage for each Planning Area is an estimated allocation measured from the edge of the adjacent arterial or secondary roadways, any public roadway shown on the Land Use Plan, and/or the boundary of the Planning Area. The amount of land devoted to roadways is calculated under the Right-of-Way designation. Actual acreage will be refined during the site plan and subdivision process.
2. ~~Acreage figure includes 159.3 acres of golf course which is part of the Golf Village (Planning Area 15)~~ Subject to Section 3.6.2.E.4 and G.2 of the Specific Plan.

REVISED SPECIFIC PLAN TABLE 3-1
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY LAND USE DESIGNATION

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
RESIDENTIAL								
Low Density (1-7 du/ac)								
Planning Area 4	54.2	43.4		N/A	N/A	N/A	7	304
Planning Area 21 – Tustin	127.1	115.0		N/A	N/A	N/A	14	793
Medium Density (8-15 du/ac)								
Planning Area 5[19]	51.7	41.4		N/A	N/A	N/A	15	621
Planning Area 22[9] Elementary School K-8[10] Neighborhood Park[10]	73.4	61.0		N/A	N/A	N/A	15	402
Medium-High Density (16-25 du/ac)								
Planning Area 20[19]	29.4	23.5		N/A	N/A	N/A	25	378
Transitional/Emergency Housing								
Planning Area 3	5.1	5.1	0.6	133,294	85,215	48,079	0	0
Residential Core								
Planning Area 15[18] Low Density (1-7 du/ac)	112.6	104.3		N/A	N/A	N/A	7	533
Medium Density (8-15 du/ac)	51.8	47.8		N/A	N/A	N/A	15	489
Medium High Density (16-25 du/ac)	8.3	7.7		N/A	N/A	N/A	25	192
Elementary Schools[12]	10	10		N/A	N/A	N/A	N/A	N/A
Parks and Open Space[11]	63.1	63.1		N/A	N/A	N/A	N/A	N/A
Subtotal, Residential Core, PA 15	245.8	232.9						
SUBTOTAL	**586.7**	**522.3**	**N/A**	**133,294**	**85,215**	**48,079**	**N/A**	**3,710**

REVISED SPECIFIC PLAN TABLE 3-1 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY LAND USE DESIGNATION

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
COMMERCIAL/BUSINESS								
Commercial/Business								
Planning Area 9-12	78.9	64.5						
Parks and Open Space	38.6	38.6	See standards	1,267,324	88,344	1,178,980		0
Subtotal, Planning Area 9-12	117.5	103.1						
Planning Area 16	31.0	27.9	0.4	486,130	206,640	279,490		0
Planning Area 17	16.3	16.3	0.4	284,011	63,289	220,722		0
Commercial								
Planning Area 18[19]	16.7	14.5	0.35	40,846	40,846	0		0
Planning Area 19	38.6	38.6	0.4	672,566	3,990	668,576		0
Residential Core								
Planning Area 15	29.3	26.8	See standards	466,637	8,106	458,531	N/A	0
Village Services								
Planning Area 7	20.7	19.0	See standards	248,292	0	248,292	N/A	0
Community Core								
Planning Area 8	89.5	68.5						
Park	56.3	56.3	See standards	1,975,992	329,032	1,646,960	25	
Planning Area 13	77.5	59.3						
Park	12.9	12.9	See standards	2,132,417	0	2,132,417	25	891
Planning Area 14	34.2	26.2	See standards	648,870	700	648,170	25	
High School[14]	40.0	40.0				N/A	N/A	
Subtotal, Community Core	310.6	263.2		4,757,279	329,732	4,427,547		891
SUBTOTAL	**580.7**	**509.4**	**N/A**	**8,223,085**	**740,947**	**7,482,138**	**N/A**	**891**

REVISED SPECIFIC PLAN TABLE 3-1 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY LAND USE DESIGNATION

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
INSTITUTIONAL/RECREATIONAL								
Education Village								
Planning Area 1[14] Planning Area 1-A International Education Village Elementary School[15] Planning Area 1-B Law Enforcement Training Planning Area 1-C Children's Care Shelter Planning Area 1-D Child Care Center Planning Area 1-E Child Care Center Planning Area 1-F Educational Planning Area 1-G Other	128.3	108.4	0.3	1,412,651	822,556	590,095	0	0
Community Park								
Planning Area 2	24.1	24.1	0.1[17]	40,531	40,531	0	0	0
Urban Regional Park								
Planning Area 6	84.5	84.5	0.16	574,992	496,068	78,924	0	0
Right-of-Way								
Arterial Roadways	173.4	173.4		0	0	0	0	0
Drainage (Flood Control, Storm Drains)	28.5	28.5		0	0	0	0	0
SUBTOTAL	**438.8**	**418.9**	**N/A**	**2,028,174**	**1,359,155**	**669,019**	**0**	**0**
TOTALS	**1,606.2**	**1,450.6**	**N/A**	**10,384,553**	**2,185,317**[16]	**8,199,236**	**0**	**4,601**

REVISED SPECIFIC PLAN TABLE 3-1 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY LAND USE DESIGNATION

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]

1 Gross acreage for each Planning Area is an estimated allocation measured from the edge of the adjacent future arterial and secondary roadway, any public roadway shown on the Land Use Plan, and/or the boundary of the Planning Area. The amount of land devoted to roadways shown on the Land Use Plan is calculated under the Right-of-Way designation. Actual acreages will be refined during the site plan and subdivision process.

2. Net acreage is an estimated allocation based on gross acreage reduced for internal circulation (local roads) within a Planning Area. Net acreage is estimated approximately for each Planning Area, based on permitted use, size of the Planning Area, and typical site planning considerations. Actual net acreages will be refined during the site plan and subdivision process.

3. Floor Area Ratio (F.A.R.) is the gross floor area of all buildings within a Planning Area divided by the net acreage of the Planning Area for purposes of this Statistical Analysis. If applicable, the F.A.R. column specifies a floor area ratio derived from an assumed mix of uses within a Planning Area

4. Total Floor Area is the total square footage of non-residential development derived by multiplying the floor area ratio by the net acreage, if applicable.

5. Existing Floor Area is the square footage of existing buildings by Planning Area.

6. Potential Floor Area is the potential square footage of new development within each Planning Area.

7. DU's per Acre reflects the maximum density per acre at which dwelling units may be calculated.

8. Total DU's is the maximum number of dwelling units allocated to each Planning Area. Even though actual gross and net acreages may be refined during the site plan and subdivision process, the maximum number of dwelling units in each Planning Area shall not exceed the number designated on the Statistical Analysis, except as specified in Section 3.2.3.

9. PA 22 (402 units) are located within the City of Irvine. The permitted density range in PA 22 shall not exceed 12.5 dwelling units per acre at the high end.

10. PA 22 is within the Irvine jurisdictional limits. It includes a 20-acre allocation for a K-8 school. The precise acreage and location will be determined when the Navy's Record of Decision is issued. PA 22 also includes an 8-acre allocation for a Neighborhood Park site. The precise acreage and location will be determined prior to property transfer to the City of Irvine; however, the total allowable dwelling units in PA 22 will remain the same.

11. PA 15 includes an allocation for park and open spaces. The precise acreage and location will be determined prior to final subdivision map approval; however, the total allowable dwelling units in PA 15 will remain the same.

12. PA 15 includes a 10-acre allocation for an Elementary School. The precise acreage and location will be determined by the City. If the actual acreage varies from 10 acres, then an acreage adjustment will be made to the parks and open space acreages. The precise acreage and location will be determined prior to final subdivision map approval.

13. PA 8 includes a 40-acre allocation for a High School. The precise acreage and location will be determined by the City. If the actual acreage varies from 40 acres, then the acreage adjustment will be made to the Community Core designation, however, the total allowable square feet of non-residential development and maximum dwelling units in PA 8 will remain the same.

14. PA 1 is composed of numerous public conveyance uses as specified in Section 2.3 and 2.4 of the Specific Plan.

15. PA 1-A includes a 10-acre allocation for an Elementary School.

16. The actual amount of existing square footage is 2,183,956. However, adjustments to two Planning Areas have been made. In PA 2, Community Park, 40,531 existing square footage is expected to be reused. In PA 5, Medium Density Residential, the 39,485 existing square footage is expected to be replaced by residential uses.

17. The development intensity assigned to the Community Park is 0.1 FAR; however, the existing 40,531 square feet may be reused.

18. Planning Area 15 is comprised of subplanning areas, which allocates development potential by land use type. The subplanning areas are not site specific on the Land Use Plan in order to allow for flexibility in future master planning.

19. In Planning Area 20, there is 4.1 gross acres in private ownership (with 3.3 net acres estimated for development potential); Planning Area 18 is proposed to be retained in Federal ownership by the Army Reserve with 2.2 acres granted by easement to the City of Tustin, after the Army's acceptance of the 16.7 acres from the Navy, for Barranca right-of-way (leaving 14.5 net acres). The total gross acreage for non-federal disposal is 1,585.4 acres.

REVISED SPECIFIC PLAN TABLE 3-2
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY NEIGHBORHOOD

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
NEIGHBORHOOD A								
Planning Area 1[14]			0.3	1,412,651	822,556	590,095	0	0
Planning Area 1-A								
Educational Uses	66.5	50.2						
Elementary School[15]	10.0	10.0						
Planning Area 1-B	10.0	10.0						
Law Enforcement Training or Education								
Planning Area 1-C	4.0	4.0						
Children's Care Shelter								
Planning Area 1-D	2.4	2.4						
Child Care Center								
Planning Area 1-E	1.9	1.9						
Education								
Planning Area 1-F	15.0	15.0						
Educational								
Planning Area 1-G	18.5	14.9						
Other								
SUBTOTAL PLANNING AREA 1	**128.3**	**108.4**	**N/A**	**1,412,651**	**822,556**	**590,095**	**0**	**0**
Planning Area 2	24.1	24.1	0.1[17]	40,531	40,531	0	0	0
Planning Area 3	5.1	5.1	0 6	133,294	85,215	48,079	0	0
SUBTOTAL NEIGHBORHOOD A	**157.5**	**137.6**	**N/A**	**1,586,476**	**948,302**	**638,174**	**0**	**0**
NEIGHBORHOOD B								
Planning Area 4 Low Density (1-7 du/ac)	54.2	43.4		N/A	N/A	N/A	7	304
Planning Area 5[18] Medium Density (8-15 du/ac)	51.7	41.4		N/A	N/A	N/A	15	621
Planning Area 7	20.7	19.0	See standards	248,292	0	248,292		0
SUBTOTAL NEIGHBORHOOD B	**126.6**	**103.8**	**N/A**	**248,292**	**0**	**248,292**	**N/A**	**925**
NEIGHBORHOOD C								
Planning Area 6	84.5	84.5	0.16	574,992	496,068	78,924	0	0
SUBTOTAL NEIGHBORHOOD C	**84.5**	**84.5**	**N/A**	**574,992**	**496,068**	**78,924**	**N/A**	**0**

REVISED SPECIFIC PLAN TABLE 3-2 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY NEIGHBORHOOD

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
NEIGHBORHOOD D								
Planning Area 8								
Mixed Use	89.5	68.5	See	1,975,992	329,032	1,646,960	25	
Park	56.3	56.3	standards					
High School[13]	40.0	40.0						
Planning Area 13	77.6	59.3	See	2,132,417	0	2,132,417	25	891
Park	12.9	12.9	standards					
Planning Area 14	34.3	26.2	See standards	648,870	700	648,170	25	
SUBTOTAL NEIGHBORHOOD D	**310.6**	**263.2**	**N/A**	**4,757,279**	**329,732**	**4,427,547**	**25**	**891**
NEIGHBORHOOD E								
Planning Areas 9-12	78.9	64.5	See	1,267,324	88,344	1,178,980		0
Parks and Open Space	38.6	38.6	standards					
SUBTOTAL FOR NEIGHBORHOOD E	**117.5**	**103.1**	See standards	**1,267,324**	**88,344**	**1,178,980**		**0**
NEIGHBORHOOD F								
Planning Area 16	31.0	27 9	0.4	486,130	206,640	279,490		0
Planning Area 17	16.3	16.3	0.4	284,011	63,289	220,722		0
Planning Area 18[18]	16.7	14.5	0.35	40,846	40,846	0		0
Planning Area 19	38.6	38.6	0.4	672,566	3,990	668,576		0
SUBTOTAL FOR NEIGHBORHOOD F	**102.6**	**97.3**	**N/A**	**1,483,553**	**314,765**	**1,168,788**	**N/A**	**0**

REVISED SPECIFIC PLAN TABLE 3-2 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY NEIGHBORHOOD

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]
NEIGHBORHOOD G								
Planning Area 15[19] Low Density (1-7 du/ac)	112.6	104.3		N/A	N/A	N/A	7	533
Planning Area 15 Medium Density (8-15 du/ac)	51.8	47.8		N/A	N/A	N/A	15	489
Planning Area 15 Medium-High Density (16-25 du/ac)	8.3	7.7					25	192
Planning Area 15 Schools[12]	10.0	10.0						0
Planning Area 15 Non Residential	29.3	26.8	See standards	466,637	8,106	458,531		0
Planning Area 15 Parks & Open Space[11]	63.1	63.1		N/A	N/A	N/A		0
Planning Area 20[19] Medium-High Density (16-25 du/ac)	29.4	23.5		N/A	N/A	N/A	25	376
Planning Area 21 – Tustin Low Density (1-7 du/ac)	127.1	115.0		N/A	N/A	N/A	14	793
SUBTOTAL FOR NEIGHBORHOOD G	**431.6**	**398.2**	**N/A**	**466,637**	**8,106**	**458,531**	**N/A**	**2,383**
NEIGHBORHOOD H								
Planning Area 22[9] Medium Density (8-15 du/ac) Elementary School K-8[10] Neighborhood Park[10]	73.4	61.0		N/A	N/A	N/A	15	402
SUBTOTAL FOR NEIGHBORHOOD H	**73.4**	**61.0**	**N/A**	**N/A**	**N/A**	**N/A**	**N/A**	**402**
RIGHT OF WAY								
Roadways	173.4	173.4		N/A	N/A	N/A	0	0
Drainage (Flood Control, Storm Drains)	28.5	28.5		N/A	N/A	N/A	0	0
SUBTOTAL RIGHT OF WAY	**201.9**	**201.9**	**N/A**	**N/A**	**N/A**	**N/A**	**0**	**0**
TOTALS	**1,606.2**	**1,450.6**	**N/A**	**10,384,553**	**2,185,317[16]**	**8,199,236**	**N/A**	**4,601**

REVISED SPECIFIC PLAN TABLE 3-2 (Continued)
LAND USE PLAN STATISTICAL ANALYSIS ORGANIZED BY NEIGHBORHOOD

Designation/Planning Area	Acreage		Non-residential Uses				Residential Uses	
	Gross[1]	Net[2]	F.A.R.[3]	Total Floor Area (Sq. Ft.)[4]	Existing Floor Area (Sq. Ft.)[5]	Potential Floor Area (Sq. Ft.)[6]	DUs Per Acre[7]	Total DUs[8]

1 Gross acreage for each Planning Area is an estimated allocation measured from the edge of the adjacent future arterial and secondary roadway, any public roadway shown on the Land Use Plan, and/or the boundary of the Planning Area. The amount of land devoted to roadways shown on the Land Use Plan is calculated under the Right-of-Way designation. Actual acreages will be refined during the site plan and subdivision process.

2. Net acreage is an estimated allocation based on gross acreage reduced for internal circulation (local roads) within a Planning Area. Net acreage is estimated approximately for each Planning Area, based on permitted use, size of the Planning Area, and typical site planning considerations. Actual net acreages will be refined during the site plan and subdivision process.

3. Floor Area Ratio (F.A.R.) is the gross floor area of all buildings within a Planning Area divided by the net acreage of the Planning Area for purposes of this Statistical Analysis unless otherwise stipulated in development standards for the Planning Area. If applicable, the F.A.R. column specifies a floor area ratio derived from an assumed mix of uses within a Planning Area

4. Total Floor Area is the total square footage of non-residential development derived by multiplying the floor area ratio by the net acreage, if applicable.

5. Existing Floor Area is the square footage of existing buildings by Planning Area.

6. Potential Floor Area is the potential square footage of new development within each Planning Area.

7 DU's per Acre reflects the maximum density per acre at which dwelling units may be calculated.

8. Total DU's is the maximum number of dwelling units allocated to each Planning Area. Even though actual gross and net acreages may be refined during the site plan and subdivision process, the maximum number of dwelling units in each Planning Area shall not exceed the number designated on the Statistical Analysis, except as specified in Section 3.2.3.

9. PA 22 (402 units) are located within the City of Irvine. The permitted density range in PA 22 shall not exceed 12.5 dwelling units per acre at the high end.

10. PA 22 is within the Irvine jurisdictional limits. It includes a 20-acre allocation for a K-8 school. The precise acreage and location will be determined when the Navy's Record of Decision is issued. PA 22 also includes an 8-acre allocation for a Neighborhood Park site. The precise acreage and location will be determined prior to property transfer to the City of Irvine; however, the total allowable dwelling units in PA 22 will remain the same.

11. PA 15 includes an allocation for park and open spaces. The precise acreage and location will be determined prior to final subdivision map approval; however, the total allowable dwelling units in PA 15 will remain the same.

12. PA 15 includes a 10-acre allocation for an Elementary School. The precise acreage and location will be determined by the City. If the actual acreage varies from 10 acres, then an acreage adjustment will be made to the parks and open space acreages. The precise acreage and location will be determined prior to final subdivision map approval.

13. PA 8 includes a 40-acre allocation for a High School. The precise acreage and location will be determined by the City. If the actual acreage varies from 40 acres, then the acreage adjustment will be made to the Community Core designation, however, the total allowable square feet of non-residential development and maximum dwelling units in PA 8 will remain the same.

14. PA 1 is composed of numerous public conveyance uses as specified in Section 2.3 and 2.4 of the Specific Plan.

15. PA 1-A includes a 10-acre allocation for an Elementary School.

16. The actual amount of existing square footage is 2,183,956. However, adjustments to two Planning Areas have been made. In PA 2, Community Park, 40,531 existing square footage is expected to be reused. In PA 5, Medium Density Residential, the 39,485 existing square footage is expected to be replaced by residential uses.

17. The development intensity assigned to the Community Park is 0.1 FAR; however, the existing 40,531 square feet may be reused.

18. Planning Area 15 is comprised of subplanning areas, which allocates development potential by land use type. The subplanning areas are not site specific on the Land Use Plan in order to allow for flexibility in future master planning.

19. In Planning Area 20, there is 4.1 gross acres in private ownership (with 3.3 net acres estimated for development potential); Planning Area 18 is proposed to be retained in Federal ownership by the Army Reserve with 2.2 acres granted by easement to the City of Tustin, after the Army's acceptance of the 16.7 acres from the Navy, for Barranca right-of-way (leaving 14.5 net acres). The total gross acreage for non-federal disposal is 1,585.4 acres.

REVISED SPECIFIC PLAN TABLE 3-3
PLANNING AREA TRIP BUDGET[1]

Planning Area	Land Use Category	Units	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
NEIGHBORHOOD A						
1	Elementary/Middle School	STU			550	561
	Learning Center	TSF			1,293.86	7,920
	Neighborhood Commercial	TSF			27.12	3,033
	Tustin Facility	SG				6,220
	PA 1 Trip Budget Total				1,320.98	17,734
2	Sports Park	ACRE	24.10	1,297		
3	Transitional Housing	ROOM	192	941		
Neighborhood A Square Footage Total		TSF			**1,320.98**	
Neighborhood A Trip Budget Total						**17,734**
NEIGHBORHOOD B						
4	LDR (1-7 DU/Acre)	DU	145	1,388		
	MDR (8-15 DU/Acre)	DU	120	960		
	Senior Housing Attached	DU	72	250		
5	MDR (8-15 DU/Acre)	DU	132	1,056		
	MHDR (16-25 DU/Acre)	DU	438	2,903		
	Senior Housing Attached	DU	170	590		
7	Community Commercial	TSF			103.46	7,052
	General Office	TSF			144.84	1,922
	PA 7 Trip Budget Total				248.30	8,974
Neighborhood B Square Footage Total		TSF			**248.30**	
Neighborhood B Trip Budget Total						**8,974**
NEIGHBORHOOD C						
6	Community Commercial	TSF			57.50	3,920
	Regional Park	ACRE	84.50	423		
	PA 6 Trip Budget Total					3,920
Neighborhood C Square Footage Total		TSF			**57.50**	
Neighborhood C Trip Budget Total						**3,920**
NEIGHBORHOOD D						
8	High School	STU			1,850	3,312
	Neighborhood Commercial	TSF			65.69	7,345
	General Office	TSF			207	2,747
	Office Park	TSF			1,383.80	11,280
	Industrial Park	TSF			319.51	3,803
	Park	ACRE	10.30	52		
	Sports Park	ACRE	46	2,475		
	PA 8 Trip Budget Total				1,976	28,487
13	MHDR (16-25 DU/Acre)	DU	891	5,907		
	Hotel (380 TSF)	ROOM			500	4,115
	Neighborhood Commercial	TSF			9.76	1,091
	Community Commercial	TSF			117.10	7,984
	General Office	TSF			1,512	20,065
	Park	ACRE	12.90	65		
	Health Club	TSF			30	988
	High-Turnover Restaurant	TSF			12	1,526
	PA 13 Trip Budget Total				2,060.86	35,769
14	Community Commercial	TSF			11.11	757
	General Office	TSF			136.90	1,818
	Office Park	TSF			547	5,645
	Theatre (25 TSF)	SEAT			1,000	1,250
	High-Turnover Restaurant	TSF			6	763
	PA 14 Trip Budget Total				726.01	10,233
Neighborhood D Square Footage Total		TSF			**4,762.87**	
Neighborhood D Trip Budget Total						**74,489**

REVISED SPECIFIC PLAN TABLE 3-3 (Continued)
PLANNING AREA TRIP BUDGET

Planning Area	Land Use Category	Units	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
NEIGHBORHOOD E						
9	Industrial Park	TSF			44.61	714
	Park	ACRE	1.10	6		
	Sports Park	ACRE	6.10	328		
	PA 9 Trip Budget Total				44.61	714
10	General Office	TSF			156.82	2,081
	Industrial Park	TSF			124.41	1,569
	Park	ACRE	1.40	7		
	Sports Park	ACRE	4.30	231		
	PA 10 Trip Budget Total				281.23	3,650
11	Neighborhood Commercial	TSF			18.13	2,028
	General Office	TSF			371.89	4,935
	Office Park	TSF			278.78	2,663
	Industrial Park	TSF			138.52	2,002
	Park	ACRE	25.70	130		
	PA 11 Trip Budget Total				807.32	11,628
12	Office Park	TSF			134.17	1,281
	PA 12 Trip Budget Total				134.17	1,281
Neighborhood E Square Footage Total		TSF			**1,267.33**	
Neighborhood E Trip Budget Total						**17,273**
NEIGHBORHOOD F						
16	Shopping Center	TSF			448	13,772
	PA 16 Trip Budget Total				448	13,772
17	Shopping Center	TSF			47	1,445
	PA 17 Trip Budget Total				47	1,445
18	Military (Office)	TSF			40.85	542
	PA 18 Trip Budget Total				40.85	542
19	Shopping Center	TSF	435.60	13,391	435.60	13,391
	Multiplex Theater (70 TSF)	SEAT			3,500	6,300
	PA 19 Trip Budget Total	TSF			505.60	19,691
Neighborhood F Square Footage Total		TSF			**1,041.45**	
Neighborhood F Trip Budget Total						**35,450**
NEIGHBORHOOD G						
15	LDR (1-7 DU/Acre)	DU	533	5,102		
	MDR (8-15 DU/Acre)	DU	489	3,912		
	MHDR (16-25 DU/Acre)	DU	192	1,273		
	Elementary/Middle School	STU	1,200	1,224		
	Neighborhood Commercial	TSF			26.68	2,983
	Community Commercial	TSF			130.68	8,908
	General Office	TSF			150.28	1,994
	Park	ACRE	49	249		
	Senior Congregate	TSF			158.99	970
	Sports Park	ACRE	14.10	758		
	PA 15 Trip Budget Total				466.63	14,855
20	MHDR (16-25 DU/Acre)	DU	376	2,493		
21	LDR (1-7 DU/Acre)	DU	189	1,809		
	MDR (8-15 DU/Acre)	DU	465	3,720		
Neighborhood G Square Footage Total		TSF			**466.63**	
Neighborhood G Trip Budget Total						**14,855**

REVISED SPECIFIC PLAN TABLE 3-3 (Continued)
PLANNING AREA TRIP BUDGET

Planning Area	Land Use Category	Units	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
NEIGHBORHOOD H						
22	LDR (1-7 DU/Acre)	DU	166	1,589		
	MDR (8-15 DU/Acre)	DU	243	1,944		
	Elementary/Middle School	STU	650	663		
Neighborhood H Square Footage Total		TSF			**0**	
Neighborhood H Trip Budget Total						**0**

[1] Residential and park uses are shown for informational purposes only and are not part of the non-residential trip budget.

General Development Regulations

The General Development Regulations set forth in Section 3 of the MCAS Tustin Specific Plan are proposed to be amended to include a new Section 3.14 which will outline standards for alcoholic beverage sales, based upon existing City guidelines. Parking standards would be modified to provide for specific parking standards where mixed uses are anticipated in the Community Core land use designation. Minor changes to the Chapter 4 administrative procedures for development processing are also proposed.

Definitions

Minor amendments to the definitions set forth in the Specific Plan are proposed to clarify uses permitted by the Specific Plan land use designations or categories as may be necessary for clearer implementation.

3.2.2 DISPOSITION AND DEVELOPMENT AGREEMENT

The City of Tustin and Tustin Public Financing Authority (the "Authority") proposes to enter into a DDA to facilitate the sale, leasing, and development of Tustin Legacy, including the Master Developer footprint, in accordance with applicable federal and local requirements. The DDA, however, is not a development agreement as provided in Government Code Section 65864, or a grant of entitlement.

The proposed DDA which includes a proposed Development Plan (described in Section 3.2.3 below) establishes certain key terms, including but not limited to: (a) the phasing and conditions precedent to the City's obligation to sell and convey and/or lease certain property within each phase of the Master Developer footprint to the Master Developer; (b) the purchase price of the property to be conveyed to the Master Developer; and (c) establishes a schedule of performance for future development including obligations for construction of Tustin Legacy Backbone Infrastructure and Local Infrastructure.

The majority of the Master Developer footprint is currently owned by either the City of Tustin or Tustin Public Financing Authority. A portion of the area within the Master Developer footprint is also currently owned by the DoN and leased to the City under a LIFCO and is expected to be transferred to the City of Tustin, subject to the Navy's issuance of a Finding of Suitability to Transfer (FOST) and deed provisions mutually acceptable to the Navy and City. The City will transfer property to the Master Developer in phases with the exception of specific dedications and easements that will be required for public uses and public access as stipulated in the DDA.

Although the entire Master Developer footprint encompasses approximately 820 acres, the portion that will actually be conveyed to the Master Developer and developed for private development will be comprised of approximately 420 acres. The Master Developer footprint includes property that would not likely be transferred by the City to the Master Developer and will either be retained by the City or is required to be dedicated (in fee or easement, as applicable) by provisions in the DDA for a variety of public purposes including but not limited to: roads, utilities, and other public uses such as parks and open space areas; and two school sites to accommodate the Tustin Unified School District (a 40-acre high school and a 10-acre elementary school site). However, the City will reserve the option of collaborating with the Master Developer and the TUSD regarding options for construction of the high school, including land conveyance mechanisms. In addition, a final City disposition decision on a 15-acre parcel containing one of the blimp hangars is not possible until marketing efforts are completed and a property disposition decision is made by the DoN in consultation with the Federal Advisory Council and State Office of Historic Preservation (the "Hangar 29 Parcel").

3.2.3 PROPOSED DEVELOPMENT PLAN

Parties

Upon conveyance by the City and the Tustin Finance Authority through provisions of the DDA, TLCP will serve as the Master Developer and master land development entity that will seek the implementation approvals for the property within the Master Developer footprint; grade the property; build out certain DDA-defined Tustin Legacy Backbone Infrastructure and Local Infrastructure (as may be located within and outside of the Master Developer footprint); and then sell parcels to vertical builders for construction of improvements (residential and non-residential) in a portion of Neighborhood G and to builders for construction of improvements in a portion of Neighborhood B, in Neighborhood D, and in Neighborhood E. TLCP has also indicated that in addition to being members of TLCP (individual members of the partnership as Master Developer affiliates) the Master Developer will also act as vertical builders for portions of the project, the DDA and Development Plan contemplate that certain portions of the project will be developed by third party developers as well.

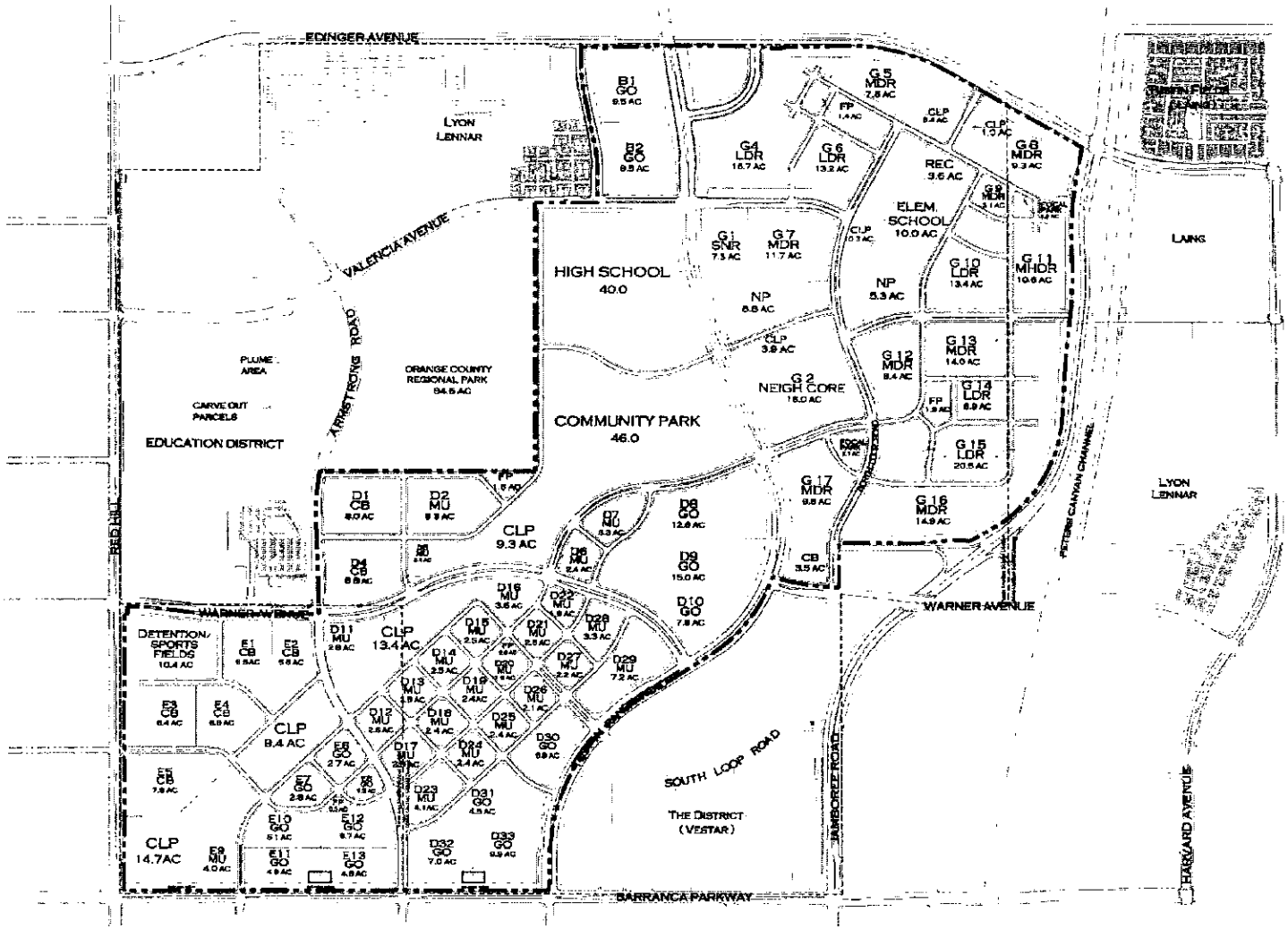
Description of the Proposed Development Plan

Consistent with proposed Specific Plan Amendment and the proposed DDA, the scope of the development proposed by the Master Developer is subject to any requirements that the Master Developer, Master Developer affiliates, or third party vertical builders may have to fulfill to obtain future entitlements (e.g., subdivision and design review approvals).

The Refined Master Development Plan (Development Plan) is presented in Exhibit 2. The project site is to be conveyed to the Master Developer in up to four phases and developed in up to four phases by vertical builders. The Phase 1 conveyance begins in September 2006; Phase 2 in September 2009; Phase 3 in July of 2011; and Phase 4, which involves the 15-acre Hangar 29 Parcel only after a determination is made regarding the economic viability of retention of Hanger 29. Conveyance of this parcel to the Master Developer is at the City's sole discretion. Exhibit 3 depicts the Phasing Plan. Proposed land uses within the Master Developer footprint are described below.

Residential Improvements

Up to 2,105 dwelling units are proposed for construction on the Master Developer footprint on approximately 185 acres of land, as follows:



Note. Actual parcel configurations will be determined during the Sector B mapping process as discussed in Section 4 of the Disposition and Development Agreement.

Refined Master Development Plan

Exhibit 2

Source: Tustin Legacy Community Partners, 2004

BonTerra CONSULTING

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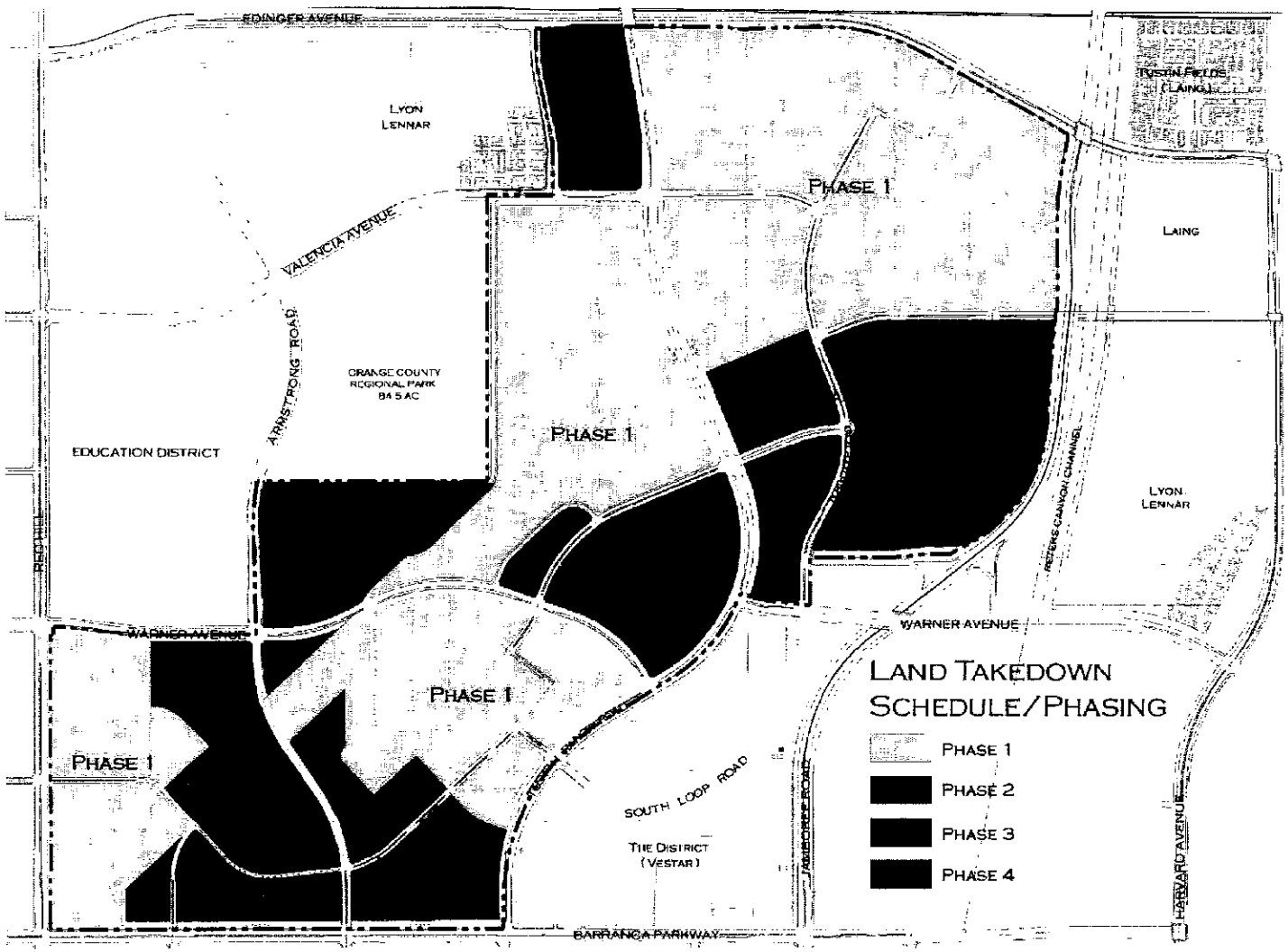

Phasing Plan

Exhibit 3

Source: Tustin Legacy Community Partners and City of Tustin 2006

BonTerra CONSULTING

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- Approximately 533 dwelling units are to be constructed on approximately 104 acres within a low density land use designation.

- Approximately 489 dwelling units are to be constructed on approximately 48 acres within a medium density land use designation.

- Approximately 1,083 dwelling units are to be constructed on approximately 33 acres within a medium-high density land use designation.

Regardless of the total number of dwelling units constructed, a minimum of 453 units will be restricted to below market rate (identified in the DDA as Affordable Housing Units). In addition, no more than 315 residential units within the Master Developer footprint will be permitted as apartments with the balance of the residential units in the project required to be for sale and homeownership. Additional information regarding additional affordability restrictions by type of tenure and phase are discussed in more detail in the DDA Scope of Development and in Article 13 of the DDA.

The anticipated phasing of residential development, including Affordable Housing Units, is discussed below under "Phasing".

Non-residential Improvements

Up to approximately 6,739,042 square feet of non-residential development is proposed for construction on approximately 234 acres, including:

- Approximately 29 acres in retail use.
- Approximately 145 acres in office use.
- Approximately 32 acres industrial use.
- Approximately 7 acres for a congregate care facility.
- A minimum of 500 hotel rooms (required by the provisions of the Scope of Development included as an attachment to DDA) which may be developed in one or more hotel projects with not less than 250 hotel rooms in at least one hotel project, and not less than 100 hotel rooms in other hotel projects. There shall be conference facilities in at least one of the hotel projects.
- A health club in the mixed use portion of the Community Core.
- Other uses including, without limitation, development of a minimum 25,000 square foot theater consistent with the programming identified in the Scope of Development.

It should also be noted that the allowed 6,739,042 square feet of non-residential development includes development on the Hangar 29 Parcel, provided the City is able, at its sole discretion, to convey the parcel to the Master Developer. The use would be mutually agreed upon between the City and the Master Developer, subject to the Specific Plan. If the Hangar 29 parcel is not conveyed to the Master Developer, the non-residential square footage would be reduced as identified in the DDA Scope of Development.

Public and Private Park, Open Space and Other Uses

In addition to the property to be developed for residential and non-residential uses, a total of approximately 403 acres within the Master Developer footprint will be devoted to a variety of private and public parks, greenbelt areas, trails, and open space areas (collectively "parkland"); schools; Master Developer's Backbone Infrastructure Work; and Local Infrastructure Work.

These uses are specifically described in the "Scope of Development" included as an attachment to the DDA and are summarized below:

- Approximately 50 acres will be devoted to educational facilities, including a 40-acre high school in Neighborhood D and a 10-acre elementary school in Neighborhood G. The 10-acre elementary school may also expand an additional 5 acres to accommodate a combination elementary/middle school, based on negotiations with the City of Tustin and Tustin Unified School District. Any increase in the school acreage to accommodate the combination elementary/middle school will not require the Master Developer to provide additional parkland. The traffic study has taken into account the increase in enrollment in the event a combination elementary/middle school is developed on the property.

- A minimum of 170 acres of the property are proposed to be devoted to both public and private parks, greenbelt areas, and recreational areas. Of the 170 acres of open space, approximately 86 acres (or a minimum of approximately 50 percent) of the total park and open space acreage will remain in public ownership, with the City responsible for maintenance once such public parkland areas have been completed and accepted by the City. The balance of parkland areas (approximately 84 acres) will be privately owned and maintained. It is expected that public parkland will contain the following elements: (a) a detention/sports field facility in Neighborhood E; (b) a 46-acre community park to include a tennis facility and aquatic facilities, sports facilities, general play areas, restrooms, and maintenance/storage area, and linear parks in Neighborhood D; and (c) neighborhood parks and a community linear park system in Neighborhood G. All of these uses are more specifically described in the Scope of Development included as an attachment to the DDA.

  Private parkland shall include private focal parks, linear parks, recreational facilities, greenbelts, trails and open space areas.

  It should be noted that the proposed open space redistributes the previous private golf course open space area into community, neighborhood and linear parks that will be more accessible to the public, and private park areas which will be required to be accessible to the general public.

- Approximately 101 acres to accommodate roadways that are proposed as part of the Tustin Legacy Backbone Infrastructure Work, and 81 acres to accommodate roadways and right-of-way that are proposed within Local Infrastructure Work. This infrastructure area does not account for additional in-tract infrastructure or horizontal improvements that may be constructed by vertical builders.

Phasing

As shown in Exhibit 3, the proposed sale of property to the Master Developer will be in up to four phases. Development of each of these take down areas will also occur in four phases as follows:

- Phase 1 proposes approximately 160 acres of revenue-producing private development to consist of: (a) 1,560 residential units on approximately 111 acres in Neighborhoods D (891 units) and G (669 units); (b) approximately 39 acres of multi-use retail, office, and hotel development; (c) approximately 10 acres of office development; and (d) approximately 21 acres of industrial development. The Master Developer will also be required to construct all Tustin Legacy Backbone Infrastructure (located within and

outside the Master Developer footprint) and Local Infrastructure related to Phase I; public and private parks; and open space as identified for this Phase. The Master Developer will also complete all finished pads in this Phase as necessary for school site conveyances and other dedications by the City.

Development of Affordable Housing Units in Phase 1 will occur in Neighborhoods D and G as outlined in Article 13 of the DDA.

An important development requirement in Phase 1 is the proposed mixed use development proposed in Neighborhood D, which is described in more detail in the Scope of Development attached to the DDA.

- Phase 2 proposes approximately 190 acres of revenue-producing private development including: (a) 545 residential units on approximately 74 acres in Neighborhood G; (b) approximately 26 acres of retail development; (c) approximately 84 acres of office campus and office development; and (d) approximately 6 acres of industrial development. The Master Developer will also be required to construct all Tustin Legacy Backbone Infrastructure and Local Infrastructure Work; public and private parks; and open space related to Phase II. The Master Developer will also complete all finished pads in this Phase as necessary for school site conveyances and other dedications by the City.

  Affordable Housing Units in Phase 2 shall be constructed and designated for sale and available for ownership occupancy to 70 Moderate Income Households.

- Phase 3 will be comprised of approximately 54 acres of revenue-producing private development to consist of: (a) approximately 1.7 acres of retail development; (b) approximately 35 acres of office development; and (c) approximately 16 acres of industrial development. It is anticipated that the Tustin Legacy Backbone Infrastructure would be completed with Phase 2. Local Infrastructure Work required in Phase 3 would be completed in this Phase 3.

- Phase 4 will consist of the 15-acre Hangar Parcel (Blimp Hanger 29) within Neighborhood D. The City conveyance of this parcel to the Master Developer and its development is not guaranteed. Any reuse or development is first contingent upon a determination of economic viability of any renovation and reuse of the Hangar Parcel by the DoN in consultation with the State prior to any development on the Hangar 29 parcel.

Infrastructure and Public Facilities

Development of the Specific Plan area will contribute to the need for Tustin Legacy Backbone Infrastructure located both in and off the Specific Plan site (the Tustin Legacy Backbone Infrastructure Program). Following is a summary of the planned infrastructure and public facilities which are described in more detail in the Scope of Development attached to the DDA:

- Roadway improvements - The proposed conceptual arterial circulation system for the proposed Specific Plan Amendment, DDA, and Development Plan is presented in Exhibit 7 in Section 5. For comparison, the circulation system for the original Specific Plan is also provided. In summary, the following refinements to the circulation system in the Development Plan have been made to accommodate the proposed development:

(a) Carnegie Avenue would be extended to Armstrong Avenue from Red Hill Avenue as a four-lane secondary arterial (Phase I);

(b) Aston Street shall be extended from Barranca Parkway to Carnegie Avenue as a two-lane, local collector street (Phase 2);

(c) Legacy Road would be added as a four-lane secondary arterial to provide a connection between the residential portion on the northeast side of the proposed project with the non-residential portion to the southwest (Phase 1);

(d) Loop Road South, a four-lane secondary arterial west of Tustin Ranch Road, is planned with an offset roadway alignment (as compared to the circulation for the original Specific Plan) (Phase 1).

(e) Two connections to Tustin Ranch Road would be provided at Park Avenue and at a yet to be named street (referred to here as "A" Street) both of which will be four-lane secondary arterials (Phase 1);

(f) A second westbound left-turn lane at Red Hill Avenue/Valencia Avenue will be added (Phase 1); and

(g) A second westbound right-turn lane at Red Hill Avenue/Warner Avenue (Phase 1).

- Traffic and circulation mitigation to support the Tustin Legacy project

- Domestic and reclaimed water sewer, telemetry, storm drain, and regional and Specific Plan flood control channel facilities. Figure 2-10 of the Specific Plan sets forth the conceptual storm drain improvement plan. This plan is a conceptual plan, and the Specific Plan requires preparation of refined storm drain improvement plans for review and approval of the City of Tustin during the design phase of the project. Since the preparation of the conceptual plan, the City of Tustin has entered into various agreements regarding storm drainage facilities and has prepared a Runoff Management Plan (RMP). These agreements and the RMP call for design of a storm drain system that is consistent with the Specific Plan conceptual storm drain plan, but which would be a refinement of the original conceptual plan and which may ultimately alter the alignments, sizes and extent of the certain storm drain improvements.

- Utilities backbone (gas, electricity, telephone, cable, telecommunications, etc.)

- Public park

- Recreational improvements and community facilities including, but not limited to: an aquatic center, tennis club, community entry signs, fire station, and off-site Tustin Library expansion

The Master Developer will have the responsibility to make a fair share contribution to the development of the Tustin Legacy Backbone Infrastructure on behalf of the Master Developer project. In addition to the Master Developers' obligations to make its Project Fair Share Contribution towards the Tustin Legacy Backbone Infrastructure Program Development, the Master Developer will also be responsible for design and construction of a portion of the Tustin Legacy Backbone Infrastructure Program consistent with the Specific Plan and any approvals or

requirements of any future implementation approvals. While the Master Developer is required to complete Tustin Legacy Backbone Infrastructure as specified in the Specific Plan, the City is taking a more aggressive posture in the DDA and is requiring earlier completion of many of the improvements required for Tustin Legacy Backbone Infrastructure requiring completion of major components of the program as a precondition to Phase 2 and Phase 3 land conveyance phases.

The City of Tustin has already completed a number of actions to ensure implementation (funding and construction) of the Tustin Legacy Backbone Infrastructure Program. Cost estimates for the Tustin Legacy Backbone Infrastructure Program have been developed and the City has entered into agreements with each of the other developers within the Specific Plan area regarding the required funding for the infrastructure improvements. Additionally, the City of Tustin has entered into agreements with adjacent jurisdictions regarding funding for infrastructure improvements that are not within the City of Tustin. It should be noted that the Master Developer DDA being considered with the proposed project is the last agreement to be executed for the Tustin Legacy Backbone Infrastructure Program. The proposed DDA, together with agreements that the City of Tustin has already entered into with other Specific Plan developers and adjacent jurisdictions, assures implementation of the Tustin Legacy Backbone Infrastructure Program.

Site Preparation

The Master Developer will undertake site preparation (including demolition and relocation of utilities) as necessary for provision of Tustin Legacy Backbone Infrastructure, Developer's Backbone Infrastructure, Local Infrastructure Work, and to create parcels in order for the Master Developer to sell parcels to Vertical Builders. Site preparation, may consist of but would be limited to: (1) removal of any structures and improvements including subsurface structures and removal of all bricks, lumber, pipelines, equipment and other materials and all debris and rubbish resulting from demolition; (2) the removal of paving (including tarmac areas, catch basins, curbs, gutters, drives and sidewalks on the site; and (3) the removal and abandonment by the developer of what will be developer owned and by some public utility companies of such utility lines, installations, facilities and related equipment from the site as necessary.

SECTION 4
ENVIRONMENTAL ANALYSIS CHECKLIST

COMMUNITY DEVELOPMENT DEPARTMENT
300 Centennial Way, Tustin, CA 92780
(714) 573-3100

ENVIRONMENTAL ANALYSIS CHECKLIST
For Projects With Previously Certified/Approved Environmental Documents:
Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Disposal and Reuse of Marine Corps Air Station (MCAS) Tustin

The following checklist takes into consideration the preparation of an environmental document prepared at an earlier stage of the proposed project. This checklist evaluates the adequacy of the earlier document pursuant to Section 15162 and 15168 of the California Environmental Quality Act (CEQA) Guidelines.

A. BACKGROUND

Project Title(s): Zone Change (MCAS Tustin Specific Plan Amendment) 05-002, Disposition and Development Agreement, and Proposed Development Plan

Lead Agency: City of Tustin, 300 Centennial Way, Tustin, California 92780

Lead Agency Contact Person: Mr. Dana Ogdon Phone: (714) 573-3109

Project Location: MCAS Tustin Specific Plan property, bound by Red Hill Avenue to the west, Edinger Avenue to the north, Jamboree Road to the east, and Barranca Parkway to the south.

Master Developer's Name and Address: Tustin Legacy Community Partners, LLC (TLCP):
c/o Centex Homes
250 Commerce
Irvine, California 92602

Project Applicant: City of Tustin/TLCP

General Plan Designation: MCAS Tustin Specific Plan

Zoning Designation: MCAS Tustin Specific Plan

Project Description: *Approval of Zone Change (Specific Plan Amendment) 05-002, and Disposition and Development Agreement (DDA) between the City of Tustin and Tustin Legacy Community Partners, LLC, including a proposed Development Plan. The proposed project generally involves minor adjustments to Planning Area boundaries and redistribution and/or elimination of planned land uses within the Specific Plan/Reuse Plan area. The revised Specific Plan/Reuse Plan allows for development of 4,601 dwelling units, 273.8 acres of landscaped parks/open space, 580.7 acres of commercial/light industrial office development (8,223,085 square feet), 128.3 acres of education village, four schools*

sites, and 201.9 acres of right-of-way for arterial roadways and stormdrains. In summary, the proposed Specific Plan Amendments, DDA and Development Plan do not propose additional residential units, and the amount of commercial/light industrial office is reduced compared to the original Specific Plan/Reuse Plan.

Surrounding Uses:
North: Metrolink rail line, Santa Ana/Santa Fe Channel, Residential
East: Peters Canyon Channel, Residential
South: Barranca Channel, Commercial
West: Commercial

Previous Environmental Documentation:
Program Final Environmental Impact Statement/Environmental Impact Report (Program FEIS/EIR) for the Disposal and Reuse of Marine Corps Air Station (MCAS) Tustin (State Clearinghouse No. 94071005) certified by the Tustin City Council on January 16, 2001.

B. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Section D below.

- ☐ Land Use and Planning
- ☐ Population and Housing
- ☐ Geology and Soils
- ☐ Hydrology and Water Quality
- ☐ Air Quality
- ☐ Transportation & Circulation
- ☐ Biological Resources
- ☐ Mineral Resources
- ☐ Agricultural Resources
- ☐ Hazards and Hazardous Materials
- ☐ Noise
- ☐ Public Services
- ☐ Utilities and Service Systems
- ☐ Aesthetics
- ☐ Cultural Resources
- ☐ Recreation
- ☐ Mandatory Findings of Significance

C. DETERMINATION:

On the basis of this initial evaluation.

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated."

An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects 1) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects 1) have been analyzed adequately in an earlier NEGATIVE DECLARATION pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project.

Preparer: Dana Ogdon Date: 03/14/06

Christine Shingleton 03/14/06

Elizabeth A Bonsack Date 3-14-06

D. EVALUATION OF ENVIRONMENTAL IMPACTS

See Attached

EVALUATION OF ENVIRONMENTAL IMPACTS

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
I. AESTHETICS – Would the project:			
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒
II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:			
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☒
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:			
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
IV. BIOLOGICAL RESOURCES: - Would the project:			
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒
V. CULTURAL RESOURCES: - Would the project:			
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒
VI. GEOLOGY AND SOILS: - Would the project:			
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:			

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒
iv) Landslides?	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☒

VII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒
VIII. HYDROLOGY AND WATER QUALITY: – Would the project:			
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion on- or off-site?	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam?	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☒
IX. LAND USE AND PLANNING – Would the project:			
a) Physically divide an established community?	☐	☐	☒

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒
X. MINERAL RESOURCES – Would the project:			
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☒
XI. NOISE –			
Would the project result in:			
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excess noise levels?	☐	☐	☒
XII.POPULATION AND HOUSING – Would the project:			
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒
XIII. PUBLIC SERVICES			
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			
Fire protection?	☐	☐	☒
Police protection?	☐	☐	☒
Schools?	☐	☐	☒
Parks?	☐	☐	☒
Other public facilities?	☐	☐	☒
XIV. RECREATION –			
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒
XV. TRANSPORTATION/TRAFFIC – Would the project:			
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☒

	New Significant Impact	*More Severe Impacts*	*No Substantial Change From Previous Analysis*
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☒

XVI. UTILITIES AND SERVICE SYSTEMS –

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒

SECTION 5.0 ENVIRONMENTAL ANALYSIS AND EXPLANATION OF CHECKLIST RESPONSES

INTRODUCTION

This section contains an analysis of environmental impacts as identified in the environmental checklist form provided previously in Section 4. For each topical issue identified in the Initial Study Checklist the following information is provided in this section:

- Summary of the Impacts from the FEIS/EIR
- Current Conditions (physical and regulatory setting)
- Comparison of Project and Previously Approved Project Impacts
- Mitigation and Implementation Measures
  - FEIS/EIR measures that have been completed
  - FEIS/EIR measures applicable to the proposed project
  - Refinements to FEIS/EIR measures
  - FEIS/EIR measures not applicable to the proposed project
- Sources (specific to each topical issue)

BASIS FOR PROJECT AND CUMULATIVE IMPACT ANALYSIS

The analysis of project-specific impacts presented in this section addresses the potential impacts resulting from implementation of the proposed Specific Plan Amendment, DDA, and Development Plan as described in Section 3, Project Description. It should be noted that for purposes of analysis, refinements to land use statistics presented in the Specific Plan have been made for specific topical issues (traffic/circulation, population, housing, etc.). The Specific Plan is a planning document, with the maximum number of dwelling units determined based on an estimate of available gross acreage. In refinements at the subdivision and design review stages of individual development projects, actual number of units authorized by entitlements is refined. The Specific Plan also does not reflect any density bonuses that have been granted by the City as may be required by State Law. Land use statistics assumed in the respective analyses presented in this Addendum are identified for relevant topical issues.

The area of physical impact for the proposed project includes the following: (a) the Specific Plan area; (b) improvements to Peters Canyon Channel within and in the vicinity of the Specific Plan (between the Metrolink rail crossing and Barranca Parkway); (c) impacts to Barranca Channel, and (d) potential impacts to the Santa Ana/Santa Fe Channel.

In compliance with Section 15130(b)(1) of the State CEQA Guidelines, the cumulative analysis presented in Section 5 of the FEIS/EIR is based on "a summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or areawide conditions." Specifically, the FEIS/EIR evaluated cumulative impacts associated with build-out of the general plans in the affected geographic area, including the cities of Tustin, Irvine, and Santa Ana. To determine whether there have been any changes in circumstances relative to cumulative conditions which would require major revisions to the FEIS/EIR, the general plans of these jurisdictions, including amendments that have been adopted since certification of the

FEIS/EIR, have been reviewed in light of the currently proposed Specific Plan Amendment, and the proposed DDA and Development Plan. The analysis of project impacts presented in this Addendum takes into consideration updates to the respective General Plans and pertinent Regional Plans, as well as projections adopted for relevant topical issues. Specifically, the updated General Plans and Orange County Projections (OCP) 2004 demographic information has been used in the modeling for traffic impacts and local and regional demographic projections, which are addressed in this Addendum (refer to Section 5.11, Population and Housing). These demographic projections are the basis for regional planning efforts; including Southern California Association of Governments (SCAG) Regional Transportation Planning projections and the South Coast Air Quality Management District *Air Quality Management Plan* (refer to Section 5.2, Air Quality). Following is a summary of updated General Plan information for each jurisdiction.

CITY OF TUSTIN

The City of Tustin adopted its current General Plan in January 2001 and its Housing Element within the General Plan in November 2002. A description of the City of Tustin study area is provided in the FEIS/EIR. When the FEIS/EIR was prepared it was identified that the City was largely built out with the exception of Tustin Ranch, infill projects, and the MCAS Tustin site. Tustin Ranch is now completely built out, consistent with General Plan projections. Since the FEIS/EIR was prepared, the City of Tustin has adopted General Plan Amendments to largely address the following: Housing Element update, Newport Avenue, El Camino Real reclassification; Columbus Grove reorganization; and to designate the former MCAS Tustin Specific Plan/Reuse Plan area. These General Plan Updates have been reviewed by the City of Tustin and are assumed in the regional analysis of this Addendum (e.g., traffic, air quality, population and housing). The proposed Specific Plan Amendment, DDA, and Development Plan are consistent with existing adopted General Plan projections.

CITY OF IRVINE

The City of Irvine adopted its 2000 General Plan Update in March 1999. Since adoption of the General Plan there have been a number of General Plan Amendments, which are outlined in General Plan Supplements 1 through 4. The General Plan Supplements identify City Council approved General Plan Amendments from September 25, 2000 through December 2005. Table A-1 of the *City of Irvine General Plan*, Maximum Intensity Standards by Planning Area, and Table A-2, Non-Regulatory Maximum Intensity Standards: Land Use Acreage by Planning Area, have been updated by the City to reflect currently allowed development (as of December 2005). Based on current information, the assumed land use distribution at buildout for the City of Irvine, is as follows: 93,345 dwelling units (du) within the Residential designation; 2,850 du and 2,295,205 sf within the Multi-Use designation; 10,230 du, 4,684,366 sf of public facility use, and 14,433,204 sf of educational facility use within the Institutional designation; 6,536 du and 114,004,623 sf of industrial use in the Industrial designation; and 1,550 du and 22,195,420 sf of commercial use in the Commercial designation. The City of Tustin has reviewed this information for preparation of this Addendum, as well as projects currently being considered by the City of Irvine. This information has been assumed in the regional analysis of impacts for traffic, air quality, population and housing.

CITY OF SANTA ANA

A description of the City of Santa Ana study area is provided in the FEIS/EIR. As noted, the City encompasses approximately 27 square miles (17,408 acres) and is largely built out. Any new

development in the City would consist of redevelopment and infill development on the remaining and under-utilized parcels. Since preparation of the FEIS/EIR, the City of Santa Ana updated its Housing Element (December 2000). The updated housing information has been assumed in the analysis presented in this Addendum. It should also be noted that the City is in the process of updating its Airport Environs Element to reflect changes consistent with the County of Orange Airport Land Use Commission Airport Environs Land Use Plan. The City of Tustin has reviewed this information for preparation of this Addendum and has concluded that this will not change the conclusions of this Addendum. This information has been assumed in the regional analysis of impacts for traffic, air quality, population and housing.

REFERENCES USED IN DOCUMENT PREPARATION

For each topical issue in this section, sources/references used that are specific to the respective issue are identified. To avoid repetition, following is a list of the primary sources used that are applicable to each topical issue:

California. Governor's Office of Planning and Research. "Article 11. Types of EIRs." *CEQA. Title 14. California Code of Regulations. Chapter 3. Guidelines for Implementation of the California Environmental Quality Act.* 1996. California Resource Agency. January 17, 2006 <http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art11.html>.

Department of the Navy and City of Tustin. *Final Environmental Impact Statement (FEIS)/Final Environmental Impact Report (FEIR) for the Disposal and Reuse of Marine Corp Air Station (MCAS) Tustin.* Tustin and Irvine: Department of the Navy, January 10, 2001.

Irvine, City of. *City of Irvine 2000 General Plan Update*. March 9, 1999, and amended through December 2005.

Planning Center, The. *Tustin Legacy Specific Plan/Reuse Plan for the Marine Corps Air Station (MCAS) Tustin.* Tustin, California: Planning Center. 1996.

Planning Center, The. *Tustin Legacy Specific Plan/Reuse Plan for the Marine Corps Air Station (MCAS) Tustin.* (Specific Plan Amendment). Tustin, California: Planning Center. 1996. 2006 [Draft].

Santa Ana, City of. *Santa Ana General Plan Land Use Element.* Prepared by Blodgett & Associates. February 1998.

Tustin, City of. *City of Tustin General Plan.* Tustin, California: the City. January 16, 2001.

5.1 AESTHETICS

5.1.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR addressed the change and contrast associated with implementation of various land use categories in the Specific Plan area and Implementing Actions, with conclusions focusing on impacts to identified sensitive viewers. Visual impacts were considered significant if "sensitive viewers" (identified as the foreground residential viewers along Edinger Avenue and Harvard Avenue) would experience a strong contrast or if there would be strong contrast to areas/features of high scenic quality. The visual analysis in the FEIS/EIR used a contrast rating system to analyze the potential visual impact of proposed development and activities. Contrast is measured by comparing the project features with the major features in the existing landscape.

Strong contrast is defined when the element contrast demands attention, will not be overlooked, and is dominant in the landscape.

Views from Surrounding Viewshed

The FEIS/EIR concluded that implementation of the Specific Plan and Implementing Actions would result in varying degrees of visual changes (from "no impact" to "moderate-to-strong impact") as seen from surrounding "sensitive viewers." The following project components were determined to have no aesthetic impacts that would be visible to sensitive viewers or that would require mitigation: replacing aircraft parking aprons with urban-scale land uses; adding buildings, pavement, and open space in place of the agricultural lands; changes to the Community Park's existing facilities; rehabilitating aging military family housing; commercial changes to the Community Core (e.g., office buildings, residences, and supporting public services); and ongoing construction.

The following project components were determined to have weak-to-moderate visual changes that were potentially positive and no mitigation is required: replacement or reuse of the main station and the replacement of the paved areas of the blimp hangar areas with landscaping.

Moderate-to-strong visual changes that were not considered significant would result from: changing the agricultural lands, aircraft parking aprons, and open areas to Commercial/ Business facilities and adding a Medium-density residential development (including single- and multi-family housing, streets, driveways, walls, and landscaping) in place of the open area on Edinger Avenue and Jamboree Road.

The only significant visual impact identified in the FEIS/EIR was the potential loss of both blimp hangars which would change existing foreground, middleground, and background views.

Views from Within the Reuse Plan Area

The FEIS/EIR concluded that the transition of land within the reuse area to housing would create more "sensitive viewers" over the twenty-year development period. This would create potential visual impacts and benefits. The retention of one or both hangars may reduce view corridors to those living in the area in years to come. The potential for significant impacts would be greater if landscaping and urban design does not completely address aesthetic considerations.

Light and Glare

The FEIS/EIR identified that high-intensity development would lead to more lighting sources. However, this increase in lighting would not be noticeable from medium-to-far-range views because of the flat topography of the area. Therefore, it was concluded in the FEIS/EIR that increased lighting would not be a significant impact.

While increased glare is a safety concern, the FEIS/EIR determined that it could be controlled through review and approval processes necessary in the cities of Tustin and Irvine. Therefore, this impact was determined not to be significant.

5.1.2 CURRENT CONDITIONS

Based on the current *City of Tustin General Plan* (2001) and the *City of Irvine General Plan* (2000), there are no designated scenic roadways or scenic vistas in the project vicinity. The

sensitive viewers identified in the FEIS/EIR are the existing residences located north of Edinger Avenue and east of Harvard Avenue. These residential uses are still present; however, new single-family and multi-family residences within the MCAS Specific Plan area have been constructed west of Harvard Avenue. Views from the previously identified "sensitive viewers" along Harvard Avenue into the proposed project area have been altered with the introduction of new residential development; however, this development has been implemented in compliance with the development/reuse regulations and design standards outlined in the Specific Plan. The new residential development is visually consistent with existing residential development. It should also be noted that the perimeter wall along Harvard Avenue that previously obstructed views to the west has been removed.

Consistent with information presented in the FEIS/EIR, there are no residences or sensitive viewers south of Barranca Parkway or east of Red Hill Avenue.

5.1.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Have a substantial adverse effect on a scenic vista?

No Substantial Change from Previous Analysis. As indicated above, there are no designated scenic vistas in the project area; therefore, the proposed Specific Plan Amendment, DDA, and Development Plan would not result in a substantial adverse effect on a scenic vista. This conclusion is consistent with the FEIS/EIR which did not identify impacts to a scenic vista.

B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Substantial Change from Previous Analysis. Although the project site is not located within the vicinity of a designated state scenic highway, the FEIS/EIR concluded that the loss of both historic blimp hangars would be a significant visual impact, while the loss of only one hangar would be less than significant. The proposed Specific Plan Amendment, DDA, and Development Plan would not change the conclusions of the analysis from the FEIS/EIR relative to these visual changes since the status of the hangars would not change with the proposed changes in land use.

C. Substantially degrade the existing visual character or quality of the site and its surroundings?

No Substantial Change from Previous Analysis. Although the proposed Specific Plan Amendment, DDA, and Development Plan would result in the implementation of a modified land use plan compared to that adopted in the MCAS Tustin Specific Plan, the types of uses to be developed are consistent and would result in similar visual changes as those previously analyzed. In the northern portion of the Specific Plan area, there have been no changes to the proposed Low Density Residential and Village Service land use designations (refer to Figure 2-1). Therefore, the proposed project would not result in changes to the visual setting or aesthetic character of the area that is visible to sensitive viewers along Edinger Avenue that was anticipated in the FEIS/EIR. As identified in the FEIS/EIR, foreground residential views

would be obstructed due to intervening noise walls. This conclusion would not change with implementation of the proposed Specific Plan Amendment, DDA, and Development Plan.

The previously designated Golf Village has been re-designated as Residential Core. Both of these land use designations involve construction of residential uses along Edinger Avenue and would not change the visual character anticipated in the FEIS/EIR. It should be noted that the uses north of Edinger Avenue that would have views into the Residential Core area consist of commercial and industrial uses and there are no sensitive viewsheds. As noted previously, views from previously identified sensitive viewers along Harvard Avenue have changed since completion of the FEIS/EIR with the introduction of new residential development, in compliance with the Specific Plan. The proposed Residential Core uses would be visually consistent with the new residential uses constructed to the east and proposed adjacent uses identified in the revised Specific Plan (Community Core and Village Services). All development would be designed in accordance with the Urban Design Plan (Section 2.17) and Development/Reuse Regulations (Chapter 3) outlined in the Specific Plan which have been developed to ensure compatibility (physically and visually) within the Specific Plan Area. Master design guidelines are being developed by the project.

It should also be noted that development within the Specific Plan area would not impede background views of the Lomas Ridge/Foothills as seen from Jamboree Road.

The land uses proposed for development with the Specific Plan Amendment, DDA, and Development Plan would not result in a significant difference in the type of proposed uses in areas that can be seen from sensitive viewers, and would not cause a substantial increase in the severity of aesthetic impacts from what was identified in the FEIS/EIR.

D. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

No Substantial Change from Previous Analysis. The re-designation of Golf Village as Residential core (low nighttime lighting) would continue to include residential development, some additional commercial uses, and open space and parkland areas and has the potential to create nighttime lighting. However, consistent with the conclusions presented in the FEIS/EIR, the lighting that would be introduced with implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would be similar to light sources associated with the existing commercial, industrial, and residential uses adjacent to the project site, and the residential and commercial uses originally envisioned in the Golf Village (hotels, etc.).

All aspects of project design, including lighting, landscaping, and residential development are required to be in compliance with Section 2.17 of the MCAS Tustin Specific Plan, Urban Design Plan. Mitigation Measure Vis-1 from the FEIS/EIR includes a design review, which requires the design of the project to be cohesive and in harmony with surrounding uses. Proposed light and glare sources are regulated by Section 2.17.3(A), Urban Design Guidelines for Residential Development, and Section 3.11.13, Lighting, of the MCAS Tustin Specific Plan. Compliance with the design guidelines of the Specific Plan and implementation of mitigation Vis-1 would reduce potential visual impacts to less than significant. This impact conclusion is consistent with the environmental impacts previously evaluated in the FEIS/EIR.

5.1.4 MITIGATION AND IMPLEMENTATION MEASURES

FEIS/EIR Measures That Have Been Completed

Vis-1 In conjunction with any zoning ordinance amendments to implement the Reuse Plan in Tustin or Irvine, an urban design plan shall be adopted to provide for distinct and cohesive architectural and landscape design, features and treatments, as well as harmony with adjacent landscaping. The urban design plan shall have the following elements:

- landscaping concept and master signage plan;
- design review and approval process;
- limits on development intensity for each specific land use;
- limits on height of structures and lot coverage;
- minimum site building setbacks;
- minimum on-site landscaping requirements;
- buffering requirements, including berms, masonry walls, and landscaping;
- lighting regulations, including regulations ensuring that exterior lighting does not negatively impact surrounding property;
- screening regulations for mechanical equipment and outside storage; and
- site signage requirements, including sign permit approval.

FEIS/EIR Measures Applicable to the Proposed Project

The mitigation measure applicable to the proposed project has been implemented with adoption of the original Specific Plan.

Refinements to FEIS/EIR Measures and New Measures

No refinements need to be made to the FEIS/EIR mitigation measures and no new mitigation measures are required.

FEIS/EIR Measures Not Applicable to the Proposed Project

The FEIS/EIR mitigation measures are all applicable to the proposed project.

5.1.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting aesthetics and visual resources, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to aesthetics and visual resources than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to aesthetics and visual resources has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

There are no new mitigation measures or alternatives that could be implemented that would reduce the significant unavoidable visual impact associated with the removal of the blimp

hangars. Therefore, the removal of the blimp hangars would continue to be a significant unavoidable visual impact. However, the proposed project would not result in a substantial increase in the severity of visual impacts beyond that identified in the FEIS/EIR. The Tustin City Council adopted a Statement of Overriding Considerations for the FEIS/EIR on January 16, 2001.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address aesthetic issues:

BonTerra Consulting. Field Reconnaissance conducted by Christina Andersen, Principal, January 28, 2006.

5.2 AGRICULTURE

5.2.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR concluded that the conversion of 682 acres of Prime Farmland and 20 acres of Farmland of Statewide Importance to urban uses would result in a significant unavoidable impact. While development of designated Farmland is considered a significant effect, pursuant to the Farmland Protection Policy Act (FPPA), the Natural Resources Conservation Service (NRCS) and Department of the Navy (DoN) deemed that protection under the FPPA was not warranted. Additionally, it was identified that there are no areas within the project site subject to Williamson Act Contract.

Mitigation involving replacement and protection of the impacted farmland, including: (a) purchase of off-site farmland to replace the farmland that will be lost; (b) the purchase and improvement of non-agricultural farmland; or (c) protection of the existing farmland with agricultural easements, transfer of development rights, right-to-farm ordinances, and/or the Williamson Act were all considered in the FEIS/EIR and were determined to be infeasible. Because there is no long-term viable mitigation to offset the impact of converting Farmland to urban uses, this impact was identified as significant and unavoidable.

5.2.2 CURRENT CONDITIONS

Since certification of the FEIS/EIR all agricultural activities on site have ceased. However, the current (2004) California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) has not been updated to reflect the absence of agricultural activities, but instead continues to map farmland within the Specific Plan area based on the previous agricultural activities. As a result, based on the review of the current (2004) information provided by the FMMP, designated Farmland (Prime and Statewide Importance) identified within the Specific Plan area has not changed since preparation of the FEIS/EIR. It should be noted, however, that with the termination of agricultural activities on site, it is likely that in future mapping cycles (conducted by the Department of Conservation every two years), areas designated as Prime Farmland and Farmland of Statewide Importance would be reclassified.

5.2.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

C. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

No Substantial Change from Previous Analysis. The physical impact area for the proposed Specific Plan Amendment, DDA, and Development Plan is the same as that identified in the FEIS/EIR. Implementation of the proposed project would continue to impact areas mapped (though not used) as Prime Farmland. Designated Farmland of Statewide Importance within the Specific Plan area is outside of the Master Developer footprint, and is located north of Barranca Parkway, west of Harvard Avenue, and east of Jamboree Boulevard. The area is currently under development. Additionally, there are no areas subject to a Williamson Act contract, and conservation of farmland in this area was deemed unwarranted by NRCS. Implementation of the proposed project would not change the impact conclusions presented in the FEIS/EIR. The loss of Prime Farmland and Farmland of Statewide Importance would remain a significant and unavoidable impact. The mitigation options previously identified in the FEIS/EIR are still infeasible and would be ineffective to reduce the localized adverse effects associated with the loss of mapped/designated farmland. No new mitigation options are available to reduce this impact to a level considered at less than significant beyond those considered in the FEIS/EIR.

5.2.4 MITIGATION AND IMPLEMENTATION MEASURES

As previously noted, the FEIS/EIR identified replacement or protection of Farmland as the only mitigation that would reduce the significant effect on agricultural resources to a level considered less than significant. These measures were determined to be infeasible and remain infeasible for the reasons identified in the FEIS/EIR. Further, these measures would be ineffective to reduce the localized adverse affects associated with the loss of mapped/designated farmland.

5.2.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting agricultural resources, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to agricultural resources than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to agricultural resources has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

There are no new feasible mitigation measures that could be implemented that would reduce the significant unavoidable impact associated with the conversion of Farmland to urban uses. Mitigation options identified in the FEIR/EIR determined to be infeasible are still infeasible and ineffective to reduce impacts to a level considered less than significant. There would not be a substantial increase in the severity of project-specific and cumulative impacts to agricultural resources beyond that identified in the FEIS/EIR; however, these impacts would continue to be significant unavoidable impacts of the proposed project. The Tustin City Council adopted a Statement of Overriding Considerations for the FEIS/EIR on January 16, 2001.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address agricultural issues:

California. Division of Land Resource Protection. Farmland Mapping and Monitoring Program. "Farmland Map: Orange County, CA." Sacramento: FMMP, 2004.

5.3 AIR QUALITY

5.3.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR addressed construction-related (short-term) and operational (long-term) air quality emissions; localized carbon monoxide (CO) "hot spots"; air toxics and consistency with the South Coast Air Quality Management District (SCAQMD) Air Quality Management Plans (AQMPs). The FEIS/EIR concluded that development of the Specific Plan and Implementing Actions would result in significant short-term construction and long-term operational air quality impacts. While the City of Tustin has an existing Traffic Reduction/Traffic Demand Management (TR/TDM) program (Ordinance No. 1062, approved in 1991) in place as part of its Congestion Management Program and has policies in place that help to reduce long-term emissions (e.g., use of bicycle transportation), the FEIS/EIR concluded that these programs and policies are not sufficient to reduce impacts to a level considered less than significant. Short- and long-term emissions were identified as significant and unavoidable.

In addition, the FEIS/EIR concluded that the MCAS Tustin Reuse Plan would not be consistent with the 1994 and 1997 AQMPs because these plans did not consider emissions associated with the planned intensity assumed by the Specific Plan and Implementing Actions. This impact was identified as significant and unavoidable.

The CO hot spot analysis in the FEIS/EIR addressed CO levels at intersections with the highest traffic volumes and LOS during the analysis years (2005 and 2020). The intersections selected for the Year 2005 analysis were: Jamboree Road/Barranca Parkway, Jamboree Road/ Michelson Drive, Grand Avenue/Edinger Avenue, and Von Karman Avenue/Barranca Parkway. The intersections evaluated for 2020 conditions were: Jamboree Road/Barranca Parkway, Jamboree Road/Michelson Drive, Tustin Ranch Road/Walnut Avenue, Culver Drive/Irvine Center Drive, and Grand Avenue/Edinger Avenue. Based on the analysis, the FEIS/EIR concluded that no sensitive receptors at these locations would be exposed to CO hot spots in the years 2005 and 2020; therefore, the CO impact was considered less than significant.

The FEIS/EIR also concluded that operational emissions from proposed businesses would comply with SCAQMD's regulations for operation, and would be less than significant.

5.3.2 CURRENT CONDITIONS

Regulatory Setting

The Specific Plan area continues to be within the South Coast Air Basin (SCAB) under the jurisdiction of the SCAQMD and California Air Resources Board (CARB). Since certification of the FEIS/EIR, a new AQMP has been adopted. The SCAQMD and Southern California Association of Governments (SCAG), in coordination with local governments and the private sector, have developed the AQMP for the air basin. The AQMP is the most important air quality management document for the basin because it provides the blueprint for meeting state and federal ambient air quality standards. The 2003 AQMP is the current approved applicable air plan. The plan was adopted locally on August 1, 2003, by the governing board of the SCAQMD. CARB adopted the plan as part of the California State Implementation Plan on October 23, 2003. The EPA adopted the mobile source emission budgets on March 25, 2004. The PM_{10} attainment plan received final approval on November 5, 2005, with an effective date of December 14, 2005. The EPA has not approved the ozone or CO attainment plans to date. For federal purposes, the 1997 AQMP with the 1999 amendments is the current applicable Ozone attainment plan. The CO attainment plan in the 1997 AQMP was approved by the EPA but only on an interim basis through 1998. Therefore, the basin does not have a federally approved CO attainment plan.

State law mandates the revision of the AQMP at least every three years, and federal law specifies certain dates for attaining criteria pollutant standards, and preparing plans to meet them. Under federal law, the SCAB has been designated by the U.S. Environmental Protection Agency (USEPA) as a non-attainment area for ozone, carbon monoxide, and suspended particulates. The SCAB has met the federal nitrogen dioxide standards for the third year in a row, and therefore is qualified for re-designation to attainment. However, SCAB is still designated as being in non-attainment; therefore, a maintenance plan for nitrogen dioxide is included in the 2003 AQMP. Under California state law, the California Clean Air Act (CCAA) mandates the implementation of a program that would achieve the California Ambient Air Quality Standards (CAAQS) and the CCAA mandates the implementation of new air quality performance standards.

The overall control strategy for the 2003 AQMP is to meet applicable state and federal requirements and to demonstrate attainment with ambient air quality standards. The 2003 AQMP contains short- and long-term measures. These measures are included in Appendix IV-B of the 2003 AQMP.

Short-term measures propose the application of available technologies and management practices between 2005 and 2010. The 2003 AQMP includes 24 short-term control measures for stationary and mobile sources that are expected to be implemented within the next several years. The stationary source measures in the 2003 AQMP include measures from the 1997 AQMP and 1999 Amendment to the Ozone State Implementation Plan (SIP) with eleven additional new control measures. In addition, a new transportation conformity budget backstop measure is included in the 2003 AQMP.

One long-term measure for stationary sources is included in the 2003 AQMP. This control measure seeks to achieve additional volatile organic compounds (VOC) reductions from stationary sources. The long-term measure is made up of Tier I and Tier II components. The Tier I long-term measure has an adoption date between 2005 and 2007 and implementation

date between 2007 and 2009 for Tier I. Tier II has an adoption date between 2006 and 2008 and implementation date between 2008 and 2010.

To ultimately achieve ambient air quality standards, additional emission reductions will be necessary beyond the implementation of short-term measures. The long-term measure relies on the advancement of technologies and control methods that can reasonably be expected to occur between 2005 and 2010. Additional stationary source control measures are included in Appendix IV-B of the AQMP Proposed 2003 State and Federal Strategy for the California SIP. Contingency measures are also included in Appendix IV, Section 2 of the 2003 AQMP.

It should be noted that significance thresholds established in the SCAQMD's *1993 CEQA Handbook* are still applicable for use in assessing the regional impact of project-related air pollutant emissions.

Air Quality Modeling

The vehicular emissions model that was used for analysis of the MCAS Tustin Specific Plan (i.e., EMFAC7G) has been modified since certification of the FEIS/EIR in January 2001. EMFAC2002, published by the California Air Resources Board, is the current version of the model (with the April 2003 version being the most recent) and provides updated exhaust emissions rates and evaporative emissions data for vehicles. In addition, it more accurately estimates heavy-duty vehicle emissions. The SCAQMD has posted vehicular emission factors on their CEQA website that are derived from EMFAC2002, and such emission factors were used to calculate emissions for the proposed project.

While the trip generation numbers associated with the original Specific Plan/Reuse and the proposed project may be minimal or unchanged, potential emission rates may be different (increased or decreased) due to differences in regional emission calculation methodologies and assumptions which are described in more detail in Appendix A. Therefore, in addition to use of the new model to evaluate the Specific Plan Amendment, DDA, and Development Plan, to ensure an "apples to apples" comparison and assessment of the proposed project and the existing Specific Plan, EMFAC2002 and its new emission factors were also used to re-asses the existing Specific Plan Land uses.

CO Hot Spot Analysis

As stated above, the FEIS/EIR analyzed whether CO hot spots would result from implementation of the MCAS Tustin Specific Plan and Implementing Actions. Except for revised emission factors from the EMFAC2002 program, neither state or federal CO standards, nor the methods used to analyze CO hot spots have substantially changed since certification of the FEIS/EIR. The current EMFAC2002 program reports lower CO emission factors than the EMFAC7G program used in the FEIS/EIR. These lower emission factors would result in lower CO concentrations than reported in the FEIS/EIR. In fact, the recent trend in air quality emission analysis is to no longer perform CO hot spot analyses because, over time, they have not proven to be an effective indicator of localized air quality. This is based on CO modeling performed for the 2003 AQMP to demonstrate attainment of the federal CO standards. Modeling was performed for four intersections considered the worst-case intersections in the South Coast Air Basin. These intersections included Wilshire at Veteran, Sunset at Highland, La Cienega at Century, and Long Beach at Imperial. Table 4-10 of Appendix V of the AQMP shows that modeled 1-hour average concentrations at these four intersections for 2002 conditions are

actually below the 8-hour standard of 9 parts per million (ppm). The highest modeled 1-hour average concentration of 4.6 ppm occurred at the Wilshire and Veteran intersection.

SCAQMD Rules 402 and 403

As noted in the FEIS/EIR, during construction of the proposed project, the City and its contractors would be required to comply with regional rules, which would assist in reducing short-term air pollutant emissions. SCAQMD updated its fugitive dust control rules (i.e., Rule 402 and Rule 403) in January 2005, after certification of the FEIS/EIR. SCAQMD Rule 402 requires that air pollutant emissions should not create a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Two options are presented in Rule 403: monitoring of particulate concentrations or active control. Monitoring involves a sampling network around the project with no additional control measures unless specified concentrations are exceeded. The active control option does not require any monitoring, but requires that a list of measures be implemented starting with the first day of construction. Monitoring of particulate concentrations does not reduce fugitive dust emissions; therefore, to minimize fugitive dust emissions, the City and its contractors would utilize the measures presented in SCAQMD Rule 403 rather than the monitoring option during project construction activities.

Rule 403 requires that "A person conducting active operations within the boundaries of the South Coast Air Basin shall utilize one or more of the applicable best available control measures to minimize fugitive dust emissions from each fugitive dust source type which is part of the active operation." Rule 403 also requires that the construction activities "shall not cause or allow PM_{10} levels to exceed 50 micrograms per cubic meter when determined by simultaneous sampling, as the difference between upwind and down wind sample." A project is exempt from the monitoring requirement "if the dust control actions, as specified in Table 2 are implemented on a routine basis for each applicable fugitive dust source type." Table 2 from Rule 403 is presented below as Table 5-1. Under high wind conditions (i.e., when wind gusts exceed 25 miles per hour), additional control measures are required and "the required control measures for high wind conditions are implemented for each applicable fugitive dust source type, as specified in Table 1." Table 1 from Rule 403 is presented below as Table 5-2.

Further, Rule 403 requires that the project shall "prevent or remove within one hour the track-out of bulk material onto public paved roadways as a result of their operations." Alternatively, the project can "take at least one of the actions listed in Table 3." Table 3 from Rule 403 is presented below as Table 5-3. In addition, the project would be required to "prevent the track-out of bulk material onto public paved roadways as a result of their operations and remove such material at anytime track-out extends for a cumulative distance of greater than 50 feet on to any paved public road during active operations; and remove all visible roadway dust tracked-out upon public paved roadways as a result of active operations at the conclusion of each work day when active operations cease. (SCAQMD 2005)"

TABLE 5-1
FUGITIVE DUST CONTROL ACTIONS FOR EXEMPTION TO MONITORING
(RULE 403, TABLE 2)

Source Category	Control Actions
Earth-moving (except construction cutting and filling areas, and mining operations)	(1a) Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Executive Officer, the California Air Resources Board, and the USEPA. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations each subsequent four-hour period of active operations; OR (1a-1) For any earth moving which is more than 100 feet from all property lines, conduct watering as necessary to prevent visible dust emissions from exceeding 100 feet in length in any direction.
Earth-moving: Construction fill areas	(1b) Maintain soil moisture content at a minimum of 12 percent, as determined by ASTM method D-2216, or other equivalent method approved by the Executive Officer, the California Air Resources Board, and the USEPA. For areas which have an optimum moisture content for compaction of less than 12 percent, as determined by ASTM Method 1557 or other equivalent method approved by the Executive Officer and the California Air Resources Board and the USEPA, complete the compaction process as expeditiously as possible after achieving at least 70 percent of the optimum soil moisture content. Two soil moisture evaluations must be conducted during the first three hours of active operations during a calendar day, and two such evaluations during each subsequent four-hour period of active operations.
Earth-moving: Construction cut areas and mining operations	(1c) Conduct watering as necessary to prevent visible emissions from extending more than 100 feet beyond the active cut or mining area unless the area is inaccessible to watering vehicles due to slope conditions or other safety factors.
Disturbed surface areas (except completed grading areas)	(2a/b) Apply dust suppression in sufficient quantity and frequency to maintain a stabilized surface. Any areas which cannot be stabilized, as evidenced by wind driven fugitive dust must have an application of water at least twice per day to at least 80 percent of the unstabilized area.
Disturbed surface areas: Completed grading areas	(2c) Apply chemical stabilizers within five working days of grading completion; OR (2d) Take actions (3a) or (3c) specified for inactive disturbed surface areas
Inactive disturbed surface areas	(3a) Apply water to at least 80 percent of all inactive disturbed surface areas on a daily basis when there is evidence of wind driven fugitive dust, excluding any areas which are inaccessible to watering vehicles due to excessive slope or other safety conditions; OR (3b) Apply dust suppressants in sufficient quantity and frequency to maintain a stabilized surface; OR (3c) Establish a vegetative ground cover within 21 days after active operations have ceased. Ground cover must be of sufficient density to expose less than 30 percent of unstabilized ground within 90 days of planting, and at all times thereafter; OR (3d) Utilize any combination of control actions (3a), (3b), and (3c) such that, in total, these actions apply to all inactive disturbed surface areas.
Unpaved Roads	(4a) Water all roads used for any vehicular traffic at least once per every two hours of active operations; OR (4b) Water all roads used for any vehicular traffic once daily and restrict vehicle speeds to 15 miles per hour; OR (4c) Apply a chemical stabilizer to all unpaved road surfaces in sufficient quantity and frequency to maintain a stabilized surface.
Open storage piles	(5a) Apply chemical stabilizers; OR (5b) Apply water to at least 80 percent of the surface area of all open storage piles on a daily basis when there is evidence of wind driven fugitive dust; OR (5c) Install temporary coverings; OR (5d) Install a three-sided enclosure with walls with no more than 50 percent porosity which extends, at a minimum, to the top of the pile.
All Categories	(6a) Any other control measures approved by the Executive Officer and the USEPA as equivalent to the methods specified in Table 2 may be used.

TABLE 5-2
REQUIRED BEST AVAILABLE CONTROL MEASURES
(SCAQMD RULE 403, TABLE 1)

Control Measure	Guidance
Backfilling	
01-1 Stabilize backfill material when not actively handling; and 01-2 Stabilize backfill material during handling; and 01-3 Stabilize soil at completion of activity	• Mix backfill soil with water prior to moving • Dedicate water truck or high capacity hose to backfilling equipment • Empty loader bucket slowly so that no dust plumes are generated • Minimize drop height from loader bucket
Clearing and Grubbing	
02-1 Maintain stability of soil through pre-watering of site prior to clearing and grubbing; and 02-2 Stabilize soil during clearing and grubbing activities; and 02-3 Stabilize soil immediately after clearing and grubbing activities.	• Maintain live perennial vegetation where possible • Apply water in sufficient quantity to prevent generation of dust plumes
Clearing Forms	
03-1 Use water spray to clear forms; or 03-2 Use sweeping and water spray to clear forms; or 03-3 Use vacuum system to clear forms.	• Use of high pressure air to clear forms may cause exceedance of Rule requirements
Crushing	
04-1 Stabilize surface soils prior to operation of support equipment; and 04-2 Stabilize material after crushing.	• Follow permit conditions for crushing equipment • Pre-water material prior to loading into crusher • Monitor crusher emissions opacity • Apply water to crushed material to prevent dust plumes
Cut and Fill	
05-1 Pre-water soils prior to cut and fill activities; and 05-2 Stabilize soil during and after cut and fill activities.	• For large sites, pre-water with sprinklers or water trucks and allow time for penetration • Use water trucks/pulls to water soils to depth of cut prior to subsequent cuts
Demolition – Mechanical/Manual	
06-1 Stabilize wind erodible surfaces to reduce dust; and 06-2 Stabilize surface soil where support equipment and vehicles will operate; and 06-3 Stabilize loose soil and demolition debris; and 06-4 Comply with AQMD Rule 1403.	• Apply water in sufficient quantities to prevent the generation of visible dust plumes
Disturbed Soil	
07-1 Stabilize disturbed soil throughout the construction site; and 07-02 Stabilize disturbed soil between structures	• Limit vehicular traffic and disturbances on soils where possible • If interior block walls are planned, install as early as possible • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes

TABLE 5-2 (Continued)
REQUIRED BEST AVAILABLE CONTROL MEASURES
(SCAQMD RULE 403, TABLE 1)

Control Measure		Guidance
Earth-Moving Activities		
08-1 08-2 08-3	Pre-apply water to depth of proposed cuts; and Re-apply water as necessary to maintain soils in a damp condition and to ensure that visible emissions do not exceed 100 feet in any direction; and Stabilize soils once earth-moving activities are complete.	• Grade each project phase separately, timed to coincide with construction phase • Upwind fencing can prevent material movement on site • Apply water or a stabilizing agent in sufficient quantities to prevent the generation of visible dust plumes
Importing/Exporting of Bulk Materials		
09-1 09-2 09-3 09-4 09-5	Stabilize material while loading to reduce fugitive dust emissions; and Maintain at least six inches of freeboard on haul vehicles; and Stabilize material while transporting to reduce fugitive dust emissions; and Stabilize material while unloading to reduce fugitive dust emissions; and Comply with Vehicle Code Section 23114.	• Use tarps or other suitable enclosures on haul trucks • Check belly-dump truck seals regularly and remove any trapped rocks to prevent spillage • Comply with track-out prevention/mitigation requirements • Provide water while loading and unloading to reduce visible dust plumes
Landscaping		
10-1	Stabilize soils, materials, slopes	• Apply water to materials to stabilize, maintain materials in a crusted condition • Maintain effective cover over materials • Stabilize sloping surfaces using soil binders until vegetation or ground cover can effectively stabilize the slopes • Hydroseed prior to rain season
Road Shoulder Maintenance		
11-1 11-2	Apply water to unpaved shoulders prior to clearing; and Apply chemical dust suppressants and/or washed gravel to maintain a stabilized surface after completing road shoulder maintenance.	• Installation of curbing and/or paving of road shoulders can reduce recurring maintenance costs • Use of chemical dust suppressants can inhibit vegetation growth and reduce future road shoulder maintenance costs
Screening		
12-1 12-2 12-3	Pre-water material prior to screening; and Limit fugitive dust emissions to opacity and plume length standards; and Stabilize material immediately after screening.	• Dedicate water truck or high capacity hose to screening operation • Drop material through the screen slowly and minimize drop height • Install wind barrier with a porosity of no more than 50% upwind of screen to the height of the drop point
Staging Areas		
13-1 13-2	Stabilize staging areas during use; and Stabilize staging area soils at project completion.	• Limit size of staging area • Limit vehicle speeds to 15 miles per hour • Limit number and size of staging area entrances/exists

TABLE 5-2 (Continued)
REQUIRED BEST AVAILABLE CONTROL MEASURES
(SCAQMD RULE 403, TABLE 1)

Control Measure	Guidance
Stockpiles/Bulk Material Handling	
14-1 Stabilize stockpiled materials. 14-2 Stockpiles within 100 yards of off-site occupied buildings must not be greater than eight feet in height; or must have a road bladed to the top to allow water truck access or must have an operational water irrigation system that is capable of complete stockpile coverage.	• Add or remove material from the downwind portion of the storage pile • Maintain storage piles to avoid steep sides or faces
Traffic Areas for Construction Activities	
15-1 Stabilize all off-road traffic and parking areas; and 15-2 Stabilize all haul routes; and 15-3 Direct construction traffic over established haul routes.	• Apply gravel/paving to all haul routes as soon as possible to all future roadway areas • Barriers can be used to ensure vehicles are only used on established parking areas/haul routes
Trenching	
16-1 Stabilize surface soils where trencher or excavator and support equipment will operate; and 16.2 Stabilize soils at the completion of trenching activities.	• Pre-watering of soils prior to trenching is an effective preventive measure. • For deep trenching activities, pre-trench to 18 inches, soak soils via the pre-trench and resume trenching • Washing mud and soils from equipment at the conclusion of trenching activities to prevent crusting and drying of soil on equipment
Truck Loading	
17-1 Pre-water material prior to loading; and 17.2 Ensure that freeboard exceeds six inches (CVC 23114)	• Empty loader bucket such that no visible dust plumes are created • Ensure that the loader bucket is close to the truck to minimize drop height while loading
Turf Overseeding	
18-1 Apply sufficient water immediately prior to conducting turf vacuuming activities to meet opacity and plume length standards; and 18-2 Cover haul vehicles prior to exiting the site.	• Haul waste material immediately off-site
Unpaved Roads/Parking Lots	
19-1 Stabilize soils to meet the applicable performance standards; and 19-2 Limit vehicular travel to established unpaved roads (haul routes) and unpaved parking lots.	• Restricting vehicular access to established unpaved travel paths and parking lots can reduce stabilization requirements
Vacant Land	
20-1 In instances where vacant lots are 0.10 acre or larger and have a cumulative area of 500 square feet or more that are driven over and/or used by motor vehicles and/or off-road vehicles, prevent motor vehicle and/or off-road vehicle trespassing, parking and/or access by installing barriers, curbs, fences, gates, posts, signs, shrubs, trees or other effective control measures.	

TABLE 5-3
TRACK OUT CONTROL OPTIONS
(RULE 403, TABLE 3)

(1)	Pave or apply chemical stabilization at sufficient concentration and frequency to maintain a stabilized surface starting from the point of intersection with the public paved surface, and extending for a centerline distance of at least 100 feet and a width of at least 20 feet.
(2)	Pave from the point of intersection with the public paved road surface, and extending for a centerline distance of at least 25 feet and a width of at least 20 feet, and install a track-out control device immediately adjacent to the paved surface such that exiting vehicles do not travel on any unpaved road surface after passing through the track-out control device.
(3)	Any other control measures approved by the Executive Officer and the USEPA as equivalent to the methods specified in Table 3 may be used.

5.3.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Conflict with or obstruct implementation of the applicable air quality plan?

Reduced Impact from Previous Analysis. As noted above, the FEIS/EIR concluded that the MCAS Tustin Specific Plan and Implementation Actions would not be consistent with the 1994 and 1997 AQMPs because these plans did not consider emissions associated with the planned intensity assumed by the Specific Plan and Implementation Actions. This inconsistency was addressed during preparation of the 2003 AQMP which considered regional operational air quality impacts associated with buildout of the MCAS Tustin Specific Plan by incorporating more current growth projections. As a result, the adopted project is no longer inconsistent with the AQMP. The proposed Specific Plan Amendment, DDA, and Development Plan would not change the total number of allowed residential units within the area (it merely redistributes them), reduces the amount of non-residential development, and would be substantially consistent with the growth projections assumed in the 2003 AQMP. No impact would result.

B. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

C. Result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

D. Expose sensitive receptors to substantial pollutant concentrations?

No Substantial Change from Previous Analysis. Following is a discussion of the impacts of the proposed Specific Plan Amendment, DDA, and Development Plan as they relate to each of the topics addressed in the FEIS/EIR. As noted above, the significance thresholds provided in SCAQMD's *1993 CEQA Handbook* are still applicable.

Construction

In recognition that actual construction schedules would be determined at a later date, the construction analysis presented in the FEIS/EIR was based on assumptions for the peak construction year. This information was then used to estimate construction activity during the peak construction quarter and peak construction day. Based on current phasing assumptions of the DDA (see Section 3.2.3 of this Addendum), construction activities associated with the proposed project would be consistent with the assumptions for peak construction activities outlined in the FEIS/EIR.

Because the proposed project would not change the construction efforts required to implement the project, it would not result in substantially different or more severe air pollutant emissions during construction. Section 5.3.4 below includes measures carried forward from the FEIS/EIR as well as an updated MM AQ-1 for reducing construction-related air quality impacts. The intent of MM AQ-1 remains the same, but as modified incorporates additional strategies for controlling fugitive dust (also known as PM_{10} or particulate matter) emissions, and reflects provisions of SCAQMD's updated fugitive dust control rules (i.e., Rule 402 and Rule 403), which became effective in January 2005, after certification of the FEIS/EIR. Compliance with refined MM AQ-1 would yield greater PM_{10} reduction benefits than the original mitigation measures included in the FEIS/EIR.

Consistent with the conclusions reached in the FEIS/EIR, the proposed project would result in significant short-term construction air quality impacts. Because the construction activities have not changed, the proposed project would not substantially increase the type or severity of construction-related air quality impacts from identified in the FEIS/EIR. Because MM AQ-1 is modified to require compliance with the updated dust controls now mandated by Rules 402 and 403, new control technologies available to reduce construction air quality impacts would be implemented during project construction.

Operation

The primary source of long-term regional emissions generated by the proposed project would be from motor vehicles. Other long-term emissions are associated with regional power plants and facilities (off-site stationary sources), which would supply electricity and natural gas for the site. As detailed in Section 5.15, Transportation and Traffic, implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would result in average daily traffic (ADT) volumes that are consistent with those assumed in the FEIS/EIR. However, as noted under the discussion of "current conditions" above, the vehicular emissions model that was used for analysis in the FEIS/EIR has been modified.

Mestre Greve Associates, Inc. prepared an updated analysis of the potential regional air quality impacts for the proposed project, which is available for review at the Community Development County at the City of Tustin City Hall. The analysis includes the following: (1) discussion of the differences in calculating predicted regional emissions between the analysis in the FEIS/EIR and the updated analysis; (2) updated modeling to predict emissions associated with introducing development pursuant to the proposed project; (3) comparison of the predicted emissions for the approved project from the FEIS/EIR and what those emissions would be with the revised/current vehicular emission factors; and (4) comparison of emission calculations for the approved project and the proposed amendments that were performed with the same assumptions so that the two scenarios could be compared accurately. Detailed information

about the assumptions included in the analysis is presented in Appendix A and a summary of the conclusions is provided below.

Effects Of Revised Vehicular Emission Factors On Original Analysis

As previously noted, the FEIS/EIR concluded that estimated CO, ROG, NO_x, and SO_x emissions exceeded the SCAQMD significance thresholds, resulting in a significant regional air quality impact. As discussed in the technical analysis conducted by Mestre Greve Associates, the only change in strict modeling methodology (as opposed to modeling interpretation) is the revision in vehicular emission factors. Table 5-4 presents a comparison of vehicular emissions from the original FEIS/EIR that were calculated using the previous EMFAC7G and the emissions that would be estimated using the current EMFAC2002. Both calculations assume 1,550,935 vehicle miles traveled per day, the same value used in the air quality calculations in the FEIS/EIR. The specific modeling methods for emissions from natural gas consumption and electrical generation have not changed since preparation of the FEIS/EIR. Therefore, except for modeling interpretation differences, these emission rates would remain the same for a direct comparison.

TABLE 5-4
COMPARISON OF REGIONAL POLLUTANT EMISSIONS FOR THE ORIGINAL SPECIFIC PLAN WITH PREVIOUS AND UPDATED CARB MODEL

	Vehicular Pollutant Emissions (lbs/day)				
Emission Factor Source	**CO**	**ROG**	**NO_x**	**PM_{10}**	**SO_x**
EMFAC7G (Orig. EIR)	20,936.6	1,673.3	3,901.8	99.4	263.7
EMFAC2002 (Latest)	7,194.9	999.7	1,866.7	158.7	18.7
Difference	**-13,741.7**	**-673.6**	**-2,035.1**	**59.3**	**-245.0**

Table 5-4 shows that simply using the updated CARB model and its revised emission factors, without considering any changes to the proposed land uses of the Specific Plan results in substantial reductions in the estimated emissions of CO, ROG, NO_x, and SO_x. The EMFAC2002 model estimates for CO, ROG, and NO_x emissions are between 40 percent and 65 percent less than estimates derived with the prior model and SO_x emissions are 93 percent less than those derived from the EMFAC7G model. However, PM_{10} emissions estimates are approximately 60 percent greater than those derived from the EMFAC7G model.

Despite reductions in predicted emissions, with the EMFAC2002 model, emissions from CO, ROG, and NO_x still exceed the significance threshold. However, SO_x emissions are below the significance threshold compared to the EMFAC7G model (prior SO_x model emissions exceeded the threshold. With the EMFAC2002 model, PM_{10} emissions exceed the significance threshold. Using the EMFAC2002 model, predicted emissions continue to result in significant long-term operational air quality impacts, as predicted in the FEIS/EIR.

Revised Emission Estimates and Effect of the Proposed Project

Because of the differences in modeling interpretation and in order to provide an "apples-to-apples" comparison of the original Specific Plan to the proposed project, the estimated emissions with the original Specific Plan were recalculated and are presented in Table 5-5. The emissions estimate presented in Table 5-5 is different from those presented above because the updated trip generation rate from the traffic study prepared for the proposed project was applied to the proposed land uses along with refined trip lengths by land use category. Further, the categorization of land use types into the uses for which natural gas and electrical consumption

are provided in the *SCAQMD Handbook* has been changed and updated from the original calculations. The specific assumptions used are presented in the technical analysis prepared by Mestre Greve Associates.

TABLE 5-5
REVISED REGIONAL POLLUTANT EMISSIONS ESTIMATE FOR THE ORIGINAL SPECIFIC PLAN/REUSE PLAN

	Pollutant Emissions (lbs/day)				
Source	**CO**	**ROG**	**NO_x**	**PM_{10}**	**SO_x**
Vehicular Trips	8,661.2	1,229.0	2,536.7	196.7	23.6
Natural Gas Consumption	35.4	9.4	183.0	0.4	0.0
Consumer Product Usage	0.0	214.0	0.0	0.0	0.0
Electrical Generation	76.8	3.8	441.6	15.4	46.1
Total Project Emissions	**8,773.4**	**1,456.2**	**3,161.3**	**212.4**	**69.6**
SCAQMD Thresholds	550	55	55	150	150

The emissions with the proposed project were calculated using the same methodology and are presented in Table 5-6. Calculating the emissions with the original Specific Plan and with the proposed project using a consistent set of updated modeling assumptions allows the two results to be compared accurately using the latest assessment technology. The comparison of the two calculations, presented in Table 5-6, reflects only differences in the emissions under conditions with the proposed project compared to conditions with the original Specific Plan. Comparing the emissions estimate with the proposed project presented in Table 5-5 with the emissions estimates presented in Table 5-1 reflects not only differences due to the proposed project but also differences in modeling methodology. This is not an accurate comparison.

Table 5-5 presents the results of the revised emissions estimate for the original project. Land use and trip generation information used in the calculations were taken from the traffic study prepared for the proposed project by Austin-Foust Associates (2006). Information and worksheets regarding specific data used for the modeling are included in Appendix A.

Table 5-5 shows that the revised regional pollutant emissions estimate for the original Specific Plan results in the same conclusions as would occur with the original estimate with the EMFAC2002 vehicular emission factors. Emissions of CO, ROG, NO_x, and PM_{10} are projected to be in excess of the SCAQMD thresholds, resulting in a significant air quality impact as identified in the FEIS/EIR.

Table 5-6 shows the regional pollutant emissions estimate for the proposed project using the same methodology that was used to calculate the emissions for the original Specific Plan (presented in Table 5-5).

TABLE 5-6
REGIONAL POLLUTANT EMISSIONS ESTIMATE FOR THE PROPOSED PROJECT

Source	Pollutant Emissions (lbs/day)				
	CO	ROG	NO_x	PM_{10}	SO_x
Vehicular Trips	8,517.7	1,185.1	2,227.8	188.3	22.2
Natural Gas Consumption	33.1	8.8	170.6	0.3	0.0
Consumer Product Usage	0.0	210.1	0.0	0.0	0.0
Electrical Generation	71.9	3.6	413.3	14.4	43.1
Total Project Emissions	**8,622.7**	**1,407.6**	**2,811.7**	**203.0**	**65.4**
SCAQMD Thresholds	550	55	55	150	150

Table 5-6 shows that the regional pollutant emissions estimate with the proposed project results in the same conclusions as would occur with the original Specific Plan. Regional emissions are projected to be in excess of the SCAQMD thresholds and the project would result in a significant regional air quality impact.

Table 5-7 presents the difference in pollutant emissions with the proposed project (Table 5-6) and the recalculated emissions from original Specific Plan (Table 5-5). Table 5-7 shows slight reductions in predicted emissions with the proposed project when compared with the original Specific Plan. However, the reductions are not substantial. The greatest reduction is only 11 percent for NO_X. The reductions resulting from implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not change the significance finding for the project as identified in the FEIS/EIR. The proposed project would continue to have a significant regional air quality impact; however, there would not be a substantial increase in the severity of this impact from what was identified in the FEIS/EIR.

TABLE 5-7
DIFFERENCES IN REGIONAL POLLUTANT EMISSIONS BETWEEN THE ORIGINAL AND PROPOSED SPECIFIC PLAN/REUSE PLAN

Source	Pollutant Emissions (lbs/day)				
	CO	ROG	NO_x	PM_{10}	SO_x
Vehicular Trips	-143.5	-43.9	-308.9	-8.5	-1.3
Natural Gas Consumption	-1 4	-0.4	-7.1	0.0	0.0
Consumer Product Usage	0.0	-3.9	0.0	0.0	0.0
Electrical Generation	-3.9	-0.2	-22.4	-0.8	-2.3
Total Project Emissions	**-148.8**	**-48.4**	**-338.4**	**-9.3**	**-3.7**
SCAQMD Thresholds	550	55	55	150	150

The data presented above shows that vehicles are the largest source of air pollutant emissions associated with the proposed project. The greatest emissions reductions are realized by reducing vehicular use. Mitigation measures AQ-3 and AQ-4 from the FEIS/EIR (provided in Section 5.3.4 below) present Traffic Demand Management (TDM) measures to reduce travel demand, vehicle miles traveled, and their associated air pollutant emissions. These measures are still applicable to the Project Amendments. There are currently no additional TDM measures available or recommended.

Emissions from natural gas combustions sources (i.e., water heaters and furnaces) are regulated by SCAQMD by imposing emission standards for these devices. Emissions from consumer products are also regulated by SCAQMD and CARB. Energy efficiency reduces emissions associated with electrical consumption. However, California's Title 24 energy efficiency requirements as well as other regulations ensure that reasonable energy efficiency measures are incorporated into the project. Therefore, no additional mitigation measures are currently available or are required.

CO "Hot Spot"

As stated above, the FEIS/EIR included an analysis to determine whether CO hot spots would result from implementation of the MCAS Tustin Specific Plan and Implementing Actions. Neither state or federal CO standards, nor the methods used to analyze CO hot spots have substantially changed since certification of the FEIS/EIR. Likewise, the land uses in the vicinity of the proposed project have not significantly changed during the past few years.

None of the intersections in the project area have peak hour traffic volumes that exceed those at the intersections modeled in the AQMP (described above) nor do they have any geometric qualities that would result in higher concentrations than for the intersections modeled for the AQMP. Therefore, no intersections in the project vicinity would be expected to experience CO concentrations in excess of the state or federal standards. Therefore, the project would not result in a significant local air quality impact.

Air Toxics

The proposed Specific Plan Amendment, DDA, and Development Plan would not change the types of land uses proposed within the Specific Plan area from what was analyzed in the FEIS/EIR. Therefore, the analysis of air toxic emissions from proposed land uses presented in the FEIS/EIR is still applicable. As identified in the FEIS/EIR, operation of proposed uses would be conducted in compliance with all applicable SCAQMD regulations (Rule 1401 New Source Review of Toxic Air Contaminants). Consequently, potential impacts related to exposure of sensitive receptors to toxic air contaminants would be less than significant.

The project site is located approximately 1.8 miles northeast of John Wayne Airport (JWA). Under typical weather conditions aircraft are arriving to JWA from the direction of the project. Near the project the arriving aircraft are typically lined up with the runway. This results in the aircraft being approximately 2,000 feet to the west of the project at the nearest point (west of the intersection of Barranca Parkway and Red Hill Avenue). The nearest potential residential use proposed by the amendments would be southeast of the intersection of Warner Avenue and Armstrong Avenue. This point is approximately 2.3 miles northeast of the airport and approximately 5,000 feet east of the arrival flight track.

In recent years concern has been raised regarding air toxic emissions from airport operations. However, much of the air toxic emissions from airport operations are due to sources operating on the airport property. For cancer risk impacts, the primary source of the impacts is diesel particulate matter (DPM). The primary source of DPM is the ground service equipment operating at the airport. Due to the distance between the airport and the project, emissions from the airport are substantially dispersed by the time they reach the project. Therefore, the toxic air contaminant concentrations at the project site are much lower than in areas near the airport.

As discussed above, the project site is located in the direction that aircraft typically use to approach the airport. Aircraft only take off from the airport in the direction of the project during

Santa Ana wind conditions. Aircraft on approach to an airport emit much lower pollutant levels because they are using less engine power. Emissions from aircraft approaching the airport would not be expected to generate considerable pollutant concentrations at the project site.

In 2001, JWA prepared an EIR for the proposed settlement agreement extension. This EIR examined the impacts from toxic air pollutants on surrounding uses and concluded that the airport would have a significant impact. However, this finding was based on the maximally exposed individual (MEI) receptors, which were generally located to the west and south of the airport and well away from the project site. The EIR only presented cancer risks and hazard risks for these MEI receptors. One MEI receptor was located northeast of the airport, approximately 2,000 feet from it. The analysis showed that this receptor was the MEI for sensitive uses' acute non-cancer hazard. An acute non-cancer hazard is a measure of impact due to a short-term, 24-hour, exposure. The acute non-cancer hazard index at this receptor was just above the significance threshold; less than 10 percent above the threshold for the approved scenario (Scenario 1). Short-term toxic air contaminant concentrations at the project site would be expected to be much lower, and less than significant because the project area is located approximately 7,500 feet further from the airport than the sensitive acute non-cancer hazard MEI, and the nearest residential use is located more than 12,000 feet further away than the sensitive acute non-cancer hazard MEI. In April 2005, CARB released *Air Quality and Land Use Handbook: A Community Health Perspective*. This document discusses specific significant sources of air pollutants, primarily air toxics, and recommends land use strategies, primarily restricting residential uses within a certain distance, to minimize the impacts of these facilities. The facilities discussed include freeways, distribution centers, rail yards, ports, petroleum refineries, chrome plating operations, dry cleaners using Perchlorethylene, and gasoline-dispensing facilities. Airports are not discussed in the document. Because of this and based on the discussion presented above, the project would not be significantly impacted by air toxics from operations at John Wayne Airport.

E. Create objectionable odors affecting a substantial number of people?

No Substantial Change from Previous Analysis. The Initial Study prepared for the FEIS/EIR concluded that the Specific Plan and Implementing Actions would not generate objectionable odor and did not require further analysis. The proposed Specific Plan Amendment, DDA, and Development Plan would involve development of various land uses including, but not limited to, residential, commercial/business, institutional/education, and recreation. In general, future development, as proposed, would involve odor-generating activities (e.g., residential uses would generate odor from backyard barbeque smoke, lawn mower exhaust, application of exterior paints). The types and concentrations of odors that would be generated on-site are typical of similar communities, including communities in surrounding areas, and are not considered significant, as concluded in the FEIS/EIR. It should also be noted that the amount of industrial uses proposed has been reduced; therefore, the potential for odor generated by these uses is also reduced. Further, development within the Specific Plan area would be in compliance with Section 3.11 of the MCAS Tustin Specific Plan, General Development Regulations, which requires that uses which produce odors, toxic gases, or noxious matter that would be detectable outside the property lines of the premises be modified to prevent such emissions (Section 3.11.7 of the MCAS Tustin Specific Plan).

5.3.4 MITIGATION AND IMPLEMENTATION MEASURES

FEIS/EIR Measures That Have Been Completed

No mitigation measures related to air quality have been completed.

FEIS/EIR Measures Applicable to the Proposed Project

MM AQ-2 Unless determined by the City of Tustin and the City of Irvine, as applicable, to be infeasible on a project-by-project basis due to unique project characteristics, each city shall require individual development projects to use low VOC architectural coatings for all interior and exterior painting operations.

MM AQ-3 Prior to the issuance of development permits for new non-residential projects with 100 or more employees, and expanded projects where additional square footage would result in a total of 100 or more employees, the City of Tustin and the City of Irvine, as applicable, shall impose a mix of TDM measures which, upon estimation, would result in an average vehicle ridership of at least 1.5, for each development with characteristics that would be reasonably conducive to successful implementation of such TDM measures. These TDM measures may include one or more of the following, as determined appropriate and feasible by each city on a case-by-case basis:

- Establish preferential parking for carpool vehicles.
- Provide bicycle parking facilities.
- Provide shower and locker facilities.
- Provide carpool and vanpool loading areas.
- Incorporate bus stop improvements into facility design.
- Implement shuttles to shopping, eating, recreation, and/or parking and transit facilities.
- Construct remote parking facilities.
- Provide pedestrian circulation linkages.
- Construct pedestrian grade separations.
- Establish carpool and vanpool programs.
- Provide cash allowances, passes, and other public transit and purchase incentives.
- Establish parking fees for single occupancy vehicles.
- Provide parking subsidies for rideshare vehicles.
- Institute a computerized commuter rideshare matching system.
- Provide a guaranteed ride-home program for ridesharing.
- Establish alternative work week, flex-time, and compressed work week schedules.
- Establish telecommuting or work-at-home programs.
- Provide additional vacation and compensatory leave incentives.
- Provide on-site lunch rooms/cafeterias and commercial service such as banks, restaurants, and small retail.
- Provide on-site day care facilities.
- Establish an employee transportation coordinator(s).

MM AQ-4 If not required under each individual development's TDM plan, the City of Tustin and the City of Irvine, as applicable, shall implement the following measures, as determined appropriate or feasible by each city on a case-by-case basis:

- Reschedule truck deliveries and pickups for off-peak hours.
- Implement lunch shuttle service from a worksite(s) to food establishments.
- Implement compressed work week schedules where weekly work hours are compressed into fewer than five days, such as 9/80, 4/40, or 3/36.
- Provide on-site child care and after-school facilities or contribute to off-site developments within walking distance.
- Provide on-site employee services such as cafeterias, banks, etc.
- Implement a pricing structure for single-occupancy employee parking, and/or provide discounts to ridesharers.
- Construct off-site pedestrian facility improvements such as overpasses and wider sidewalks.
- Include retail services within or adjacent to residential subdivisions.
- Provide shuttles to major rail transit centers or multi-modal stations.
- Contribute to regional transit systems (e.g., right-of-way, capital improvements).
- Synchronize traffic lights on streets impacted by development.
- Construct, contribute, or dedicate land for the provision of off-site bicycle trails linking the facility to designated bicycle commuting routes.
- Include residential units within a commercial development.
- Provide off-site bicycle facility improvements, such as bicycle trails linking the facility to designated bicycle commuting routes, or on-site improvements, such as bicycle paths.
- Include bicycle parking facilities such as bicycle lockers.
- Include showers for bicycling and pedestrian employees' use.
- Construct on-site pedestrian facility improvements, such as building access which is physically separated from street and parking lot traffic and walk paths.

Refinements to Measures Included in the FEIS/EIR

MM AQ-1 in the FEIS/EIR outlined measures to reduce construction-related emissions. As noted above, since certification of the FEIS/EIR, amendments to SCAQMD's Rules 402 and 403 have become effective. Therefore MM AQ-1 has been updated to reflect current regulatory requirements for PM_{10} control within the South Coast Air Basin. This is not a new mitigation measure but rather a refinement of a previous measure requiring compliance with Rule 403.

MM AQ-1 During construction of the proposed project, the City, and/or developer and its contractors shall be required to comply with regional rules, which would assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions should not create a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. The City and its contractors shall use the measures presented in SCAQMD Rule 403 Tables 1, 2 and 3 (presented in Tables 5-1, 5-2 and 5-3 of this Addendum). This compliance measure shall be

included in the contractor's specifications and verified on City projects by the Department of Public Works.

5.3.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting air quality, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to air quality than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to air quality has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

While MM AQ-1 has been refined, there are no new mitigation measures that could be implemented that would reduce the significant unavoidable short-term and long-term and cumulative air quality impacts associated with implementation of the proposed project. Compliance with AQMP and SCAQMD requirements will assure incorporation of the most updated technological measures available at the time of the project implementation to reduce air quality impacts. Nevertheless, although the air quality impacts from the proposed project would not be substantially more severe than that identified in the FEIS/EIR, the air quality impacts continue to be significant and unavoidable as previously concluded.

A Statement of Overriding Considerations for the FEIS/EIR was adopted by the Tustin City Council on January 16, 2001, to address significant unavoidable short-term, long-term and cumulative air quality impacts.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address air quality issues:

California Legislature. "California Clean Air Act." *Health and Safety Code, Section 39000.* 1975, 1988.

Governing Board. South Coast Air Quality Management District. *2003 Air Quality Management Plan.* August 1, 2003. Diamond Bar, California: SCAQMD. January 17, 2006. <http://www.aqmd.gov/aqmp/AQMD03AQMP.htm>.

Jones, Matthew B. (Mestre Greve Associates). Letter to Mr. Dana Ogdon (City of Tustin) regarding MCAS Tustin Specific Plan Amendment 05-002, Regional Air Quality Impacts Analysis. March 2, 2006.

South Coast Air Quality Management Board. "EMFAC 2002 (v2.2) Emission Factors (On-Road)." March 11, 2005. SCAQMD. January 17, 2006. <http://www.aqmd.gov/ceqa /handbook /onroad/onroad.html>.

South Coast Air Quality Management District. *CEQA Air Quality Handbook.* Diamond Bar, California: SCAQMD. April 1993, November 1993. (updates at <http://www.aqmd.gov /ceqa/oldhdbk.html>).

South Coast Air Quality Management District. "Rule 402: Nuisance" (Adopted May 7, 1976). Regulation IV Regulations. June 29, 2005. SCAQMD. February 16, 2006. <http://www.aqmd.gov/rules/reg/reg04_tofc.html>.

South Coast Air Quality Management District. "Rule 403: Fugitive Dust" (Amended June 3, 2005). Regulation IV Regulations. June 29, 2005. SCAQMD. February 16, 2006. <http://www.aqmd.gov/rules/reg/reg04_tofc.html>.

South Coast Air Quality Management District. "Rule 1401: New Source Review of Toxic Air Contaminants" (Amended March 4, 2005). Rules Recently Adopted, Amended, or Repealed. February 9, 2006. SCAQMD. February 16, 2006. <http://www.aqmd.gov/rules/recentrules.html>.

5.4 BIOLOGICAL RESOURCES

5.4.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR identified that on-site vegetation is of low quality and the site has been degraded by past land use activities. The impacts from replacing existing agricultural fields, non-native grasslands, and ornamental landscaping with reuse development was addressed in the FEIS/EIR and was not considered a significant impact because of the low quality of vegetation and the past disturbances on-site. However, the FEIS/EIR determined that implementation of the Specific Plan and associated Implementing Actions would result in significant impacts to jurisdictional waters/wetlands and the southwestern pond turtle.

A portion of the Peters Canyon Channel passes through the boundaries of the Specific Plan area. The Orange County Flood Control District (OCFCD) planned to re-construct this portion of the channel, independent of the reuse project to meet regional flood capacity requirements. Although not a direct project impact, the FEIS/EIR concluded that because the Specific Plan would transfer this channel into OCFCD ownership it would indirectly facilitate the improvement, resulting in an impact to approximately 12.8 acres of jurisdictional waters. The FEIS/EIR further concluded that other natural bottom channels and seasonal ponds within the Specific Plan area may be impacted by development including, but not limited to, jurisdictional areas within on-site ditches and drainages, the Santa Ana/Santa Fe Channel, the Barranca Channel, and Peters Canyon Channel as identified in Figure 3.7-1 of the FEIS/EIR. It was estimated that impacts to approximately 16.2 acres of jurisdictional waters, of which 2.4 acres are classified as existing vegetated wetlands, would be impacted with the Specific Plan and Implementing Actions. The FEIS/EIR assumed complete destruction of all wetland and jurisdictional waters.

The FEIS/EIR identified that no impacts to federally-listed Threatened or Endangered plant or animal species would occur and Section 7 consultation would not be required. However, filling of wetlands habitat in and around the San Joaquin Channel would significantly impact the southwestern pond turtle, a California Department of Fish and Game (CDFG) "species of special concern" requiring mitigation. In addition, the FEIS/EIR identified that habitat for the loggerhead shrike, also a CDFG species of special concern, would be eliminated from the site. No nesting habitat would be impacted. Although the proposed reuse would result in the direct loss of four loggerhead shrike (possibly two nesting pairs), it was concluded that there would be no overall adverse effect to the population in southern California and the impact was not considered significant.

5.4.2 CURRENT CONDITIONS

Biological Resources

The environmental setting for biological resources within the Specific Plan area has not substantially changed since preparation of the FEIS/EIR. Specific to areas under the jurisdiction of the USACE and CDFG and as documented during completion of the jurisdictional delineation by Vandermost Consulting (discussed below), the Santa Ana/Santa Fe Channel has a rip-rap bottom and sides. The channel is actively maintained by OCFCD and contains little to no vegetation. Barranca Channel has rip-rap sides and a soft bottom and is also activity maintained. The Barranca Channel is primarily unvegetated with small areas of non-native vegetation.

On February 8, 2006, a biologist with BonTerra Consulting conducted a biological constraints survey within Peters Canyon Channel between the Barranca Parkway overpass and the Metrolink rail crossing to determine if channel conditions along the entire reach of the channel are similar to conditions identified in the FEIS/EIR. Little vegetation grows on the rip-rap slopes and berm tops of Peters Canyon Channel; what exists is non-native. The three vegetation types or land uses present include: (1) open water (flowing or ponded fresh water); (2) flood control channels (supporting a limited number of plants such as slender cattail [*Typha domingensis*], pigweed [*Amaranthus* sp.], rabbit-foot grass [*Polypogon monspeliensis*], California fan palms [*Washingtonia filifera*]), common horseweed [*Conyza canadensis*], telegraph weed [*Heterotheca grandiflora*], short podded mustard [*Hirschfeldia incana*], Russian thistle [*Salsola tragus*], castor bean [*Ricinus communis*], sweet fennel [*Foeniculum vulgare*], oat [*Avena* sp.], and ripgut grass [*Bromus diandrus*]); and (3) urban areas which include structures, pavement, bare ground, overpasses, and gum (*Eucalyptus* sp.), California fan palm, and Brazilian pepper (*Schinus terebinthifolius*) trees.

These vegetation types within the Peters Canyon Channel provide limited habitat value for wildlife species. Common wildlife species expected to occur frequently within these areas include the Pacific tree frog (*Hyla regilla*), western fence lizard (*Sceloporus occidentalis*), side-blotched lizard (*Uta stansburiana*), great blue heron (*Ardea herodias*), great egret (*Ardea alba*), snowy egret (*Egretta thula*), mallard (*Anas platyrhynchos*), American coot (*Fulica americana*), mourning dove (*Zenaida macroura*), and California ground squirrel (*Spermophilus beecheyi nudipes*). However, none of these species were identified during the site visit. Habitat value is further limited by the maintenance of these channels necessary to preserve public safety from floods, and by rainy season scouring.

Special status species are those species that have been listed as Threatened or Endangered under state and/or federal Endangered Species Act (ESA), or are of concern to state and/or federal resource agencies or private conservation organizations. Several special status plant species are known to occur in the project region (CNPS 2006). Only one of these species is currently listed as Threatened or Endangered by the USFWS and/or CDFG (San Fernando Valley Spineflower [*Chorizanthe parryi* var. *fernandina*]); however, this species is not expected to occur within the Peters Canyon Channel due to the lack of suitable habitat. In addition, several CNPS listed species (List 1B, 2, or 3) are known to occur in the project region and have a limited potential to occur within the Peters Canyon Channel due to lack of habitat.

Jurisdictional Delineations

To address current site conditions since certification of the FEIS/EIR, the 1999 jurisdictional delineation was updated for the Master Development footprint, Santa Ana/Santa Fe Channel, Peters Canyon Channel, and the Barranca Channel. It should be noted that updated jurisdictional delineations for other parcels within the Specific Plan area have been conducted for individual development projects as each developer is required to obtain necessary permits (refer to mitigation measure Bio-1).

As identified in the FEIS/EIR, jurisdictional areas on-site are associated with the Santa Ana/Santa Fe, Barranca, and Peters Canyon Channels and agricultural ditches from previous agricultural operations (that are no longer being irrigated). The Santa Ana/Santa Fe Channel, Peters Canyon Channel, and Barranca Channel are maintained by the OCFCD and consist of improved channel walls (refer to description provided in Section 5.8, Hydrology and Water Quality). The Santa Ana/Santa Fe Channel has a rip-rap bottom and Peters Canyon Channel and Barranca Channel have soft bottoms. Because they are maintained by OCFCD for flood control purposes, these larger channels contain limited habitat. Additionally, the channels are typically maintained for flood safety purposes and scoured during winter rains due to the velocity of stormwater.

As previously discussed in Section 2.3 of this Addendum, the City of Tustin has entered into an agreement with the OCFCD regarding the portion of Peters Canyon Channel within the City of Tustin. The City of Irvine has required improvements to the portion of the channel in their jurisdiction by Marble Mountain Partners, LLP. The City of Tustin has also entered into an agreement with the City of Irvine for their funding improvements to the portion of Peters Canyon Channel within the City of Irvine. Pursuant to these agreements, these improvements will now be constructed as part of the proposed project. To ensure that all jurisdictional areas and wetlands potentially impacted by implementation of these improvements are comprehensively evaluated/calculated, the entire length of the Peters Canyon Channel within and adjacent to the Specific Plan area is addressed herein.

RBF Consulting completed a delineation of the Barranca Channel from Red Hill Avenue to east of Von Karman Avenue, and a delineation of Peters Canyon Channel in the City of Tustin from the Metrolink rail crossing south to the city limits and in the City Irvine from the city limits south to Barranca Parkway. Vandermost Consulting conducted a site visit on February 11, 2004, for: (1) the Master Development site, (2) Santa Ana/Santa Fe Channel, and (3) Peters Canyon Channel (from Barranca Parkway to the Metrolink crossing). During this site visit they also confirmed the RBF delineation. A site visit for these areas was conducted with the U.S. Army Corps of Engineers (USACE) and the Regional Water Quality Control Board (RWQCB) on February 17, 2005, to confirm the delineation. The delineations have been conducted in compliance with current regulations and required procedures. While a final determination regarding acreage has not yet been reached and is subject to the processing of required permits pursuant to Sections 401 and 404 of the Clean Water Act and Section 1602 of the California Fish and Game Code, an estimate of the proposed delineations is provided in Tables 5-8 and 5-9.

Two of the on-site agricultural ditches (Drainages B and B3) contain riparian vegetation such as willow *(Salix* sp.), mulefat (*Baccharis salicifolia*), and cattail (*Typha* sp.) plant species. Drainages B and B3 receive artificial flow from the active dewatering operation conducted by the Navy. The dewatering flows would be re-directed to the sewer system when Armstrong Road is improved.

TABLE 5-8
CDFG JURISDICTIONAL STREAMBED

Drainage	Non-Riparian Acreage	Riparian Acreage
Peters Canyon Channel (City of Tustin – from Metrolink crossing to city limits)	14.27	0.00
Peters Canyon Channel (City of Irvine- from the city limits to Barranca Parkway)	11 71	0.00
Barranca Channel	4.04	0.00
Santa Ana/Santa Fe Channel	1.74	0.00
A	0.10	0.00
A1	0.20	0.00
B	0.00	0.38
B2	0.05	0.00
B2-A	0.03	0.00
B3	0.00	0.42
B4	0.04	0.00
Sub-Total	**32.18**	**0.80**
TOTAL	**32.98**	
Source: Vandermost Consulting, 2006.		

TABLE 5-9
JURISDICTIONAL WATERS OF THE U.S.

Drainage	Non-Wetland	Wetland
Peters Canyon Channel (City of Tustin – from Metrolink crossing to city limits)	7.76	0.03
Peters Canyon Channel (City of Irvine- from the city limits to Barranca Parkway)	6.01	0.08
Barranca Channel	1.19	0
Santa Ana/Santa Fe Channel	0.58	0
A	0.10	0
A1	0.20	0
B	0	0.15
B2	0.05	0
B2-A	0.03	0
B3	0	0.42
B4	0.04	0
Sub-Totals	**15.96**	**0.68**
TOTAL	**16.64**	
Source: Vandermost Consulting, 2006.		

The remaining agricultural ditches do not receive natural hydrology or support riparian vegetation. It appears these ditches were excavated in uplands solely for agricultural purposes. The ditches contain limited habitat which are comprised on non-native grasses. In addition, one non-jurisdictional swale (B-1) was identified on-site.

Table 5-8 identifies CDFG jurisdictional streambed totals and Table 5-9 identifies jurisdictional waters of the U.S. under the USACE and RWQCB jurisdiction based on updated surveys. These areas are depicted on Exhibits 4 and 5, respectively.

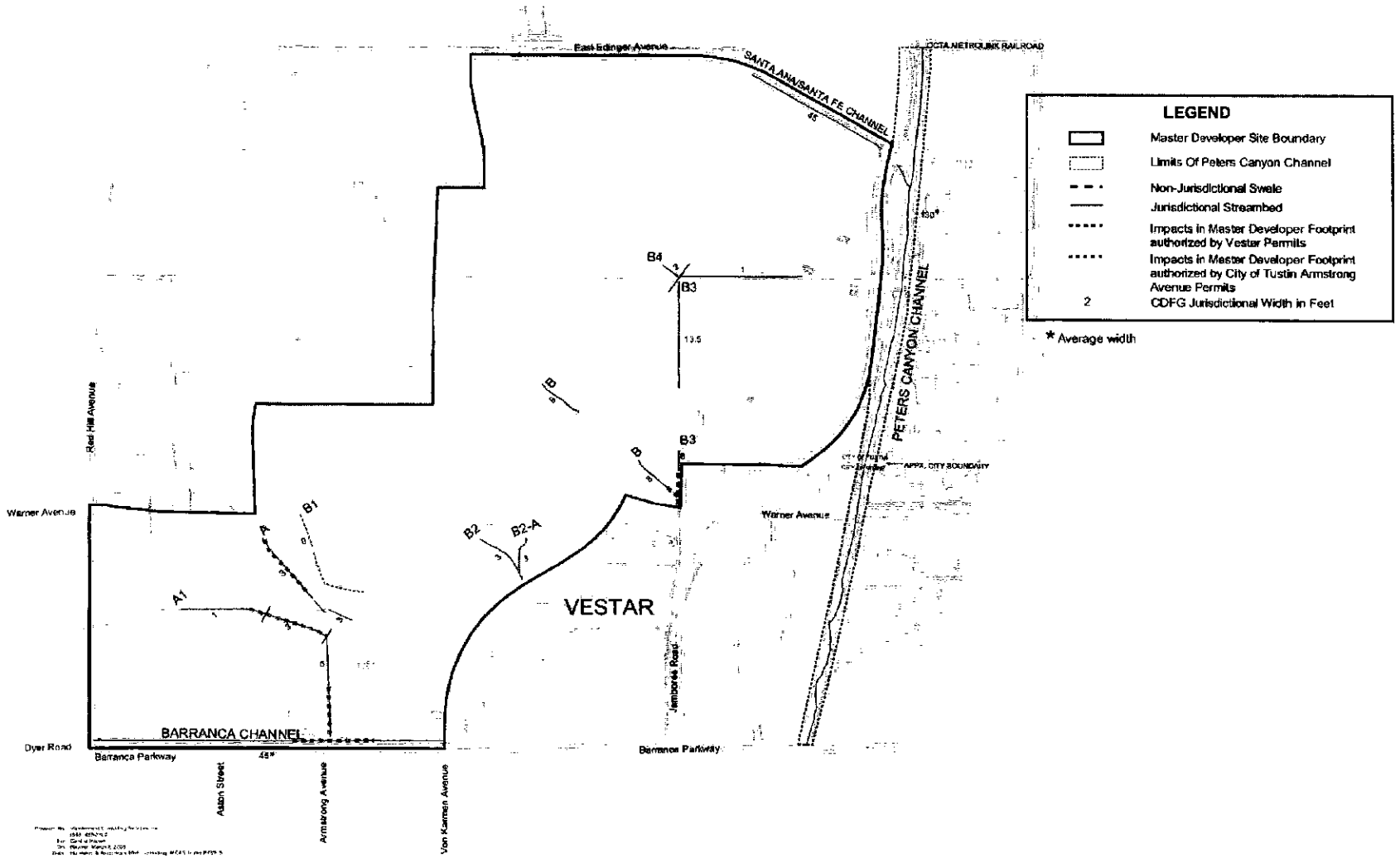
As shown in Table 5-8, there are 32.98 acres of CDFG jurisdictional streambed on-site, with 0.8 acre consisting of riparian vegetation. As shown in Table 5-9, jurisdictional waters of U.S. total 16.64 acres with 0.68 acre consisting of wetland habitat. Note that the FEIS/EIR identified 29.0 acres of jurisdictional waters of the U.S. and 2.4 acres of wetland habitat. The change in area is associated with changes in jurisdictional delineation procedures, and consideration of the segments of Peters Canyon Channel that will be subject to regional improvements in compliance with the agreement the City of Tustin has entered into with the OCFCD (Cooperative Agreement D02-119, as amended) and requirements for channel improvements that the City of Irvine has imposed on developers in its jurisdiction.

Southwestern Pond Turtle

In October 2003, a *Biological Resources Report for the Southern Portion of the Tustin MCAS, Orange County, California* was prepared by Twining Laboratories, Inc., for the proposed Vestar Development. The Vestar Development is located southeast of the Master Developer footprint, specifically, north of Barranca Parkway and west of Jamboree Road. As part of the biological resources report effort, and at the request of CDFG, a focused survey for the southwestern pond turtle was conducted in September 2003. During the survey, one adult male southwestern pond turtle was observed in approximately the same location three separate times. Since only one southwestern pond turtle was seen at any given time, it was assumed that only one individual was present at the location.

At the recommendation of the CDFG a "capture and relocation" plan and an appropriate mitigation plan were prepared. The *Proposed Tustin Marine Corps Base Southwestern Pond Turtle Relocation and Mitigation Plan* was approved by CDFG in April 2004. In summary, the Relocation and Mitigation Plan included the following: (a) evaluation of turtle habitat during trapping periods; (b) determination of sex and numbering of turtles; (c) documentation of weight and length; (d) age determination; and (e) relocation to Hoag Pond at the San Joaquin Marsh within 24 hours of capture. The mitigation further required a funded study of the San Joaquin Marsh pond turtle population, construction monitoring and stream alterations so that any additional turtles observed could be relocated, and capture and relocation of other reptiles and amphibians observed during construction. The trapping and relocation of southwestern pond turtles within the Vestar site was completed in July and August 2004. Five southwestern pond turtles were captured, measured, numbered and relocated to the San Joaquin Marsh consistent with the approved Relocation and Mitigation Plan.

No additional surveys for the remainder of the Specific Plan area or Master Developer footprint have been completed.



CDFG Jurisdictional Delineation

Exhibit 4

Source: Vandermost Consulting Services, inc 2005

BonTerra CONSULTING

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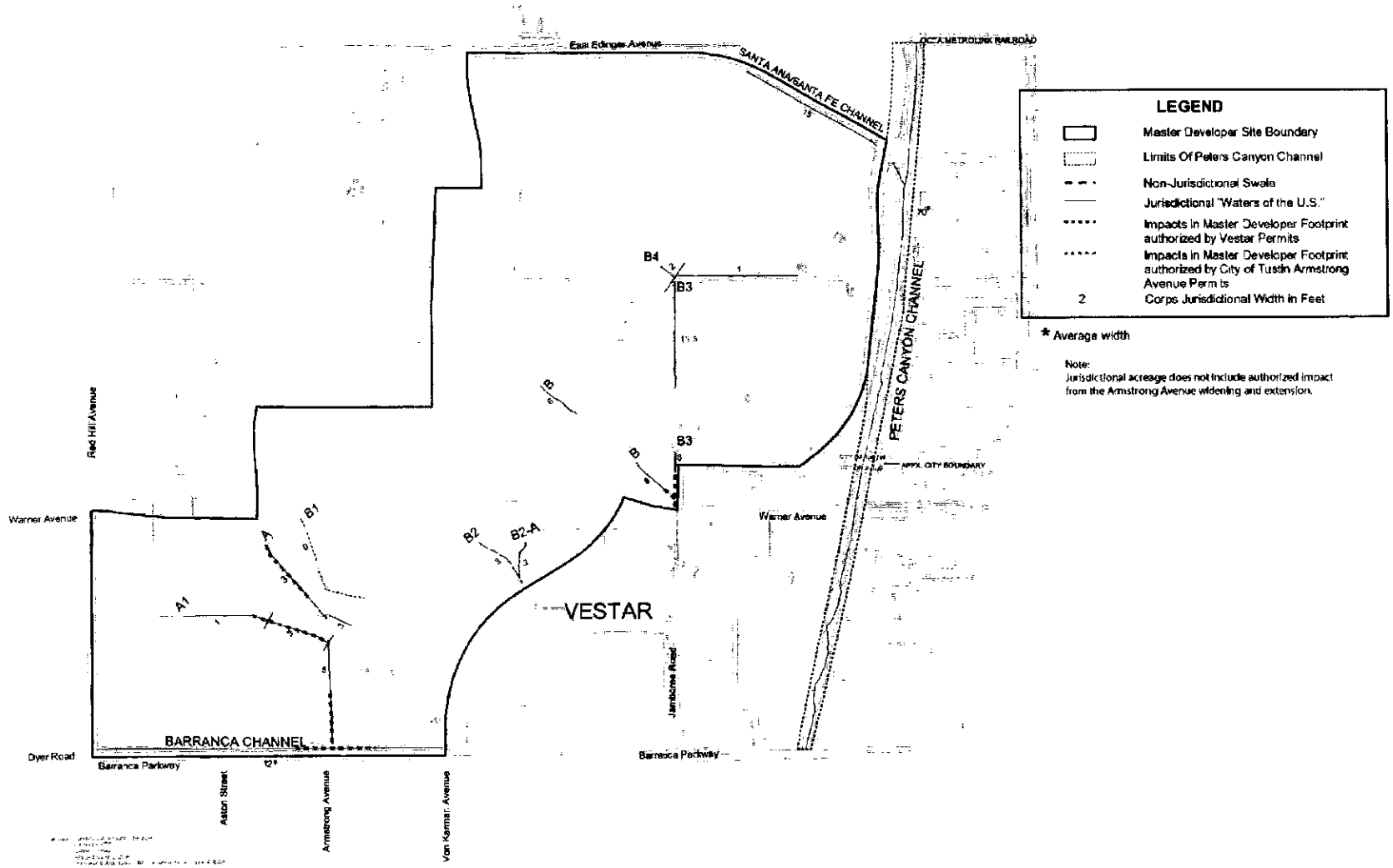

ACOE Jurisdictional Delineation

Exhibit 5

Source: Vandermost Consulting Services Inc 2005

Bonterra CONSULTING

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5.4.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?

No Substantial Change From Previous Analysis. The physical impacts resulting from development of uses proposed with the Specific Plan Amendment, DDA, and Development Plan would be similar to those identified in the FEIS/EIR. Specifically, impacts to on-site vegetation and loss of habitat for the loggerhead shrike, a CDFG species of special concern, would be less than significant. It should be noted that project construction activities would be completed in compliance with federal Migratory Bird Treaty Act of 1918 (MBTA). The MBTA governs the taking and killing of migratory birds, their eggs, parts, and nests.

The analysis of potential impacts to biological resources was updated to address the current conditions of the Barranca, Peters Canyon, and Santa Ana/Santa Fe Channels, and on-site ditches, and to address the entire length of Peters Canyon Channel in the vicinity of the Specific Plan/Reuse Area (between the Metrolink railroad and Barranca Parkway). The impacts in Peters Canyon Channel would be temporary since the channel would be reconstructed with a wider soft-bottom channel. Impacts to habitat that has limited potential to support the previously identified special status species within the on-site channels are not expected to result in potentially significant impacts because the habitat values of the channels are too low to support a substantial population of special status species that would meet the significance criteria in Section 15380 of CEQA Guidelines. Several special status wildlife species are known to occur in the project region; however, no special status wildlife species currently listed by the resource agencies as Candidate, Threatened, or Endangered are expected to nest/reside within the channels due to the lack of suitable habitat, and no special status species were observed during the site visits conducted.

Based on the documented presence of the southwestern pond turtle within the Specific Plan area (most recently found in 2004 during surveys for the Vestar Development conducted as part of the relocation and mitigation plan) the potential impact identified in the FEIS/EIR for impacts to habitat for the southwestern pond turtle would still apply. This impact would be considered significant prior to mitigation. Mitigation measures Bio-2, Bio-3, and Bio-4 presented in the FEIS/EIR for this impact would also be applicable to the proposed project and potential impacts would be mitigated to a level considered less than significant.

Implementation of the Specific Plan Amendment, DDA, and Development Plan would not result in new impacts to any special status species or their habitat, or result in substantially more severe impacts than that addressed in the FEIS/EIR. Mitigation measures presented in the FEIS/EIR, as refined in Section 5.4.4 below, would be sufficient to reduce these impacts to a level that is less than significant.

B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Services?

C. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Substantial Change From Previous Analysis. As identified in the FEIS/EIR, the only sensitive natural community that would be impacted by the proposed project is jurisdictional area and small areas of riparian habitat. No other sensitive vegetation communities or areas protected by existing regulatory requirements were identified on site. This impact conclusion has not changed. Updated jurisdictional delineations were completed for the proposed project to: (a) address current site conditions; (b) quantify jurisdictional area consistent with existing regulations and required procedures; and (c) update the habitat characteristics within jurisdictional areas. As previously noted, the FEIS/EIR assumed complete removal of jurisdictional areas and riparian/wetland habitat within the Specific Plan area. Based on the updated delineation, the impacts to jurisdictional areas and riparian/wetland habitat have been refined for the proposed project and are summarized below. It should be noted that the calculation of jurisdictional areas potentially impacted by implementation of the proposed project is estimated based on current project information. The actual impact area will be confirmed during the permitting process.

The following impact analysis addresses the following: (a) covering of the Barranca Channel for the required widening of Barranca Parkway; (b) regional improvements to Peters Canyon Channel within the cities of Tustin and Irvine from the Metrolink crossing to Barranca Parkway (agreements in place and entitlement conditions of approval for implementation of these improvements are described in Section 2.3 of this Addendum); (c) impacts to the Santa Ana/Santa Fe Channel (the identified impacts could be reduced with construction of a culvert crossing to accommodate a connection of the East Connector Road with Edinger Avenue); and (d) construction activities within the Master Developer footprint, in its entirety.

Impacts to CDFG Jurisdictional Areas

Impacts to the CDFG streambed resulting from the proposed project include permanent impacts to approximately 7.0 acres and temporary impacts to approximately 25.98 acres of jurisdictional area. Permanent impacts consist of approximately 7.0 acres, of which 0.80 acre consists of vegetated agricultural ditches B and B3. Approximately 6.2 acres are unvegetated agricultural ditches, Santa Ana/Santa Fe Channel, and Barranca Channel. Tables 5-10 and 5-11 summarize temporary and permanent project impacts to the CDFG jurisdictional streambed. It should be noted that this assumes that the entire segment of the Santa Ana/Santa Fe Channel, which is under the jurisdiction of the CDFG, would be impacted; however, the actual impacts could be reduced and more limited in the event that only a culvert crossing is constructed.

TABLE 5-10
TEMPORARY IMPACTS TO CDFG JURISDICTION

Drainage	Impact Acreage	Total Acreage
Peters Canyon Channel (City of Tustin -from Metrolink crossing to city limits)	14.27	14.27
Peters Canyon Channel (City of Irvine- from the city limits to Barranca Parkway)	11.71	11.71
Temporary Impacts Total	**25.98**	**25.98**
Source: Vandermost Consulting, 2006.		

TABLE 5-11
PERMANENT IMPACTS TO CDFG JURISDICTION

Drainage	Impact Acreage
Santa Ana/Santa Fe Channel	1.74
Barranca Channel	4.04
A	0.10
A1	0.20
B (vegetated)	0.38
B2	0.05
B2-A	0.03
B3 (vegetated)	0.42
B4	0.04
Permanent Impacts Total	**7.0**
Source: Vandermost Consulting, 2006.	

It should be noted that impacts to approximately 0.55 acre of the Barranca Channel and unvegetated agricultural ditches were previously permitted by a CDFG Streambed Alteration Agreement to the City of Tustin for the extension and widening of Armstrong Road (File #5-2002-0169). These impacts have not yet occurred and are included in this assessment. In addition, impacts to approximately 0.11 acre of agricultural ditches B and B-3 on-site would be impacted by the Vestar project. The impacts from the Vestar project are included in their regulatory permits and are therefore not included in this assessment.

After the regional widening improvements are complete, it is assumed that the soft bottom of Peters Canyon Channel would be replaced at the pre-existing contours. Therefore, temporary impacts to Peters Canyon Channel are considered self-mitigating at a 1:1 ratio. Additionally, Peters Canyon Channel would be widened approximately 40 feet along the length of the channel from Barranca Parkway to the Metrolink rail crossing, for an increase of approximately 8.0 acres of CDFG jurisdictional streambed.

Impacts to Jurisdictional Waters of the U.S.

Impacts to jurisdictional waters resulting from the proposed project total approximately 16.64 acres, including 13.88 acres of temporary impacts and 2.76 acres of permanent impacts. Permanent impacts consist of discharge of fill material to approximately 0.57 acre of wetlands in ditches B and B3 and approximately 2.19 acres of non-wetland waters, including unvegetated agricultural ditches, the Santa Ana/Santa Fe Channel, and the Barranca Channel. The small agricultural ditches would be filled and/or replaced with a constructed storm drain system that

would serve the new development in accordance with City of Tustin and County of Orange Flood Control Standards.

As previously noted, the Barranca Channel as proposed in the Specific Plan would be covered to facilitate the required widening of Barranca Parkway, and Peters Canyon Channel would be widened resulting in temporary impacts. The impacts to the Santa Ana/Santa Fe Channel are associated with a potential culvert crossing, and have been calculated based on an assumption that the entire segment of the channel is considered "Waters of the United States," as shown on Exhibit 4 would be impacted, although impacts could be less in the event of construction of a culvert crossing. Tables 5-12 and 5-13 summarize temporary and permanent project impacts to jurisdictional waters of the U.S.

TABLE 5-12
TEMPORARY IMPACTS TO WATERS OF THE U.S.

Drainage	Impact Acreage		Total Acreage
	Non-Wetland	Wetland	
Peters Canyon Channel (City of Tustin from Metrolink crossing to city limits)	7.76	0.03	7.79
Peters Canyon Channel (City of Irvine from the city limits to Barranca Parkway)	6.01	0.08	6.09
Temporary Impacts Total	**13.77**	**0.11**	**13.88**
Source: Vandermost Consulting, 2005.			

TABLE 5-13
PERMANENT IMPACTS TO WATERS OF THE U.S.

Drainage	Impact Acreage
Santa Ana/Santa Fe Channel	0.58
Barranca Channel	1.19
A	0.10
A1	0.20
B (wetland)	0.15
B2	0.05
B2-A	0.03
B3 (wetland)	0.42
B4	0.04
Permanent Impacts Total	**2.76**
Source: Vandermost Consulting, 2005.	

It should be noted that impacts to approximately 0.45 acre of the Barranca Channel and unvegetated agricultural ditches were previously permitted by an RWQCB Section 401 Certification to the City of Tustin for the extension and widening of Armstrong Road (USACE file #200200381-YJC). These impacts have not yet occurred and are included in this assessment. In addition, impacts to approximately 0.11 acre of agricultural ditches B and B-3 on-site would be impacted by the Vestar project. The impacts from the Vestar project are included in their regulatory permits and are therefore not included in this assessment.

With implementation of MM Bio-1, impacts to areas under the jurisdiction of the CDFG and Waters of the U.S. would be reduced to a level considered less than significant. In compliance with mitigation measure Bio-1 from the FEIS/EIR, the Master Developer would be required to submit applications to the CDFG, RWQCB, and USACE to obtain required permits for implementation of the proposed Development Plan. Note that MM Bio-1 has been refined to reflect that the Peters Canyon Channel improvements are being completed as part of the proposed project, with Marble Mountain Partners, LLP assuming financial responsibility for the portion of the channel in the City of Irvine, and not by the OCFCD, as anticipated in the FEIS/EIR.

Based on the above analysis, implementation of the proposed Specific Plan Amendment, DDA, and Development Plan, including implementation of improvements to the Peters Canyon Channel, would not result in a substantial change in the impact conclusions of the FEIS/EIR. As identified in the FEIS/EIR, the proposed project would impact areas under this jurisdiction of the USACE and CDFG, including riparian habitats. The information presented in this section clarifies/quantifies the impacts based on current conditions and regulations. The proposed project would not result in a substantial increase in the severity of impacts to these resources beyond that identified in the FEIS/EIR. Mitigation measures presented in the FEIS/EIR, as refined in Section 5.4.4 below, would be sufficient to reduce these impacts to a level that is less than significant.

D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?

E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Substantial Change From Previous Analysis. Based on the information provided in the FEIS/EIR regarding on-site vegetation, the Specific Plan area does not support wildlife movement. As indicated below, the MCAS Tustin Specific Plan area is not within the Natural Communities Conservation Plan and Habitat Conservation Plan (NCCP/HCP) Reserve and does not contain any areas identified as important for wildlife movement. Additionally, there are no local policies or ordinances which protect biological resources that are relevant to the Specific Plan area. As a result, no significant impacts related to wildlife movement or local resource protection ordinances and policies, or the NCCP/HCP would occur as a result of the proposed project.

F. Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Substantial Change From Previous Analysis. The project site is within the County of Orange Central and Coastal NCCP/HCP. The NCCP/HCP was adopted by the CDFG, U.S. Fish and Wildlife Service (USFWS), and participating agencies (including the City of Tustin) in 1996 to address protection and management of coastal sage scrub (CSS) habitat and CSS-obligate species and other covered habitats and species. The NCCP/HCP mitigates anticipated impacts to those habitats and species on a programmatic, sub-regional level, rather than on a project-by-project, single species basis. The NCCP/HCP involved the establishment of an approximate 37,000-acre Reserve for the protection of CSS, other upland habitats, the coastal California gnatcatcher, and other species identified in the NCCP/HCP. The MCAS Tustin Specific Plan

area is not within the NCCP/HCP Reserve; rather, it is within a development area identified in the NCCP/HCP. The proposed project therefore would not conflict with the NCCP/HCP and no significant impacts with respect to the applicable regional NCCP/HCP would occur.

5.4.4 MITIGATION AND IMPLEMENTATION MEASURES

FEIS/EIR Measures That Have Been Completed

No mitigation measures related to biological resources have been completed for Specific Plan areas within the Master Developer footprint. Mitigation measures have been implemented for the approved Vestar Development that is currently under construction, and are currently being completed by the City of Tustin for the Phase I Tustin Legacy Infrastructure Improvements.

FEIS/EIR Measures Applicable to the Proposed Project

MM Bio-3 Permits from the CDFG shall be obtained for live-capture of the turtles and for transporting them to the relocation site.

Refinements to FEIS/EIR Measures

MMs Bio-1, Bio-2, and Bio-4 have been refined to further describe the mitigation requirements for impacts to jurisdictional areas. These do not represent new mitigation and are consistent with the intent of MMs Bio-1, Bio-2, and Bio-4 as presented in the FEIS/EIR

MM Bio-1 The project proponents of any development affecting jurisdictional waters of the U.S. or vegetated wetlands shall obtain Section 401, Section 404, Section ~~1601~~1602, and other certifications, approvals and permits as necessary. Copies of the necessary state and federal permits shall be provided to the City prior to the issuance of mass or grading permits for grading activities impacting jurisdictional areas. A replacement ratio for affected wetland resources shall be determined in consultation with regulatory agencies as part of the permitting process and shall be no less than 1:1 replacement of function and value. Additional criteria and requirements will be as follows: ~~The actions proposed on Peter Canyon Channel shall be mitigated by the OCFCD who is the project proponent for flood control improvements.~~

- Create (establish), restore, or enhance wetland/riparian habitats on-site to the maximum extent practicable to minimize and replace the on-site loss of USACE and CDFG jurisdictional acreage and function, or off-site as may be permitted by the USACE and CDFG.
- To return jurisdictional habitats that are temporarily disturbed during construction to pre-construction conditions.
- To provide for maintenance, management and monitoring of the mitigation site or sites for a minimum of three years as determined through the permitting process.

MM Bio-2 Based on consultations with CDFG, City of Tustin, or a project proponent as applicable, an off-site relocation site for southwestern pond turtles captured on site shall be identified that is as close to the Reuse Plan area as possible and that is sustainable in perpetuity. (No appropriate habitat in the City of Tustin is

available for relocation.) Potential relocation sites include but are not limited to a turtle pond and relocation site ~~n old pond (currently thought dry)~~ located in upper Shady Canyon within the Orange County Nature Preserve ~~that could be improved or restored to serve as a relocation site~~; or the San Joaquin Marsh, which is managed by UC Irvine, Irvine Ranch, and the Orange County Water District. Some property owners and public agencies may be adverse to the relocation of species of special concern onto their property or jurisdiction, and it would be speculative to identify actual sites prior to completion of consultation with CDFG and with potential property owners and/or appropriate public agencies. A relocation and mitigation plan shall be prepared by a qualified biologist for approval by the CDFG. The relocation and mitigation plan shall include the following:

- Requirement for focused surveys for southwestern pond turtles prior to construction activities and submittal of survey report to the CDFG.
- Identification of specific relocation site within the Newport Bay watershed.
- Methodology for trapping, capture, recordation and release of southwestern pond turtles.
- Requirement of biological monitoring during construction and requirement for capture and relocation by a qualified biologist of any additional southwestern pond turtles observed during construction.

MM Bio-4 A project proponent shall negotiate ~~an agreement shall be negotiated~~ with the CDFG~~, City of Tustin, project proponent,~~ or other agency or organization as appropriate, for relocation of turtles and/or contribution of funds to improve, restore, or create ~~the~~ a relocation site as turtle habitat, in conjunction with any regulatory permits necessary.

5.4.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting biological resources, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to biological resources than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to biological resources has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

As concluded in the FEIS/EIR, the proposed project would not result in any significant unavoidable impacts to biological resources. Additionally, the proposed project would not result in a substantial increase in the severity of impacts to biological resources beyond that identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address biological resource issues:

Barranca Channel (F09)—Armstrong Avenue Crossing and Armstrong Avenue Storm Drain, Peters Canyon Channel (F06) and Peters Canyon Bikeway Cooperative Agreement D02-119 between City of Tustin and Orange County Flood Control District and The County of Orange. Tustin, California. 2003.

BonTerra Consulting. Field Reconnaissance conducted by Lindsay Messett, Ecologist, February 8, 2006.

California Department of Fish and Game. *Agreement Regarding Proposed Stream or Lake Alteration, Notification No. 1600-2004-953-R5* for Vestar Development. October 10, 2004.

California Native Plant Society (CNPS). Inventory of Rare and Endangered Plants (online edition). Sacramento, California. Accessed in February 2006 from <http://www.cnps.org/inventory>.

Cobb, Donna L. (CDFG). Letter to Mr. Chris Enyedy (The Twining Laboratories, Inc). April 30, 2004.

Goodman Jr., Robert H. *Tustin Marine Corp Air Station Southwestern Pond Turtle* (Clemmys [Actinemys *or* Emys] marmorata pallida) Relocation Project (Project D47214.03). Diamond Bar, California: Robert H. Goodman, Jr., September 2004.

Natural Community Conservation Plan and Habitat Conservation Plan, County of Orange, Central and Coastal Subregion. Prepared for the County of Orange, Environmental Management Agency and United States Fish and Wildlife Service/California Department of Fish and Game. July 17, 1996.

RBF Consulting. *Final Runoff Management Plan for Tustin Legacy.* Prepared for the City of Tustin. December 2004.

Twining Laboratories, Inc. *Biological Resources Report for Southern Portion of the Tustin MCAS, Orange County, California.* Fresno, California: October 31, 2003.

5.5 CULTURAL/SCIENTIFIC RESOURCES

5.5.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

As part of the DoN's disposal of MCAS Tustin, DoN was responsible for compliance with Section 106 of the National Historic Preservation Act (NHPA). Because the title transfer resulted in the transfer of a Historic District from federal ownership, this was identified as a significant unmitigable impact under the National Environmental Policy Act (NEPA).

Pursuant to Section 106, the State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation, the Navy, the City of Tustin, and the County of Orange executed a Memorandum of Agreement (MOA) (included in Appendix H to the FEIS/EIR) that identifies measures to mitigate the effects of the destruction of portions of the eligible historic district,

including the hangars (refer to mitigation measures Hist-1 and Hist-2, below). If financially feasible for adaptive reuse, both blimp hangars would be preserved. However, if it is determined that it is not financially feasible to retain either of the hangars, removal of the hangars was determined to be a significant unavoidable impact pursuant to CEQA.

The FEIS/EIR indicated that numerous archaeological surveys were conducted at the former MCAS Tustin site (refer to page 3-68 of the FEIS/EIR for a complete listing of archaeological surveys conducted on site). In 1988, the SHPO provided written concurrence that all open spaces on MCAS Tustin had been adequately surveyed for archaeological resources. One recorded archaeological site (CA-ORA-381) was identified within the Specific Plan area; however, as reported in the FEIS/EIR, this site was destroyed prior to 1971 (when archaeological surveys were first conducted at MCAS Tustin) during construction of two large concrete tanks. The FEIS/EIR indicated that CA-ORA-381 was the only recorded archaeological site within the Specific Plan area. The FEIS/EIR also indicated that previously unidentified buried archaeological or paleontological resources (as indicated by the presence of shell scatters) within the project site could be significantly impacted by grading and construction activities. Mitigation measures were identified, which included construction monitoring, to reduce potential impacts to less than significant.

As discussed in Section 2 of the MCAS Tustin Specific Plan, an extensive screening process was completed to identify interests in the property. Consistent with federal requirements before 1994, the DoN completed U.S. Department of Defense (DOD) and federal agency screening and simultaneously completed screening for State, County, and local agency interests in the property. No interest was expressed from the approximately 100 Native American Tribes that were contacted. With adoption of the Redevelopment Act of 1994, a new community-based reuse and screening process was initiated. Under this process, the local redevelopment agency (LRA) undertook an outreach program and solicited notices of interest in the base from state and local governments, representatives of the homeless, and other interested parties. This solicitation included Native American Tribes. No information was received regarding the presence of cultural places of significance to California Native Americans within the reuse area.

5.5.2 CURRENT CONDITIONS

Since certification of the FEIS/EIR, and in compliance with the MOA between the DoN, the California SHPO and the Advisory Council on Historic Preservation (ACHP) (included as Appendix H of the FEIS/EIR), the County of Orange has conducted a marketing study for the northern hangar (Hangar 28) and has reported to the DoN, SHPO, and National Park Service (MOA signatory acting as the federal agency sponsoring the proposed public benefit conveyance of Hangar 28 to the County of Orange) that there is no economically viable reuse for this structure. Per the MOA, SHPO, in consultation with NPS, have each concurred that they believe there is no economic viability in retaining Hangar 28. The County of Orange awaits a final Determination from DoN. It should be noted that Hangar 28 is not within the Master Developer footprint. To date, the City of Tustin has completed a marketing study for Hanger 29, and is in the process of assessing the economic viability for this Hangar, which is within the Master Developer footprint.

Senate Bill (SB) 18, Local and Tribal Intergovernmental Consultation, was signed into law in September 2004. The principal objective of SB 18 is to preserve and protect "cultural places" of California Native Americans, as defined in Public Resources Code Sections 5097.9 and 5097.993. In summary, cultural places include: a Native American sanctified cemetery, place of worship, religious ceremonial site, or sacred shrine; or a Native American historic, cultural, or

sacred site that is listed or may be eligible for listing in the California Register of Historic Resources. Based on the results of the archaeological surveys conducted within the Specific Plan area and results of the extensive screening process conducted during the reuse process with Native American tribes, no cultural places of California Native Americans are believed to exist on site.

It should also be noted that SB 18 applies to the adoption or amendment of any General Plan or Specific Plan proposed on or after March 1, 2005. The Tustin City Council held a noticed public meeting regarding the proposed Specific Plan Amendment on November 1, 2004. The City appropriated funds and resources towards the proposed project, initiated work programs, commissioned consultant services, and directed staff to begin research on the Specific Plan Amendment before March 1, 2005. Therefore, SB 18 is not applicable to the proposed project.

In compliance with MM Arch-1, a cultural resources survey was conducted in June 2003 for the parcel outside the MCAS boundaries (Planning Area 20) that had not been subject to previous surveys, as reported in the FEIS/EIR. While no resources were identified, it was recommended that monitoring during construction be conducted. During grading activities conducted in August 2003 there was an isolated find; however, no new sites were discovered. The isolated find was handled in compliance with standard industry practices and the Archaeological Monitoring and Mitigation Plan developed for the project. Based on the surveys that have been conducted within the Specific Plan area as reported in the FEIS/EIR and subsequent review of Planning Area 20, and the fact that no information regarding the presence of resources on site was provided during the reuse screening process, there is no reason to believe such resources exist within the Specific Plan area.

5.5.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

No Substantial Change from Previous Analysis. As indicated above, the blimp hangars are designated as historical resources and are located within a designated discontinuous historic district. Only the southern blimp hangar (Hangar 29) is located within the Master Developer footprint. If, through implementation of the mitigation measures identified in the FEIS/EIR (Hist-3 through Hist-5), it is determined that there is no economic viability in retaining the hangar and the hangar is removed, the loss of the hangar would result in a significant and irreversible impact to historical resources. Implementation of the proposed Development Plan on the Hanger 29 Parcel would result in the demolition of the southern blimp hangar. This impact was identified in the FEIS/EIR and mitigation measures were identified that remain applicable to the proposed project. The proposed project would not result in a substantial change from the impact to historical resources identified in the FEIS/EIR.

B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

C. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

D. Disturb any human remains, including those interred outside of formal cemeteries?

No Substantial Change from Previous Analysis. The Master Developer footprint is located within the impact area evaluated in the FEIS/EIR. Although several archaeological surveys were conducted at the MCAS Tustin reuse area, only one archaeological site, CA-ORA-381, was recorded (along the western property boundary). However, this site was determined to have been destroyed prior to 1971. No additional significant resources were found during any of the previous archaeological surveys conducted on the MCAS Tustin reuse area. However, the FEIS/EIR identified the potential for previously unidentified buried archaeological and paleontological resources to be discovered during grading and construction activities. The potential for unknown archaeological, paleontological, and human remains to be present in the project site is very low; however, there is the potential for unknown resources to be uncovered. This impact would be mitigated to a level considered less than significant with implementation of the mitigation measures identified in the FEIS/EIR. The proposed project would not result in a substantial change from the archaeological and paleontological resources impacts identified in the FEIS/EIR, and the current mitigation measures reduce the impact to a level that is less than significant.

5.5.4 MITIGATION AND IMPLEMENTATION MEASURES

The numbering for the following measures is based on the Mitigation Monitoring and Reporting Program for the FEIS/EIR.

FEIS/EIR Measures That Have Been Completed

MM Arch-1 Prior to issuance of grading permits, the four-acre parcel currently outside the boundaries of the Air Station along Harvard Avenue shall be surveyed to determine the presence/absence of archaeological resources prior to grading.

MM Hist-1 Historic American Building Survey (HABS) – DoN will complete the appropriate recordation for hangars 28 and 29 and the discontiguous historic district prior to conveyance of any property within the discontiguous historic district and shall ensure that copies of the recordation are made available to SHPO, the City of Tustin, and any local or other archive facilities designated by SHPO.

MM Hist-2 Curation – within 30 days of the execution of the MOA, Department of the Navy will donate copies of plans and architectural drawings and other archival materials and records, as available, concerning the layout and the buildings and structures that made up the original Navy lighter-than-air blimp facility to a local curation facility. The City of Tustin or its designee will also be provided with copies of these materials.

FEIS/EIR Measures Applicable to the Proposed Project

MM Arch-2 Prior to issuance of grading permits, the cities of Tustin and Irvine shall each require applicants of individual development projects to retain, as appropriate, a county-certified archaeologist. If buried resources are found during grading within the reuse plan area, a qualified archaeologist would need to assess the site significance and perform the appropriate mitigation. The Native American viewpoint shall be considered during this process. This could include testing or data recovery. Native American consultation shall also be initiated during this process.

MM Hist-3 As specified in the MOA, a substantive effort will be made to determine whether there is an economically viable adaptive use of Hangar 28 and Hangar 29.

MM Hist-4 If the marketing effort identifies an economically viable adaptive use of either of the complexes, that complex will be encumbered by a historic preservation covenant. In the case of the Hangar 28 complex, these measures shall balance the needs of the adaptive use and the needs for effective operation of the Federal Lands to Parks or Historic Monument programs.

MM Hist-5 If NPS and/or SHPO determine that, despite a marketing effort that complies with the terms of the MOA or as agreed to by the City of Tustin/County of Orange, NPS, and/or SHPO, an economically viable adaptive use of the Hangar 28 complex was not identified, NPS and/or SHPO shall promptly advise the Department of the Navy and notify the City of Tustin/County of Orange that the following measures are required.

a. Written History – The City of Tustin/County of Orange shall prepare an illustrated history report on MCAS Tustin, with emphasis on the initial construction of the Air Station and its World War II Navy lighter-than-air operations.
b. Exhibit – The City of Tustin/County of Orange shall prepare a professional-quality illustrated interpretive exhibit with emphasis on the initial construction of the air station and its World War II Navy lighter-than-air operations.
c. Interpretive Video – The City of Tustin/County of Orange shall prepare a professional-quality documentary video and shall undertake a one-time distribution and outreach program for the documentary video.

MM Paleo-1 The cities of Tustin and Irvine shall each require applicants of individual development projects to comply with the requirements established in a Paleontological Resources Management Plan (PRMP) prepared for the site, which details the methods to be used for surveillance of construction grading, assessing finds, and actions to be taken in the event that unique paleontological resources are discovered during construction.

MM Paleo-2 Prior to the issuance of a grading permit, project applicants shall provide written evidence to each city that a county-certified paleontologist has been retained to conduct salvage excavation of unique paleontological resources if they are found.

Refinements to FEIS/EIR Measures

No refinements need to be made to the FEIS/EIR mitigation measures and no new mitigation measures are required.

FEIS/EIR Measures Not Applicable to the Proposed Project

All of the measures identified above are applicable.

5.5.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined on the basis of substantial evidence in the light of the whole record that: (a) The amended project does not propose substantial changes to the project affecting cultural resources, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to cultural resources than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to cultural resources has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

There is no new technology or methods available to reduce the identified significant unavoidable project-specific and cumulative impacts to historical resources associated with the removal of Hangars 28 and 29 to a level considered less than significant. Therefore, this unavoidable project-specific and cumulative impacts also occur with implementation of the proposed Specific Plan Amendment, DDA, and Development Plan. A Statement of Overriding Considerations for the FEIS/EIR was adopted by the Tustin City Council on January 16, 2001, to address potential significant unavoidable impacts to historical resources resulting from the removal of both blimp hangars.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address cultural resource issues:

California Legislature. 2003-2004. "SB 18. Traditional Tribal Cultural Places." *Public Resources Code.* October 29, 2004. Official California Legislative Information. February 7, 2006. <http://www.leginfo.ca.gov/cgi-bin/postquery?bill_number=sb_18&sess=PREV&house=S&author=burton>.

Hanna, Jr., MS, RPA, David C. (SWCA Environmental Consultants). Letter to Mr. Dana Ogden (City of Tustin) regarding *Tentative Tract #16474, Tustin Planning Area 20, Parcel 33 Project – Cultural Resources Review.* June 23, 2003.

Maxon, RPA, Patrick O. (SWCA Environmental Consultants). Letter to Mr. Dana Ogdon (City of Tustin) regarding *Archaeological Discovery During Grading of Tustin Field – PA 20, Tentative Tract #16474, Planning Area 20, Parcel 33.* October 7, 2003.

5.6 GEOLOGY AND SOILS

5.6.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR indicates that impacts to soils and geology resulting from implementation of the Specific Plan and the associated Implementing Actions would "include non-seismic hazards (such as local settlement, regional subsidence, expansive soils, slope instability, erosion, and mudflows) and seismic hazards (such as surface fault displacement, high-intensity ground shaking, ground failure and lurching, seismically-induced settlement, and flooding associated with dam failure) (DoN 2001)." The FEIS/EIR determined that with implementation of then current engineering techniques, unacceptable risk associated with most of the above-mentioned hazards would be avoided. Both the Cities of Tustin and Irvine have emergency response plans in place in the event that dam failure would occur. Assuming that evacuation plans are implemented correctly, the property could be evacuated to avoid loss of human life; however, property loss would occur. The FEIS/EIR determined that compliance with state and local regulations and standards and engineering procedures and techniques would avoid risk of significant impacts related to geology and soils and additional mitigation is not required.

5.6.2 CURRENT CONDITIONS

There are no changes to the geology and soils conditions on site as evaluated in the FEIS/EIR.

5.6.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Substantial Change from Previous Analysis. As indicated in Section 3.9 of the FEIS/EIR, the proposed project is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, the FEIS/EIR documented that no active or potentially active faults are known to exist at the ground surface in or immediately adjacent to the Specific Plan area. The proposed project would not result in a substantial change to fault rupture as identified in the conclusions of the FEIS/EIR.

ii) Strong seismic ground shaking?

No Substantial Change from Previous Analysis. The FEIS/EIR indicated that ground shaking could occur as a result of fault movement. Seismic ground shaking impacts associated with the proposed project would be similar to the impacts identified in the FEIS/EIR. These impacts would be reduced through compliance with state and local regulations and standards, and established engineering procedures. Future buildings and structures (i.e., houses, retaining walls, etc.) would be designed in accordance with the City of Tustin Building Code and the most recent Uniform Building Code (UBC) for Seismic Zone 4 and/or California Building Code (CBC).

The proposed project would not alter the conclusions of the FEIS/EIR related to seismic ground shaking.

iii) Seismic-related ground failure, including liquefaction?

No Substantial Change from Previous Analysis. It was identified in Section 4.9 of the FEIS/EIR that the Specific Plan area has a high probability of liquefaction due to the presence of groundwater near the ground surface and loose soils. The State Geologist has mapped the entire Specific Plan area within a liquefaction hazard zone. The FEIS/EIR identified specific engineering techniques that would reduce hazards associated with liquefaction, including: (1) excavation and removal or recompaction of potentially liquefiable soils; (2) in-site ground densification; (3) other types of ground improvement; (4) deep foundations that have been designed to accommodate liquefaction effects; (5) reinforced shallow foundations; and (6) design of the proposed structures or facilities to withstand predicted ground softening and/or predicted vertical and later ground displacements to an acceptable level of risk. The FEIS/EIR determined that with implementation of these established engineering techniques, potential impacts associated with liquefaction would be less than significant. The proposed project would not result in any substantial changes to the environmental impacts previously evaluated in, or the conclusions of, the FEIS/EIR.

iv) Landslides?

No Substantial Change from Previous Analysis. It was identified in Section 4.9 of the FEIS/EIR that the Specific Plan area is characterized by a very low propensity for seismic landslides and no impact would occur from landslides. The project site is relatively flat and the proposed project would not result in any substantial changes to the environmental impacts previously evaluated in, or the conclusions of, the FEIS/EIR related to landslides.

B. Result in substantial soil erosion or the loss of topsoil?

No Substantial Change from Previous Analysis. It was identified in Section 4.10 of the FEIS/EIR that implementation of the Specific Plan and associated Implementing Actions would result in short-term, construction-related erosion and water quality impacts. However, the FEIS/EIR determined that these impacts would be temporary and construction operations would be required to comply with any applicable implementation measures by the RWQCB for the Total Maximum Daily Loads (TMDLs) for the Newport Bay Watershed, including the sediment TMDL, and would be required to implement the National Pollutant Discharge Elimination System (NPDES) requirements and implement a Stormwater Pollution Prevention Plan (SWPPP). The NPDES and SWPPP include the use of Best Management Practices (BMPs) and the implementation of a monitoring program to measure the effectiveness of the water quality plan. Implementation of these requirements would reduce construction-related water quality impacts to less than significant. Refer to Section 5.8, Hydrology and Water Quality, for additional discussion on construction water quality impacts and water quality controls. The proposed project would not alter the analyses or the conclusions of the FEIS/EIR.

C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Substantial Change from Previous Analysis. Subsidence occurs when settlement of underconsolidated soils occurs during an event such as earthquake shaking or groundwater removal. The FEIS/EIR identified that subsidence as a result of groundwater removal has not

been documented to affect structures in the project area. Lateral spreading is a function of ground shaking impacts and may occur during an earthquake. All grading operations and construction would be conducted in conformance with the applicable City of Tustin Grading Manual (June 1990), and the most recent version of the Uniform Building Code for Seismic Zone 4 and/or CBC reducing potential impacts associated with unstable soils to a level considered less than significant. As noted above under item A.iii, the project site is subject to liquefaction and this impact would be reduced to a level considered less than significant with implementation of appropriate engineering and construction techniques. The project site is not subject to landslides. Implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not alter the analyses or the conclusions of the EIR relative to unstable soils.

D. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1997), creating substantial risks to life and property?

No Substantial Change from Previous Analysis. The FEIS/EIR identified that the Specific Plan area is located within an area of high to very high expansivity. However, it was determined in the FEIS/EIR that individual developers within the reuse area would be required to evaluate the expansion potential of on-site soils and implement appropriate remedial measures in accordance with the local jurisdiction's requirements. The FEIS/EIR identified potential remedial measures such as removal of clay-rich soils and replacement with a specified thickness of non-expansive granular soil beneath structures, concrete slabs, and footings. Other methods to remediate expansive soils include improving the expansive soil with pre-saturation of expansive materials and/or supplemental reinforcement of the building foundations and slabs as well as installing post-construction drainage control to minimize the collection of water under or adjacent to structures. The FEIS/EIR determined that with implementation of these established engineering techniques and compliance with the local jurisdiction's requirements (e.g., *City of Tustin Grading Manual*), potential impacts associated with expansive soils would be less than significant. The proposed project would not result in any substantial changes to the environmental impacts previously evaluated in, or the conclusions of, the FEIS/EIR.

E. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal system where sewers are not available for the disposal of wastewater?

No Substantial Change from Previous Analysis. Neither the project evaluated in the FEIS/EIR nor the proposed project includes the use of septic tanks or alternative wastewater disposal systems.

5.6.4 MITIGATION AND IMPLEMENTATION MEASURES

No significant geology/soils impacts were identified in the FEIS/EIR based on the requirement to comply with applicable state and local regulations and standards (e.g., *City of Tustin Grading Manual* and the most recent version of the UBC for Seismic Zone 4 and/or CBC), and established engineering procedures and techniques. Therefore, no mitigation was required. No new mitigation measures are required for the proposed project because the existing measures are sufficient to reduce impacts to a level that is less than significant. In addition, compliance with the most recent versions of the UBC and/or CBC and the City of Tustin Grading Manual result in the integration of the most current technologies and methods available to reduce geology, soils and seismic impacts at the time of construction.

5.6.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting geology/soils, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to geology/soils than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to geology/soils has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

As concluded in the FEIS/EIR, the proposed project would not result in any significant unavoidable impacts related to geology/soils. Additionally, the proposed project would not result in a substantial increase in the severity of impacts related to geology and soils beyond that identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address geology/soils issues:

California. Division of Mines and Geology. "Seismic Hazard Zones Map" [Orange 7.5-Minute Quadrangle]. Sacramento: Division of Mines and Geology, April 15, 1998.

5.7 HAZARDS AND HAZARDOUS MATERIALS

5.7.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Hazardous Materials

The FEIS/EIR includes a detailed discussion of the historic and then-current hazardous materials use and hazardous waste generation within the Specific Plan area. The DoN is responsible for planning and executing environmental restoration programs in response to releases of hazardous substances for MCAS Tustin. There are two ongoing major environmental programs which are described in the FEIS/EIR: the Installation Restoration Program (IRP) and the Compliance Program. The IRP identifies, assesses, characterizes, and remediates or manages contamination from past hazardous waste disposal operations and hazardous materials spills. The DoN Compliance Program addresses solid and infectious waste management, surface water/groundwater discharge, hazardous materials/waste management, air emissions, storage tanks, oil/water separators, wash areas/grease racks, fuel line closure, well abandonment/destruction activities, polychlorinated biphenyls (PCBs), asbestos-containing material (ACM), radon, and lead-based paint (LBP). The IRP and DoNs Compliance Program are discussed below:

IRP Program – All IRP sites at MCAS Tustin were investigated, and comprehensive risk assessments were conducted. Sixteen IRP sites were originally identified (refer to Section 3.11 of the FEIS/EIR). Of these, seven sites were identified as requiring a Remedial Investigation/Feasibility Study (RI/FS) under the IRP. Eight sites were identified for Expanded Site Inspections, and the final site was recommended for, and received, a No Further Action (NFA) Determination. When the EIS/EIR was distributed for public review,

four sites were processing through the RI/FS process and six sites were recommended for NFA or included in an operable unit (OU) for further action. Because primarily petroleum contaminants were detected, two sites were transferred out of the IRP for Petroleum Corrective Actions overseen by the Santa Ana Regional Water Quality Control Board. The remaining three sites (IRP-4, -10, and -14) were transferred out of the IRP and were assessed and treated as areas of concern (AOCs) under the Resource Conservation and Recovery Act (RCRA) Facility Assessment Program. Once treated within the RCRA Facility Assessment Program, the AOCs are granted a NFA.

To eliminate any imminent danger to the public and the environment and to meet the LRA's need for cleanup of high-priority reuse parcels, investigation areas at MCAS Tustin were designated as operable units (OUs). An OU is a "discrete portion of remedial response that manages mitigation, or eliminates or mitigates a release, a threat of release, or a pathway of exposure." There were initially four OUs identified and described in the FEIS/EIR; however, subsequent to release of the Draft EIS/EIR for public review, IRPs and AOCs in OUs 2 and 4 were recommended for NFA. It should be noted that subsequent to certification of the FEIS/EIR, only a portion of OU4 was determined eligible for NFA (refer to discussion below under "Current Conditions.")

- ***DoN Compliance Program*** – As identified in the FEIS/EIR there are numerous DoN compliance programs in place to ensure that waste management practices are conducted in a manner to protect human health and the environment. Many of the compliance programs identified in Section 3.11 of the FEIS/EIR allow for the on-going clean-up by DoN after the property is transferred. The *1999 Federal Facilities Site Remediation Agreement* (FFSRA) provides for coordinated remediation via these compliance programs under CERCLA, RCRA and other applicable laws under the oversight of the California Department of Toxic Substances Control (DTSC) in coordination with the Santa Ana Regional Water Quality Control Board.

The FEIS/EIR addressed construction- and operation-related activities that could pose a hazard. Construction activities near or at IRPs have the potential to interfere with ongoing DoN remediation and would be subject to controls identified in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Records of Decision (ROD). The potential to disturb contaminated soils was identified as a potentially significant impact that would be mitigated through compliance with applicable regulations and provisions of approved remediation programs. The FEIS/EIR also concluded that hazards addressed through the Compliance Program would not significantly impact construction or operation of the Specific Plan.

The FEIS/EIR identified that the proposed Specific Plan included uses that could use or generate small amounts of hazardous substances (commercial/business uses and maintenance activities), and that fertilizers and pesticides would be used at the golf course and for park maintenance. The presence of these materials would create the potential for accidental spills, equipment failure, and other unanticipated events. The FEIS/EIR concluded that the use of BMPs, integrated pest management (IPM) practices, and compliance with all applicable federal, state, and local regulations and NPDES requirements in the handling and use of hazardous substances would reduce potential impacts to a level considered less than significant.

The FEIS/EIR concluded that implementation of the Specific Plan and associated Implementing Actions would not have a significant environmental impact from the hazardous wastes, substances, and materials on the property during construction or operation since the DoN would

implement various remedial actions pursuant to the Compliance Programs that would remove, manage, or isolate potentially hazardous substances in soils and groundwater. The FEIS/EIR identified one location where proposed residential areas would overlay sites that have been classified as hazardous wastes in the past (the medium density residential area north of Valencia Avenue included in the Specific Plan). However, the DoN will remediate all IRP sites overlain by proposed residential uses to residential standards per the Compliance Programs.

Airport Hazards

The FEIS/EIR discussed airport-related hazards in Sections 3.1 and 4.1, Land Use. The Airport Land Use Commission for Orange County has a review policy for buildings of a certain height (110 to 200 feet within the Specific Plan area) to reduce interference with flight operations. Any structures within the Specific Plan that exceed the height thresholds would be subject to review by the Federal Aviation Administration (FAA) and the Airport Land Use Commission. The FEIS/EIR, in light of these measures, determined there would not be a significant airport hazards impact.

Because all flight operations at MCAS Tustin ceased before certification of the FEIS/EIR, flight-related land use restrictions, such as clear zones and Accident Potential Zones (APZs) also ceased. Flight-related height restrictions and land use restrictions associated with the Browning Corridor and Ground Controlled Approach (GCA) Corridor easements were also terminated; however, the applicable zoning ordinances would continue to restrict land use and building heights, similar to existing surrounding land uses. Therefore, impacts within these easements were determined to be less than significant.

5.7.2 CURRENT CONDITIONS

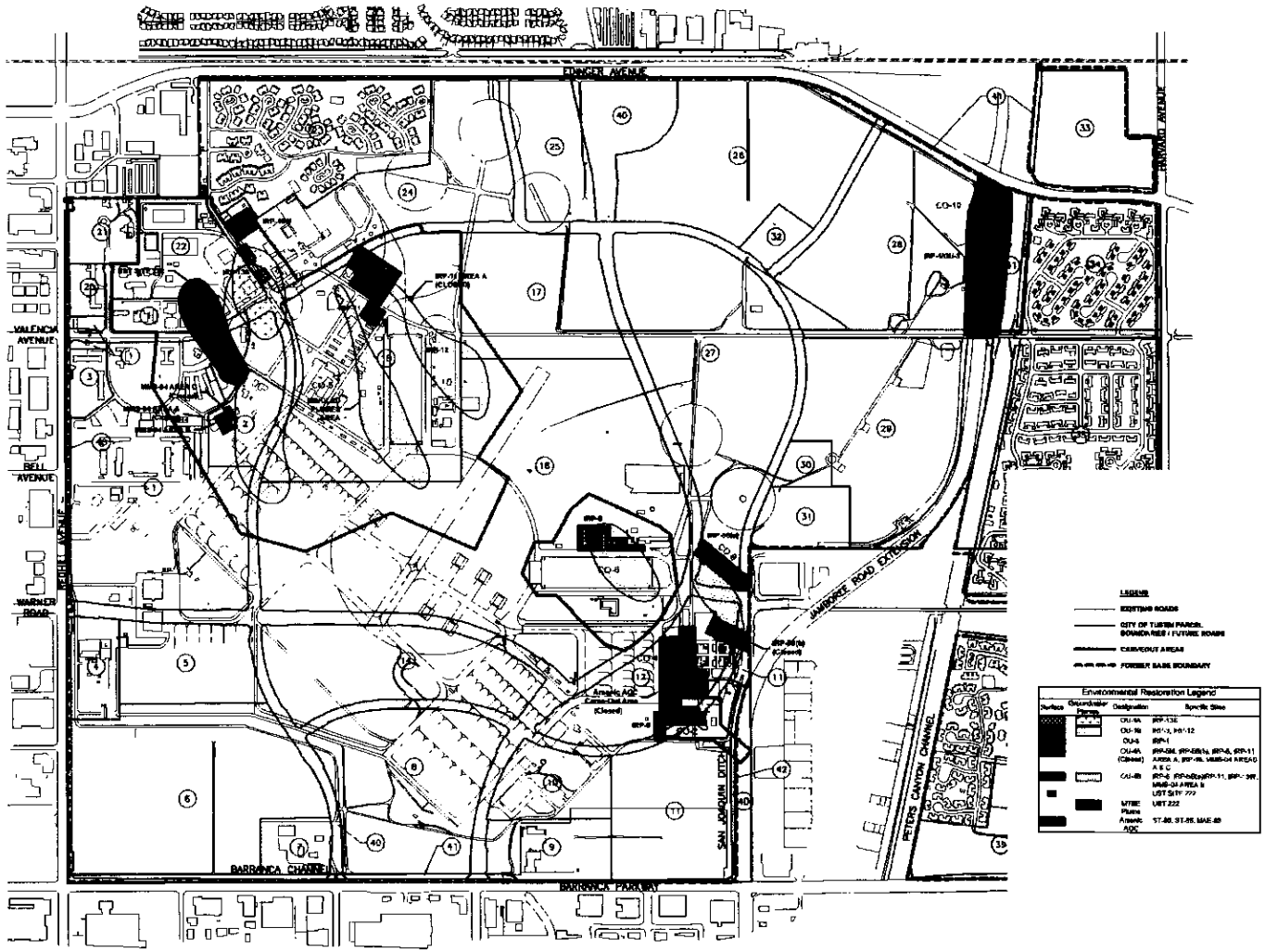
Hazardous Materials

As stated above, the DoN is responsible for planning and executing environmental restoration programs in response to previous releases of hazardous substances into soils and groundwater at MCAS Tustin. There are two ongoing major environmental programs which are described in the FEIS/EIR: the IRP and the Compliance Program. Since approval of the FEIS/EIR significant progress has been made in investigating and cleaning up OUs, IRP sites, and AOCs at MCAS Tustin. The location of these sites is shown on Exhibit 6.

With exception of OU-1 and the remaining portion of OU-4 that require further remedial action (described below), the OUs, IRP sites and AOCs identified at the former MCAS Tustin have been closed. It should be noted that OU-1 was separated into two OUs (OU-1A and OU-1B) subsequent to certification of the FEIS/EIR.

- OU-1A – IRP-13 South where Trichloroethene (TCE) and 1,2,3-trichloropropane (TCP) were found in groundwater and soil. The groundwater treatment systems are currently being designed and a Draft Groundwater Remedial Design was submitted in June 2005. A Final Groundwater Remedial Design report is scheduled to be completed in Spring 2006. The groundwater treatment systems are anticipated to be operating in 2007.

- OU-1B – IRP-3 (Paint Stripper Disposal Area) and IRP-12 (Drum Storage Area No. 2) where TCE was found in the groundwater and soil. The groundwater treatment system enhancements are currently being designed and a Draft Groundwater Remedial Design was submitted in June 2005. A Final Groundwater Remedial Design report is scheduled



Environmental Conditions

Exhibit 6

Source: Brown and Caldwell, 2005

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to be completed in Spring 2006. The groundwater treatment systems are anticipated to be operating in 2007.

- OU-4 – Although the FEIS/EIR identified OU-4 for NFA, a portion of the OU required further remediation. OU-4 was divided into OU-4A and OU-4B which are made up of several sites each. OU-4A was given NFA status and authorized for transfer on January 3, 2005. OU-4B is comprised of sites that were evaluated for further action in a Draft Feasibility Study issued August 23, 2005. The Final Draft Feasibility Study is scheduled to be released in Spring 2006.

The DoN is also in the process of remediating MTBE contamination associated with a former gas station located at Site 222. In August 2001, the Navy implemented an interim Petroleum Corrective Action Plan (PCAP) which initiated a remediation program involving the removal and treatment of MTBE soil and installation of a groundwater treatment facility and extraction wells to contain the existing groundwater contamination. To date, all soil contamination at Site 222 has been completed; however, the DoN has not yet determined a final remediation method to address the remaining groundwater contamination.

Airport Hazards

In December 2001, the Airport Land Use Commission approved a comprehensive update to the Airport Environs Land Use Plan (AELUP). Prior to the update, the AELUP addressed all aviation facilities in Orange County in one volume. As a result of the update, separate documents addressing each of the facilities individually were prepared. Since a non-aviation plan for MCAS Tustin had been adopted by the City (January 2001) and the DoN had published its Record of Decision for the disposal of surplus federal property at MCAS Tustin approving the Specific Plan (March 2001) at the time the AELUP update was prepared, AELUP provisions for MCAS Tustin as a military air facility were not carried forward. However, the Specific Plan Area, including the Master Developer footprint, is within the AELUP Height Restriction Zone for John Wayne Airport. The height restrictions and other conditions have not changed since the certification of the FEIS/EIR.

5.7.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan would result in generally the same types of land uses being developed within the project area, including the Master Developer footprint. As identified in the FEIS/EIR, these uses would generate and use small amounts of hazardous materials for operation and maintenance activities. It should be noted that the proposed golf course has been removed from the Specific Plan and is not included in the proposed Development Plan. The golf course would have required extensive use of pesticides and fertilizer for maintenance. Although

the proposed Development Plan includes additional parkland (including a central community park connected to a linear park extending through the site), park uses do not require the same level of maintenance and associated pesticide/fertilizer use as a golf course. Implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not change the conclusion in the FEIS/EIR relative to hazards use, transport, disposal, emission, or release of hazardous materials. Use of BMPs, integrated pest management (IPM) practices, and compliance with all applicable federal, state, and local regulations and NPDES requirements, including compliance with Orange County Health Care Agency (OCHCA), RWQCB, and DTSC regulations as necessary, in the handling and use of hazardous substances would reduce potential impacts to a level considered less than significant.

As identified in Section 3, the original and proposed Specific Plans include three school sites. The Tustin Unified School District (TUSD) and Irvine Unified School District (IUSD) would be the agencies responsible for the development of schools with the Specific Plan area. The school districts are required to comply with the requirements of Section 15186 of the State CEQA Guidelines regarding school facilities (address potential health impacts resulting from exposure to hazardous materials, wastes, and substances) and to complete additional site testing per the provisions of the State Education Code.

Therefore, as determined necessary by each school district, subsequent environmental documentation for the proposed schools may be required. As discussed in Section 5.13, the City of Tustin has entered into agreements with TUSD and IUSD to address impacts from Specific Plan development. The FEIS/EIR concluded that there would not be significant impacts to proposed land uses related to hazards and hazardous materials based on: compliance with federal, state, and local laws, regulations, and NPDES permit requirements; and due to the pre-development remediation by DoN and any school district accepting property, under oversight of the DTSC and the Regional Board. The proposed Specific Plan Amendment, DDA, and Development Plan do not change the analysis or conclusions of the FEIS/EIR and no new mitigation is required.

It should be noted that the discharge of groundwater that may exceed water quality standards for selenium, nutrients, and other pollutants is discussed in Section 5.8, Hydrology and Water Quality.

B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Substantial Change from Previous Analysis. As noted above, the DoN clean-up and remediation of hazardous materials contamination within the Specific Plan area, including the Master Developer footprint, is continuing. As concluded in the FEIS/EIR, development of the reuse area would not have a significant environmental impact from the hazardous wastes, substances, and materials on the property during construction or operation since the DoN would implement various remedial actions that would remove, remediate to safe standards, manage, or isolate potentially hazardous substances pursuant to the applicable regulatory standards and under oversight of the DTSC in coordination with the Regional Water Quality Control Board.

The proposed project would not result in new or substantially more severe impacts related to previous contamination from MCAS Tustin operations beyond what was identified in the FEIS/EIR. As noted in the FEIS/EIR, the DoN remediation within certain areas of the reuse area is a requirement of the DoN. The property must be deemed suitable for reuse before any reuse occurs (by lease or deed). All IRP sites would be remediated to applicable regulatory standards of the applicable regulatory agency and will not be issued a FOST until this is accomplished.

E. For a project located within an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

F. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Substantial Change from Previous Analysis. As identified in the FEIS/EIR, with termination of operations at MCAS Tustin, people would not be subject to safety hazards from operations at MCAS Tustin. The project site is within the AELUP for John Wayne Airport and subject to identified height restrictions. Buildings exceeding 110 to 200 feet (depending on their location within the site) would be subject to review by the FAA and Airport Land Use Commission. There were no height restrictions in the original Specific Plan; however, with the proposed Specific Plan Amendment structures within the area designated Community Core on the Land Use Plan (refer to Revised Figure 2-1) (Neighborhood D-Planning Areas 8, 13, and 14) are allowed maximum of heights of 150 feet, with exceptions to this approved by the Community Development Director allowing up to 180 feet (refer to Chapter 3, Land Use and Development/ Reuse Regulations, Section 3.6, Neighborhood D, of the Specific Plan). Review of structures that exceed the height restrictions outlined in the AELUP would require on obstruction evaluation by FAA and the Airport Land Use Commission to determine whether hazards to airport operations would result. These measures assure that potential safety hazards are reduced to less than significant. No additional mitigation measures are needed.

The Caltrans Division of Aeronautics *California Airport Land Use Planning Handbook* identifies that Section 17215 of the State Education Code requires a school district to notify the Department of Education before acquiring title to property for a new school site within two miles of an airport runway. There are no school sites within the Specific Plan area within two miles of a runway for John Wayne Airport; therefore, this requirement does not apply.

G. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan do not substantially change the backbone circulation system in the Specific Plan area substantially or in a way that would interfere with any applicable emergency response plan or emergency evacuation plan. As a result, no significant impacts to emergency response or evacuation result from the proposed project.

H. Expose people or structures to a significant risk or loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Substantial Change from Previous Analysis. This issue was not addressed in the FEIS/EIR as the Specific Plan area is within an urbanized area and not within an area subject to wildland fires. No significant impacts would result.

5.7.4 MITIGATION AND IMPLEMENTATION MEASURES

Consistent with the conclusion of the FEIS/EIR, no significant impacts would occur based on: compliance with federal, state, and local laws, regulations, and NPDES requirements; pre-development remediation by DoN and any school district accepting property, under oversight of the DTS and RWQCB. Based on this conclusion, no mitigation measures were included in the FEIS/EIR related to hazardous wastes, substances, and materials. The proposed Specific Plan Amendment and Development do not change the analysis conclusions of the FEIS/EIR and no new mitigation is required.

5.7.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting hazards and hazardous materials, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to hazards and hazardous materials than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to hazards and hazardous materials has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that implementation of the Specific Plan and associated Implementing Actions would not result in significant impacts related to hazardous wastes, substances, and materials. The proposed project would not result in a substantial increase in the severity of impacts related to hazards and hazardous materials beyond that identified in the FEIS/EIR. Pursuant to the FFSRA, standards, protocols, and procedures available must be used in the DoN's remediation of property and groundwater, assuring incorporation of the most effective available means of pollution control and remediation currently available.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address hazards and hazardous materials issues:

Airport Land Use Commission. *Orange County Airport Land Use Plan for John Wayne Airport.* Orange County, California: December 19, 2002.

California Department of Transportation Division of Aeronautics. *California Airport Land Use Planning Handbook.* January 2002.

Bechtel Environmental, Inc. and Naval Facilities Engineering Command. *Final Amended Site Management Plan Fiscal Year 2005 Update Former Marine Corps Air Station Tustin.* San Diego: Bechtel, February 2005.

5.8 HYDROLOGY AND WATER QUALITY

5.8.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Construction Impacts

The FEIS/EIR concluded that construction of the project evaluated would result in a temporary increase in the amount of runoff, which would contain construction pollutants, including, specifically, high levels of total dissolved solids (TDS). This in turn would contribute to local and regional surface water quality impacts. Construction would not impact groundwater in the deep regional aquifer ground water zones; however, it would result in a temporary impact to water in the shallow ground water zones which would be lowered during construction. In addition, because water is only pumped from the shallow groundwater zones for testing and dewatering, this temporary impact would not affect Orange County's deep aquifer groundwater supply or operations.

Additionally, the FEIS/EIR identified that San Diego Creek and Newport Bay are listed as impaired for several pollutants, including sediment. As a result, construction operations would be required to comply with applicable requirements and implementation measures of TMDLs of the Newport Bay watershed, including the sediment TMDL. Sediment was identified as a primary construction phase pollutant of concern and it was determined that BMPs would have to be implemented during project construction in order to comply with and implement the then-current statewide NPDES Permit for Construction Activities (General Construction Permit), the City's water quality ordinance, the City's then-current General NPDES Permit for its municipal storm drain system (MS4 Permit), and the then-current Drainage Area Management Plan (DAMP). Pursuant to those same regulatory requirements, preparation of a SWPPP that identifies BMPs to be implemented to control construction phase pollutants, including sediment, would be required prior to start of construction. Those BMPs ensure that water bodies downstream of project receiving waters would meet TMDLs.

The FEIS/EIR concluded that compliance with applicable City and regulatory agencies standards and requirements, including compliance with the conditions of the DAMP and NPDES permits, would reduce construction impacts to a level considered less than significant.

Operational Impacts

The FEIS/EIR discusses the Santa Ana Regional Board's (SARWQCB or Regional Board) adopted *Water Quality Control Plan for the Santa Ana River Basin* (1995), as amended (Basin Plan), which establishes water quality standards for the primary ground and surface waters in the Santa Ana watershed pursuant to the California Water Code (§13000 et. seq.) and the federal Clean Water Act. The Basin Plan also identifies water quality problems in the Newport Bay Watershed, including water quality impairments, and sets forth standards and TMDLs to address them.

Groundwater Impacts

The FEIS/EIR identified that there are 16 potential buried well casings on-site; however, these wells would be properly capped prior to development to protect groundwater resources. The capping of these wells would be performed pursuant to SARWQCB regulatory requirements and would not result in significant groundwater impacts.

The FEIS/EIR incorrectly identified the potential for four non-potable water wells to be constructed by the Irvine Ranch Water District (IRWD) along Barranca Parkway. In fact, the adopted Specific Plan (Section 3.11.24, Utilities) and an agreement between the City of Tustin and IRWD identified the potential for up to five wells along Barranca Parkway. The wells would be used to pump water from the deep groundwater aquifers. Because there is only one well which exists, three new non-potable water wells could be constructed based on IRWD needs. Water can also be pumped from other IRWD wells if more non-potable water is needed by the District. The FEIS/EIR identified that additional groundwater withdrawal from the deep aquifer for use by IRWD to meet service area-wide demand could potentially result in significant adverse affects by lowering the groundwater table. However, groundwater pricing controls regulate groundwater pumping to prevent substantial draw down or overdraft of the deep aquifer. Therefore, while up to five wells could potentially be constructed, the likelihood that this will actually occur has yet to be determined. In addition, IRWD must coordinate pumping of groundwater with the Orange County Water District and SARWQCB. Further, pumping is subject to the regulatory requirements of the Basin Plan and, it should be noted, the Orange County Water District Act of 1933, as amended. Therefore, the FEIS/EIR determined that there would be no significant adverse impacts to groundwater.

The FEIS/EIR identified three contaminated water-bearing zones (WBZs) located underneath the Specific Plan area. It should be noted that the California Department of Toxic Substances Control (DTSC) in coordination with the Regional Board will oversee the Department of Navy remediation activities to ensure that there is no contamination from the WBZs to the aquifer and to assure full remediation of groundwater. Pursuant to the Federal Facility Site Remediation Agreement (FFSRA), the DoN agreed in 1999 to remediate all pollutants of concern released to WBZs and/or groundwater in compliance with the procedures, conditions and standards set forth in that agreement. DTSC, in coordination with the SARWQCB has the duty under the FFSRA to supervise the remediation work and to assure remediation is conducted according to the most stringent standards, requirements and protocols, including residential and school site remediation standards, prior to transfer of affected property for development. FFSRA § 8.1. Therefore, the FEIS/EIR determined that the project would not result in significant impacts to groundwater.

Water Quality Impacts

The FEIS/EIR analyzes potential water quality impacts to groundwater and surface water quality. It was concluded that dewatering for construction and development could result in water containing pollutants being discharged into impaired water bodies. However, the FEIS/EIR concluded that all discharges produced as a result of dewatering activities would be treated as necessary (for example, either via the sanitary sewer system or BMPs) to meet applicable standards prior to discharge into local and/or regional water bodies. Sewering or other treatment of dewatering discharges prior to release would assure surface water compliance with Basin Plan and TMDL requirements. Therefore, the FEIS/EIR determined that impacts associated with dewatering would be less than significant.

Although the base was developed with substantial impervious improvements, including tarmac, runways, buildings, parking lots and hangars, the FEIS/EIR concluded that development of the Specific Plan area would increase the amount of impervious surface. Therefore the amount of runoff (both volumes and velocities) would be increased. In addition, urban development would introduce pollutants associated with urban land uses. As a result, the FEIS/EIR identified that post-construction runoff can be expected to contribute higher levels of urban pollutants to surface waters. The FEIS/EIR also identified a potential long-term benefit to surface water

quality due to elimination of agricultural operations. By eliminating agricultural operations, nutrients released into the Peters Canyon Channel or infiltrated into shallow groundwater would be reduced, which would help to control algae blooms and other nutrient-related water quality effects. Elimination of agriculture in the developed condition could also lead to reductions in toxic substances.

The FEIS/EIR discussed that, under the then-current NPDES permit issued to Orange County and 16 cities, including the City of Tustin (as co-permittees) for their municipal storm drainage system (MS4 Permit), all development and significant redevelopment must implement BMPs that will control post-development urban pollutants in accordance with the standards, requirements and conditions of the City's water quality ordinance, the MS4 Permit, and the DAMP, in order to comply with applicable TMDLs. The FEIS/EIR concluded that compliance with these requirements would reduce potential post-construction surface water quality impacts to less than significant. Based on such compliance, none of the proposed activities would result in a continual violation of water quality standards or waste discharge requirements causing significant water quality impairment.

5.8.2 CURRENT CONDITIONS

The analysis and conclusions presented in Section 3.10, Water Resources, of the FEIS/EIR, related to groundwater and surface water (drainage patterns, runoff volumes and velocities) has not changed substantially. As discussed in the FEIS/EIR, the project site is located within the San Diego Creek/Newport Bay Watershed. The site lies at the eastern edge of a broad coastal plain, known as the Tustin plain, which slopes gently south towards the Pacific Ocean. Local topography and man-made drainage facilities influence surface drainage in the vicinity of the Specific Plan area. The Barranca Channel drains a portion of the project site, as well as areas to the north and northwest of the site, and then discharges into Peters Canyon Channel to the south. The Santa Ana-Santa Fe Channel drains areas to the north and northeast of the project site area and flows into Peters Canyon Channel, which ultimately discharges to the Lower San Diego Creek and ultimately the Upper Newport Bay.

An updated discussion of groundwater quality as it relates to ongoing DoN remediation efforts is provided in Section 5.7, Hazards and Hazardous Materials. Information regarding storm drain facilities, including additional information about the regional channels in the project area is provided in Section 5.16, Utilities and Service Systems.

Since the FEIS/EIR was completed, new state, federal, and local regulations and updated versions of the General NPDES permits and the DAMP have been adopted or approved by the SARWQCB and the co-permittees. Also, additional information relating to surface water and groundwater quality in the Newport Bay watershed has become available. Specifically, additional information has become available regarding the presence of various pollutants of concern in Peters Canyon Channel, San Diego Creek and Upper Newport Bay, and high groundwater concentrations of selenium and nutrients within the watershed. A summary discussion of additional water quality information regarding pollutants of concern and current regulatory requirements in the watershed and a focused discussion of potential project impacts with respect to nutrients and selenium is provided below. Note that while not all of the following information is "new," it is provided to give a comprehensive overview of water quality conditions and regulations.

Pollutants of Concern

The current DAMP requires identification of pollutants of concern associated with projects considered for discretionary approvals. As identified in the FEIS/EIR, the pollutants of concern that should be considered for this project are: (a) pollutants associated with construction activities and urban development uses planned pursuant to the proposed project, and which have the potential to impair surface waters; and (b) pollutants identified by regulatory guidance as potentially impairing surface waters in the project vicinity. The following pollutants were selected as constituents of concern based upon the regulations described below, per the DAMP and the LIP, and based upon the pollutants that are anticipated or potentially could be generated by the project (based upon the proposed land uses):

- Selenium
- Nutrients (Phosphorus and Nitrogen)
- Sediment (TSS and Turbidity)
- Trace Metals (Copper, Cadmium, Lead, and Zinc)
- Pathogens (Bacteria, Viruses, and Protozoa)
- Organic Compounds
- Hydrocarbons (Oil and Grease, Polycyclic Aromatic Hydrocarbons) Pesticides
- Trash and Debris
- Pesticides (including organochloride and organophosphate pesticides)
- Oxygen Demanding Substances

Both construction phase and post-development potential groundwater quality and surface water quality impacts with respect to the identified pollutants of concern are evaluated and compared to conclusions reached in the FEIS/EIR in the following analysis.

New information regarding two of these pollutants of concern, selenium and nutrients, is now available and is summarized below. Information regarding the other pollutants of concern is set forth in the DAMP and is also summarized below.

Selenium

Selenium is a natural trace element in the environment that has chemical and physical properties that are intermediate between those of metals and non-metals. It is an essential nutrient for fish, birds, humans, and other animals. One the most important features of selenium is the very narrow margin between nutritionally optimal and potentially toxic dietary exposures for vertebrate animals.[1] Excessive amounts of selenium in certain bioavailable forms in surface waters can indicate the potential for toxicological effects on biota.[2] Strong evidence indicates that the major selenium uptake route in wildlife is not accumulation of dissolved selenium from water, but rather accumulation from ingestion via the food chain.[3] While selenium is in soluble form in the water column, algae, bacteria, and other benthic organisms can take it up, and selenium thereby enters the food chain.

Selenium tends to bioaccumulate in bio-tissues, and as predators in the food chain ingest species that have taken up selenium, the potential for toxicological effects to biota develops.[4]

[1] U.S. Environmental Protection Agency, Region 9, June 14, 2002. Total Maximum Daily Loads (TMDLs) for Toxic Pollutants, San Diego Creek and Newport Bay—Part D—Selenium (Se)." ("Part D"). http://www.epa.gov/region09 /water/tmdl/nbay /tsdd0602.pdf
[2] Id., § 1, pp 1-2
[3] Id.
[4] Id.

Toxicological effects in wildlife include lowered reproduction rates, shortened life spans, and stunted growth.[5] However, currently pending detailed biological studies are required to determine whether or not selenium is negatively impacting biota in the San Diego Creek/Upper Newport Bay watershed and to ascertain the levels of selenium in water that might result in toxicological effects to watershed wildlife.[6] Some available data indicate that selenium may be present in surface waters within the San Diego Creek Watershed at levels that could contribute to water column toxicity.[7] There is no evidence that high concentrations of selenium are present and contributing to toxicity in Upper Newport Bay or Lower Newport Bay, but further studies of selenium and its effects in the bay are underway.[8]

There is convincing evidence that the primary source of selenium in surface waters of the San Diego Creek Watershed is shallow groundwater with high selenium concentrations that enters surface waters.[9] Concentrations of selenium in groundwater in the watershed are not homogenous. Instead, selenium concentrations in groundwater vary widely from place to place within the watershed, depending on specific location of the groundwater within the watershed.[10] The highest groundwater concentrations of selenium are found in shallow groundwater in the area historically characterized by an ephemeral lake and marsh known as the "Swamp of the Frogs."[11] The evidence suggests that the high concentrations of selenium in the groundwater of this area, which encompasses the Specific Plan area, result from oxidation and leaching of subsurface soils underlying the old lake/marsh.

Selenium-laden groundwater then makes its way to surface waters, primarily in Peters Canyon Channel and its tributaries.[12] This can occur naturally (through subsurface flow, seeps, springs and weepholes) via leaching of irrigated agricultural soils and subsequent remobilization in irrigation water and/or via dewatering of shallow groundwater or remediation activities.[13] Recent investigations into the sources of selenium in the watershed have found that approximately 62 to 87 percent of the base flows in San Diego Creek result from groundwater inputs to the creek, either naturally or through groundwater dewatering and remediation operations.[14]

Approximately 96 percent of the selenium found in San Diego Creek and its tributaries results from these groundwater inputs.[15] In addition, data indicate that upstream sources of selenium also exist in the watershed, primarily associated with naturally occurring selenium found in bedrock and soils, particularly marine sediments located in hillsides, open spaces, and agricultural lands within the watershed.

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[5] Id.
[6] Id.
[7] California Regional Water Quality Control Board, Santa Ana Region, December 15, 2000. Final Problem Statement for the Total Maximum Daily Load for Toxic Substances in Newport Bay and San Diego Creek ("Problem Statement."), §1, p. 7, Table 23, http://www waterboards.ca.gov/santaana/pdf/nbtmdl_final.pdf
[8] Id.
[9] Part D, p. 14
[10] California Regional Water Quality Control Board, Santa Ana Region, December 20, 2004. General Waste Discharge Requirements for Short-Term Groundwater-related Discharges and De Minimus Wastewater Discharges to Surface Waters within the San Diego Creek/Newport Bay Watershed, Order No. R8-2004-0021, NPDES No. CAG998002 ("General Permit"), Fact Sheet, §1, p. 2: http://www.waterboards.ca.gov/santaana/pdf/04-21.pdf [General Permit,]
[11] Part D, p. 3; See Selenium Contour Map
[12] Id.
[13] Part D, pp. 1, 3
[14] General Permit, § 1, p. 2
[15] Id.

San Diego Creek contributes the largest load of selenium among all tributaries to Newport Bay (Lee and Taylor 2001a). Of the load from San Diego Creek, Peters Canyon Channel (which conveys selenium from shallow groundwater) represents the major source of selenium during dry weather. Other sources may include runoff from hillsides, open spaces, agricultural lands, and commercial nursery sites. High concentrations of selenium were found in nursery channels during rain events, although it remains unclear if the selenium sources are from the commercial nurseries or from sources existing upstream of the nurseries. During rain events, the selenium load from the upper reach of San Diego Creek was comparable to that from Peters Canyon Channel suggesting runoff from open space is a significant source during rain events. Low concentrations of selenium were found in nursery channels during base flow conditions.[16]

Nutrients

The FEIS/EIR discussed the effect of excessive nutrients on surface waters and the TMDL that the Regional Board adopted in 1998 for nutrients. Nutrients promote algal blooms and excessive growth of rooted aquatic vegetation, which can create an aesthetic nuisance and interfere with recreational and navigational activities.[17] In addition, excessive nutrients may adversely affect and decrease dissolved oxygen (DO), creating odor and an oxygen-depleted environment for aquatic organisms in surface waters with low DO.[18] However, it is also recognized that too few nutrients in a waterbody can adversely affect wildlife.[19]

Newport Bay has exhibited algal blooms indicating excessive nutrients for over 25 years.[20] Although a number of improvements in water quality management measurements have resulted in substantially decreased nitrate concentration in the Bay, algal blooms are still occurring in Newport Bay and San Diego Creek.[21] Historically, the primary sources of high nutrient input to surface waters of the watershed have been tailwaters from the irrigation of agricultural crops and runoff and tailwaters from several commercial nurseries.[22] Water quality control measures implemented in the watershed, including irrigation and nitrogen control measures implemented by agricultural operators and commercial nurseries, as well as de-nitrification of diverted San Diego Creek flows implemented by the IRWD in their managed wetland ponds and implemented by Caltrans, have combined to reduce concentrations of nitrogen compounds and algal biomass in the Bay.[23] Algal blooms are now largely restricted to the Upper Bay and are less extensive than in prior years.[24]

Recent data suggests nitrogen loading within the Upper Newport Bay may still be occurring due to inputs from rising groundwater, groundwater dewatering and remediation activities, atmospheric deposition, open space inputs, and in-Bay sediment nitrogen.[25] Recent investigations indicate that as much as 85 percent of the nitrate concentrations found in San Diego Creek and its tributaries may result from groundwater exfiltration into watershed surface

[16] USEPA, June 2002, *Total Maximum Daily Loads For Toxic Pollutants San Diego Creek and Newport Bay, California*
[17] Basin Plan Amendment, p. 5-41
[18] General Permit, Finding No. 15, p. 5
[19] Id.
[20] Basin Plan Amendment, p. 5-41
[21] General Permit, Finding No. 15, p. 5
[22] Basin Plan Amendment, p. 5-41
[23] Id.; General Permit, Fact Sheet, § 4, p. 5
[24] General Permit, Fact Sheet, § 4, p. 5, General Permit, Order, Finding No. 17, p. 6
[25] General Permit, Order, Finding No. 15, p. 5

waters.[26] These studies indicate that the highest groundwater nitrate concentrations are found in groundwater beneath the Tustin alluvial plan, which encompasses the Specific Plan area, and in the vicinity of El Modena Channel, Peters Canyon Channel, the I-5 freeway, and the area tributary to lower San Diego Creek.[27]

Sediments (TSS and Turbidity)

Excessive erosion, transport, and deposition of sediment in surface waters is a significant form of pollution resulting in water quality problems. Sediment imbalances impair designated uses. Excessive sediment can impair aquatic life by filling interstitial spaces of spawning gravels, impairing fish food sources, filling rearing pools, and reducing beneficial habitat structure in stream channels. In addition, excessive sediment can cause taste and odor problems in drinking water supplies and block water intake structures.

Nutrients (Nitrogen and Phosphorus)

Nutrients are inorganic forms of nitrogen and phosphorus. There are several sources of nutrients in urban areas, mainly fertilizers in runoff from lawns, pet wastes, failing septic systems, and atmospheric deposition from industry and automobile emissions. Nutrient over-enrichment is especially prevalent in agricultural areas where manure and fertilizer inputs to crops significantly contribute to nitrogen and phosphorus levels in streams and other receiving waters. Eutrophication due to excessive nutrient input can lead to changes in periphyton, benthic, and fish communities; extreme eutrophication, surface algal scum, water discoloration, and the release of toxins from sediment can occur.

Trace Metals (Copper, Lead, and Zinc)

The primary sources of trace metals in stormwater are typically commercially available metals used in transportation, buildings, and infrastructure. Metals are also found in fuels, adhesives, paints, and other coatings. Copper, lead, and zinc are the most prevalent metals typically found in urban runoff. Other trace metals, such as cadmium, chromium, and mercury, are typically not detected in urban runoff or are detected at very low levels (LA County, 2000). Metals are of concern because of toxic effects on aquatic life and the potential for ground water contamination. High concentrations of certain metals can bioaccumulate in fish and shellfish and affect beneficial uses of a waterbody.

Pathogens (Bacteria, Viruses, and Protozoa)

Elevated pathogens are typically caused by the transport of animal or human fecal waste from the watershed. Runoff that flows over land such urban runoff can mobilize pathogens, including bacteria and viruses. Even runoff from natural areas can contain pathogens (e.g., from wildlife). Other sources of pathogens in urban areas include pets and leaky sanitary sewer pipes. The presence of pathogens in runoff can impair receiving waters and contaminate drinking water sources. Elevated pathogens are typically caused by the transport of animal or human fecal wastes from the watershed. Historically an indicator organism such as fecal coliform has been used for pathogens due to the difficulty of monitoring for pathogens directly. More recently, the scientific community has questioned the use of indicator organisms, as scientific studies have shown no correlation between indicator and pathogen levels and therefore total and fecal

[26] Hibbs, B., March 1, 2000. *Nitrate in San Diego Creek Watershed*, Department of Geological Sciences, California State University, Los Angeles.
[27] General Permit, Fact Sheet, §1 p. 2; see Nutrient Contour Map.

coliform may not indicate a significant potential for causing human illness (Paulsen and List, 2003).

Petroleum Hydrocarbons (Oil and Grease and PAHs)

The sources of oil, grease, and other petroleum hydrocarbons in urban areas include spillage of fuels and lubricants, discharge of domestic and industrial wastes, atmospheric deposition, and runoff. Runoff can be contaminated by leachate from asphalt roads, wearing of tires, and deposition from automobile exhaust. Some petroleum hydrocarbons, such as polycyclic aromatic hydrocarbons (PAHs), can accumulate in aquatic organisms from contaminated water, sediments, and food and can be toxic to aquatic life at low concentrations. Hydrocarbons can persist in sediments for long periods of time and can result in adverse impacts on the diversity and abundance of benthic communities. Hydrocarbons can be measured as total petroleum hydrocarbons (TPH), oil and grease, or as individual groups of hydrocarbons, such as PAHs.

Pesticides

Pesticides (including herbicides, insecticides, and fungicides) are chemical compounds commonly used to control insects, rodents, plant diseases, and weeds. Pesticide applications can result in runoff containing toxic levels of active ingredients.

Trash and Debris

Improperly disposed or handled trash (such as paper, plastic, polystyrene packing foam, and aluminum materials) and biodegradable organic debris (such as leaves, grass cuttings, and food waste) can accumulate on the ground surface where it can be entrained in urban runoff. The presence of trash and debris can have a significant impact on the recreational value of a water body and aquatic habitat. Excess organic matter such as food wastes in urban trash can create a high biochemical oxygen demand in a stream and there by lower its water quality. Also, in areas where stagnant water exists, the presence of excess organic matter can promote septic conditions resulting in the growth of undesirable organisms and the release of odorous and hazardous compounds such as hydrogen sulfide.

Organic Compounds and Oxygen-Demanding Compounds

Two additional categories of pollutants of concern that are associated with urban runoff are organic compounds and oxygen-demanding compounds. The pollutants in these two categories are largely subsumed by the categories above.

Water Quality Regulatory Requirements

California Toxics Rule (CTR)

The CTR is a federal regulation providing numeric water quality criteria for certain toxic constituents applicable to surface waters in the State of California with human health or aquatic life designated beneficial uses. The Basin Plan beneficial uses, water quality objectives, and the CTR criteria do not apply directly to discharges of runoff, but rather apply within the specified receiving waters. CTR criteria apply to Peters Canyon Channel based on its REC 1 and WILD designated beneficial uses (see Basin Plan discussion below), as well as to San Diego Creek and Upper Newport Bay, downstream of project receiving waters.

MS4 Permit

In January 2002, the Regional Board issued an updated version of the MS4 Permit, known as the third term MS4 Permit (SARWQCB, 2001 No. CAS618030) for discharges to the municipal separate storm sewer system (MS4) in northern Orange County to the County, the Orange County Flood Control District, and the northern Orange County cities, inclusive of the City of Tustin, (collectively "the Co-permittees"). To implement the requirements of the current MS4 Permit, the Co-permittees developed an updated 2003 Drainage Area Master Plan (2003 DAMP) that includes a Model New Development and Redevelopment Program (OCPFRD 2003). This Model Program provides a framework and a process for following the new MS4 Permit requirements, which are more stringent than those of the prior MS4 Permit. The new MS4 Permit standards are more stringent than those of the prior MS4 Permit, in that the new requirements mandate higher levels of post-construction stormwater treatment for new development and significant redevelopment, and incorporate watershed protection/stormwater quality management principles into the Co-permittees' General Plan process, environmental review process, and development permit approval process. The Model Program includes a Model Project Water Quality Management Plan (WQMP) that defines requirements and provides guidance for compliance with the current more stringent MS4 requirements for project specific planning, selection, and design of post-construction BMPs in new development or significant redevelopment projects.

Per the requirements in the DAMP and the current MS4 Permit, the City of Tustin has adopted a Local Implementation Plan (LIP) containing the policy and implementation documents for compliance with the DAMP. Section A-7 of the City's LIP contains the new development and redevelopment component based upon the Orange County Model WQMP contained in the DAMP. Using the DAMP and LIP as a guide, and in compliance with the current MS4 Permit requirements, the City of Tustin will approve WQMPs for new development and redevelopment projects within its jurisdiction as part of the development plan and entitlement approval process.[28] Satisfaction of requirements for new development as defined in the DAMP/LIP establishes compliance with water quality regulatory requirements applicable to post-development project runoff, and protects surface water beneficial uses in the watershed as required by the Basin Plan.

General Construction Permit

The new NPDES Construction Permit titled California State Water Resources Control Board (SWRCB) Water Quality Order 99-08-DWQ National Pollutant Discharge Elimination System (NPDES) Permit for storm water discharges from construction sites (NPDES No. CAS000002), as amended April 26, 2001, by SWRCB Resolution No. 2001-046 (General Construction Permit) also now contains more stringent water quality requirements. The current General Construction Permit requires all development projects that disturb *one* or more acres to obtain coverage under the Permit. The permit also now contains more stringent water quality standards, including higher standards for erosion control and new monitoring provisions. The current General Construction Permit requires the development and implementation of a SWPPP for construction sites one acre or larger in size. The SWPPP must identify an effective combination of erosion and sediment control BMPs, as well as construction material management and non-storm water BMPs that will be used during the construction phase of development. The current General Construction Permit requires implementation of BMPs consistent with Best Available

[28] When discussing regulatory requirements of the Project in the remainder of this document the MS4 permit and supporting implementation programs (the Model WQMP, DAMP, and LIP) are sometimes referred to as the MS4 permit and implementation plans.

Technology Economically Achievable and Best Conventional Pollutant Control Technology (BAT/BCT), as does Section 8 of the DAMP, and Section A-8 of the LIP.

Impaired Waters

At the time the FEIS/EIR was prepared, the Regional Board had identified San Diego Creek and Upper Newport Bay as water quality limited with respect to sediments, nutrients, pathogens, and unknown toxicity. As a result, these surface water bodies are listed as impaired under Section 303(d) of the federal Clean Water Act. Since that time, more information regarding these pollutants has become available through studies conducted for impaired water bodies and through TMDLs and TMDL implementation measures that have been prepared to address those constituents causing impairment in accordance with state and federal law. The TMDLs for sediment, nutrients, and pathogens are established and are being phased in over a fifteen-year period.

In 2001, the Regional Board developed draft TMDLs for pesticides and selenium to address toxicity in the San Diego Creek/Upper Newport Bay watershed (SARWQCB, 2001a and 2001b). However, prior to adoption of these draft TMDLs, USEPA adopted technical TMDLs for a number of toxic pollutants pursuant to USEPA consent decree (USEPA, April 2002). These technical TMDLs were finalized on June 14, 2002 (USEPA, June 2002). The USEPA toxic pollutant TMDL is divided into five chemical categories: orthophosphate pesticides, selenium, metals, organochlorine compounds, and mercury and chromium. The mercury and chromium TMDLs are applicable only to the Rhine Channel area of Lower Newport Bay and are not applicable to project site receiving waters or downstream waterbodies. The Regional Board is required to adopt toxics TMDLs and appropriate implementation plans into the Basin Plan. The adopted TMDLs may differ from those issued by the USEPA, but must be approved by USEPA.

In December 2005, the SWRCB proposed new impaired listings for additional waters within the watershed pursuant to Clean Water Act §303(d). If these listings are adopted, additional TMDLs must be developed for watershed surface waters. The draft pollutant-waterbody combinations that were recently recommended by the SWRCB staff for listing in the 2006 listing cycle are:

- Peters Canyon Channel – DDT and toxaphene (legacy pesticides comprised of organochlorine compounds)
- San Diego Creek Reach 1 – fecal coliform, nutrients, sedimentation/siltation, selenium and zinc
- San Diego Creek Reach 2 – diazinon, nutrients, sedimentation/siltation and unknown toxicity
- Upper Newport Bay – chlorpyrifos, copper, DDT, diazinon, fecal coliform, nutrients, polychlorinated biphenyls and sedimentation/siltation
- Lower Newport Bay – chlorpyrifos, copper, DDT, diazinon, fecal coliform, nutrients, polychlorinated biphenyls and sedimentation/siltation

Although all of the pollutant-waterbody combinations set forth above are recommended for listing in the 2006 cycle, many of the proposed listings are being placed on the list of "Water Quality Limited Segments Being Addressed" because regulatory programs are already in place that are expected to result in attainment of the applicable water quality standard. The pollutant-

water body combinations that are being recommended for placement on the "Water Quality Limited Segments Being Addressed" category of the §303(d) are as follows:

- San Diego Creek Reach 1 – fecal coliform, nutrients and sedimentation/siltation
- San Diego Creek Reach 2 – diazinon, nutrients, sedimentation/siltation and unknown toxicity
- Newport Bay (both Lower and Upper) – chlorpyrifos, diazinon, fecal coliform, nutrients, sedimentation/siltation

These proposed listings for pollutant impairment will be considered for adoption by the SWRCB during the same time period in which the City is considering the Addendum. Based on data that has been collected, presented and analyzed in comments prepared by the County of Orange and submitted to the SWRCB during the public comment period, it appears that several proposed listings related to legacy pesticides may not be warranted. It should also be noted that, as discussed in greater detail below, the RWQCB has already adopted phased sediment TMDL targets for the Newport Bay Watershed (adopted in 1997), a three-phase nitrogen TMDL to address nutrient loading, and a phased TMDL criteria for fecal coliform in Newport Bay. In addition, USEPA has approved TMDLs for metals in Newport Bay and has issued technical TMDLs for organochlorine compounds, including DDT and taxophene, and for selenium for the watershed. Finally, the SARWQCB is currently preparing an organochlorines TMDL and related implementation measures, which they intend to consider and adopt in the Spring of 2006 to address legacy pesticides, including DDT and taxophene. Finally, as discussed in more detail below, the SARWQCB has adopted a nutrient and selenium management program (NSMP) for the watershed to address selenium and nutrients in groundwater. Thus, many of the proposed 303(d) listings pollutant-waterbody combinations are already being addressed by the RWQCB pursuant to currently existing TMDLs and other regulatory measures. If some or all of the proposed 303(d) listings are implemented, the project SWPPP and WQMP must contain BMPs to address the pollutants of concern, including pollutants impairing downstream water bodies, per the current MS4 Permit, DAMP and General Construction Activity NPDES Permit. In addition, the project will be required to comply with all applicable TMDL requirements and implementation measures adopted by the SARWQCB.

The Basin Plan and TMDLs

The Basin Plan designates beneficial uses for major surface water bodies of the watershed. In addition, the Basin Plan sets forth both general and specific water quality objectives necessary to support designated beneficial uses.

As noted in the FEIS/EIR, the surface receiving waters for the Specific Plan area are Barranca Channel and Peters Canyon Channel. In turn, these water bodies drain to San Diego Creek, and then San Diego Creek is tributary to the Upper Newport Bay. The Basin Plan does not designate beneficial uses for Barranca Channel. Current designated beneficial uses for Peters Canyon Channel are shown in the following table.

Surface Stream	Beneficial Use					
	MUN	GWR	REC 1	REC 2	WARM	WILD
Peters Canyon Channel	Excepted	Intermittent	Intermittent	Intermittent	Intermittent	Intermittent

MUN – Municipal and domestic supply waters used for community, military, municipal or individual water supply systems
AGR – Agricultural supply waters used for farming, horticulture, or ranching
GWR – Groundwater recharge for natural or artificial recharge of groundwater
REC1 –Water contact recreation involving body contact with water and ingestion is reasonably possible
REC2 – Non-contact water recreation for activities in proximity to water, but not involving body contact
WARM –Warm freshwater habitat to support warm water ecosystems
WILD – Wildlife habitat waters that support wildlife habitats

Source: SARWQCB Basin Plan

In general, the Basin Plan does not identify specific water quality objectives for Barranca Channel or Peters Canyon Channel. However, the Basin Plan does contain general narrative objectives relevant to pollutants that may be present in runoff from the Specific Plan area during the construction and/or post development phases. Further, the Basin Plan contains specific, numeric objectives for San Diego Creek and Upper Newport Bay, located downstream of the project receiving waters relevant to discharges. An updated summary of Basin Plan water quality objectives relevant to project receiving waters and downstream water bodies follows.

Sediment (Total Suspended Solids)

The Basin Plan requires that "Inland surface waters shall not contain suspended or settleable solids in amounts which cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors." This standard applies to project receiving waters.

With respect to downstream waterbodies, as noted in the FEIS/EIR, the Regional Board adopted phased sediment TMDL targets applicable to San Diego Creek and the Upper Newport Bay (adopted in October 1997). An initial TMDL target is to reduce the annual average sediment load from 250,000 tons per year to 125,000 tons per year (tons/yr), and to capture half of the sediments in sedimentation basins, limiting the total load to Upper Newport Bay to 62,500 tons/year. Currently, the TMDL is not directly applicable to project receiving waters.

It should be noted that the Regional Board is reviewing the sediment TMDL for Newport Bay and may consider an amendment to the TMDL in late 2006, in which case the project would be required to comply with any applicable implementation measures set forth in the amended TMDL implementation plan. In addition, new controls may be included in the 2007 update to the current MS4 Permit. As previously noted, the City of Tustin is a co-permittee under the MS4 Permit.

Nutrients

The Basin Plan narrative standard for algae states, "Waste discharges shall not contribute to excessive algal growth in inland surface receiving waters." This standard is applicable to project receiving waters.

With respect to downstream waterbodies, the Basin Plan identifies specific water quality objectives as follows: 13 milligrams per liter (mg/L) Total Inorganic Nitrogen (TIN) for Reach 1 of San Diego Creek and 5 mg/L TIN in Reach 2 (USEPA, 1998b). The nutrient TMDL for the San Diego Creek/Newport Bay Watershed is based on the general goal of reducing nutrient loads to Newport Bay by 50 percent, to levels observed in the early 1970s (USEPA, 1998b). It was reasoned that this level of reduction would eliminate algal blooms in Newport Bay, which, based

on qualitative observations, were minor in the early 1970s. The Regional Board adopted an amendment to the Basin Plan that incorporated a three-phase nitrogen TMDL (Table 5-14). The winter load is exclusive of storm flows with an average daily flow greater than 50 cubic feet per second (cfs) in San Diego Creek at Campus Drive.

TABLE 5-14
NUTRIENT TMDL ALLOCATIONS FOR THE UPPER NEWPORT BAY AND SAN DIEGO CREEK

TMDL	December 31, 2002	December 31, 2007	December 31, 2012
Newport Bay Watershed, TN – Summer load (4/1 to 9/30)	200,097 lbs	153,861 lbs	
Newport Bay Watershed, TN – Winter load (10/1 to 3/31, non-storm)			144,364 lbs
Newport Bay Watershed, Total Phosphorus – Annual Load	86,912 lbs	62,080 lbs	
San Diego Creek, Reach 2, daily load			14 lbs/day

It was reasoned that attainment of the 50 percent reduction in nitrogen loads to Newport Bay would result in compliance with the Basin Plan in-stream water quality standard for Reach 1 (13 mg/L TIN). Therefore, no TMDL was established for the San Diego Creek Reach 1. However, for Reach 2 it was determined that the average in-stream nitrogen concentrations would likely remain close to or above the Basin Plan in-stream water quality standard (5 mg/L TIN), even with attainment of the Newport Bay TMDLs. Therefore a TMDL of 14 lbs/day TN was established for Reach 2 and is applicable for all flows exclusive of storm flows greater than an average daily flow of 25 cfs in San Diego Creek at Culver Drive. This TMDL was determined on the basis of meeting the in-stream standard at the 10th percentile flow of approximately 0.5 cfs.

According to the 2004 Newport Bay/San Diego Creek Watershed Total Maximum Daily Load Triennial Review (Triennial Review Report), the overall TMDL nitrogen reduction targets for summer season 2007 have been achieved.[29] Still, the occurrence of early winter algal blooms in the Upper Bay suggest that additional information regarding sources and controls for nutrients is needed.[30] For example, insufficient data were available during the development of the nutrient TMDLs to identify specific load allocations for each of the components of undefined sources category of nutrient inputs, including groundwater-related inflows to surface waters in the Upper Newport Bay.[31] Because of insufficient data, baseline loading data from groundwater discharges to surface waters have not yet been established in the TMDL.[32] Further, the nutrient TMDL implementation plan supports the trading of pollutant allocations, where appropriate, as a potential cost-effective method to achieve pollutant reduction.[33] However, there is no identified viable nitrogen offset or trading programs currently available to dischargers.[34] Currently, there is no nutrient TMDL directly applicable to project receiving waters.

[29] General Permit, Fact Sheet, § IV, p. 4
[30] General Permit, Order, Finding No. 17, p. 6
[31] Id., Finding No. 18, p. 6]
[32] Id.
[33] Id. Finding No. 19, p. 6]
[34] Id.

Phosphorus TMDL Allocations

There is no numeric objective for phosphorus in the Basin Plan. Instead, the Basin Plan narrative algae standard discussed above with respect to nitrogen applies to project receiving waters.

Downstream of project receiving waters, the nutrient TMDL for San Diego Creek and Upper Newport Bay does address phosphorus. In adopting the nutrient TMDL, it was determined that because measured total phosphorous (TP) and sediment loads are correlated, a 50 percent reduction in TP loads would be achieved through compliance with the sediment TMDL (USEPA 1998a). Accordingly, the TMDL for TP was based on a 50 percent reduction of average annual load estimated at 124,160 lbs (USEPA 1998b). The target compliance date was set for December 31, 2007.

Pathogens

The Basin Plan sets specific water quality objectives for surface waters with Rec-1 or Rec-2 designated beneficial uses. Peters Canyon Channel has Rec-1 and Rec-2 designated beneficial uses. The Basin Plan standard is as follows:

- For waters designated REC-1: Fecal coliform: log mean < 200 organisms/100 mL based on 5 or more samples/30-day period, and not > 10 percent of samples exceed 400 organisms/100 mL for any 30-day period.

- For waters designated REC-2: Fecal coliform: average < 2000 organisms/100 mL and not more than 10 percent of samples > 4000 organisms/100 mL for any 30-day period.

Downstream of project receiving waters, the Regional Board has adopted phased TMDL criteria for fecal coliform in Newport Bay, with the initial focus on additional monitoring and assessment to address areas of uncertainty. The goal of the Newport Bay TMDL is compliance with water contact recreational standards by 2014. An implementation plan for meeting the TMDLs has not been developed, but is currently being formulated through ongoing cooperative studies by the Newport Watershed Permittees. The status of these studies is discussed in the 2002 annual NPDES Progress Report (OCPFRD 2002). Fecal coliform concentration of not less than five samples per 30 days shall have a geometric mean less than 200 most probable number (MPN)/100 mL, and not more than 10 percent of the samples shall exceed 400 MPN/100 mL for any 30-day period. A second TMDL goal is to achieve the shellfish harvesting standards by 2020: The monthly median fecal coliform concentration shall be less than 14 MPN/100 mL, and not more than 10 percent of the samples shall exceed 43 MPN/100 mL.

Selenium

The Regional Board developed draft selenium TMDLs for San Diego Creek and Upper Newport Bay based on the goal of reducing selenium loads into Newport Bay to levels that reflect the proposed chronic water quality criterion of 2 ppb (SARWQCB 2001). However, the USEPA (June 2002) revised these TMDLs to reflect the current CTR criteria at a variety of flow tiers (Table 5-15). The Regional Board is required to adopt selenium TMDLs into the Regional Board's Basin Plan, along with TMDL implementation measures. The adopted TMDLs could be different from those developed by USEPA, but must be approved by the USEPA.

TABLE 5-15
SELENIUM TMDL ALLOCATIONS FOR SAN DIEGO CREEK

	Flow Tier 1 Base flow (0–20 cfs) lbs/yr	Flow Tier 2 Small flows (21-181 cfs) lbs/yr	Flow Tier 3 Medium flows (182-814 cfs) lbs/yr	Flow Tier 4 Large flows (>814 cfs) lbs/yr	Annual total lbs/yr
Water quality target (mg/L)	5	5	5	20	
Total allocation	77.4	97.6	100.5	526.8	802.3
Margin of safety	8.6	10.8	11.1	58.6	89.1
Total TMDL	86	108.4	111.6	585.4	891 4

The USEPA established TMDLs for four flow tiers by multiplying the average annual flow volume and the water quality target of the respective flow tiers. The established chronic CTR standard of 5 ppb was used as the water quality target for all flow tiers except for the large flow tier, where the acute criterion of 20 ppb was used. The sum of the TMDLs from the four flow tiers is the total loading capacity for San Diego Creek per year.

In establishing the selenium TMDL, USEPA recognized that quantification of the baseline loading from dischargers of groundwater was infeasible due to a lack of selenium data.[35] Further, the TMDL does not include specific implementation requirements, such as compliance timeframes or interim numeric targets, since the implementation plans are the responsibility of the Regional Boards.[36] In addition, USEPA recognizes that substantial uncertainties remain concerning selenium sources, biological effects of selenium in the watershed, and the appropriate numeric objective that should apply to the protection of beneficial uses.[37]

The Regional Board staff is now working on an implementation plan for the selenium TMDL, which will be considered for adoption in the 2008 timeframe as a Basin Plan amendment.[38] The Regional Board may also consider revision to the selenium TMDL established by USEPA based on ongoing and forthcoming studies by USEPA, the Regional Board, and others.

Metals

The CTR criteria for metals are applicable to Peters Canyon Channel, based on the Rec-1, Rec-2, and Wild beneficial uses designated for that water body. CTR criteria are not directly applicable to other project receiving waters, but are applicable to downstream waterbodies. Acute CTR criteria are considered to be the most appropriate criteria for storm flows because storm flows in the Mediterranean climate type of the Newport Bay watershed exhibit "flashy" characteristics resulting from watershed precipitation patterns, and Peters Canyon Channel is primarily an ephemeral water body, with some intermittent reaches. CTR criteria set forth here were developed using a hardness value of 197 mg/L, which is a conservative estimate of hardness that corresponds to the value used in the toxics TMDL. CTR acute criteria for dissolved copper (Cu), dissolved lead (Pb) and dissolved zinc (Zn) are:

Diss. Cu (ug/L) = 26
Diss. Pb (ug/L) = 130
Diss. Zn (ug/L) = 210

[35] General Permit, Fact Sheet, § IV, p. 7
[36] Id.
[37] General Permit, Fact Sheet, § IV, p. 8
[38] Id.

Downstream of project receiving waters, the USEPA (2002) determined that TMDLs are required for dissolved copper, lead, and zinc in San Diego Creek, Upper Newport Bay, and Lower Newport Bay; and that TMDLs are required for cadmium in San Diego Creek and the Upper Newport Bay. The State is required to adopt TMDLs and implementation measures for heavy metals into the Regional Board's Basin Plan. The adopted TMDLs could be different from those developed by USEPA, but must be approved by the USEPA.

The metal TMDLs for San Diego Creek are expressed as concentration limits, based on the CTR criteria at different hardness values that are associated with different flow regimes (Table 5-16). The flow regimes are based on 19 years of flow measurements in San Diego Creek at Campus Drive. The applicable flow regime at any location in the entire watershed is determined on the basis of discharge at Campus Drive.

TABLE 5-16
DISSOLVED METAL TMDL ALLOCATIONS FOR SAN DIEGO CREEK

Dissolved Metal	Base flow (0–20 cfs) hardness @ 400 mg/L		Small flows (21-181 cfs) hardness @ 322 mg/L		Medium flows (182-814 cfs) hardness @ 236 mg/L		Large flows (>814 cfs) hardness @ 197 mg/L
	Acute (ug/L)	Chronic (ug/L)	Acute (ug/L)	Chronic (ug/L)	Acute (ug/L)	Chronic (ug/L)	Acute (ug/L)
Cadmium	19.1	6.2	15.1	5.3	10.8	4.2	8.9
Copper	50	29.3	40	24.3	30.2	18.7	25.5
Lead	281	10.9	224	8.8	162	6.3	134
Zinc	379	382	316	318	243	244	208

The USEPA also established TMDLs for metals in Newport Bay (see USEPA, 2002). These TMDLs are expressed in terms of mass-based loads and concentration allocations based on the CTR criteria.

Organophosphate Pesticides

The CTR sets forth numeric criteria for many pesticides, including organophosphate pesticides. These criteria are applicable to Peters Canyon Channel and other downstream surface waters with human health or aquatic life designated beneficial uses.

Downstream of the project, the Regional Board published draft diazinon and chlorpyrifos TMDLs for San Diego Creek and Upper Newport Bay. USEPA published technical TMDLS for these pesticides in June 2002. Neither the USEPA nor the SWRCB has formally adopted water quality criteria for diazinon or chlorpyrifos. However, the CDFG developed acute and chronic criteria for these pesticides applying the USEPA methodology. The CDFG freshwater and saltwater criteria were used as the numeric targets for TMDLs issued by the USEPA (June 2002). The final USEPA technical TMDLs are summarized in Table 5-17. These concentration limits apply at all times of the year and for all flow conditions in San Diego Creek and Upper Newport Bay. The Regional Board has adopted a Basin Plan amendment to incorporate the San Diego Creek and Upper Newport Bay TMDLs for diazinon and chlorpyrifos (SARWQCB 2003).

TABLE 5-17
DIAZINON AND CHLORPYRIFOS TMDL ALLOCATIONS

	Diazinon TMDL		Chlorpyrifos TMDL	
	Acute (ng/L)	Chronic (ng/L)	Acute (ng/L)	Chronic (ng/L)
San Diego Creek				
Wasteload Allocation	72	45	18	12.6
Load Allocation	72	45	18	12.6
Margin of Safety	8	5	2	1.4
San Diego Creek TMDL	80	50	20	14
Newport Bay				
Wasteload Allocation	–	–	18	8.1
Load Allocation			18	8.1
Margin of Safety			2	0.9
Newport Bay TMDL			20	9

Organochlorine Compounds (Legacy Pesticides)

The CTR includes numeric criteria for organochlorine pesticides applicable to Peters Canyon Channel and water bodies downstream of Peters Canyon Channel with human health or aquatic life beneficial uses.

Downstream of the project, based largely on the fish tissue monitoring data, the USEPA issued technical TMDLs for chlordane, dieldrin, total PCBs, and total DDT for San Diego Creek, Upper and Lower Newport Bay, and the Rhine Channel, with the exception of dieldrin in Upper Newport Bay. The technical TMDL for toxaphene was limited to San Diego Creek.

The USEPA technical TMDL objectives for organochlorines are expressed in terms of annual loads (grams per year) and were set to the smaller of the estimated existing load or the estimated loading capacity of the Creek. The numeric targets used to determine the loading capacity were the Threshold Effects Limits (TELs) from the NOAA Sediment Screening Quick Reference Tables (SQuiRTs) (Buchman, 1999). The TMDLs for San Diego Creek are presented in Table 5-18, and the TMDLs for Newport Bay are presented in the USEPA report (2002). The Regional Board is required to adopt organochlorine TMDLs into the Regional Board's Basin Plan, along with TMDL implementation measures, and has proposed to do so by Spring 2006. The adopted TMDLs could be different from those developed by USEPA, but must be approved by the USEPA.

TABLE 5-18
ORGANOCHLORINE TMDL ALLOCATIONS FOR SAN DIEGO CREEK

	DDT (g/yr)	Chlordane g/yr)	Dieldrin (g/yr)	PCBs (g/yr)	Toxaphen (g/yr)
Waste Load Allocation	346.1	251.8	209.6	225.6	7.1
Load Allocation	43.2	31.4	26.2	28.2	0.9
Margin of Safety	43.3	31.5	26.2	28.2	0.9
Total TMDL with margin of safety	**432.6**	**314.7**	**262.0**	**282.0**	**8.9**

Hydrocarbons

A narrative objective for hydrocarbons in the Basin Plan applies to project receiving waters and downstream water bodies. The applicable Basin Plan objective provides, "Waste discharges shall not result in deposition of oil, grease, or other materials in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or adversely affects beneficial uses." There are no numeric standards for hydrocarbons in the Basin Plan.

Trash/Debris

The Basin Plan narrative standard for floatables applies to project receiving waters and downstream water bodies. This objective provides, "Waste discharges shall not contain floating materials, including solids, liquids, foam or scum, which cause a nuisance or adversely affect the beneficial uses." There are no Basin Plan numeric standards for trash/debris.

Oxygen-demanding Substances

The Basin Plan contains a narrative objective for algae prohibiting discharges that contribute to excessive algal growth in inland surface receiving waters. This objective applies to project receiving waters and downstream water bodies.

Organic Compounds

Organic compounds includes a wide range of chemicals, including pesticides, hydrocarbons and solvents. Water quality standards for hydrocarbons, pesticides, and oxygen demanding substances are applicable to control organic compounds as discussed in those other subsections above.

Bioaccumulation

The Basin Plan contains a narrative objective for toxicity that states, "Toxic substances shall not be discharged at levels that will bioaccumulate in aquatic resources to levels which are harmful to human health." This standard applies to project receiving waters and downstream water bodies. In addition, water quality standards, including CTR criteria and TMDLs for substances including organochlorine and organophosphate pesticides, selenium and metals, are designed to preclude bioaccumulation of toxics.

Turbidity

The Basin Plan requires that inland surface waters be free of changes in turbidity which adversely affect beneficial uses. The Basin Plan further provides that increases in turbidity that result from controllable water quality factors must be limited as follows: 20 percent increase or less where natural turbidity is 0 to 50 NTU; 10 percent or less increase where natural turbidity is 50 to 100 NTU; and 1 percent increase or less where natural turbidity is greater than 100 NTU. These standards are applicable to project receiving waters and downstream water bodies.

Nutrient Selenium Management Program (NSMP)

In December 2004, the Regional Board issued Order No. R8-2004-0021 for short-term groundwater-related and de minimus wastewater discharges to surfaces waters in the San Diego Creek Watershed to implement water quality objectives of the Water Quality Control Plan for the San Diego Creek Watershed and Upper Newport Bay (the "Order"). This Order

constitutes general waste discharge requirements for short-term groundwater discharges to surface waters in the watershed, taking into account the salient facts and status of information and compliance with respect to nitrogen and selenium water quality objectives. Order No. R8-2004-0021 identifies performance-based water quality standards for short-term and other de minimus groundwater discharges addressed by the Order for up to five years, provided that:

- Dischargers participate in and support a Working Group of dischargers committed to completion of a Work Plan that will develop information regarding selenium and nutrient sources and impacts in the watershed and implement selenium and nutrient management plans by December 20, 2009, a compliance deadline determined by the Regional Board; and

- Members of the Working Group identify and apply selenium and nutrient discharge avoidance or minimization best management practices (BMPs) to projects that they conduct while the Work Plan is being developed.

The Regional Board has determined that active participation in the Working Group, including funding of the Work Plan, constitutes compliance with interim performance-based water quality objectives for selenium and nutrients cited in Order No. R8-2004-0021.

The Work Plan is intended to develop a comprehensive understanding of and management plan for selenium and nutrients, including nitrogen, that result from groundwater-related inflows to surface waters.[39] This work is expected to assist the Regional Board in refining the selenium and nutrient TMDLs by 2008, and in developing TMDL implementation plans both for nutrients and for selenium in several ways, including the following:[40]

- The Work Plan will provide information to assist the Regional Board in identifying appropriate selenium and nutrient wasteload allocations for several categories of discharge.

- The Work Plan will identify and assess selenium and nutrient treatment technologies and the interplay between the treatment technologies for the two POCs.

- The Work Plan will provide information that will assist the Regional Board in determining (a) the potential for localized adverse affects on wildlife and beneficial uses associated with selenium and nutrients and appropriate numeric objectives to protect wildlife and beneficial uses; and (b) control strategies for nutrients to protect beneficial uses.

- The Work Plan will assist in the development and implementation of an appropriate trading, offset, or mitigation program.

Because it is designed to develop a comprehensive understanding of and management plan for selenium and nutrients, the Work Plan goes well beyond issues related to the short-term groundwater-related discharges regulated by the Order. It directly addresses long-term management of nutrients and selenium in the watershed.[41]

[39] General Permit, Fact Sheet, § IV, p. 9; General Permit, Order, Finding No. 32, p. 10
[40] Id.
[41] General Permit, Fact Sheet, § IV, pp 6, 8; General Permit, Order, Finding No. 32, p. 10

5.8.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Violate any water quality standards or waste discharge requirements?
F. Otherwise substantially degrade water quality?
E.2. Provide substantial additional sources of polluted runoff?

Construction-Related Impacts

No Substantial Change from Previous Analysis. Surface water runoff from the proposed development site will drain, after treatment, to Barranca Channel and Peters Canyon Channel, which are both tributary to lower San Diego Creek (approximately in the middle of Reach 1). San Diego Creek, in turn, is tributary to Upper Newport Bay. There are currently no TMDLs for Barranca Channel or Peters Canyon Channel, nor are they specifically listed as impaired on the 2002 303(d) list for the Santa Ana Region (http://www.swrcb.ca.gov/tmdl/docs/2002reg8303dlist.pdf). However, the SWRCB is considering a listing for two legacy pesticides (DDT and taxophene) that would apply to Peters Canyon Channel if adopted.

A substantial source of storm water pollution common to many construction sites is grading activities, which can result in the release of sediment. In addition, pollutants that adhere to sediment, including DDT and taxophene and other legacy pesticides, can create construction water quality issues. Other non-sediment construction-related pollutants including hydrocarbons, solvents, paint, cement and stucco materials, landscaping materials and similar pollutants must also be controlled in construction site runoff to protect water quality in receiving surface waters

In light of the sediment and pesticide TMDLs applicable to downstream waterbodies, and in light of the proposed listing of Peters Canyon Channel for DDT and taxophene impairment, releases of sediment from construction of the planned development could contribute to violations of water quality standards in receiving waters unless these releases are controlled. In addition, other construction-related materials can adversely affect water quality in receiving waters unless controlled. Therefore, as concluded in the FEIS/EIR construction phase adverse affects are potentially significant.

However, compliance with General Construction Permit (NPDES No. CAS000002, as amended April 26, 2001, by SWRCB Resolution No. 2001-046), as required by the FEIS/EIR, would ensure that runoff discharged from the project site is controlled to BAT/BCT (best available technology economically achievable and best conventional pollutant control technology) standards, so that impacts related to construction activities would be less than significant. The General Construction Permit requires the implementation of BMPs, as outlined in a SWPPP. Preparation of a SWPPP and proper implementation of an effective combination of erosion and sediment control construction BMPs would control potential sources of sediment and pollutants adhered to sediment, including legacy pesticides, to the BAT/BCT standards. In addition, the SWPPP will contain BMPs to control construction-related organic compounds (pesticides, hydrocarbons, solvents), hydrocarbons, other non-sediment construction-related pollutants and trash and debris to BAT/BCT standards. As a result, construction-related surface water impacts would be reduced to a level that is less than significant.

With respect to construction-related groundwater impacts, the original EIR/EIS concluded that the DoN remediation efforts for groundwater and WBZs would be completed under SARWQCB and DTSC oversight, using the most stringent standards procedures and protocol in accordance with the FFSRA, prior to transfer of contaminated property for development. As a result, project dewatering is not anticipated to result in mobilization of pollutants of concern identified for DoN remediation.

The FEIS/EIR concluded that construction activity could result in the temporary discharge of "relatively high levels of pollutants" during construction-related dewatering, which could degrade local and regional surface water quality unless controlled. Current information confirms this conclusion, and provides additional specific data regarding the types of pollutants that might be introduced to surface water. Based on current information, construction dewatering could result in the temporary discharge of nutrients and selenium into local and regional surface water bodies. Based on the location of the project area within the former "swamp of the frogs" and in light of past agricultural uses, currently available information regarding selenium and nutrient levels in the groundwater indicates that short-term construction dewatering discharges of ground water from the project may contain selenium and nutrients at levels that exceed receiving water quality objectives in Peters Canyon Channel and downstream waterbodies.

In addition to dewatering, project construction may increase nutrient levels in surface water runoff from the project area. Fertilizers containing nutrients will be applied to landscaped areas within the project site as a part of the landscape installation process. Unless conducted in accordance with appropriate application and use practices, use of fertilizers in connection with the installation of landscaping could result in increased nutrient loads discharged from the project site in surface runoff and may result in significant impacts to receiving water quality.

However, the City and major developers of the Specific Plan area, including the Master Developer, are currently active participants in the Working Group that has been established pursuant to Order No. R8-2004-0021. The Regional Board has determined that active participation in the Working Group, including funding of the Work Plan, constitutes compliance with interim performance-based water quality objectives for selenium and nutrients. Further, the Regional Board has found that, so long as dischargers continue to participate in the Working Group, removal of nitrogen accomplished by the operation of the San Joaquin Marsh natural treatment system ponds within the watershed constitutes an offset for the total nitrogen loads resulting from short-term construction-related discharges during the term of Order No. R8-2004-0021.[42]

Currently, the City and major developers of the Specific Plan area, including the project Master Developer, are actively participating in the Working Group and are contributing to the implementation of the Work Plan. As members of the Working Group, they are required to and will implement feasible volume reduction BMPs in connection with construction activities to reduce the potential for discharge of selenium and nutrients during construction dewatering. Volume reduction BMPs for short-term groundwater discharges may include discharging all or part of the dewatered groundwater into the sanitary sewer system, subject to approval and acceptance by the sanitary sewer agency, dewatering into lined evaporation ponds, re-injection of dewatered groundwater into the same groundwater formation, or other potential volume reduction measures. These volume reduction BMPs will also assure control of other pollutants of concern that may remain in groundwater despite DoN remediation efforts, if any.

[42] General Permit, Fact Sheet, Section IV, p. 6

Participation in the NSMP Working Group and implementation of the NSMP Work Plan, combined with compliance with the General Construction Permit as required by the FEIS/EIR, would ensure that construction-related water quality impacts associated with surface water runoff and dewatering would be sufficiently controlled and less than significant. The project will comply with all NSMP and General Construction Permit requirements. As a result, implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not result in construction-related water impacts that are substantially different than or more severe than addressed in the FEIS/EIR. Further, compliance with the BAT/BCT standards of the General Construction Permit and the NSMP technologies developed under the Work Plan assures implementation of best available technologies to control construction-related discharges of pollutants in surface and groundwater discharges available at the time that construction commences. As a result, newly available technologies for controlling construction-related pollutants will be applied to the project via compliance with the General Construction Activity Permit and the NSMP program to further reduce construction-related water quality impacts.

Operational Impacts

Groundwater Impacts

No Substantial Change from Previous Analysis. As identified in the FEIS/EIR, to carry out this project, it may be necessary to install subdrains to stabilize soils and to protect foundations for structural stability. Installation of subdrains will result in long-term, very low-volume discharges of groundwater to local surface waters. Based on the location of the project area and available information regarding selenium levels in the groundwater, discharges of groundwater from the project area may contain selenium at levels that exceed water quality objectives because reasonable and feasible source control or pollution prevention measures are not currently available for such discharges that assure a reduction in selenium concentrations.

Similarly, subdrain discharges may also result in the long-term discharge of groundwater that may exceed nutrient TMDLs because reasonable and feasible source control or pollution prevention measures are not currently available for such discharges that assure a reduction in nitrogen concentrations. Subdrain discharges also may result in discharge of groundwater that may exceed water quality standards for other pollutants in the event that DoN remediation efforts leave residual pollutants in ground water.

In addition to subdrain discharges, the project proposes the installation of irrigated landscaping in public, common, and private areas of the project. Increased irrigation within the project site could increase infiltration, particularly to shallow groundwater zones of perched or semi-perched groundwater. Increased infiltration to shallow groundwater zones may, in turn, result in increased exfiltration of groundwater containing selenium and nutrients through natural seeps, springs, and weepholes to surface waters within the watershed. Increased long-term discharges of groundwater containing selenium, nutrients or other potential pollutants to surface waters may result in potentially significant water quality impacts with respect to the pollutants of concern, unless discharges are controlled appropriately.

As concluded in the FEIS/EIR, preparation of a WQMP in compliance with all applicable regulatory standards, including the standards of the current MS4 Permit, the DAMP, and the City of Tustin water quality ordinance, combined with compliance with other regulatory water quality standards would reduce water quality impacts from the proposed project associated with dewatering to less than significant. The project will be required to comply with all of these standards, as well as the standards developed pursuant to the NSMP.

With respect to the NSMP, as previously discussed, the City and major developers of the Specific Plan area, including the Master Developer, are currently participating in the Working Group, including funding of the Work Plan, to ensure compliance with the interim performance-based water quality objectives for selenium and nitrogen. In short, the Work Plan is designed to result in the development of a long-term nutrient and selenium management plan for the San Diego Creek Watershed and Upper Newport Bay. In addition, under the NSMP, the project will utilize BMPs to control discharges of selenium and nitrogen via groundwater dewatering as they are developed under the Work Plan. applicant are required to continue participating in the Working Group pursuant to the requirements of Order No. R8-2004-0021 until the end of the term of the Order (2008).

Through this continued participation in the Working Group, measures for control of selenium and nutrients will be incorporated into the project as they are developed. These measures could include participation in an offset or trading program, as well as implementation of BMPs that are developed under the Work Plan during the term of the Order and that can be reasonably implemented at the time of construction, based on the type of technology, stage of development, construction schedule, implementation cost, and other pertinent factors. Participation in the Working Group and reasonable implementation of available and feasible BMPs will avoid or minimize long-term groundwater discharges to the watershed that contain elevated selenium and nitrogen concentrations. Therefore, discharges of selenium and nitrogen associated with the post-development phase of the project, including discharges from subdrains and increased exfiltration of groundwater to surface waters, are considered to be in compliance with interim performance-based water quality standards for those pollutants. Compliance with Order No. R8-2004-0021 and continued participation in the Working Group would ensure that long term operational impacts from the discharge of selenium and nitrogen would be less than significant.

In addition, the project must prepare a WQMP with integrated water conservation/surface water and subdrain discharge water quality management element. As an example, and subject to approval by the City, integrated water conservation/surface water and subdrain discharge water quality management element of the WQMP might include BMPs or equivalent practices to control pollutants in groundwater discharges including, but not limited to:

- dewatered groundwater may be discharged to the sewer system;
- dewatered groundwater may be treated in natural or engineered treatment control BMPs available under the NSMP at the time of project development that can be feasibly implemented, or otherwise developed for selenium and nutrient control; and/or
- some groundwater discharges may be retained on site.

In addition, the project must comply with performance-based standards of the NSMP. Preparation of a WQMP and participation in the NSMP program, combined with compliance with all existing regulatory and NPDES permit standards, will be sufficient to ensure that long-term, low-volume groundwater discharges will not result in exceedances of water quality objectives in surface waters. Therefore groundwater related water quality impacts would remain less than significant as concluded in the FEIS/EIR.

Surface Water Impacts

The project proposes to physically alter Barranca Channel to increase its capacity consistent with regional flood control requirements. In the existing condition, Barranca Channel is an open channel, stabilized on the sides with riprap and/or concrete, with a natural bottom. The channel is regularly maintained for flood control purposes, and periodically exhibits some riparian vegetation with minimal habitat value, as described in Section 5.4 of this Addendum. The channel is primarily ephemeral, carrying storm flows, but may be subject to some groundwater intrusion from groundwater seeps in the existing channel.

In the developed condition, the channel would be covered as proposed in the original Specific Plan and the natural bottom and open nature of the channel would be eliminated in the post-development condition. Construction of these alterations may result in the loss of certain natural water quality functions. In addition, the loss of these features is likely to result in a reduction in natural water quality processes that decrease nutrient loads and concentrations. Finally, to the extent that the soft bottom is eliminated and the limited, but natural vegetation of Barranca channel, which promote infiltration of selenium and/or nutrient laden flows and/or uptake of selenium and nutrients, are replaced with alterations that may convey channel flows to a discharge point in Peters Canyon Channel may result in additional selenium and nutrient loadings in a new location within Peters Canyon Channel.

The potential decrease in the ability Barranca Channel to naturally reduce selenium and nutrient loads and concentrations that may result from altering and undergrounding the channel must be balanced against the potential benefits of enclosing the channel. For example, project alterations to the channel which eliminate the current open condition of the channel reduce the existing potential for exposure of wildlife to selenium toxicity that may result from bioaccumulation of selenium in the surface drainage, to the extent that the channel is used for foraging by wildlife species. Given the location of Barranca Channel in proximity to areas exhibiting high groundwater concentrations of selenium, the potential for bioaccumulation of selenium in Barranca Channel is high, due to the existing potential for discharges of groundwater with high selenium concentrations to surface waters in the channel. Therefore, elimination of Barranca Channel as an open channel available for foraging can help limit wildlife exposure to adverse toxicological effects of the selenium via the foodweb.

At the same time, alteration of the Barranca Channel may result in the conveyance of groundwater flows to Peters Canyon Channel. While Peters Canyon Channel is already subject to groundwater seeps that introduce groundwater nutrients and selenium into that channel, the proposed alterations to Barranca Channel may introduce some additional flows containing selenium and nutrients into Peters Canyon Channel, where water quality and wildlife would be exposed to the affects of those pollutants.

It is difficult to assess whether the potentially adverse affects on natural selenium and nutrient cleansing and potential conveyance of selenium and nutrients to Peters Canyon Channel that may be associated with physical alterations to the channel outweigh the benefits associated with eliminating the potential exposure of wildlife in Barranca Channel to the toxic effects selenium. Notwithstanding this balancing exercise, the currently appropriate method for addressing selenium and nutrient water quality impacts is participation in the NSMP program, including funding of the Work Plan, incorporation of long-term operational BMPs developed under the NSMP (and available and feasible at the time of construction) into the project WQMP, and compliance with the other performance-based standards of the NSMP program and Order R8-2004-0021. In addition, the required preparation of a WQMP that includes an integrated

water conservation/surface water and subdrain discharge water quality management element will help to control selenium and nutrient discharges from groundwater to surface waters in the project area generally replacing some of the naturally occurring selenium and nutrient reduction processes that may take place in the existing Barranca Channel and preventing the introduction of new pollutants to Peters Canyon Channel. As a result, compliance by the City and the Master Developer with the NSMP and preparation of the WQMP required pursuant to WQ-4 will ensure that potential selenium and nutrient impacts associated with the planned physical alteration of Barranca Channel would be less than significant.

In addition to potential post-development selenium effects associated with the alteration of Barranca Channel, post-development urban surface runoff may contribute to nutrient water quality impacts. There are several sources of nutrients in surface runoff from urban areas, mainly fertilizers in runoff from lawns, pet wastes, failing septic systems, and atmospheric deposition from industry and automobile emissions. Urban development, and particularly increased vehicular emissions and surface runoff from landscaped areas that are maintained with fertilizers and/or that may contain pet wastes, could increase nitrogen and phosphorous concentrations in post-development surface runoff, and thereby potentially result in significant adverse affects on water quality. However, preparation of the WQMP in compliance with the DAMP and NSMP program will assure that nutrient control BMPs are incorporated into the project to reduce nutrients in surface water discharges subject to City review and approval. The type of BMPs that would be included in the WQMP pursuant to the City of Tustin water quality ordinance, the MS4 Permit, the DAMP, and the NSMP would likely include:

- source control BMPs, such as implementation of an integrated pesticide and fertilizer management plans, which reduce and prevent runoff of nutrient containing landscaping materials, and efficient irrigation systems for public park and commonly owned landscaped areas that achieve volume reductions and thereby decrease nutrients in surface water runoff;

- treatment control BMPs, such as swales and biofiltration areas; and

- natural or structural treatment control BMPs available under the NSMP at the time of construction and determined by the City to be feasible to implement.

As concluded in the FEIS/EIR, incorporation of these types of BMPs in accordance with regulatory and NPDES permit standards, combined with compliance with the NSMP program requirements will effectively control nutrients in post-development surface water runoff, reducing potential water quality impacts to less than significance.

Also as concluded in the FEIS/EIR, the proposed project has the potential to result post-development surface water quality impacts due to the addition of pollutants typically associated with urban development to project runoff, combined with the increase in site impervious surface and resulting increases in the amount of pollutants contained in the project area runoff. Potential surface water quality impacts from pollutants of concern associated with the new development are similar to long-term impacts previously analyzed. Pollutants of concern that could be generated by the operation of the project site include sediment (TSS and turbidity), trace metals, pathogens, organic compounds, hydrocarbons, pesticides, trash and debris, oxygen demanding substances, and bioaccumulation.

As required by the FEIS/EIR, to reduce post-construction operational water quality impacts of the proposed project to less than significant, the City and major developers of the Specific Plan

area, including the Master Developer must comply with relevant regulatory requirements including the current MS4 Permit, the DAMP, the LIP, and the City water quality ordinance, as well as the requirements of the NSMP. Consistent with Chapter 9 or Article 4 of the Tustin City Code, a project WQMP will be prepared in compliance with the DAMP and the LIP, which will be submitted to the City of Tustin for approval.

Table 5-19 below summarizes the water quality impacts associated with typical urban pollutants of concern that are anticipated to increase as a result of project development. The Table further summarizes the measures prescribed per the LIP, the DAMP, and the MS4 Permit that will be incorporated into the WQMP to reduce surface water quality impacts related to these pollutants of concern to a level that is less than significant.

In summary, implementation of the proposed Specific Plan Amendments Specific Plan Amendment, DDA, and Development Plan would not result in new or substantially more severe impacts to water quality than what was previously identified in the FEIS/EIR. The types of land uses proposed are substantially the same, with the exception of the change of the proposed golf course to public and private park and open space uses. As concluded in the FEIS/EIR, compliance with the City's water quality ordinance, the MS4 Permit, the General Construction Permit, the LIP, the DAMP, and applicable TMDL implementation measures, combined with continued participation in the NSMP Working Group would ensure that water quality impacts are less than significant. Implementation measures WQ-1 through WQ-4 address these requirements.

B. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Substantial Change from Previous Analysis. The Orange County groundwater basin is subject to management pursuant to the Orange County Water District Act (Water Code App. Chapter 40, adopted 1933, as amended), which functions as a statutorily imposed physical solution. Under the Act, the Orange County Water District (OCWD) manages the basin, and the Act empowers OCWD to impose replenishment and basin equity assessments on production, to require registration of water producing facilities in the basin, and to require filing of certain reports by basin water uses. While OCWD cannot limit groundwater production or impair groundwater rights in the basin without producer agreement, OCWD can and does assert pricing controls to manage groundwater production in a manner that will not impair basin supply. In addition, OCWD is required to annually investigate the condition of the basin, assess overdraft and accumulated overdraft, and determine the amount of water necessary for replenishment.

As identified in the FEIS/EIR, an increase in pumping from the deep aquifer that constitutes the Orange County groundwater basin could result in a lowering of the groundwater table. However, consistent with the conclusions of Section 4.10, Water Resources, of the FEIS/EIR, it is not expected that IRWD would increase groundwater withdrawal in a manner that would impair groundwater supply due to the pricing controls and other requirements associated with the physical solution imposed on the basin pursuant to the Act.

TABLE 5-19
WATER QUALITY IMPACTS ASSOCIATED WITH TYPICAL URBAN POLLUTANTS OF CONCERN

Pollutant of Concern	Water Quality Standards	Potential Project Impacts After Measures to Comply with Standards
Total suspended solids (sediment)	**Receiving Waters:** Narrative objective in Basin Plan requires that, "Inland surface waters shall not contain suspended or settleable solids in amounts which cause a nuisance or adversely affect beneficial uses as a result of controllable water quality factors." **Downstream Waters:** Initial TMDL target for the Newport Bay/San Diego Creek watershed set to reduce annual average sediment load from 250,000 tons/year to 125,000 tons/year (10-year running average), and to capture half of remaining sediments in sedimentation basins, thus limiting total load to Upper Newport Bay to 62,500 tons/year (10-year running average).[43]	MS4 Permit, DAMP and LIP, and General Construction Permit-compliant BMPs will be incorporated into the project to address sediment in both the construction phase and post-development. Sediment in stormwater will be controlled through implementation of a Construction SWPPP and will be permanently reduced through the stabilization of erodible soils with development. On this basis, the impact of the project on TSS is less than significant.
Nutrients (phosphorous and nitrogen)	**Receiving Waters:** The Basin Plan narrative standard for algae states, "Waste discharges shall not contribute to excessive algal growth in inland surface receiving waters." **Downstream Waters:** Basin Plan numeric objectives for San Diego Creek are 13 mg/L TIN in Reach 1 and 5 mg/L TIN in Reach 2. The Basin Plan does not contain numeric or narrative criteria for TP or TKN. Nutrient TMDLs for Newport Bay/San Diego Creek Watershed are based on general goal of reducing loads by 50% for nitrogen and phosphorous. A three-phase nitrogen TMDL for the Watershed has been adopted with winter loads exclusive of storm flows with average daily flow of >50 cfs in San Diego Creek at Campus Drive.[44]	To mitigate construction and post-development groundwater discharge nutrient impacts, the City and major developers of the Specific Plan area, including the Master Developer will continue to actively participate in NSMP Working Group and will contribute funding for implementation of the NSMP Work Plan. Implementation of feasible volume-control BMPs as required for Work Group members and implementation of feasible nutrient control measures as they become available will further mitigate for nutrients. Preparation of a SWPPP and implementation of construction BMPs will control potential sources of nutrients in construction surface water runoff per General Construction Activity Storm Water Permit to BAT/BCT standards. BMPs incorporated into the WQMP in compliance with DAMP, LIP, and MS4 standards, and the integrated water conservation stormwater runoff and subdrain discharge water quality management program will control post-development nutrients in runoff. The Model WQMP attached as Exhibit 7.11 to the DAMP provides an extensive list of non-structural and structural source control BMPs (section 7 11-3.3.2), site design BMPs (section 7.11-3.3.1) and Treatment Control BMPs (section 7.11-3.3.4) that could be included in future WQMPS that are required for individual development projects within the Specific Plan area. Source control BMPs are designed to prevent the introduction of pollutants into stormwater that ultimately flows into receiving water bodies, while site Design and Treatment Control BMPs rely on infiltration of runoff to reduce the volume and load of

[43] For additional discussion of the sediment TMDL, see Attachment 1.
[44] For additional discussion of the nutrient TMDLs, see Attachment 1.

TABLE 5.8-6 (Continued)
WATER QUALITY IMPACTS ASSOCIATED WITH TYPICAL URBAN POLLUTANTS OF CONCERN

Pollutant of Concern	Water Quality Standards	Potential Project Impacts After Measures to Comply with Standards
		pollutants into receiving waters. The City and major developers of the Specific Plan area, including the Master Developer will continue to participate in the Work Group, and integrate new control measures as they are developed, and to the extent feasible. On this basis, construction-related and post-development water quality impacts from nutrients are expected to be less than significant.
Trace metals (copper, cadmium, lead, zinc)	**Receiving Waters:** The CTR acute criteria for dissolved copper (Cu), lead (Pb), and zinc (Zn) are as follows[45]. Diss. Cu (ug/L) = 26 Diss. Pb (ug/L): = 130 Diss. Zn (ug/L): = 210 **Downstream Waters:** TMDLs for dissolved copper, cadmium, lead, and zinc for San Diego Creek and Newport Bay are expressed as concentration limits, based on CTR criteria at various hardness values associated with different flow regimes. Concentration-based TMDLs apply to all freshwater discharges to San Diego Creek, including discharges from agricultural, urban, and residential lands, including flows from stormwater systems.[46]	Cadmium is not expected in post-development. MS4 Permit, General Construction Permit, and DAMP and LIP-compliant BMPs will be incorporated into the Project to address trace metals in both the construction phase and post-development. On this basis, the project's impacts on trace metals are considered less than significant.
Pathogens	**Receiving Waters:** The Basin Plan standard is as follows: For waters designated REC-1: Fecal coliform: log mean < 200 organisms/100 mL based on 5 or more samples/30-day period, and not > 10% of samples exceed 400 organisms/100 mL for any 30-day period. For waters designated REC-2: Fecal coliform: average < 2000 organisms/100 mL and not more than 10% of samples > 4000 organisms/100 mL for any 30-day period. **Downstream Waters:** The phased TMDL criteria for fecal coliform bacteria in Newport Bay focuses initially on additional monitoring and assessment to address areas of uncertainty. The goals of the Newport Bay fecal coliform TMDL are twofold: compliance with water contact recreational standards in the Bay by 2014 and achievement of shellfish harvesting standards by 2020.[47]	Post-development pathogen sources include both natural and anthropogenic sources. The natural sources include bird and mammal excrement. Anthropogenic sources include leaking septic and sewer systems and pet wastes. The Project will not include septic systems and the sewer system will be designed to current standards, which minimizes the potential for leaks. Thus pet wastes are the primary source of concern. The MS4 Permit, and DAMP and LIP-compliant BMPs in the WQMP will include source controls and treatment controls, which in combination should help to reduce pathogen indicator levels in post-construction stormwater runoff. Pathogens are not expected to occur at elevated levels during the construction-phase of the Project. On this basis, the project impacts associated with pathogens are expected to be less than significant.

[45] Acute criteria are used for comparison to storm flows for project areas tributary to Peters Canyon Channel and Barranca Channel. The most conservative trace metal concentration criteria within the San Diego Creek/Newport Bay Toxics TMDL correspond to a hardness value of 197 mg/L.
[46] For additional discussion of metals TMDLs, see Attachment 1.
[47] For additional discussion of fecal coliform TMDL, see Attachment 1

TABLE 5.8-6 (Continued)
WATER QUALITY IMPACTS ASSOCIATED WITH TYPICAL URBAN POLLUTANTS OF CONCERN

Pollutant of Concern	Water Quality Standards	Potential Project Impacts After Measures to Comply with Standards
Organic compounds	Organic compounds include a wide range of chemicals such as pesticides, hydrocarbons, and solvents. Water quality standards for hydrocarbons and pesticides are addressed in their respective categories.	Implementation of a Construction SWPPP, and MS4 Permit, DAMP and LIP-compliant BMPs in the WQMP, and compliance with the General Construction Permit will control discharge of organic compounds. On this basis, project impacts associated with organic compounds are expected to be less than significant. Hydrocarbons and organochlorine compounds are potential sources of pollution for the project site and are believed to be the primary types or organic compounds likely to be present. Hydrocarbons and pesticides are addressed in their respective categories.
Hydrocarbons (oil, grease, PAHs)	**Receiving and Downstream Waters**: Narrative objective in Basin Plan provides, "Waste discharges shall not result in deposition of oil, grease, was or other materials in concentrations which result in a visible film or in coating objects in the water, or which cause a nuisance or adversely affect beneficial uses."	Hydrocarbon concentrations will likely increase in post-development because of vehicular emissions and leaks. In stormwater runoff, hydrocarbons are often associated with soot particles that can combine with other solids in the runoff. Such materials would be controlled by various source control, site design and treatment BMPs that would be incorporated into the WQMP in compliance with the MS4 Permit. Examples of such BMPs are listed and extensively discussed in section 7.11-3.3 of the Model WQMP attached as Exhibit 7.11 of the DAMP. During the Construction phase of the Project, General Construction Permit-compliant BMPs must be included in the SWPPP that address proper handling of petroleum products on the construction site and effectively prevent the release of hydrocarbons to runoff per the BAT/BCT standards. On this basis, project impacts associated with hydrocarbons are

TABLE 5.8-6 (Continued)
WATER QUALITY IMPACTS ASSOCIATED WITH TYPICAL URBAN POLLUTANTS OF CONCERN

Pollutant of Concern	Water Quality Standards	Potential Project Impacts After Measures to Comply with Standards
		expected to be less than significant.
Pesticides, including legacy pesticides	**Receiving Waters:** The CTR includes numeric standards for various pesticides. **Downstream Waters:** TMDLs have been adopted into the Basin Plan for diazinon and chlorpyrifos San Diego Creek and Upper Newport Bay for freshwater are based on CDFG criteria.[48] TMDLs are expressed in grams/year for chlordane, total PCBs, total DDT, dieldrin, and toxaphene for San Diego Creek, Upper and Lower Newport Bay, and Rhine Channel and for dieldrin and toxaphene for San Diego Creek. These TMDLs may be revised before adoption into the Basin Plan.[49]	Common area pesticide management practices, and other source control BMPs, removal with sediments in treatment control BMPs, and effective irrigation systems, in compliance with the requirements of the MS4 Permit. MS4 Permit and DAMP and LIP-compliant BMPs will minimize the presence of pesticides in post-development runoff. During the Construction phase of the Project, erosion and sediment control BMPs implemented per General Permit requirements will control pesticides associated with sediment discharge. Final site stabilization as a result of development will limit mobility of pesticides that may be associated with sediment. On this basis, project impacts associated with pesticides, including legacy pesticides, are expected to be less than significant.
Trash and debris	**Receiving and Downstream Waters:** The Basin Plan narrative standard for floatables provides, "Waste discharges shall not contain floating materials, including solids, liquids, foam or scum, which cause a nuisance or adversely affect beneficial uses."	Trash and debris in runoff are likely to increase in post-development if left unchecked. However, such materials would be controlled by various source control, site design and treatment BMPs that would be incorporated into the WQMP in compliance with the MS4 Permit. Examples of such BMPs are listed and extensively discussed in section 7.11-3.3 of the Model WQMP attached as Exhibit 7.11 of the DAMP. During the Construction phase of the Project, BMPs would be included in the SWPPP to control trash and debris. On this basis, project impacts associated with trash and debris are expected to be less than significant.
Oxygen demanding substances	**Receiving and Downstream Waters:** The Basin Plan contains a narrative objective for algae prohibiting waste discharges from contributing to excessive algal growth in inland surface receiving waters. See also nutrients discussion above.	Nutrients in fertilizers and food wastes in trash are examples of likely oxygen demanding compounds to be present on the Project site. Other biodegradable organic materials include human and animal waste and vegetative matter Biodegradable pollutants are largely subsumed by the nutrients and trash and debris categories. On this basis, project impacts associated with oxygen demanding substances are expected to be less than significant.

[48] For additional discussion of organophosphate TMDLs, see Attachment 1.
[49] For additional discussion of organochlorine TMDLs, see Attachment 1.

TABLE 5.8-6 (Continued)
WATER QUALITY IMPACTS ASSOCIATED WITH TYPICAL URBAN POLLUTANTS OF CONCERN

Pollutant of Concern	Water Quality Standards	Potential Project Impacts After Measures to Comply with Standards
Bioaccumulation	**Receiving and Downstream Waters:** The Basin Plan contains a narrative objective for toxicity that states, "Toxic substances shall not be discharged at level that will bioaccumulate in aquatic resources to levels which are harmful to human health." See also selenium, hydrocarbons, trace metals, and pesticides discussions.	The potential for bioaccumulation impacts will be minimized through preparation of a WQMP incorporating site planning, source controls, and the design and maintenance of treatment controls. Source control measures would include an integrated pesticide management plan and use of efficient irrigation technologies for public and common areas, and public education efforts to inform residents of use, storage, and disposal of potentially bioaccumulative pollutants. Treatment controls will be developed as part of the integrated water conservation/stormwater runoff and subdrain discharge water quality management program and will be designed to control discharges of bioaccumulative pollutants. Treatment control BMPs will be designed to facilitate routine removal of sediments to minimize the amount of settleable solids and pollutants associated with those sediments from entering receiving waters. Mercury is not of concern in this watershed, and selenium, copper, lead, zinc, PAHs, and pesticides are addressed in their respective categories. On this basis, project impacts associated with bioaccumulative pollutants are expected to be less than significant.
Turbidity	**Receiving and Downstream Waters:** The Basin Plan requires that inland surface waters be free of changes in turbidity which adversely affect beneficial uses. The Basin Plan further provides that increases in turbidity which result from controllable water quality factors are limited as follows: 20% increase or less where natural turbidity is 0 to 50 NTU; 10 NTU or less increase where natural turbidy is 50 to 100 NTU; and 10% increase or less where natural turbidy is >100 NTU.	MS4 Permit, DAMP and LIP, and General Construction Permit-compliant BMPs will be incorporated into the Project to address sediment in both the construction phase and post-development. Turbidity in stormwater runoff will be controlled to BAT/BCT standards though implementation of a Construction SWPPP, and will be permanently reduced through the stabilization of erodible soils with development. On this basis, project impacts associated with turbidity are expected to be less than significant.

In addition, the addition of impervious surface associated with the project could lead to some decrease in groundwater recharge within the Specific Plan area. However, the reduction in groundwater recharge that may be associated with project development of additional impervious surface will be offset to the extent that irrigation onsite is increased to support landscaping. Onsite recharge is not the primary source of recharge for the deep aquifer, as infiltration onsite typically only affects the shallow aquifer and perched water zones. Instead, recharge for the aquifer occurs primarily in the Santa Ana Mountains and its foothills. As a result, the proposed project is not expected to affect deep aquifer groundwater recharge.

The proposed Specific Plan Amendment, DDA, and Development Plan would not change the land uses of the project substantially, or the amount of impervious surface proposed for construction. As a result, analysis and conclusions in the FEIS/EIR relative to impacts related to groundwater supply, groundwater levels, or local recharge have not changed substantially.

C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on-site or off-site?

D. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

E. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems?

No Substantial Change from Previous Analysis. As identified in the FEIS/EIR, the Specific Plan Area, including the Master Developer footprint, is tributary to the Barranca Channel and the Peters Canyon Channel. Both of these channel facilities are improved channel facilities in the existing condition that are ultimately tributary to San Diego Creek. Peters Canyon Channel runs southwest through the eastern portion of the Specific Plan/Specific Plan site, and the Barranca Cannel flows along the southern border of the Specific Plan border. The Santa Ana-Santa Fe Channel runs along the northeasterly project boundary but runoff from the site does not enter this facility.

As concluded in the FEIS/EIR, development of proposed residential and non-residential uses within the Specific Plan area would increase the amount of impervious surface resulting in an increase in the amount (both the volume and velocity) of runoff from the site. A conceptual storm drain system was developed for analysis in the FEIS/EIR with the understanding that actual engineering design would be reviewed by respective agencies and refined with the Runoff Management Plan (RMP) prepared for the Tustin Legacy Project (RBF 2004) and approved by the County of Orange and The City of Tustin. The RMP will be further refined with completion of more detailed hydrology studies. The backbone drainage system for the Specific Plan remains substantially the same as proposed in the original Specific Plan with the few changes noted in Section 5.16, Utilities, regarding storm drainage facilities. Additionally, storm water control detention facilities would be constructed on-site. While the on-site drainage system would be modified from existing conditions, as identified in the FEIS/EIR, the new system would be designed to accommodate the increased runoff from the proposed development, reducing the potential for flooding to a level considered less than significant.

Under the Specific Plan Amendment and development plan, the Barranca Channel and Peters Canyon Channel would continue to receive runoff from the project site. Planned improvements to these Channels have been designed to accommodate the 100-year storm flows, and as previously discussed in Section 2.3 of this Addendum, the City of Tustin has entered into respective agreements with OCFCD, the County of Orange, and the City of Irvine for implementation of required improvements to assure 100-year peak flow capacity in these facilities, taking into account project development.

Because the types of land uses proposed with the Specific Plan Amendment, DDA, and Development Plan have not been substantially changed, the increases in volume and velocities of surface water runoff with the proposed project would be similar to that addressed in the FEIS/EIR. Also, as concluded in the FEIS/EIR, implementation of storm drain improvement plans consistent with the conditions and requirements of the Specific Plan, the RMP, and Orange County Flood Control Manual, combined with construction of channel improvements for Barranca and Peters Canyon Channel (as necessary) to assure 100-year peak flow capacity of those facilities, taking project development into account, mitigate potential drainage and flood control impacts to a level that is less than significant.

The proposed Specific Plan Amendment, DDA, and Development Plan include compliance with Implementation Measures for drainage identified in Section 5.16, Utilities and Service Systems. The proposed project would not result in the implementation of any uses or activities that would result in substantially more severe impacts related to drainage patterns, drainage facilities, and the potential for flooding than addressed in the FEIS/EIR.

Hydrologic Conditions of Concern

Pursuant to the DAMP and the LIP, increases in runoff volumes and velocities must be evaluated to determine if those increases can create hydrologic conditions of concern identified in DAMP Exhibit 7.1. According to the DAMP/LIP, a change to a site's hydrologic regimen including increases in volume and velocity of runoff is considered to create hydrologic conditions of concern if the change would increase erosion or sediment, or if the change would adversely impact aquatic integrity in downstream natural channels. The extent to which downstream channels are natural or improved should be assessed along with increases in runoff to determine if significant impacts might occur.

In addition to increases in runoff velocities, the project will result in increases in volumes of surface water runoff, as identified in the FEIR/EIS. Urbanization can modify hydrologic and geomorphic processes of natural drainages by introducing impervious surfaces and drainage infrastructure into otherwise natural channels. Potential changes to the natural hydrologic regime associated with urban development include increased runoff volumes, increased frequency of runoff events, increased long-term cumulative duration, as well as increased peak flows. Urbanization may also introduce dry-weather flows where only wet-weather flows existed prior to development. These changes are referred to as "hydromodification." In addition, introduction of dry-weather flows where only wet-weather flows existed prior to development has the potential to convert habitat types and function.

Development envisioned by the Specific Plan and as now proposed under the proposed project will increase impervious surfaces and runoff volumes, and will increase the frequency of runoff events and the long-term cumulative duration of runoff. However, the Barranca Channel and Peters Canyon Channel are improved stabilized flood control channels with minimal channel slope. The sides of the channels are fully stabilized in the existing condition with concrete and/or

rip rap. While the channel bottoms are natural, the channels are regularly maintained for flood control purposes and regularly receive some dry weather flow in the existing condition. Currently these channels exhibit some fairly low habitat value vegetative growth, as described in Section 5.4 of this Addendum, Biological Resources. Further, as described in Section 5.16, Barranca Channel will be fully improved as a result of the project.

Existing and planned channel improvements combined with the relatively flat slope of the channels make the channels more resistant to erosion and scour that can accompany increased volumes or runoff, increased frequency of runoff events, and long-term cumulative duration of runoff. In addition, as summarized in Table 5-19, feasible post-construction water quality BMPs are to be implemented in the WQMP. Many of these water quality BMPs would provide hydrologic controls via runoff volume reductions. Volume reductions in these types of BMPs can be conservatively estimated to be about 20 percent of BMP capacity. Reducing the volume of runoff in these types of BMPs prevents dry weather runoff, and helps to control the increases in frequency of runoff events and cumulative duration of runoff flow. In light of the existing condition of the channel, lack of habitat, existing and planned channel improvements that assure channel stability, and with proper design of the WQMP to incorporate BMPs that reduce runoff volumes where possible, hydrology impacts, including hydromodification impacts associated with increases in amount of runoff, are considered to be less than significant, consistent with the conclusions of the FEIS/EIR.

G. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

H. Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?

No Substantial Change from Previous Analysis. The FEIS/EIR noted that a portion of the Medium-High Density residential area between Jamboree Road and Harvard Avenue, north of Edinger Avenue is within the 100-year flood plain and is identified as an "area of ponding" that could have flood depths of up to three feet. This area has been developed and structures were designed to be outside of the 100-year flood plain. There are no other areas within the Specific Plan area that are subject to 100-year flood hazards (except within the flood control channels); therefore, as concluded in the FEIS/EIR, no impacts would occur.

I. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

J. Inundation by seiche, tsunami, or mudflow?

No Substantial Change from Previous Analysis. The FEIS/EIR did not identify any hazards related to failure of a levee or dam. Based on review of the City of Tustin General Plan, Public Safety Element, the Santiago and Villa Park Reservoirs are the only facilities that pose a hazard in the City related to dam failure. These reservoirs are in a different watershed than the proposed project (the Santiago Creek/Santa Ana River watershed) five or more miles north of the project site, and the water from those impoundments would not pose a hazard to the Specific Plan area. Implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not involve any uses that expose people to these types of hazards; therefore, no impact would occur.

A seiche is an oscillation of a landlocked body of water that can cause water damage to buildings, roads, and infrastructure that surround the body of water. There is no such body of water located in the City of Tustin. Therefore, impacts associated with seiches would not occur. Additionally, the project site is approximately nine miles from the Pacific Ocean or any body of water that could cause tsunami (also known as tidal waves) to the area. There is no risk of tsunami associated with the project. By definition, mudflows are considered a type of landslide. The project site has relative flat topography and would not be subject to a landslide.

5.8.4 IMPLEMENTATION MEASURES

Implementation measures for storm drain facilities are addressed in Section 5.16, Utilities and Service Systems. While no Implementation Measures were specifically identified in the FEIS/EIR for water quality, the FEIS/EIR concluded that "compliance with all regulations and NPDES Permit requirements would result in avoidance of significant impacts to water resources." The purpose of this section is to clearly define the existing regulatory framework and requirements of future development projects within the Specific Plan area. Consistent with the conclusions of the FEIS/EIR, compliance with existing regulatory requirements will ensure that the Specific Plan Amendment, DDA, and Development Plan will not have significant impacts on water quality. No mitigation measures beyond compliance with existing regulations are required.

IM WQ-1 Prior to the approval of grading plans, the project developers shall provide written evidence to the Department of Public Works that it has filed a Notice of Intent with the State Water Resources Control Board in order to obtain coverage under the latest approved General Construction Permit. Pursuant to the permit requirements, developers shall develop a Stormwater Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices for reducing or eliminating sediment and other construction-related pollutants in the site runoff.

IM WQ-2 Prior to approval of a grading plans, the Department of Public Works shall confirm that the contractors specifications require compliance with the latest approved General Waste Discharge Requirements issued by the Santa Ana Regional Water Quality Control Board to govern discharges from construction dewatering and water line/sprinkler line testing should they occur during construction. Developers shall comply with these regulations including provisions requiring notification, testing and reporting of dewatering and testing-related discharges, which shall mitigate any impacts of such discharges.

IM WQ-3 The City of Tustin and major master plan developers of the former MCAS Tustin shall participate in the Regional Board's NSMP Working Group and contribute to funding and implementation of the Work Plan. To mitigate construction-related selenium and nutrient water quality impacts that may result from construction-related groundwater discharges, developers shall implement: (a) feasible and available volume reduction BMPs in accordance with the General NSMP Permit (R8-2004-0021); (b) selenium and nutrient control BMPs that are developed under the Work Plan as of the date of project approval; and (c) selenium and nutrient measures that may be developed under the Work Plan after project approval which are available and feasible to deploy.

IM WQ-4 To mitigate post-construction surface water and long-term groundwater discharge water quality impacts, prior to issuance of grading permits, developers shall prepare a project WQMP, which shall be submitted to the City of Tustin or City of Irvine, as applicable, for approval. The WQMP shall be prepared in compliance

with all MS4 Permit requirements (including DAMP and LIP requirements), and at a minimum shall contain the following elements:

a) *An Integrated Water Conservation/Storm Water Runoff and Subdrain Discharge Water Quality Management Program.* This program shall integrate into the storm drainage and water quality control system facilities and systems to capture, recycle and conserve low flows, which may include irrigation returns and subdrain discharges, to reduce, to the extent feasible, post-development low flow surface runoff and groundwater discharge volumes. The program shall also implement one or more treatment control technologies developed under the NSMP and available at the time of project approval for nutrient and selenium removal.

b) *Site Planning and Design BMPs.* The WQMP shall incorporate site design BMPs described in the Model WQMP attached as Exhibit 7.11 to the DAMP to the extent feasible and appropriate in light of proposed land uses.

c) *Source Control BMPs.* The WQMP shall incorporate source control BMPs described in the Model WQMP attached as Exhibit 7.11 to the DAMP to the extent feasible and appropriate in light of proposed land use.

d) *Treatment Control BMPs.* The WQMP shall incorporate treatment control BMPs described in the Model WQMP attached as Exhibit 7.11 to the DAMP.

IM WQ-5 As required by DAMP and the MS4 Permit, as well as the Cooperative Agreement DO2-119 between the City of Tustin, OCFCD, and the County of Orange, a Water Quality Technical Report (WQTR) shall be prepared prior to the issuance of grading permits. The WQTR shall quantitatively and qualitatively (as appropriate) assess planned BMPs to be included in the WQMP to confirm that the treatment and hydrologic controls included in the SWPPP and WQMP will be sufficient to assure that project discharges will not cause a violation of applicable water quality standards.

5.8.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that (a) the amended project does not propose substantial changes to the project affecting hydrology and water quality, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to hydrology and water quality than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to hydrology and water quality has been revealed that would require major revisions to the FEIS/EIR or its conclusions. Additionally, in compliance with the MS4 Permit, the DAMP, the LIP, the General Construction Permit, the NSMP program requirements, and the City's water quality ordinance, updated BMP technologies must be incorporated into the WQMP and the SWPPP at the time they are prepared reducing water quality impacts.

The FEIS/EIR concluded that there would be no significant unavoidable impacts related to hydrology and water quality and this conclusion has not changed based on the analysis presented in this section.

SOURCES

In addition to the references listed in the beginning of Section 5, the sources used in preparation of this section are identified in the text or in footnotes.

5.9 LAND USE AND PLANNING

5.9.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Land Use Compatibility

The FEIS/EIR concluded that with development of the project evaluated in the FEIS/EIR, a substantial change in existing land use would occur by replacing military and agricultural uses with civilian urban uses. Agricultural uses generate dust and noise that could result in land use conflicts to non-agricultural uses. However, because agricultural uses were identified to be phased out in coordination with development, this potential land use conflict was determined to be less than significant.

The FEIS/EIR also identified various potential land impacts associated with the development of the property. Because many areas within the property were to be transferred from low-intensity use (i.e., open area) to high intensity use (i.e., residential/commercial), the potential for land use incompatibility was identified. It was concluded that proposed on-site uses would be comparable with existing surrounding land uses. Proposed residential development in the northeast portion of the site would have comparable densities to existing uses and would be buffered by setbacks, landscaping, noise walls, or recreational uses. Business uses would be compatible with existing uses across Barranca Parkway and Red Hill Avenue.

The FEIS/EIR determined that there was a potential for land use incompatibility internally with adjacent uses if development is not sensitively designed. However, based on the general design of the project, compliance with local design review requirements, adherence to design guidelines, individual site-specific compatibility impacts would be addressed during each development project. Potentially significant land use compatibility impacts would require mitigation to reduce impacts to a level considered less than significant.

Land Use Policy

The FEIS/EIR determined that the project would be inconsistent with the current general plan and zoning designations in the cities of Tustin and Irvine and mitigation in the form of amendments to the General Plan and Zoning Ordinance were required to mitigate the impact to a level considered less than significant. It was further concluded that the Implementing Actions (described in Section 7 of the FEIS/EIR) would mitigate this impact by addressing compatibility through proper land use plans and amendments to pertinent general plans and zoning ordinances.

5.9.2 CURRENT CONDITIONS

As noted in the project description, on January 16, 2001, the City of Tustin adopted a General Plan land use designation, the *MCAS Tustin Specific Plan*, for that portion of the former MCAS

Tustin within the City of Tustin. The MCAS Tustin Specific Plan was adopted by the City Council on February 3, 2003 (Ordinance 1257), which established the zoning designation, development standards, and entitlement framework for future development of that portion of the MCAS Tustin within the City, including property within the Master Developer footprint. The project description also includes discussion of development approved since 2001 in the cities of Tustin and Irvine, and the status of construction activities.

Note that changes to the *County of Orange Airport Environs Land Use Plan* were addressed above under Section 5.7, Hazards and Hazardous Materials.

5.9.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

The land use changes proposed with the Specific Plan Amendment, DDA, and Development Plan are described in detail in Section 3 of this Addendum, Project Description. The proposed project does not substantially change the types of land uses proposed, rather the distribution of land uses within the Specific Plan area have been slightly modified and minor adjustments to Planning Area and Neighborhood boundaries have been made. These changes are illustrated in the revised Specific Plan Figures 2-1, 2-2, 3-1, and 3-2 provided in Section 3 of this Addendum. The proposed project does not change the amount of residential development allowed per the Specific Plan, and reduces the amount of non-residential development.

Environmental Checklist Responses

Would the project:

A. Physically divide an established community?

No Substantial Change from Previous Analysis. The project being evaluated involves implementation of amendments to the MCAS Specific Plan and a proposed DDA including a Development Plan (refer to Exhibit 3 in Section 3, Project Description). The proposed Specific Plan Amendment, DDA, and Development Plan would not substantially alter the land uses proposed for development or the location of the land uses in relation to communities within the Specific Plan area. The Specific Plan area is surrounded by existing development and development on-site would not physically divide an established community. The proposed development would result in the continuation of similar uses.

B. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding of mitigating an environmental effect?

C. Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Substantial Change from Previous Analysis. The proposed project involves an amendment to the MCAS Tustin Specific Plan; however, as addressed through the analysis presented in this section, the proposed changes would not result in a change in the environmental impacts that were evaluated in the FEIS/EIR for the Specific Plan and Implementing Actions. The MCAS Tustin Specific Plan requires design review and compliance with the Specific Plan design guidelines per the Specific Plan Amendment which mandate implementation of site design measures such as buffering, landscaping, screening, and

setbacks to ensure high quality development and compatibility between land uses to ensure that proposed uses are compatible with on-site and surrounding land uses and are consistent with the requirements of mitigation measure LU-1.

As noted under the discussion of biological resources, the MCAS Specific Plan area is within the County of Orange Central and Coastal NCCP/HCP, and would not conflict with this program.

5.9.4 MITIGATION AND IMPLEMENTATION MEASURES

FEIS/EIR Measures That Have Been Completed

MM LU-1 The City of Tustin shall amend its General Plan and zoning ordinance to be consistent with planned land uses. Any zoning ordinance shall include site design measures such as buffering, landscaping, screening, and setbacks, to ensure high quality development and compatibility between land uses. The goal is to assure that the overall appearance of development on the site is at least similar in quality to other master planned areas in Tustin and other adjacent cities.

FEIS/EIR Measures Applicable to the Proposed Project

Applicable mitigation measures have been implemented.

Refinements to FEIS/EIR Measures

No refinements need to be made to the FEIS/EIR mitigation and no new mitigation measures are required because the proposed Specific Plan Amendment and Development Plan and existing mitigation measures reduce potential land use impacts to a level less than significant.

FEIS/EIR Measures Not Applicable to the Proposed Project

MM LU-2 The City of Irvine shall amend its General Plan and zoning ordinance to be consistent with planned land uses. Any zoning ordinance shall include site design measures such as buffering, landscaping, screening, and setbacks, to ensure high quality development and compatibility between land uses. The goal is to assure that the overall appearance of development on the site is at least similar in quality to other master planned areas in Tustin and other adjacent cities.

5.9.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting land use, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to land use than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to land use has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that there would be no significant unavoidable land use impacts. The proposed Specific Plan Amendment, DDA, and Development Plan do not increase the severity of the land use impacts previously identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address land use issues.

Airport Land Use Commission. *Orange County Airport Land Use Plan for John Wayne Airport.* Orange County, California: December 19, 2002.

Natural Community Conservation Plan and Habitat Conservation Plan, County of Orange, Central and Coastal Subregion. Prepared for the County of Orange, Environmental Management Agency and United States Fish and Wildlife Service/California Department of Fish and Game. July 17, 1996.

5.10 MINERAL RESOURCES

5.10.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Section 3.9 of the FEIS/EIR indicates that no mineral resources are known to occur within the Specific Plan area. Therefore, no impacts to mineral resources were identified.

5.10.2 CURRENT CONDITIONS

As indicated above, no mineral resources were identified within the Specific Plan area. This condition has not changed since certification of the FEIS/EIR. The Tustin General Plan does not identify any mineral resources in the City.

5.10.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Substantial Change from Previous Analysis. As indicated in the FEIS/EIR, no mineral resources are located within the Specific Plan area. The proposed Specific Plan Amendment, DDA, and Development Plan apply to area within the Specific Plan so no mineral resources would be affected. Therefore, there would be no loss of a known mineral resource that would be of value to the region and the residents of the state.

5.10.4 MITIGATION AND IMPLEMENTATION MEASURES

Because no significant impacts were identified, no mitigation was included in the FEIS/EIR related to mineral resources. The proposed Specific Plan Amendment, DDA, and Development Plan do not change the conclusions of the FEIS/EIR so no new mitigation is required.

5.10.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting mineral resources, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to mineral resources than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to mineral resources has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that there would be no impacts to mineral resources. The proposed Specific Plan Amendment, DDA, and Development Plan do not increase the severity of the mineral resources impacts previously identified in the FEIS/EIR.

SOURCES

There were no sources used beyond those listed at the beginning of Section 5 (sources used for all sections).

5.11 NOISE

5.11.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Based on the significance criteria used to evaluate noise impacts in the FEIS/EIR, noise impacts were considered significant if noise levels for sensitive receptors exceeded those considered "normally acceptable" for the applicable land use categories in the "Noise Elements" of the General Plans for the cities of Tustin, Irvine, and Santa Ana. Sensitive receptors are defined as schools, residences, libraries, hospitals, and recreational areas. In addition, future development within the Specific Plan area that includes schools and residences would be considered sensitive receptors. The FEIS/EIR identified that an increase of 3 dB over existing noise levels experienced by a sensitive receptor would be a significant impact.

The FEIS/EIR determined that existing roadways which surround the Specific Plan area would not experience noise levels that exceed established thresholds for the affected land use, and impacts would be considered less than significant. However, the extension of Tustin Ranch Road to Von Karman Avenue would expose existing residences to noise levels that exceed the 65 dB CNEL standard. In addition, noise levels at existing residential and park uses adjacent to Warner Avenue between Harvard and Culver Drive would be exposed to noise levels that exceed the 65 dB CNEL standard; this would result in a potentially significant impact.

The FEIS/EIR also determined that future noise-sensitive land uses would be developed in accordance with applicable regulations and would have adequate noise protection. Therefore, potential noise impacts to future noise-sensitive land uses would be less than significant.

However, some existing on-site housing planned for reuse would experience noise levels greater than the 65 dB CNEL standard; this would result in a potentially significant impact.

The FEIS/EIR identified mitigation measures to reduce the potential noise impacts to sensitive receptors. With implementation of the mitigation measures, the potential noise impacts to sensitive noise receptors would be reduced to less than significant.

5.11.2 CURRENT CONDITIONS

The noise environment described in Section 3.14.3 of the FEIS/EIR has not changed. The major noise sources at and near the site are motor vehicles and railroad trains. The project site is not within a 60 dB CNEL contour over MCAS Tustin from John Wayne Airport.

The land use changes proposed with the Specific Plan Amendment, DDA, and Development Plan are described in detail in Section 3 (Project Description) of this Addendum. The proposed project does not substantially change the types of land uses proposed, rather the distribution of land uses within the Specific Plan area have been slightly modified and minor adjustments to Planning Area and Neighborhood boundaries have been made. These changes are illustrated in the revised Specific Plan Figures 2-1, 2-2, 3-1, and 3-2 provided in Section 3 of this Addendum. The redistribution of land uses and minor adjustments to the backbone circulation network would result in slight modifications to the traffic distribution on roadways within and immediately adjacent to the Specific Plan area. Traffic-related issues are addressed in Section 5.15, Transportation and Traffic.

5.11.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project result in:

A. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

C. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

No Substantial Change from Previous Analysis. The Noise Element Technical Memorandum for the City of Tustin General Plan identifies acceptable noise levels for various types of land uses. Within the City of Tustin long-term noise issues of concern are related to traffic on major arterials and freeways, flight operations at John Wayne Airport, rail operations, and trucking operations and mechanical equipment associated with commercial/industrial activities adjacent to residential uses.

As discussed in the Transportation and Traffic section of this analysis, implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would result in the same overall ADT generation as addressed in the FEIS/EIR and would not exceed the trip cap established in the MCAS Tustin Specific Plan (216,440 ADT).

As noted above, the FEIS/EIR indicates that full build-out of MCAS Tustin would not have noise impacts on existing uses along existing roadways surrounding the Specific Plan area; however, the

extension of roadways within the Specific Plan area would expose existing residences along Warner Avenue and Tustin Ranch Road to noise levels that exceed the 65 dB CNEL standard. Mitigation measures were identified to reduce this impact to a level considered less than significant and would remain applicable with implementation of the Specific Plan Amendment, DDA, and Development Plan. It should also be noted that a Supplemental EIR was prepared by the City of Tustin for the extension of Tustin Ranch Road between Walnut Avenue and the Future Alignment of the Valencia North Loop. The Supplemental EIR concluded that short-term construction-related impacts would not be significant when conducted in compliance with the City's Noise Ordinance. A long-term operational impact to adjacent receptors along Tustin Ranch Road was identified. The Supplemental EIR included a mitigation measure (MM N-1) to reduce this impact to a level considered significant. MM N-1 requires installation of a soundwall ranging from 6 to 12 feet in height prior to opening of the road.

The proposed project would slightly modify the land use distribution within the Specific Plan area, which would result in a slight redistribution of the traffic generated by the proposed project. However, the backbone circulation system identified for the proposed Development Plan is substantially the same as that presented in the original Specific Plan (refer to Exhibit 7 in Section 5.15, and the description of roadway improvements proposed as part of the Development Plan in Section 3.2.3). The traffic volumes resulting from implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would also be the same. Therefore, as concluded in the FEIS/EIR, there is a potential for proposed residential uses to be exposed to noise levels that exceed applicable standards. Implementation of the mitigation measures presented in the FEIS/EIR and Supplemental EIR for Tustin Ranch Road would remain applicable and would reduce traffic-related noise impacts to on-site uses to a level considered less than significant.

In summary, with respect to long-term traffic-related noise impacts, no new impacts would result and the mitigation measures included in the FEIS/EIR would be applicable to the proposed project and would ensure that noise levels do not exceed interior or exterior noise standards established by the City of Irvine and City of Tustin. Further, the noise mitigation measures to be implemented for noise impacts resulting from the extension of Tustin Ranch Road would ensure that noise levels from traffic generated by Specific Plan land uses would not exceed the applicable City noise standards. There is also a potential for on-site land uses to be exposed to noise from operation/use of adjacent uses. Although the land use distribution has been slightly modified, the proposed project does not involve the development of any uses that were not previously considered in the FEIS/EIR and the noise generated from these uses and potential impacts would not be substantially different than that analyzed in the FEIS/EIR. The City's Noise Ordinance establishes interior and exterior noise limits for various types of uses. Pursuant to MM N-3 of the FEIS/EIR, the City of Tustin would ensure that interior and exterior noise levels do not exceed those prescribed by state requirements and local city ordinances and general plans, including Figure NTM-3 of the Noise Technical Memorandum of the General Plan, Land Use Compatibility for Community Noise Environments. Compliance with adopted mitigation measures and state and local regulations and standards, along with established engineering procedures and techniques, would avoid significant short-term construction-related noise impacts. This conclusion is consistent with that presented in the FEIS/EIR.

B. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise level?

D. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No Substantial Change from Previous Analysis. Construction noise represents a short-term impact on ambient noise levels. Noise generated by construction equipment, including trucks, graders, bulldozers, concrete mixers and portable generators, can reach high levels. The greatest construction noise levels are typically generated by heavy grading equipment. As discussed previously, existing sensitive land uses in the vicinity of the Specific Plan area are located north of Edinger Avenue and east of Jamboree Road. These uses may be exposed to increased noise levels during project construction. Construction noise levels experienced north of Edinger Avenue would be reduced by existing noise barriers in place to attenuate traffic noise. It is also expected that construction noise levels at residential uses east of Jamboree Road would be reduced due to distance and the roadway, which is elevated in this area and would act as a sound barrier.

The City's Noise Ordinance only allows construction activities during the least sensitive daytime hours when ambient noise levels are generally at their highest: between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between the hours of 9:00 a.m. and 5:00 p.m. on Saturdays. No construction activity is allowed on Sunday or on City-observed federal holidays. In accordance with this Ordinance, construction of the project would not occur outside of these hours nor on Sundays or City-observed federal holidays. Therefore, noise generated by the construction of the project would comply with the City's Noise Ordinance and construction of the project would not result in a significant noise impact.

E. For a project located with an airport land use plan or, where such plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

F. For a project within the vicinity of a private airstrip, would the project expose people residing or working the project area to excessive noise levels?

No Substantial Change from Previous Analysis. The FEIS/EIR concluded that the elimination of aircraft operations at MCAS Tustin would eliminate the associated aircraft-related noise and reduce the overall noise levels within the reuse area and surrounding areas. This was identified as a beneficial impact of the project.

As previously discussed, John Wayne Airport is located southwest of the project site. Based on review of Airport Environs Land Use Plan for John Wayne Airport (specifically the Impact Zones Exhibit), the project site is not within the 60 CNEL contour for airport operations. The proposed Specific Plan Amendment, DDA, and Development Plan would not involve the development of any uses that would expose people to excessive noise related to aircraft operations. Therefore, the conclusions of the FEIS/EIR also apply to the proposed project.

5.11.4 MITIGATION AND IMPLEMENTATION MEASURES

FEIS/EIR Measures That Have Been Completed

MM N-2 During design of the grade-separated intersection of Tustin Ranch Road at Edinger Avenue, the City of Tustin shall evaluate potential noise impacts on surrounding properties to the northeast of Edinger Avenue and shall incorporate into the design of this intersection noise attenuation measures determined appropriate and feasible by the City of Tustin, in order to ensure that these surrounding properties do not experience noise levels that exceed City of Tustin noise standards.

FEIS/EIR Measures Applicable to the Proposed Project

Mitigation measures related to noise identified below have been completed as development projects have been proposed within the Specific Plan area, and are also applicable to future development.

MM N-3 For new development within the reuse area, the City of Tustin and City of Irvine, as applicable, shall ensure that interior and exterior noise levels do not exceed those prescribed by state requirements and local city ordinances and general plans. Plans demonstrating noise regulation conformity shall be submitted for review and approval prior to building permits being issued to accommodate reuse.

MM N-4 Prior to the connection of Warner Avenue to the North Loop Road or the South Loop Road, the City of Tustin shall conduct an acoustical study to assess reuse traffic noise impacts to existing sensitive receptors adjacent to Warner Avenue, between Harvard Avenue and Culver Drive. If mitigation of reuse traffic noise impacts is required, the City of Tustin and the City of Irvine shall enter into an agreement that defines required mitigation and which allocates the cost of mitigation between the City of Tustin and the City of Irvine on a fair share basis.

Tustin Ranch Road SEIR Mitigation Measure Applicable to the Proposed Project

MM N-1 Prior to opening the proposed segment of Tustin Ranch Road to traffic, the City will install a soundwall that ranges from six feet to 12 feet in height. Following are the heights of the soundwall in relation to the elevation of the proposed roadway adjacent to the residential receptors (see Exhibit 5.3-2 of the SEIR for receptor locations).

- Receptor 1 – Existing 6-foot wall
- Receptors 2 through 4 – Proposed 12-foot wall
- Receptors 5 and 6 – Proposed 10-foot wall
- Receptors 7 and 8 – Proposed 8-foot wall
- Receptors 9 through 15 feet south of Receptor 21 – Proposed 6-foot wall

Refinements to FEIS/EIR Measures

No refinements need to be made to the FEIS/EIR mitigation measures and no new mitigation measures are required.

FEIS/EIR Measures Not Applicable to the Proposed Project

MM N-1 Prior to reuse of any existing residential units within the reuse area for civilian use, the City of Tustin or the City of Irvine, as applicable, and where necessary and feasible, shall require the installation of noise attenuation barriers, insulation, or similar devices to ensure that interior and exterior noise levels at these residential units do not exceed applicable noise standards.

5.11.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting noise, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to noise than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to noise has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The Final EIS/EIR concluded that with implementation of the identified mitigation measures there would be no impacts related to noise. The proposed Specific Plan Amendment, DDA, and Development Plan do not increase the severity of the noise impacts previously identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address noise issues:

Airport Land Use Commission. *Orange County Airport Land Use Plan for John Wayne Airport.* Orange County, California: December 2002.

Tustin, City of. *Noise Element Technical Memorandum.* Prepared by Cotton/Beland/Associates, Inc. August 1991.

Tustin, City of. *Supplemental EIR for Extension of Tustin Ranch Road.* Prepared by Michael Brandman Associates. December 2004.

5.12 POPULATION AND HOUSING

5.12.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Population

As discussed in the FEIS/EIR, population impacts are considered neither adverse nor beneficial by themselves; however, population impacts may have ramifications on other environmental parameters. The FEIS/EIR concluded that development of the Specific Plan would increase the population of the cities of Tustin and Irvine through the provision of new housing. Environmental impacts associated with this population increase are documented throughout the technical sections of the FEIS/EIR, as they relate to increases in population.

The FEIS/EIR identified that implementation of the Specific Plan resulted in a population increase of 12,514 individuals with 10,900 in the City of Tustin. Subtracting the military-dependent population of 3,150 at the time, the net increase was estimated to be 9,350 individuals. The increase in population is a consequence of the beneficial housing impact identified in the FEIS/EIR. No adverse population impacts were identified in the document.

Housing

The FEIS/EIR concluded that there would be no displacement of existing housing since existing military housing would be converted to civilian use or reconstructed in the event that rehabilitation is not economically feasible. The original Specific Plan proposed 4,601 housing units, with new housing consisting of 3,064 units. Since the military housing units were not available to the civilian market, the total gain was 4,601 units. The FEIS/EIR found no adverse significant housing impact with development of the project evaluated since no existing housing would be displaced. The FEIS/EIR further states that "because one purpose and need for reuse is to generate housing to satisfy an identified shortfall, any increased housing availability would be beneficial".

Employment

The FEIS/EIR assumed that the Specific Plan would allow 11,406,975 square feet of private non-residential and additional institutional/recreational uses generating 24,500 net new direct jobs (taking into consideration the elimination of 400 jobs at MCAS Tustin that were held by civilian personnel) within the Specific Plan area (including both Tustin and Irvine portions). The increase in employment was determined to be a beneficial impact, as a goal of the LRA was job generation.

Jobs-Housing Balance

In regional terms, development of the Specific Plan area would add both housing and jobs in Orange County. The FEIS/EIR concluded that the majority of new employment generated by development of the Specific Plan would be filled by current residents of Tustin, Irvine, Santa Ana, and other Orange County communities, and that proposed development within the Specific Plan area would provide enough housing for new employees that did not already reside in Orange County. The FEIS/EIR concluded that there would be no significant adverse effects related to jobs/housing balance.

5.12.2 CURRENT DEMOGRAPHIC DATA

At the time the FEIS/EIR was prepared, Orange County Projections-1996 (OCP-96) was the most recent adopted growth projections for the City of Tustin and the County of Orange. OCP-96 was succeeded by OCP-2000 and OCP-2004. OCP-2004 reflects the MCAS Tustin Reuse Plan in its population, housing and employment growth projections, based on the latest build-out information (as of March 2002). OCP-2004 provides projections in five-year increments through the year 2030, whereas OCP-96 extended only through the year 2020.

Table 5-20 presents both OCP-96 demographic data for the City of Tustin and Orange County as a whole.

TABLE 5-20
TABLE OCP-96 PROJECTIONS FOR ORANGE COUNTY AND THE CITY OF TUSTIN, 2000-2020

	2000	2005	2010	2015	2020
Population					
County	2,866,300	3,004,000	3,119,400	3,193,600	3,279,400
Tustin	68,579	74,694	75,674	76,127	75,561
Dwelling Units					
County	989,800	1,040,900	1,083,800	1,119,500	1,164,600
Tustin	26,080	27,865	28,456	29,125	29,125
Employment					
County	1,379,000	1,531,200	1,691,800	1,853,300	2,114,300
Tustin	42,097	45,988	49,545	52,587	55,183
Source: OCP-96, Center for Demographic Research, March 2004.					

Table 5-21 presents OCP-2004 data for the City and County. OCP-2004 projects a slightly smaller housing stock in 2020 than OCP-96 but a higher population, which indicates a larger household size. OCP-2004 also expects employment growth to be 9 percent higher than was projected at the time of the FEIS/EIR was prepared. MCAS Tustin reuse employment is reflected in OCP-2004.

TABLE 5-21
OCP-2004 PROJECTIONS FOR ORANGE COUNTY AND THE CITY OF TUSTIN, 2000-2030

	2000	2005	2010	2015	2020	2025	2030
Population							
County	2,864,181	3,094,461	3,291,628	3,402,964	3,485,179	3,537,559	3,552,742
Tustin	67,504	77,475	82,470	85,896	88,202	88,798	88,788
Dwelling Units							
County	972,527	1,031,319	1,066,476	1,086,042	1,100,848	1,112,915	1,118,429
Tustin	25,501	27,267	27,742	28,120	28,499	28,559	28,599
Employment							
County	1,514,611	1,554,271	1,749,985	7,816,387	1,858,579	1,896,752	1,921,800
Tustin	40,107	42,039	52,534	56,301	60,096	63,593	64,405
Source: OCP-2004, Center for Demographic Research, March 2004.							

5.12.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Substantial Change from Previous Analysis.

Employment Impacts

The FEIS/EIR reported in Table 2-6, Alternative 1 Buildout Potential, that the original Specific Plan would allow 11,406,975 square feet of non-residential and institutional/recreational uses generating a net of 24,500 net new direct jobs within the Specific Plan Area (including both Tustin and Irvine portions). By comparison, the proposed project would allow 10,384,553 square feet of non-residential and institutional/recreational uses on 1,606 acres (of this amount, 6,739,042 square feet would be located on approximately 234 acres within the Master Developer footprint). This represents a 1,022,422 square foot reduction in non-residential uses compared to the project addressed in the FEIS/EIR.

Table 5-22 provides the estimated direct employment generation for the proposed project. It should be noted that the employment generation is broken down by land use designations included in the Specific Plan Land Use Plan (refer to revised Figure 2-1 in Section 3, Project Description). However, employment generation factors have been applied to the specific land uses included within each land use designation/category. As shown in Table 5-22, the proposed project would generate an estimated 24,021 employees at build-out. Subtracting the 400 military jobs eliminated from the site, the proposed project provides 23,621 net new jobs. This represents a reduction of approximately 879 employees compared to the estimated employment reported in the FEIS/EIR (24,500 net new employees). The FEIS/EIR also estimated that 15,081 indirect jobs such as support jobs and vendors, as well as induced jobs resulting from additional spending in the economy would be generated as a result of development of proposed uses within the Specific Plan area. Since the proposed projects direct job generation potential is less than the amount analyzed for the Specific Plan in the FEIS/EIR, it is also be expected that there would be a similar reduction in indirect and induced jobs as a result of the proposed project.

The FEIS/EIR identified no adverse employment impacts resulting from implementation of the MCAS Tustin Reuse Plan. Because the amount of employment generated with implementation of the proposed Specific Plan Amendment, DDA and Development Plan would be only slightly reduced (a reduction of approximately 3 percent) compared to the amount of employment generated by the original project, there would no change in the conclusions presented in the FEIS/EIR. No significant employment impacts would result and no mitigation is required.

TABLE 5-22
NON-RESIDENTIAL LAND USE EMPLOYMENT GENERATION

Land Use	Direct Employment
Residential	0
Transitional/Emergency Housing	45
Residential Core	1,094
Commercial Business	4,901
Commercial	976
Village Services	695
Community Core	15,648
Education Village	501
Community Park (sports park)	14
Urban Regional Park	147
Total Employment	**24,021**

Employment generation factors were used from the following sources:

MCAS Tustin EDC, Employment Generation Calculations, Revised April 8, 1999.

ITAM Land Use to Socioeconomic Data Conversion Factors.

MCAS Tustin FEIS/EIR, Table 4.2-2.

Housing Impacts

Consistent with the original Specific Plan, the proposed project Specific Plan Amendment continues to identify that the maximum number of units permitted by this zoning document would be 4,601 dwelling units within the Specific Plan area. The Specific Plan is a planning document, with the maximum number of dwelling units determined based on an estimate of available gross acreage. At the subdivision and design review stages of individual development projects, the actual number of units authorized by entitlements have been refined. The Specific Plan also does not reflect any density bonuses that have been granted by the City as may be required by State Law. A density bonus was granted to Marble Mountain Partners for portions of their projects in Tustin, which results in the development of a total of 4,621 units within the Specific Plan area. No additional density bonuses will be permitted within the remaining portions of the Specific Plan within the Master Developer footprint given provisions contained in the DDA. Table 5-23 compares the amount and type of housing units in the proposed project with those included in the original Specific Plan.

TABLE 5-23
RESIDENTIAL LAND USE COMPARISON

Land Use Category	Original Specific Plan	Proposed Project
Low Density 1-7 units per acre	1,437 units	1,450 units
Medium Density 8-15 units per acre	1,685 units	1,470 units
Medium High Density 16-25 units per acre	1,479 units	1,459 units
Senior Housing*	0 units	242 units
Total	**4,601 units**	**4,621 units**

* Senior housing is actually within the medium density land use designation but is presented separately in this table due to a lower persons per household factor.

The amount and type of residential units identified in Table 5-23 for the proposed project are based on actual entitlements granted within the Specific Plan area by either the City of Tustin or Irvine, as applicable, as well as maximum authorized dwelling units within the Master Developer footprint. Within the City of Tustin, 2,107 units have already been entitled within the Specific Plan area. Irvine has approved entitlements on 409 units within their jurisdiction. The entitlements are based on permitted densities authorized by City of Tustin adopted Specific Plan development standards and City of Irvine adopted development standards that have been more accurately calculated since adoption of the Specific Plan in terms of actual gross acreages, and all maximum dwelling units projected by land use density in the Master Developer footprint. In order to assure that this updated population and housing analysis reflects existing conditions, and conservatively projects housing and associated population impacts, the unit projections for this analysis differ slightly from the land use statistics identified in Specific Plan Table 3-1 and in the Traffic Study. The land use assumptions for the traffic analysis are further discussed in Section 5.15, Transportation and Traffic.

As shown in Table 5-23, the proposed project provides a similar amount and type of housing as that included in the original Specific Plan (the senior housing is actually separately identified but is located within the medium density land use designation). The increase in number of units from 4,601 to 4,621 is less than one percent. For comparison, OCP-2004 small area projections allocate 3,592 housing units to the MCAS Tustin reuse site by 2030.

Because the proposed project results in 20 more housing units than the original Specific Plan, the beneficial impacts identified in the FEIS/EIR related to the provision of housing would be greater. No adverse housing impacts beyond those analyzed and found to be not significant in the FEIS/EIR would occur.

Population Impacts

The FEIS/EIR concluded that there would be 12,514 new residents in the cities of Tustin and Irvine as a result of 4,601 new dwelling units in the Specific Plan area. Subtracting the 3,150 Marine dependents leaving the base, the FEIS/EIR found that the original Specific Plan generated approximately 9,350 net new residents.

Table 5-24 estimates the population likely to be generated by the proposed project's housing unit allocation based on the same population factors for MCAS Tustin adopted in the Tustin General Plan Land Use Element.

TABLE 5-24
PROPOSED PROJECT'S ESTIMATED POPULATION AT BUILD-OUT

Land Use Category	Proposed Project	Population Factor	Population
	MCAS Tustin		
Low Density	1,450 units	3.25 pphh	4,713
Medium Density	1,470 units	2.73 pphh	4,013
Medium High Density	1,459 units	2.12 pphh	3,093
Senior Housing	242 units	2.12 pphh	513
Transitional/Emergency Units			192
Total	**4,621 units**		**12,524**
pphh- people per household			

As shown in Table 5-24, the proposed project's housing would generate an estimated 12,524 residents using the persons per household factors applicable to each land use designation. Subtracting the 3,150 baseline military population that existed on the site when the FEIS/EIR was prepared, the proposed project would result in 9,374 net new residents. By comparison, OCP-2004 projects 11,185 residents in 2020 in the Specific Plan area. The 2,105 units within the Master Developer footprint (533 Low Density, 489 Medium Density, and 1,083 Medium-high Density) would generate approximately 5,363 residents.

Based on the City of Tustin's General Plan population factors, the proposed project would generate 24 more net new residents, or 0.2 percent more than identified for the original Specific Plan in the FEIS/EIR. The FEIS/EIR identified no significant population impacts. The small increase in expected population is the result of a different mix of housing types in the proposed project, and density bonuses which were required to be granted producing a slightly higher average density on small portions of the Specific Plan area. The original Specific Plan identified the increase in housing units as a beneficial impact. The proposed project's increased housing units produce a slightly higher population than the original Specific Plan. Because the difference is less than one percent, the proposed project population would not result in any significant impacts related to increased population, consistent with the conclusions presented in the FEIS/EIR. No new impacts would result and no mitigation is required.

Jobs/Housing Balance

This discussion provides updated jobs/housing balance information for the proposed project. Jobs/housing balance is an indicator of a project's effect on growth and quality of life in the project area, although it is not a criterion of significant impact under CEQA.

The FEIS/EIR stated that the original Specific Plan resulted in 24,500 net new direct jobs within the Specific Plan area, and that this direct job growth resulted in an estimated 4,000 net indirect and induced jobs added to the County of Orange. Because the proposed project is consistent with the magnitude of jobs growth relative to housing growth resulting from implementation of the original Specific Plan (refer to the discussion of employment and housing above), it would have similar effect on countywide jobs/housing balance described in the FEIS/EIR, and therefore remains consistent with the FEIS/EIR conclusions.

Using the current standard methodology for describing a project's job/housing ratio, the proposed project's ratio is calculated by dividing the net new direct jobs by the net new housing units associated with a project. This method allows the project's jobs/housing ratio to be compared with city and county projected jobs/housing ratios based on adopted job and housing growth projections. The proposed project would result in 23,621 net new direct jobs, and 4,621 net new housing units in the project area. This yields a jobs/housing ratio of 5.11 when the project is completed in 2020. Applying the current standard methodology for calculating jobs/housing ratios results in a ratio of 5.32 for the original Specific Plan.

The proposed project is a jobs-rich node within the city and county. This magnitude of job growth was considered a beneficial outcome of the project in the original FEIS/EIR, and the proposed project does not change this conclusion. This level of jobs relative to housing growth is also consistent with the direction of the adopted OCP-2004 growth projections for Orange County. OCP-2004 projections yield a project area ratio of 4.91, a citywide jobs/housing ratio of 2.11, and a countywide ratio of 1.79 in 2020, Therefore, OCP-2004 anticipates the project area will be more jobs-rich than the surrounding city and county.

The proposed project exceeds the normal citywide projected jobs/housing ratio indicating that there are more jobs available with the project for residents of the project. The project's jobs/housing relationship supports regional growth policies advocated by the Southern California Association of Governments (SCAG). SCAG policies encourage development in activity centers and areas served by transportation corridors, such as RSA E-44. The project would interface with commercial, residential, and mixed-use areas including the Irvine Spectrum, Irvine Business Complex activity centers, and future development within the Great Park. The proposed project is near High Occupancy Vehicle (HOV) lanes on I-5; the Foothill and Eastern Transportation Corridor toll lanes, which are priced to ensure free flow; and a Metrolink station immediately to the north of the project.

Similar to the conclusions reached in the FEIS/EIR, the proposed project would not have an adverse effect on the jobs/housing balance experienced within the Specific Plan area. No new impacts have been identified and no mitigation is required.

Affordable Housing

Like the jobs/housing balance, housing affordability provides an indicator of a project's impact on growth and quality of life, in addition to the CEQA criteria for significant impacts. This section compares the proposed project's effect on affordable housing in the City of Tustin with the findings of the FEIS/EIR.

The Housing Element of the City's General Plan provides a long-term blueprint for housing within the context of local and regional trends and housing production goals. The Housing Element addresses new production targets set by California's Department of Housing and Community Development to encourage each jurisdiction in the state to provide its fair share of very low, low, moderate, and upper income housing needed during the 2000-2005 time period. These numerical housing production goals are known as Regional Housing Needs Assessment (RHNA) targets. State law requires that the Housing Element of the General Plan identify RHNA targets and strive to meet them. To this end, the Housing Element: analyzes housing needs within the City's demographic context; reviews potential market, governmental, and other constraints to meeting the City's housing needs; evaluates the resources available to meet housing needs; and finally, establishes policies and objectives to make progress in meeting its

housing needs during the five-year period. The Department of Housing and Community Development found the City's Housing Element to be in compliance in 2002.

Tustin's Housing Element contains goals, objectives, and policies designed to meet its 1998-2005 RHNA targets as well as other housing needs in the City. Table 5-25 presents the City of Tustin's RHNA targets for each income level, with an overall housing production target of 3,298 fair share housing units.

TABLE 5-25
CITY OF TUSTIN REGIONAL HOUSING NEEDS ASSESSMENT TARGETS, CONSTRUCTION NEED, 1998-2005

Household Income Category	Target (units)
Very Low Income[1]	694
Low Income[2]	489
Moderate Income[3]	778
Upper Income[4]	1,337
Total	3,298

[1] 0-50 percent of Area Median Family Income (MFI)
[2] 51-80 percent of MFI
[3] 81-120 percent of MFI
[4] Greater than 120 percent of MFI

Source: City of Tustin Housing Element, November 2002. Table H-13, pg. 39

The FEIS/EIR stated that medium-high density housing is generally more affordable than low density housing. No specific affordability restrictions were identified. As previously shown in Table 5-23, the proposed project provides 1,470 medium density, 1,459 medium-high density units, and 242 medium density senior housing units (a total of 3,171 medium and medium-high units). This represents a slight increase compared to the original Specific Plan (3,164 units). Therefore, the proposed project provides generally the same opportunities to meet fair share housing targets as the original Specific Plan evaluated in the FEIS/EIR

The housing units that would be implemented with the proposed Specific Plan Amendment, DDA, and Development Plan assist the City of Tustin in meeting state-mandated fair share housing production targets. The housing component of the proposed project implements the intent of the following General Plan Housing Element goal and policies:

Goal 1: Provide an adequate supply of housing to meet the need for a variety of housing types and the diverse socio-economic needs of all community residents.

Policy 1.1: Promote the construction of additional dwelling units to accommodate Tustin's share of regional housing needs identified by the Southern California Association of Governments (SCAG), in accordance with adopted land use policies.

Policy 1.2: Provide for expanded affordable housing opportunities through acquisition and rehabilitation, and new residential development in Old Town Tustin, on other infill sites, and in the MCAS Tustin Specific Area.

Policy 1.4: Promote the dispersion and integration of housing for low- and very-low income families throughout the community as opposed to within any particular geographic are, neighborhood, or project.

Policy 1.8: Utilize Planned Community Districts and Specific Plans to authorize and promote a variety of lot sizes and housing types.

Policy 1.14: Promote, assist, and facilitate the development of emergency and transitional housing at MCAS Tustin as was identified in the MCAS Tustin reuse planning process and provide continued support for the County Homeless Assistance Program and other homeless assistance programs within Tustin and in adjacent cities" (City of Tustin 2001)

Consistent with the original Specific Plan evaluated in the FEIS/EIR, the proposed project includes provisions requiring the inclusion in each development of affordable housing units. As discussed in Section 3.2.3 of the Project Description, the proposed DDA also mandates that no fewer than 453 (21.5 percent) of the 2,105 units within the Master Developer footprint be constructed and available for occupancy by Very Low Income, Low Income and Moderate Income households below market rate as follows: 126 Very Low Income Units, 94 Low Income Units and 233 Moderate Income Units. Further, of the 2,105 units in the Development Plan area, a maximum of 315 units may be rental apartments with the balance to be home ownership units. The apartment units would be split into two neighborhoods and each apartment project would include no more than 60 percent of the apartments at the Very Low and Low income levels, with a maximum of 40 percent of the units at the Very Low income level, 20 percent at the Low income level, and 20 percent at market rate.

While the 453 Very Low, Low, and Moderate income units in the proposed project may not be available in the timeframe of the current 2000-2005 RHNA targets, they would be available to meet housing production targets set in scheduled updates to the Housing Element. The City's Housing Element is now slated to be updated to reflect the next round of state-approved housing targets by June 2008.

Workforce Housing

Workforce housing indicators address the availability of local housing opportunities suited for workers within a City or subregion. Like jobs/housing balance and housing affordability, it is an additional indicator of growth and quality of life with a community. The proposed project includes new job-generating land uses, and therefore would generate demand for worker housing. The FEIS/EIR reported that 24,500 net new direct jobs would be generated in the base reuse area.

By comparison, the proposed project will generate 23,621 net new jobs, a decrease of 879 jobs and the household demand they represent from the original Specific Plan.

The 2000 Decennial Census reported a countywide average of 1.56 workers per housing unit. Based on this Census factor, the proposed project's net new jobs would generate worker demand for households within the county and the region. Based on this factor, the reduction of 879 jobs associated with the proposed project eliminates the demand for an additional 1,371 housing units compared to the original Specific Plan.

The proposed project would provide a net of 4,621 new units to meet the housing demand of employees within the Specific Plan area, existing Tustin residents, as well as the greater population of Orange County. The proposed project provides a beneficial contribution toward

improved jobs/housing balance, and maintains the existing Specific Plan's benefits for fair-share housing (no fewer than 21.5 percent of the homes within the Master Developer footprint would be restricted to below market rate), workforce housing, and concentrated housing within an area of abundant employment opportunities.

B. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

C. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Substantial Change from Previous Analysis. The FEIS/EIR concluded that the original Specific Plan would not displace any existing housing units since military housing would be converted to civilian use or reconstructed if rehabilitation is not possible. The proposed project is consistent with this conclusion and replacement housing would not be needed elsewhere.

5.12.4 MITIGATION AND IMPLEMENTATION MEASURES

Because no significant impacts were identified, no mitigation was included in the FEIS/EIR related to population/housing. The proposed Specific Plan Amendment, DDA, and Development Plan do not change the conclusions of the FEIS/EIR and no mitigation is required.

5.12.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that (a) the amended project does not propose substantial changes to the project affecting population and housing, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to population and housing than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to population and housing has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that there would be no significant adverse impacts related to population and housing. The proposed project would not result in a substantial increase in the severity of population, employment and housing impacts beyond that identified in the FEIS/EIR. The proposed project would increase the benefits identified in the FEIS/EIR related to the provision of additional housing units.

SOURCES

Austin-Foust Associates, Inc. *Tustin Legacy Traffic Analysis.* Santa Ana, California: Austin-Foust. February 2006.

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Center for Demographic Research. *Orange County Projections-1996.* Fullerton, California: California State University. 1996.

Center for Demographic Research. *Orange County Projections-2004.* Fullerton, California: California State University. March 2004.

Tustin, City of. *City of Tustin Housing Element.* (Table H-13, pg. 39) Tustin, California: the City. 2002.

Tustin, City of. Employment Generation Projections Economic Development Conveyance Application. Memorandum dated April 8, 1999.

5.13 PUBLIC SERVICES

5.13.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

The FEIS/EIR indicated that implementation of the Specific Plan and Implementing Actions would result in the construction of 4,601 housing units and associated population increase of approximately 12,500 individuals (10,900 within the City of Tustin). The increase in population would result in increased demands for public services, as discussed below.

Fire Protection/Emergency Medical Services

The FEIS/EIR identified that implementation the Specific Plan and Implementing Actions would increase demand on Orange County Fire Authority (OCFA) fire prevention and protection services, and emergency medical services due to the increase in housing and population. This increased demand would require additional fire fighting personnel and equipment at existing facilities. However, the number of existing fire stations in the area was determined to be adequate to meet the demands created by project development. No new or expanded facilities were identified as being required and therefore no physical impacts were identified.

All development projects would be required to meet OCFA regulations regarding construction materials and methods, emergency access, water mains, fire flow, fire hydrants, sprinkler systems, building setbacks, as well as other relevant requirements which would reduce the risk of uncontrollable fires and increase OCFA's ability to provide fire protection and emergency medical services. The FEIS/EIR did not identify any significant impacts related to fire protection/emergency medical services.

Police Protection

The FEIS/EIR identified that Specific Plan and Implementing Actions would increase the demand for police protection services in both the cities of Tustin and Irvine. Based on the increased population, the City of Tustin identified the need for two new patrol units and three new investigative units, and the City of Irvine would need two additional sworn officers, support personnel and equipment. The FEIS/EIR concluded that the additional personnel and equipment required could be accommodated within existing facilities in each City. Therefore, new or expanded facilities would not be required and no physical impacts would result. In the City of Tustin, police need would be reviewed and accommodated through the annual budget process as development occurs. Additionally, the police departments would be required to review development plans for projects within their respective jurisdictions. The FEIS/EIR did not identify any significant impacts related to police protection services.

Schools

The FEIS/EIR identified that the increased population associated with implementation of the Specific Plan and Implementing Actions would increase the demand for schools within the Tustin Unified School District (TUSD) and Irvine Unified School District (IUSD). Based on the student generation factors presented in the FEIS/EIR for the TUSD, it was concluded that reuse development would generate approximately 750 students for grades K-5, 328 students for grades 6-8, and 395 students for grades 9-12 for a total of 1,473 students (an increase of 1,143 over the baseline conditions at that time. The FEIS/EIR also concluded that 959 students would be generated in the IUSD (513 elementary, 150 middle school, and 269 high school students), an increase of 302 students over the baseline conditions at that time.

The City of Tustin has entered into mitigation agreements with each of these school districts (refer to Appendix E of the FEIS/EIR). The FEIS/EIR concluded that the provision of school sites (two 10-acre elementary school sites and a 40-acre high school in the TUSD and a 20-acre school site in the IUSD) together with statutory development fees and other funding sources identified in the FEIS/EIR, would be adequate to accommodate the increased student population in TUSD and IUSD. The construction of schools sites within the TUSD and IUSD to serve the new students generated by the project are within the impact footprint analyzed in the FEIS/EIR and impacts are described for the respective topical issues.

The Specific Plan mandated that the area within the Santa Ana Unified School District (SAUSD) would be developed with commercial/business uses and therefore no increased demand on SAUSD schools would occur. However, the FEIS/EIR identified potential financial impacts from increased student generation on SAUSD resulting from indirect or induced growth as a result of development. These potential indirect impacts are fully analyzed and discussed in reports referenced in the FEIS/EIR.

The FEIS/EIR concluded that compliance with the identified Implementation Measures would reduce impacts to schools to a level considered less than significant.

Libraries

The Specific Plan area is served by the Orange County Public Library system. The FEIS/EIR concluded that although the proposed development would result in an increase in population, the demand for library space generated (approximately 2,500 square feet) would be less than the library system's general minimum size of 10,000 square feet for a branch library. In addition, there are three existing public libraries within a three-mile radius of the Specific Plan area. Therefore, it was determined that implementation of the Specific Plan and Implementing Measures would not trigger the need for the construction of new library facilities and no significant physical impacts would occur.

The Implementing Actions regulate development over 20-plus years, and would require preparation of an overall plan for providing and financing public services and facilities to support the Specific Plan development. Per this plan, FEIS/EIR conclusions confirmed that the public services and facilities would be provided according to a phasing plan to meet projected needs as development of the site proceeded. The FEIS/EIR concluded that the Implementing Actions would not create any significant impacts related to public services and facilities.

5.13.2 CURRENT CONDITIONS

Fire Protection/Emergency Medical Services

While the FEIS/EIR concluded that existing fire stations located in the cities of Tustin and Irvine would meet the fire emergency service demands of the proposed development, subsequent to the certification of the FEIS/EIR, the OCFA re-examined the need for fire protection facilities within the reuse area, specifically as it related to emergency response times. As a result, OCFA determined that it would relocate the existing Fire Station No. 37 within the City of Tustin to a new fire station at Tustin Legacy. In March 2005, the City of Tustin entered into a *Memorandum of Understanding (MOU) for a New Fire Station at Tustin Legacy* with the Orange County Fire Authority (OCFA). The purpose of this MOU is, among other items, to identify the terms and principles for the new fire station and certain related improvements, and for the maintenance, improvement and construction of the fire station.

In May 2003, the Navy Disposal Plan transferred to the City of Tustin a 1.25-acre site at Edinger Avenue and the West Connector for construction of the new fire station. The new fire station will be funded through fair-share contributions from Tustin Legacy developers and developers in the City of Irvine at the former MCAS Tustin.

It should be noted that firefighter personnel, equipment, and manpower needs will continue to be addressed under provisions of current agreements. OCFA provides fire protection and medical aid services at Tustin Legacy in accordance with: (a) a Fire Services Agreement (cash contract) dated July 13, 1995; (b) a Tustin Fire Services and Emergency Medical Agreement dated July 27, 2000; and (c) the Joint Powers Agreement creating the OCFA approved by the Tustin City Council in February 1995, and subsequently amended and approved by the City Council in February 1995 and September 1999. The Joint Powers Authority has also been approved by the City of Irvine.

Police Protection

The existing setting for police protection services has not changed since certification of the FEIS/EIR.

Schools

Individual agreements between the City of Tustin and both TUSD and IUSD discussed previously remain in effect. Additionally, the TUSD has accepted a 10-acre elementary school site from the DoN adjacent to Red Hill Avenue.

In May 2002 the City of Tustin and SAUSD entered into a Settlement and Release Agreement regarding issues associated with impacts originally identified in the FEIS/EIR, with nothing contained in the Agreement an admission of liability or fact. Pursuant to this agreement, the City of Tustin offered a school site that SAUSD had a right to decline. In exercising their right to decline a school site (which they did) SAUSD accepted, in lieu of the school site, a cash payment to be used by SAUSD for school facilities or land acquisition for school sites outside of the MCAS Tustin boundaries.

In addition, effective January 10, 2006, the TUSD entered into a School Facilities Funding and Mitigation Agreement with Moffett Meadows Partners, LLC; William Lyon Homes, Inc.; Ora Astoria, LLC; MW Housing Partners III, L.P. (Lennar Mitigation Agreement) for their development within the Specific Plan area within the boundaries of the TUSD. The agreement

identifies recently modified TUSD student generation rates used to calculate the student generation resulting from the 1,077 dwelling units within TUSD being developed by these parties. The Lennar Mitigation Agreement also identifies procedures to finance school facilities including a variety of funding sources (e.g., use of community facilities district financing and school impact fees). TUSD has also introduced a concept of relocation of the Tustin High School site to the Tustin Legacy high school site; however, this is not a project that the TUSD has yet further developed nor have they identified any proposed replacement land use on the current high school site. Therefore, analysis of the physical environmental impacts from this action at this time would be speculative and is not addressed in this document.

The student generation factors presented in the Lennar Mitigation Agreement have been modified compared to those presented in the FEIS/EIR and are as follows:

	K – 8th Grade	9th -12th Grade
Single-family Detached	0.465	0.135
Single-family Attached	0.219	0.077
Apartments	0.350	0.113

In production of this Addendum and subsequent to execution of the Lennar Mitigation Agreement, the City of Tustin requested updated student generation information from TUSD for the remaining portion of the Specific Plan area to be developed within TUSD. TUSD Assistant Superintendent Brock Wagner confirmed in writing on February 21, 2006, that the student generation rates identified in the Lennar Mitigation Agreement (provided above) would also apply to the proposed project.

The City of Tustin also requested updated student generation factors from the IUSD. IUSD responded that district-wide student generation rates for the Specific Plan presented in the FEIS/EIR will continue to be used until more specific product information is identified.

Libraries

Since certification of the FEIS/EIR the Orange County Public Library (OCPL) entered into an agreement with the City of Tustin for the expansion of the Tustin Branch of the OCPL. This expansion was evaluated in a mitigated negative declaration (MND) approved by the City in May 2002 (SCH No. 2002041004). The project was approved in September 2005. The existing library to be expanded is located in the vicinity of the Tustin Civic Center, not within the Tustin Legacy site. The expansion of the library is a capital improvement of a public facility that will directly benefit redevelopment of the former MCAS Tustin by ensuring adequate public services for citizens, businesses, and employees at the former military installation. Developers within the Specific Plan area are required to make a fair-share contribution to a portion of the development costs of the library expansion.

5.13.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically

altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?
ii) Police protection?
iii) Schools?
iv) Parks?
v) Other public facilities?

No Substantial Change from Previous Analysis. As addressed in the FEIS/EIR, development of the site would require public services such as fire and police protection services, schools, and libraries. Recreational facilities, including biking/biking/hiking trails are discussed in Section 5.14, Recreation. As discussed in Section 5.11, Population and Housing, the proposed project would generate 12,524 new residents (within the cities of Irvine and Tustin), compared to 12,514 with the previously approved Specific Plan, this represents an increase of approximately 10 residents. Based on the population generation factors provided in Table 5-18, the 2,105 units proposed to be developed within the Master Developer footprint would generate 5,363 residents.

Fire Protection. Implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would result in the development of 4,621 dwelling units. Of these, 2,105 units would be within the Master Developer footprint. There would also be a decrease in the amount of non-residential uses on-site. With the proposed development, there would be a similar demand for fire protection services as addressed for the original project in the FEIS/EIR since the proposed changes with Specific Plan are not substantial. Based on the MOU between the City of Tustin and OCFA, a fire station would be provided within the Specific Plan area to meet the fire protection demand of the proposed land uses and surrounding areas. No new or expanded off-site fire protection facilities would be required. The fire station is within the impact area analyzed throughout this document and would not result in new or more severe environmental impacts beyond those related to urban development in the Specific Plan area as addressed in the FEIS/EIR and this Addendum.

The proposed project would be required to meet existing OCFA regulations regarding demolition, construction materials and methods, street widths, street configurations, emergency access, water mains, fire flow, fire hydrants, sprinkler systems, building setbacks, and other relevant regulations. Adherence to these regulations and compliance with the Implementation Measures identified in Section 5.3.4 would mitigate potential impacts to fire protection service level considered less than significant, consistent with the conclusions reached in the FEIS/EIR.

Police Protection. The need for police protection services is assessed on the basis of resident population estimates and square footage of non-residential uses. Development of the Specific Plan area, including the Master Developer site, would increase the need for police protection services compared to existing conditions. Although the number of residential units allowed would be increased with the proposed project (additional 20 units) there would be a slight reduction in resident population and the amount of non-residential development would be slightly reduced. Therefore, the increased demand for police protection services would be similar to that analyzed in the FEIS/EIR since the proposed changes within the Specific Plan area are not substantial. As a condition of approval for the project, the developer would be required to work with the Tustin Police Department to ensure that adequate security precautions such as visibility, lighting, emergency access, and address signage are implemented in the

project at plan check. Based on review of the proposed project, the City of Tustin Police Department has determined that the proposed changes would not alter the conclusion of the FEIS/EIR related to the provision of police protection services. As concluded in the FEIS/EIR, the proposed project would not require the construction of new police facilities and no significant physical impacts would result.

Schools. Using current student generation factors provided by the TUSD and IUSD, and assuming a maximum of 2,588 units would be developed in the TUSD, and 1,791 units would be developed in the IUSD (within Planning Areas 15, 20, 21, and 22), it is estimated that the proposed project would generate 1,828 students: 976 in the TUSD and 852 students in the IUSD. This represents a reduction of 604 students compared to the student generation reported in the FEIS/EIR (2,432 students). This reduction is due to updated generation rates, and the updated number and type of residential units.

Student generation for TUSD and IUSD are further discussed below. It should be noted that proposed Specific Plan development also includes 242 senior housing units in Tustin in Planning Areas 4 and 5 that would not result in student generation and are not included in this analysis.

Tustin Unified School District

Based on the 1,077 units entitled by Marble Mountain Partners, LLP within TUSD boundaries, the TUSD identified the following projected total student generation:

	Dwelling Units in the TUSD[a]	K-8th Grade	9th -12th Grade	Total
Single-family Detached	283	131	38	169
Single-family Attached	552	121	43	164
Apartments	0	0	0	0
	835	252	81	333
a. Subject to school impacts (note that 242 senior housing units are not included in this calculation.				

As previously noted, the TUSD has indicated that the student generation factors identified in the recent Lennar Mitigation Agreement would apply to development within the remainder of the Specific Plan area, within the TUSD (B. Wagner, 2006). Based on information provided by the Master Developer regarding the number and types of residential dwelling units to be provided within the Master Developer footprint, and applying the updated student generation rates provided by TUSD, the number of students generated within the TUSD has been recalculated, as follows: 485 students in K-8th Grade and 158 students in 9th-12th grades (total of 643 students).

TUSD STUDENT GENERATION FOR PROPOSED DEVELOPMENT WITHIN THE MASTER DEVELOPER FOOTPRINT

	Approximate Dwelling Units in the TUSD	K-8th Grade	9th -12th Grade	Total
Single-family Detached	410	191	55	246
Multi-family Attached	1,343	294	103	397
Apartments	0	0	0	
Total	1,753	485	158	643

Therefore, development within the Specific Plan area would generate approximately 976 in the TUSD (737 students in grades K-8 and 239 students in grades 9-12). This represents an increase of 646 students compared to the 330 students residing at MCAS Tustin as reported in the baseline analysis for the FEIS/FEIR. However, the total number of students generated in the TUSD from the implementation of the Specific Plan development is reduced by approximately 497 students compared to the student generation presented in the FEIS/EIR for the original Specific Plan (estimated to be 1,473 students or 1,143 over the baseline).

Consistent with the project addressed in the FEIS/EIR, the revised Specific Plan continues to identify three school sites within the TUSD: a 40-acre high school in Neighborhood D, a 10-acre elementary school in Neighborhood G as identified in the DDA and Development Plan, and a 10-acre elementary school site adjacent to Red Hill Avenue. The proposed location of the schools within the Master Developer footprint is shown on the proposed Development Plan in Exhibit 2. It should be noted that the 10-acre elementary school in Neighborhood G could be expanded by 5 acres to accommodate a combination elementary/middle school, based on negotiations with the TUSD. The traffic study has taken into account the increase in enrollment in the event a combination elementary/middle school is developed on the property.

Irvine Unified School District

The proposed Specific Plan Amendment would result in the development of 1,791 units in the IUSD (352 units within the Master Developer footprint and 1,439 units within other development sites adjacent to Harvard Avenue). Based on input from the IUSD (Ruiz 2006), the following student generation rates per residential dwelling unit for IUSD presented in the FEIS/EIR have been used to calculate the number of students from the proposed Specific Plan:

K-6th Grade	6th – 8th Grade	9th -12th Grade
0.2543	0.0745	0.1467

Using updated dwelling unit information, and these student generation factors, there would be 852 students generated from development in the Specific Plan area in the in the IUSD (168 students within the Master Developer footprint and 684 students within remaining Specific Plan areas), as follows:

IUSD STUDENT GENERATION WITHIN SPECIFIC PLAN AREA

	Approximate Dwelling Units in the IUSD	K-6th Grade	6th-8th Grade	9th-12th Grade	Total
Master Developer Footprint	352	90	26	52	168
Other Specific Plan Developments	1,439	366	107	211	684
Total	**1,791**	**456**	**133**	**263**	**852**

The generation of 852 students represents an increase of 195 students over the 657 students residing at the former MCAS Tustin and assumed in the baseline analysis in the FEIS/EIR. The total student generation in the IUSD is reduced compared to that reported in the FEIS/EIR (852 students compared to 959 students in the FEIS/EIR).

It should be noted that residential projects in the IUSD east of Jamboree Road are completed or under construction and school impacts from these developments have been mitigated per State Law, and in compliance with mitigation agreements entered into between IUSD, the City and/or the respective developers.

Santa Ana Unified School District

Consistent with the analysis presented in the FEIS/EIR, the portion of the Specific Plan area within the SAUSD would be developed with non-residential uses and there would indirect student generation from these uses. This area is within the Master Developer footprint (specifically Planning Areas 9 through 12) and is proposed for development with the same type of Commercial/Business uses as addressed in the FEIS/EIR, although the total floor area has been reduced from approximately 2.0 million square feet to 1,267,324 square feet. The proposed project would not increase the amount of students indirectly generated within the SAUSD compared to that evaluated in the FEIS/EIR. The projects impacted related to indirect student generation have been addressed with the SAUSD under the settlement agreement between the City of Tustin and SAUSD and no additional mitigation is required.

The impacts to schools resulting from implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would be similar as that identified in the FEIS/EIR. Compliance with Implementation Measure (s) below would reduce impacts to a level considered less than significant, as concluded in the FEIS/EIR. The Master Developer would be required to pay applicable school fees to TUSD, IUSD, and SAUSD prior to issuance of building permits.

The payment of school mitigation impact fees authorized by SB 50 is deemed to provide "full and complete mitigation of impacts" from the development of real property on school facilities (Government Code 65995). SB 50 provides that a state or local agency may not deny or refuse to approve the planning, use or development of real property on the basis of a developer's refusal to provide mitigation in amounts in excess of that established by SB 50.

Other Public Facilities (Libraries). The proposed Specific Plan Amendment, DDA, and Development Plan would result in the development of an additional 20 residential units from that assessed in the FEIS/EIR, but would result in a decrease in population. At the time the FEIS/EIR was prepared, a complete update/expansion to the Tustin Library was not envisioned. However, as noted previously, the City of Tustin subsequently entered into an agreement with the OCPL to expand the Tustin Branch Library to accommodate the demand from the Specific Plan development as well as other demand in the City. The library expansion was addressed in

a mitigated negative declaration approved by the City of Tustin in May 2002. This mitigated negative declaration fully addressed the potential environmental impacts resulting from the library expansion and determined that with mitigation, the impacts would be less than significant. Therefore, implementation of the proposed Specific Plan Amendment, DDA, and Development Plan would not result in significant environmental impacts associated with implementation of new or altered library facilities that have not been analyzed in previous environmental documentation. However, as noted above, the developers within the Specific Plan area are required to make a fair share contribution to a portion of the development costs for the library expansion.

5.13.4 MITIGATION AND IMPLEMENTATION MEASURES

To support proposed development in the MCAS Tustin Specific Plan area, public services must be provided concurrent with demand. Compliance with the following Implementation Measures would ensure that public services and facilities are provided by the project developer when needed.

For consistency, the lettering system follows what was provided in the approved Mitigation Monitoring and Reporting Program for the FEIS/EIR. Implementation Measures specific to recreation are provided in Section 5.14, Recreation.

FEIS/EIR Measures That Have Been Completed

Measures identified below have been implemented for development that has been completed and/or initiated within the Specific Plan area; however, they remain applicable to the proposed project.

FEIS/EIR Measures Applicable to the Proposed Project

Fire Protection/Emergency Medical Services

IM (o) Prior to the first final map recordation or building permit issuance for development (except for financing and reconveyances purposes), the project developer could be required to enter into an agreement with the City of Tustin or City of Irvine/OCFA, as applicable, to address impacts of the project on fire services. Such agreement could include participation for fire protection, personnel and equipment necessary to serve the project and eliminate any negative impacts on fire protection services.

IM (p) Prior to issuance of building permits, the project developer shall work closely with the OCFA to ensure that adequate fire protection measures are implemented in the project.

IM (q) Prior to issuance of building permits for phased projects, the project developer shall submit a construction phasing plan to the OCFA demonstrating that emergency vehicle access is adequate.

IM (r) Prior to the issuance of building permits, the project developer shall submit a fire hydrant location plan for the review and approval of the Fire Chief and ensure that fire hydrants capable of flows in amounts approved by the OCFA are in place and operational to meet fire flow requirements.

Police Protection

IM (s) Prior to issuance of building permits, the project developer shall work closely with the respective Police Department to ensure that adequate security precautions are implemented in the project.

Refinements to FEIS/EIR Implementation Measures

The following Implementation Measures have been refined to further describe the requirements. This does not represent a new or substantially changed mitigation and is consistent with the intent of the measure as presented in the FEIS/EIR.

General

IM (m) The City of Tustin and the City of Irvine, each within its respective jurisdiction, shall ensure that adequate fire protection, police protection, libraries, and parks and recreation facilities (including bikeways/trails) needed to adequately serve the reuse plan area shall be provided as necessary. To eliminate any negative impact the project could have on each community's general fund, financing mechanisms including but not limited to developer fees, assessment district financing, and/or tax increment financing (in the event that a redevelopment project area is created for the site), shall be developed and used as determined appropriate by each City. Specifically;

(1) Applicants for private development projects shall be required to enter into an agreement with City of Tustin or the City of Irvine, as applicable, to establish a fair-share mechanism to provide needed fire and police protection services, libraries, and parks and recreation facilities (including bikeways) through the use of fee schedules, assessment district financing, Community Facility District financing, or other mechanisms as determined appropriate by each respective city.

(2) Recipients of property through public conveyance process, or other conveyance procedures, shall be required to mitigate any impacts of their public uses of property on public services and facilities.

Schools

IM (t) Prior to the issuance of certificates of ~~use and occupancy~~ building permits, ~~the~~ a project developer shall submit to the respective City proof of payment of appropriate school fees adopted by the applicable school district pursuant to Government Code Section 65995. Alternatively, a project developer may enter into a mutual agreement with an applicable school district to provide alternative mitigation that addresses student generation increases.

FEIS/EIR Implementation Measures Not Applicable to the Proposed Project

The FEIS/EIR Implementation Measures are applicable to the proposed project.

5.13.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting public services, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to public services than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to public services has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that there would be no significant unavoidable impacts related to public services. The proposed project would not result in a substantial increase in the severity of impacts to public services beyond that identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address public service issues:

Memorandum of Understanding for a New Fire Station at Tustin Legacy. Agreement between the City of Tustin and the Orange County Fire Authority. March 7, 2005.

School Facilities Funding and Mitigation Agreement Between Tustin Unified School District and Moffett Meadows Partners, LLC, et al. January 10, 2006.

Ruiz, Lorrie. E-mail to Christine Shingleton (City of Tustin, Assistant City Manager) from L. Ruiz (Irvine Unified School District). March 5, 2006.

Wagner, Brock. Tustin Unified School District, Assistant Superintendent. Provided student generation factors to the City of Tustin. February 21, 2006.

5.14 RECREATION

5.14.1 SUMMARY OF IMPACTS FROM FINAL EIS/EIR

Parks and Recreation

The Specific Plan and Implementing Actions evaluated in the FEIS/EIR included approximately 126 acres of public park land including approximately 118 acres in the City of Tustin (a 84.5-acre regional park; a 24.1-acre community park; and two smaller neighborhood parks which total ten acres), and an eight-acre neighborhood park in the City of Irvine. In addition, the Specific Plan included a 159-acre privately-owned golf course available to the public. The approximate 118 acres of public parkland provided in the City of Tustin was well over the standard established by the City of Tustin's General Plan (three acres of park per 1,000 inhabitants equals 32.7 acres of park space). The proposed 84.5-acre Urban Regional Park around the northern blimp hangar (included in the total 126-acre park calculation) was also determined to off-set 80 percent of the existing parkland deficiency in the City of Tustin. On-site residents would have had two neighborhood parks and one community park which would comprise approximately 35 acres, exceeding the City of Tustin's requirement. The eight acres

provided in the City of Irvine also exceeded the recreation standard for that City. The FEIS/EIR concluded that the provision of the approximate 126 acres of on-site public parkland would result in a beneficial impact related to the provision of parks.

The park sites evaluated in the FEIS/EIR were within the identified impact area, and the physical impacts associated with construction of the parks were addressed for each respective topical issue. Where significant impacts would occur, mitigation measures were identified.

Recreational Bikeway/Trails

Within the City of Tustin, the Specific Plan and Implementing Actions included Class I and II bikeways as well as riding and hiking trails. These trails would connect various parts of the City and would be a recreational benefit. Physical impacts associated with construction of trails and bikeways were considered in the analysis of the identified impact area, which encompasses the proposed trails and bikeway. The FEIS/EIR assumed that the County of Orange would construct a Class I bikeway and riding and hiking trail (Route 40-Peters Canyon Trail) adjacent to Peters Canyon trail. The FEIS/EIR also described the bikeways and trails in the City of Irvine, including the Class II bikeway network in the general vicinity of the site. Also, portions of two Class I bikeways are proposed to run through parts of Irvine's boundaries. These two bikeways would be completed once improvements are made to the Barranca and Peters Canyon channels. The FEIS/EIR concluded that the provision of bikeways and trails associated with implementation of the Specific Plan was a recreational benefit.

The bikeways and trails evaluated in the FEIS/EIR were within the identified impact area, and the physical impacts associated with construction of these facilities were addressed for each respective topical issue. Where significant impacts would occur, mitigation measures were identified.

As with public services discussed in Section 5.13 above, park and recreational facilities would be provided according to a phasing plan to meet projected needs as development of the site proceeds. The Implementing Actions would not create significant adverse recreational impacts, physical impacts of the construction and operation of these facilities was analyzed as part of the analysis of the impact area.

5.14.2 CURRENT CONDITIONS

As identified in Section 2.3, Additional Background and Status of Environmental Setting, a number of individual projects within the Specific Plan area have been approved and are either completed or under construction. Additional private recreational facilities not originally envisioned in the Specific Plan have also been completed as part of these projects; however, no public facilities have been constructed.

Cooperative Agreement D02-119 between the City of Tustin, County of Orange, and Orange County Flood Control District (March 2003), previously described in Section 2.3 of this Addendum also included provisions for the construction of a bikeway and riding and hiking trail along Peters Canyon Channel within the City of Tustin. The City of Tustin and Specific Plan developers would provide sufficient right-of-way for the construction of the bikeway to be designed and constructed either by the City or developers. The County of Orange may also exercise its option under the Cooperative Agreement to construct the riding and hiking trail at its own cost. The City of Irvine has conditioned Marble Mountain Partners, LLP to construct the bikeway within the City of Irvine.

Changes to proposed recreational facilities as part of the project are described in the comparative analysis provided below.

5.14.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

B. Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan include approximately 296 acres of public and private parkland within the Specific Plan area. The proposed project would have an increase in overall parks and open space accessible to the general public compared to the original Specific Plan which had a total of 126 acres. While the original Specific Plan also proposed a 159-acre private golf course, which has been eliminated with the proposed project, there has been a substantial increase in both public and private parkland and open space, all of which will be accessible to the general public.

The parkland provided within the Specific Plan area includes approximately 202 acres of public parks and recreational areas (including the 84.5 acre Urban Regional Park in Planning Area 6), representing an increase of approximately 76 acres of public parkland compared to the original Specific Plan evaluated in the FEIS/EIR. Of the 202 acres of the proposed public parks and recreational areas, approximately 86 acres would occur within the Master Developer footprint. In addition to public parkland, approximately 84 acres of privately owned and maintained park and open space areas occur within the Master Developer footprint. It should be noted that the previously approved private golf course has been eliminated from the Specific Plan. The golf course would not have been completely accessible to those not participating in golf (the general public), and also resulted in environmental impacts that would have been more severe than typical park uses (e.g., increased use of fertilizers and pesticides). With the proposed Specific Plan, the park land areas are distributed throughout the site, with a new community park and a linear park system providing a focal point for the community.

In addition to the private parkland identified with Specific Plan Amendment, DDA, and Development Plan, developments currently under construction or completed within the Specific Plan area are voluntarily adding approximately 10 acres of publicly accessible private parkland (8.02 acres provided by Marble Mountain Partners, LLP, and 2 acres provided by John Laing Homes).

As noted in Section 5.11, Population and Housing, the development of 2,105 dwelling units within the Master Developer footprint would generate approximately 5,363 residents. Based on the City's requirement to provide three acres of public parkland for each 1,000 residents, the demand that would have been generated within the Master Developer footprint would have been only 16.1 acres. Since the Specific Plan process included public conveyance of City parks and an Urban Regional Park, individual developers were relieved of the requirement to dedicate land for park purposes. However, pursuant to the MCAS Tustin Specific Plan, the developers

are required to provide in-lieu fees or public accessible park space (where approved by the City). This requirement is included in the conditions of approval for all developments. The public parkland provided within the Master Developer footprint (approximately 86 acres) exceeds the demand generated by the proposed project by approximately 70 acres; however, as part of the City's negotiations with the Master Developer, the DDA requires that the Master Developer provide and construct all public and private park/recreational facilities within the Master Developer footprint, including a bikeway within the Peter's Canyon Channel. Additionally, since sufficient parkland is provided on-site, the proposed project would not generate an increase in the use of existing off-site parks and recreational facilities. No new or altered facilities would be required to be constructed off-site.

The Specific Plan includes the construction of bikeways and hiking trails. A Class I bikeway would be constructed adjacent to the Peters Canyon Channel within the City of Tustin, consistent with the provisions of the Cooperative Agreement D02-119 between the City, OCFCD and the County of Orange. This agreement also involves the provision of right-of-way for a riding and hiking trail to be designed and constructed by the County of Orange, at their option. The City of Irvine has conditioned approved development to construct the portion of bikeway adjacent to Peters Canyon Channel within its jurisdiction. Although the specific location of on-site bikeways and trails would be different due to minor modifications to the circulation system and park layout, the bikeway and trail system would connect vital links necessary for a comprehensive regional and improved local system and would be considered a beneficial impact.

The proposed park and recreational facilities, bikeways and trails within the Specific Plan area are within the identified impact footprint; therefore, impacts associated with construction of these facilities have been addressed for each topical issue in this section. The proposed project would not result in new or substantially more severe impacts related to recreation services compared to conclusions of the FEIS/EIR.

5.14.4 MITIGATION AND IMPLEMENTATION MEASURES

Compliance with the following Implementation Measures would ensure that recreational facilities are provided by the project developer, as required by the Specific Plan Amendment, DDA, and Development Plan. For consistency, the lettering system follows that provided in the approved Mitigation Monitoring and Reporting Program for the FEIS/EIR.

FEIS/EIR Measures That Have Been Completed

Measures identified below have been implemented for development that has been completed and/or initiated within the Specific Plan area; however, they remain applicable to the proposed project and Master Developer.

FEIS/EIR Measures Applicable to the Proposed Project

Parks and Recreation

IM (n) The cities of Tustin and Irvine shall jointly consult and coordinate with the OCPFRD/Harbors, Beaches and Parks, Program Management and Coordination Division, in preparation of trail designs for the Peters Canyon and Barranca trails within the reuse plan area. Improvements for each of these trails would be installed upon completion of flood control channel improvements and approval of their joint use by the OCPFRD.

IM (u) Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance for development within the City of Tustin portion of the site, the project developer shall be required to provide evidence of compliance with all requirements and standards of the City of Tustin Park Code.

IM (w) Prior to the first concept plan for tentative tract map in the City of Tustin, the project developer shall file a petition for the creation of a landscape maintenance district for the project area with the City of Tustin. The district shall include public neighborhood parks, landscape improvements, and specific trails (Barranca only), the medians in arterials, or other eligible items mutually agreed to by the petitioner and the City of Tustin. In the event that a district is not established prior to issuance of the first building permit, maintenance of items mentioned above shall be the responsibility of a community association.

IM (x) Prior to approval of any subdivision map (except for financing or conveyance purposes), an agreement will be executed with the following agencies for the associated trail improvements:

a. County of Orange Harbors, Beaches and Parks – identification of a project-specific fair share contribution toward the installation of necessary regional bikeway trail improvements within Peters Canyon Channel to be installed in conjunction with the County of Orange's other channel improvements (this item has been completed through the provisions of Cooperative Agreement D02-119 between the City, OCFCD, and the County of Orange, and conditions of approval imposed by the City of Irvine on development adjacent to Peters Canyon Channel in their jurisdiction)

b. City of Tustin – the identification of a project-specific fair share contribution toward the installation of Class II bicycle trails through the project site. For the area of the site northeast of Irvine Center Drive, a separate agreement would be required to ensure the provision of a bikeway right-of-way easement and design and construction of a bike trail along the SCRRA/ Orange County Transportation Authority (OCTA) rail tracks from Harvard Avenue westerly to the Peters Canyon Channel. In addition, project developers of the areas of the site southeast of the Peters Canyon Channel would need to accommodate access to both the Peters Canyon Trail and the trail adjacent to the SCRRA/OCTA tracks in any project site design including dedication of any necessary recreational trail easements;

c. City of Tustin – the identification of a project-specific fair-share contribution toward installation of Class I bikeway trail improvements at Barranca Parkway after completion of the Barranca Channel improvements. For proposed developments adjacent to Barranca Channel, separate agreements would be required to ensure the establishment of a bikeway right-of-way easement between Jamboree Road and Red Hill Avenue.

Refinements to FEIS/EIR Measures

No refinements to the FEIS/EIR measures for recreational facilities are required.

FEIS/EIR Measures Not Applicable to the Proposed Project

IM (v) Prior to the first final map recordation or building permit issuance within the City of Irvine portion of the site, the project developer shall be required to provide evidence of compliance with all requirements and standards of the City of Irvine Park Code.

5.14.5 CONCLUSION

Pursuant to Section 15162 of the CEQA Guidelines, the City of Tustin has determined on the basis of substantial evidence in the light of the whole record that: (a) the amended project does not propose substantial changes to the project affecting recreation, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to recreation than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to recreation has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

Consistent with the conclusion of the FEIS/EIR, the proposed project would not result in significant unavoidable impacts related to recreational facilities. Additionally, the proposed project would not result in substantially more severe impacts related to the construction and use of recreational facilities.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address recreational issues:

Barranca Channel (F09)—Armstrong Avenue Crossing and Armstrong Avenue Storm Drain, Peters Canyon Channel (F06) and Peters Canyon Bikeway Cooperative Agreement D02-119 between City of Tustin and Orange County Flood Control District and The County of Orange, and Amendment No. 1. Tustin, California. 2003.

Tustin, City of. "Parks." *Tustin City Code.* Tustin, CA: the City. July 2005 (updated) <http://www.municode.com/resources/gateway.asp?pid=11307&sid=5>. January 18, 2006.

5.15 TRANSPORTATION AND TRAFFIC

5.15.1 SUMMARY OF IMPACTS FROM FEIS/EIR

The FEIS/EIR identified that buildout of the Specific Plan and Implementing Actions would result in the generation of approximately 216,440 ADTs (compared to 12,400 ADTs when fully operational as a military base) by year 2020. The roadway network for the analyzed project and trip distribution assumptions were identified in the FEIS/EIR. The impacts were analyzed for three scenarios: existing (1997), Year 2005, and Year 2020.

The original traffic study (included in Appendix F to the FEIS/EIR) prepared traffic forecasts using the Central County Traffic Model (CCTM). The CCTM was derived from the then current version of the Orange County Transportation Analysis Model (OCTAM 2.8), which included demographic data assumptions adopted for planning purposes at that time. The traffic

forecasting and modeling assumptions used are further described in Section 3.12 of the FEIS/EIR.

Existing Plus Project

For the analysis of Existing Plus Project Conditions, no modifications or additions to the existing (1997) circulation system were assumed outside the reuse plan area. The FEIS/EIR identified that 29 arterial and freeway-ramp intersections had significant impacts (see Tables 4.12-3 and 4.12-4 of the FEIS/EIR for a complete list) with buildout of the Specific Plan. It was also concluded that traffic redistribution would improve traffic (compared to baseline conditions) at the intersection of Jeffrey Road and I-405 northbound ramps in the City of Irvine from Level of Service (LOS) E to an acceptable LOS D.

The FEIS/EIR also noted that the "existing plus project" conditions are considered to be the "worst case scenario" and not realistic for the following reasons: (1) development would not occur all at once; (2) the circulation system outside the reuse plan area would be improved by others, in accordance with existing plans; and (3) the proposed action would contribute to off-site improvements as it was developed over time.

Interim Development – Year 2005

The FEIS/EIR included analysis of an interim year (2005) level of development to determine the types of transportation improvements needed to support phased development of the site. The analysis included internal reuse plan roadways which were anticipated to be developed in accordance with the approved Phasing Plan, off-site committed improvements, and the requirements of the City's Growth Management Element and Congestion Management Plan (CMP). It was concluded that seven arterial and freeway ramp intersections would have significant impacts under the interim development scenario (see Tables 4.12-5 and 4.12-5a of the FEIS/EIR for a complete list), and with the redistribution of traffic the LOS at the intersection of Harvard Avenue and Michelson Drive in Irvine would improve (compared to no-project conditions). No significant impacts were identified for freeway-ramp intersections or mid-block lane capacity.

The FEIS/EIR identified mitigation measures to reduce interim year traffic impacts to a level considered less than significant.

Build-out – Year 2020

The analysis of traffic impacts with buildout of the Specific Plan included the complete internal reuse plan roadway system and off-site committed improvements. The FEIS/EIR concluded that there would be significant impacts at 18 arterial intersections (see Table 4.12-6 of the FEIS/EIR for a complete list), and the LOS at two intersections would improve compared to no-project conditions. The analysis of mid-block lane capacity showed that no significant impacts would occur.

The FEIS/EIR identified mitigation measures to reduce traffic impacts. With the exception of the intersections of Tustin Ranch Road/Walnut Avenue and Jamboree Road/Barranca Parkway, impacts would be reduced to a level considered less than significant. Impacts to these intersections were determined to be significant and unavoidable.

Public Transit Impacts

The FEIS/EIR concluded that proposed development would create additional demand for transit service; however, new arterial roadways through the reuse plan would provide improved service for bus routing. The new routes would provide more service to riders not associated with the Specific Plan area. It was also concluded that the project would not result in changes to the current rail system.

Pedestrian and Bicycle Impacts

Although no specific significant bicycle impacts were identified in the FEIS/EIR, the planned bike trails would provide a benefit to the bikeway system.

Construction Impacts

The FEIS/EIR concluded that traffic impacts would occur due to roadway construction, site development, and other infrastructure development (water, sewer, etc). Potential impacts include lane closures with short-term disruption to the public. These activities will be monitored by the City of Tustin administrative procedures and impacts were determined to be less than significant.

Implementing Actions

The FEIS/EIR identified that adoption of the Implementing Actions (IAs) would formalize an overall plan for providing and financing roadway improvements to support the Specific Plan. The circulation improvements would be provided according to a "Phasing Plan" to meet circulation needs as development of the site proceeds. It was also identified that forecasted vehicular trips would be managed via a "Trip Budget" that ensured development could be accommodated within the planned roadway capacity of the on-site and off-site roadway systems. Implementation Actions IA-1 and IA-2 below address the requirements for the Phasing Plan and Trip Budget. The FEIS/EIR concluded that the IAs would not result in any traffic impacts beyond those resulting from implementation of the Specific Plan (described above).

5.15.2 CURRENT CONDITIONS

Traffic Analysis Methodology

For the analysis of off-site impacts, updated traffic forecast data was prepared to ensure that the current regional context, including updated demographic data and projections correlating to updated General Plans for neighboring jurisdictions, for local transportation studies was used. Current traffic forecasting models follow specific consistency guidelines established by the OCTA. The CCTM has not been updated to conform to those consistency requirements and has been replaced by traffic models that now conform to the guidelines. Such models reflect the most recent countywide demographic data, including the approved Specific Plan land uses for the project site. Hence, long-range traffic modeling carried out by local jurisdictions in this part of the County includes the original Specific Plan land uses as part of long-range cumulative growth. For this reason, the analysis material focuses on how such forecasts would change with the proposed Specific Plan Amendment, DDA, and Development Plan. The information thereby addresses any potential changes in long-range transportation improvements that might arise from the revised land use plan.

The traffic forecasts used in this analysis are derived from the Irvine Transportation Analysis Model (ITAM), which was approved by OCTA as meeting all of the County's consistency guidelines. The version selected for this application was recently used for transportation planning work in the Irvine Business Complex (IBC), which includes the City of Irvine General Plan update to the Circulation Element within that area. The model also provides intersection data in the cities of Tustin and Irvine. While the model includes Santa Ana, it does not provide intersection performance data in that City. Hence, a special evaluation procedure has been used to identify impacts in Santa Ana (see performance criteria discussion below). The ITAM uses a 2025 time frame for traffic forecasting with corresponding assumptions with respect to local and regional transportation improvements.

To determine the area of impact, the analysis first evaluates comparison data (original Specific Plan versus Proposed Specific Plan) on the roadways surrounding the project based on ADT. Differences of 1,000 ADT or more determine the area of impact where intersection performance is then evaluated as defined in the next section.

Congestion Management Program

As stated in the FEIS/EIR, the CMP is a state program which requires the intersections throughout Orange County to maintain a specified LOS. Standards for traffic performance at CMP intersections are different than in other parts of the study area. Locally, the CMP is administered by the OCTA. The FEIS/EIR identified that the following nine designated intersections are located within the study area:

- Jamboree Road and Irvine Boulevard
- Jamboree Road and I-5 Northbound Ramps
- Jamboree Road and I-5 Southbound Ramps
- SR-55 Northbound Ramps and Edinger Avenue
- SR-55 Southbound Ramps and Edinger Avenue
- Jamboree Road and Edinger Avenue
- Jamboree Road and I-405 Northbound Ramps
- Jamboree Road and I-405 Southbound Ramps
- MacArthur Boulevard and Jamboree Road

Since certification of the FEIS/EIR, additional locations have been added to the CMP list: SR-261 Northbound at Irvine Boulevard, and SR-261 Southbound at Irvine Boulevard.

Implementation of Phase I Roadway Improvements

Phase I infrastructure improvements for the MCAS Tustin Specific Plan have been initiated and include construction of streets and utilities for: (a) Valencia/North Loop Road from Red Hill to the West Connector and (b) the West Connector, Landsdowne, and Armstrong from Valencia/ North Loop Road south to Warner Avenue. The Edinger Avenue widening improvements adjacent to Tustin Legacy were completed in 2002. These improvements comply with the Specific Plan.

5.15.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

No Substantial Change from Previous Analysis. Austin-Foust Associates, Inc. prepared the *Tustin Legacy Traffic Analysis* (February 2006) to identify and evaluate how the traffic impacts from the proposed Specific Plan Amendment, DDA, and Development Plan differ from the original Specific Plan analysis as presented in the FEIS/EIR.

Performance Criteria

The off-site analysis evaluates comparison data (original Specific Plan versus proposed Specific Plan) for peak hour intersection volumes. For Irvine and Tustin, intersection findings are based on intersection capacity utilization (ICU) values. For Santa Ana, peak hour entering volumes have been compared at the intersections that are potentially impacted. The findings of the analysis address the potential effect on the ICUs at those locations that were reported in the previous traffic study completed for the FEIS/EIR.

Table 5-26 describes the intersection evaluation criteria. The threshold levels established here reflect levels of significance applicable to the jurisdictions involved. Project impact criteria for Santa Ana locations is based on recent traffic studies prepared for the City of Santa Ana.

Land Use and Trip Generation

A summary of the land use and trip generation for the original Specific Plan evaluated in the FEIS/EIR and the proposed project is provided in the technical report available for review at the Community Development Department at the City of Tustin City Hall. To assure that traffic information is updated to reflect existing conditions, the land uses statistics presented in the traffic study prepared for the proposed project reflect information obtained by the traffic consultant from individual development projects within the Specific Plan area as they were presented by individual developers and as reviewed and approved to date by each jurisdiction. The land use data for the proposed project includes approved development for: Planning Areas 4, 5, 16, 17, and 19 to 22, as approved for the Marble Mountain Partners, LLC (Lennar and William Lyon Homes) residential development; the Vestar commercial development; and the John Laing residential development have also been incorporated into the land use database for each alternative.

TABLE 5-26
PERFORMANCE CRITERIA FOR INTERSECTIONS

I. IRVINE AND TUSTIN
Performance Standard
Intersections in Irvine Planning Area 33 (Spectrum 1) and Planning Area 36 (Irvine Business Complex/IBC) and CMP intersections: Level of Service E (peak hour ICU less than or equal to 1.00). All other intersections: Level of Service "D" (peak hour ICU less than or equal to 0.90).
Mitigation Requirement
For ICU greater than the acceptable level of service, mitigation of the project contribution is required to bring intersection back to acceptable level of service or to no-project conditions if project contribution is greater than 0.03 at CMP locations (the impact threshold specified in the CMP) or greater than 0.01 for all other intersections in the study area.
II. SANTA ANA
Total peak hour entering volumes are compared, and if the difference (proposed project versus original Specific Plan) is one percent or greater, then additional evaluation of that intersection is carried out by referring to the ICU value from the original FEIS/EIR.
Source: Austin-Foust Associates, Inc. 2006.

The land uses statistics presented in this analysis also reflect the judgments made by the traffic consultant as to traffic generation based not only on land use designation, but also on the type of housing products anticipated. In some cases, to assure that impacts were conservatively assessed, trip generation may have been overstated when compared with land use designations alone, in order to assure that traffic impacts were fully assessed. For example, trip generation assumptions based on anticipated product type for Planning Area 5 are more consistent with a Medium High Density land use designation, although the units were actually within the Medium Density land use designation. The actual numbers used in the traffic analysis may therefore not correspond directly to Specific Plan Table 3-1 (presented previously in Section 3, Project Description).

A summary of the trip generation resulting from the original Specific Plan and the proposed project is provided in Table 5-27 below. While there are changes within the Master Developer Development Plan footprint and the remainder of the MCAS Tustin project area, the overall ADT trip generation of 216,440 resulting from implementation of the proposed project does not exceed the trip cap established in the original Specific Plan of 216,440 ADT. Therefore, implementation of the proposed project amendments does not create new or substantially more severe trip generation impacts compared to the trip generation impacts associated with the original project.

TABLE 5-27
TUSTIN LEGACY TRIP GENERATION

Area	Original Specific Plan/ Reuse Plan	Proposed Project	Difference
Master Developer Development Plan Footprint	136,864	137,310	446
Remainder of MCAS Tustin Project Area	79,576	79,130	-446
Total Average Daily Traffic (ADT)	216,440	216,440	0
Source: Austin-Foust Associates, Inc. 2006.			

Trip Budget for Non-Residential Uses

Revised Table 3-3 in Section 3 of the Addendum, Project Description, includes a detailed breakdown by Neighborhood of the non-residential land uses/trip budget tracking system established for the original Specific Plan and the proposed project. This information is summarized in Table 5-28. As shown, the overall trip budget is similar for both, with differences occurring within individual neighborhoods.

TABLE 5-28
PLANNING AREA TRIP BUDGET COMPARISON (NON-RESIDENTIAL USES)

Neighborhood	Planning Areas		Units	Original Specific Plan		Proposed Project		Differences	
	Original Specific Plan	Proposed Plan		Amount	ADT	Amount	ADT	Amount	ADT
A	1-3	1-3	TSF	1,412.651	11,512	1,320.98	17,734	-91.67	6,222
B	4,5,7	4,5,7	TSF	315.592	14,273	248.30	8,974	-67.29	-5,299
C	6	6	TSF	57.50	3,920	57.50	3,920	0	0
D	8	8,13,14	TSF	3,630.73	40,632	4,762.87	74,489	1,132.14	33,857
E	9-14	9-12	TSF	3,535.13	54,519	1,267.33	17,273	-2,267.80	-37,246
F	16-19	16-19	TSF	1,483.56	36,192	1,041 45	35,450	-442.11	-742
G	15,20,21	15,20,21	TSF	85.73	12,237	466.63	14,855	380.90	2,618
H	22	22	TSF	0.00	0	0.00	0	0.00	0

TSF – Thousand square feet.

Source: Austin-Foust Associates, Inc. 2006.

On-site Traffic Impact Analysis

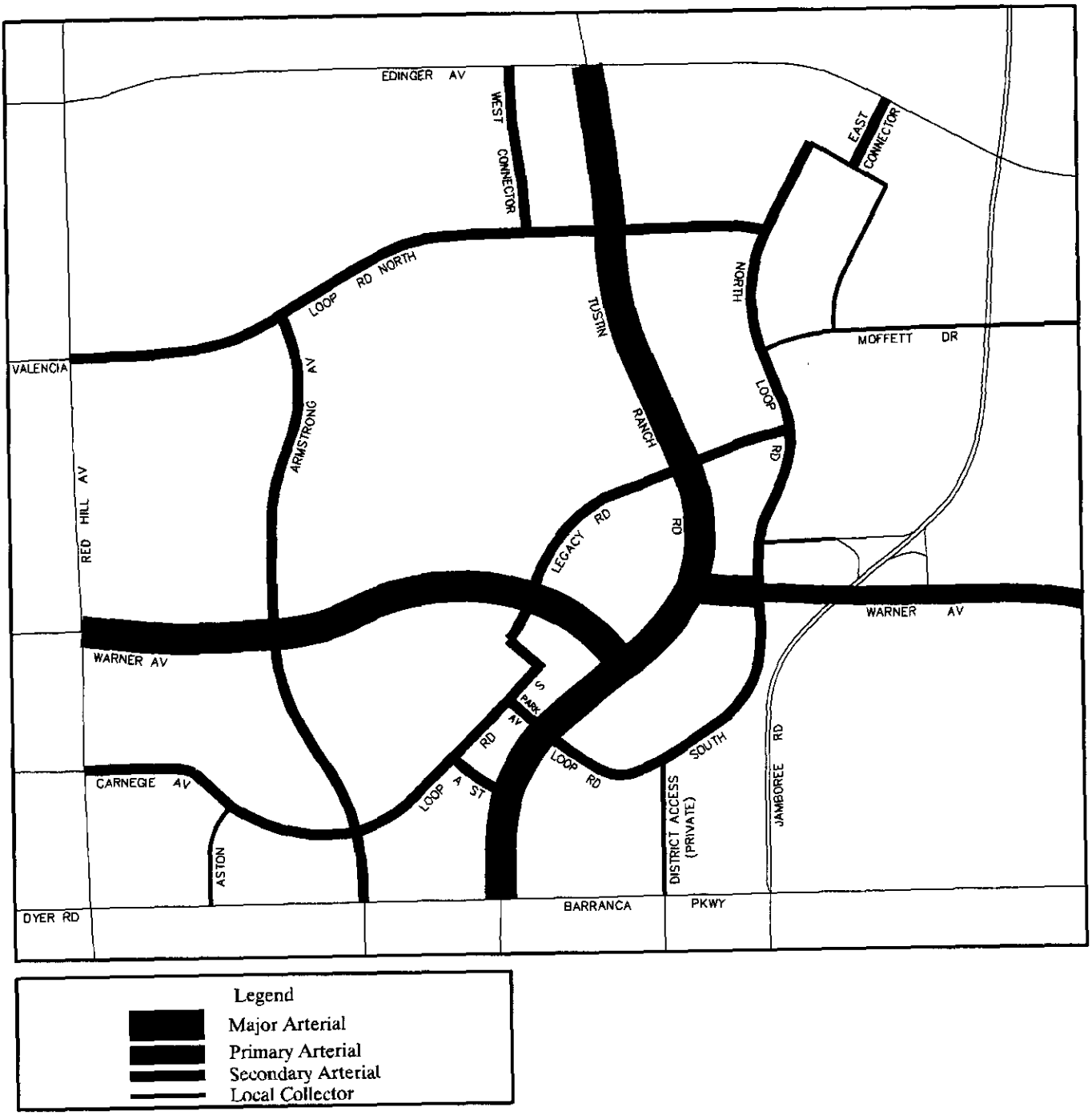
The on-site circulation system proposed as part of the Development Plan is shown on Exhibit 7 and is substantially the same as that included in the original and proposed Specific Plan. Following is a summary of the refinements to the Specific Plan circulation system that have been incorporated into the Development Plan and are evaluated in the traffic analysis for the proposed project:

(a) Carnegie Avenue would be extended to Armstrong Avenue from Red Hill Avenue as a four-lane secondary arterial (Phase 1);

(b) Aston Street shall be extended from Barranca Parkway to Carnegie Avenue as a two-lane, local collector street (Phase 2);

(c) Legacy Road would be added as a four-lane secondary arterial to provide a connection between the residential portion on the northeast side of the proposed project with the non-residential portion to the southwest (Phase 1);

(d) Loop Road South, a four-lane secondary arterial west of Tustin Ranch Road, is planned with an offset roadway alignment (as compared to the circulation for the original Specific Plan) (Phase 1).



Proposed Master Development Plan
On-Site Arterial Circulation System

Exhibit 7

BonTerra CONSULTING

Source: Tustin Legacy Community Partners, 2005 and Austin-Foust Associates, Inc., 2006

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(e) Two connections to Tustin Ranch Road would be provided at Park Avenue and at a yet to be named street (referred to here as "A" Street) both of which will be four-lane secondary arterials (Phase 1);

(f) A second westbound left-turn lane at Red Hill Avenue/Valencia Avenue will be added (Phase 1); and

(g) A second westbound right-turn lane at Red Hill Avenue/Warner Avenue (Phase 1).

Although the roadway network has been refined, the network is consistent at a planning level with the conceptual Specific Plan network. The following analysis discusses the traffic volumes generated by the proposed project and how on-site and off-site modifications (land use and circulation) affect the findings of the original Specific Plan traffic study related to on-site impacts.

It should also be noted that the phasing of implementation of roadway improvements is addressed in Development Measures and Implementation Action outlined in Section 5.15.4. The phasing of improvements has been expedited compared to the original Specific Plan. The provision of improvements earlier would not result in adverse traffic impacts.

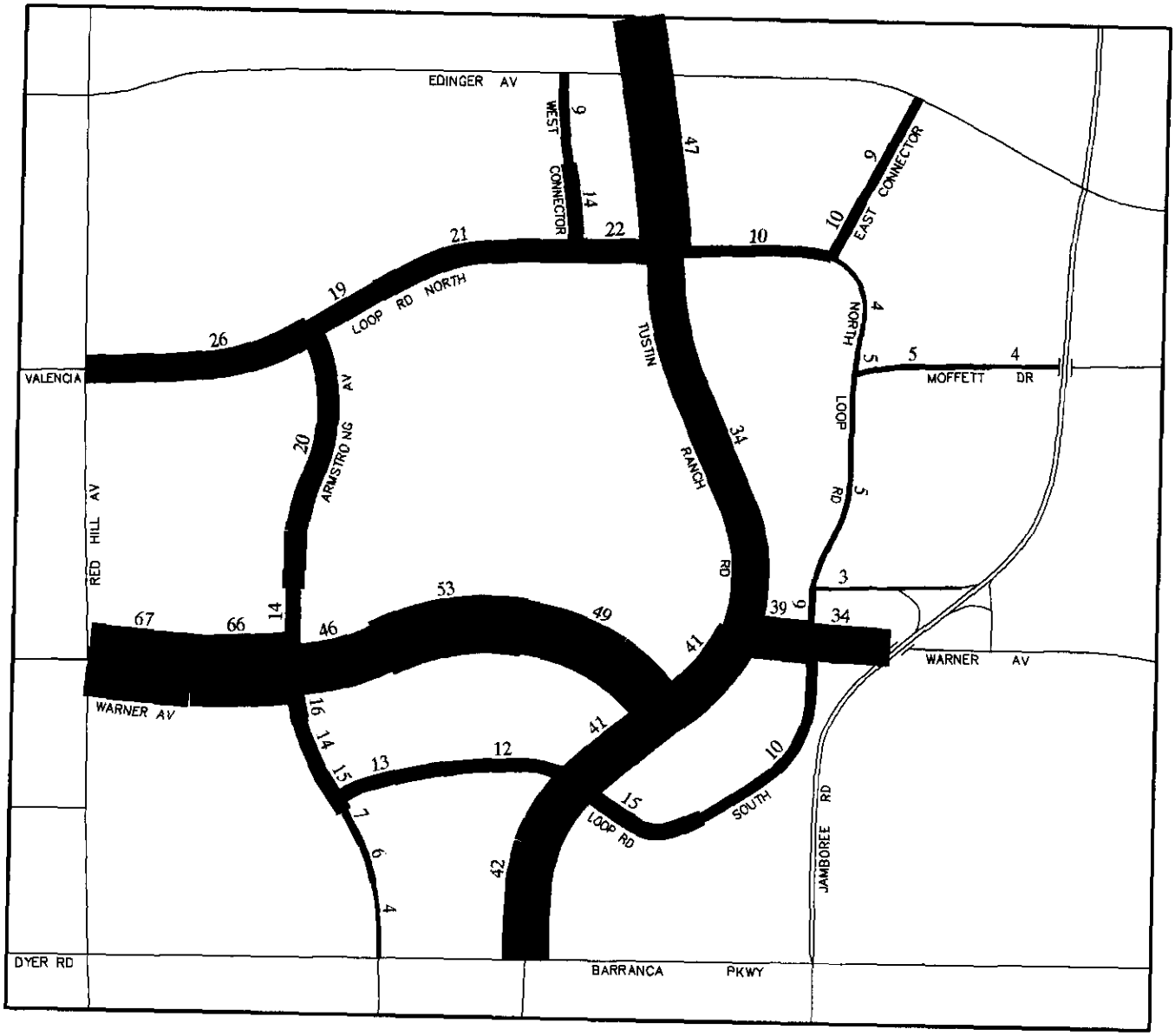
On-Site Traffic Volumes

A detailed traffic forecasting model was developed for the proposed project on-site circulation system. It has been derived from the ITAM, thereby ensuring consistency between the on-site and off-site traffic forecasts. This model provides a tool for use in transportation planning applications with the proposed project area. Furthermore, since it is based on the OCTA certified ITAM, it will be in compliance with OCTA traffic modeling guidelines.

Exhibits 8 and 9 show 2025 ADT traffic volumes for the on-site roadways under the original Specific Plan and the proposed project. The volumes are generally similar in magnitude, with some differences around the connection of Warner Avenue to Tustin Ranch Road. Local roadways featured in the proposed project (not all of which are shown here) redistribute some of the trips in this area, thereby reducing traffic in the vicinity of Warner Avenue and Tustin Ranch Road.

On-Site Intersection Analysis

On-site intersections are shown on Exhibit 10, and the peak hour intersection capacity utilization (ICU) values for the intersections are listed in Table 5-29. In relation to the performance criteria, using updated traffic modeling, four intersections that would be deficient under the original Specific Plan conditions have reduced ICUs under the proposed project and would not be significantly impacted. These intersections are: Armstrong and Loop Road North; Tustin Ranch and Loop Road North; Tustin Ranch and Warner North; and Armstrong and Warner. Several new roadways which provide additional project access (Carnegie Avenue, Aston Street, and Legacy Road) are included with the proposed project and reduce the ICUs at these intersections. There are no locations where there would be new significant or substantially more severe impacts that were not previously identified in the FEIS/EIR.



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10 20 30 ADT Volumes (000s)

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2025 On-Site ADT Volumes (000s) (Original Specific Plan)

Exhibit 8

Source: Austin-Foust Associates, Inc., 2006

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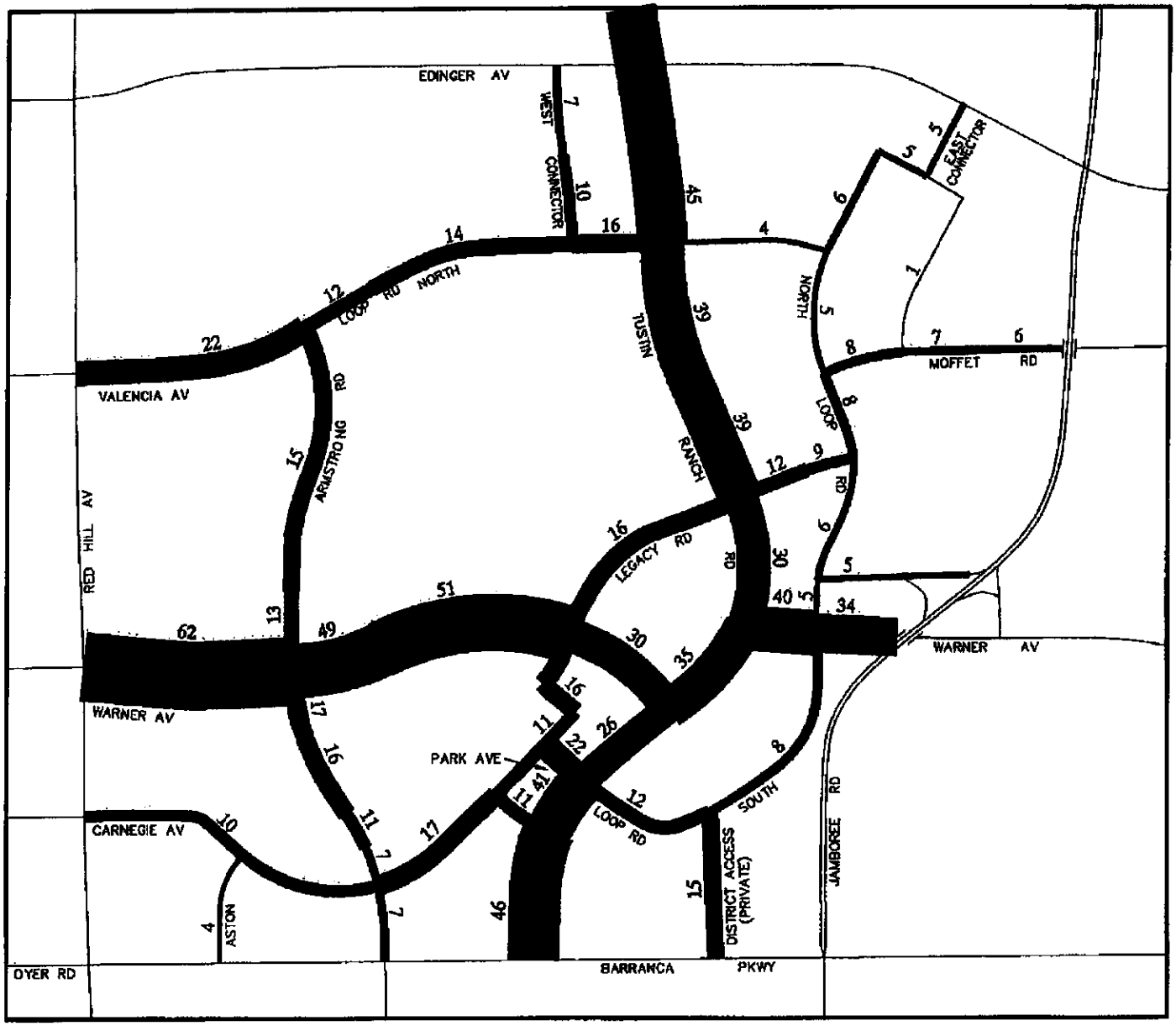

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2025 On-Site ADT Volumes (000s) (Proposed Master Development Plan Project) Exhibit 9

Source: Austin-Foust Associates, Inc., 2006

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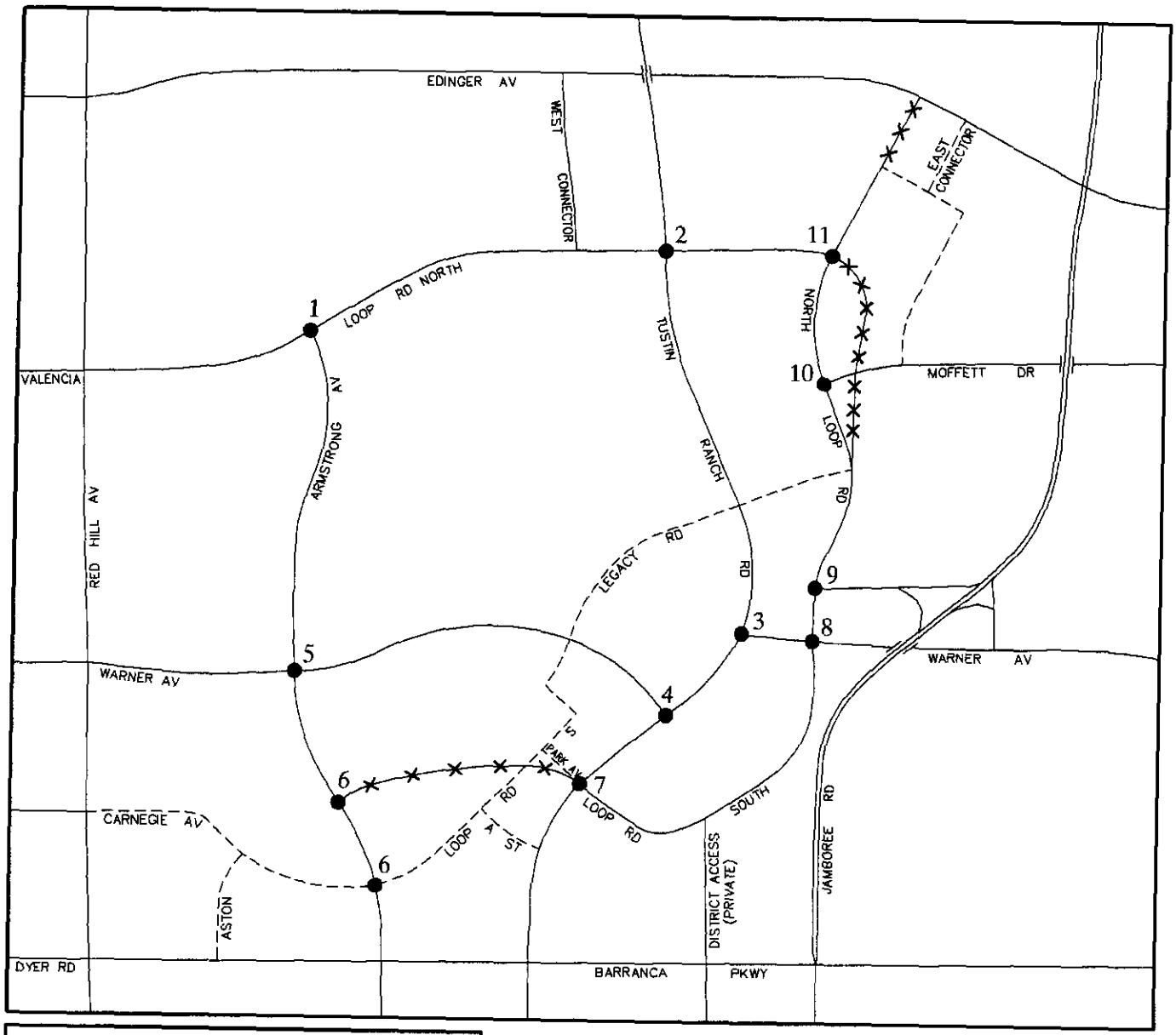

Legend

- Master Development Plan Circulation System
- Original Specific Plan Circulation System

On-Site Intersection Location Map

Exhibit 10

Source: Austin-Foust Associates, Inc., 2006

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TABLE 5-29
PEAK HOUR INTERSECTION ICU SUMMARY
(ON-SITE)

Location	Original Specific Plan				Proposed Project				Difference		Difference (%)	
	AM Peak		PM Peak		AM Peak		PM Peak					
	ICU	LOS	ICU	LOS	ICU	LOS	ICU	LOS	AM Peak	PM Peak	AM Peak	PM Peak
1 Armstrong & Loop Rd. N.	0.91	E	0.78	C	0.84	D	0.70	B	-0.07	-0.08	-8%	-10%
2. Tustin Ranch & Loop Rd. N.	0.76	C	0.95	E	0.79	C	0.76	C	0.03	-0.19	4%	-20%
3. Tustin Ranch & Warner N.	0.68	B	1.00	E	0.67	B	0.80	C	-0.01	-0.20	-1%	-20%
4. Tustin Ranch & Warner S.	0.61	B	0.67	B	0.56	A	0.54	A	-0.05	-0.13	-8%	-19%
5. Armstrong & Warner	0.94	E	1.03	F	0.71	C	0.76	C	-0.23	-0.27	-24%	-26%
6. Armstrong & Loop Rd. S.	0.72	C	0.86	D	0.72	C	0.87	D	0.00	0.01	0%	1%
7. Tustin Ranch & Loop Rd. S.	0.47	A	0.72	C	0.68	B	0.64	B	0.21	-0.08	45%	-11%
8. Loop Rd. & Warner	0.60	A	0.84	D	0.58	A	0.82	D	-0.02	-0.02	-3%	-2%
9. Loop Rd. & Jamboree SB Ramp	0.27	A	0.18	A	0.25	A	0.25	A	-0.02	0.07	-7%	39%
10. N. Loop Rd. & Moffett	0.23	A	0.21	A	0.31	A	0.31	A	0.08	0.10	35%	48%
11 East Connector & Loop Rd.	0.23	A	0.35	A	0.20	A	0.19	A	-0.03	-0.16	-13%	-46%

Abbreviations:

ICU – Intersection Capacity Utilization
LOS – Level of Service
N,S – North, South
SB – Southbound

Off-site Traffic Impact Analysis

The off-site impact analysis below compares long-range traffic forecasts with the proposed Specific Plan Amendment, DDA, and Development Plan to the corresponding volumes with the original Specific Plan land uses.

Traffic Forecasts

Exhibit 11 shows the differences in forecasted year 2025 ADT volumes on the surrounding roadway network for the original Specific Plan and for the proposed project. As noted in the discussion of methodology, locations where the ADT volumes are higher by 1,000 or more were analyzed in more detail using peak hour intersection data. Using this criteria, 13 intersection locations (see Exhibit 12) were evaluated on a peak hour basis to determine if the ADT differences translate into actual project impacts. Five of these locations are within the City of Santa Ana and eight are within the cities of Irvine and Tustin.

Intersection Levels of Service

Table 5-30 provides the results of the intersection analysis. Using the criteria described previously for Santa Ana intersections, the approach volumes were evaluated and all five intersections are determined to have increases of one or two percent. By referring to the same locations reported in the traffic study completed for the FEIS/EIR, these locations were evaluated further to determine if the one or two percent increase would translate into potentially new impacts. Table 5-31 summarizes the results of the intersection analysis of the Santa Ana locations. As Table 5-31 demonstrated, all locations are still forecasted to operate at acceptable levels (i.e., ICU value is 0.90 or less).

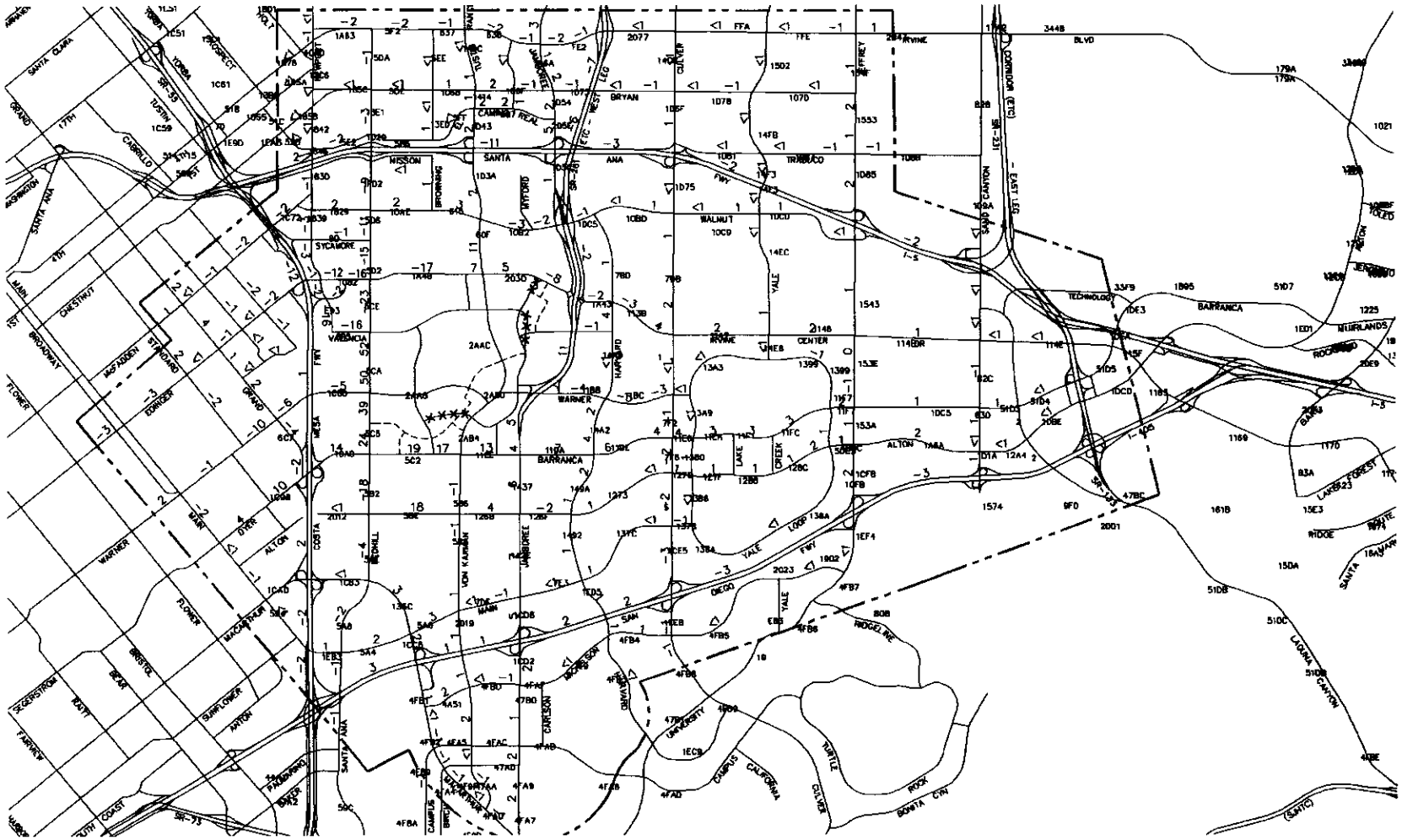
TABLE 5-30
OFF-SITE INTERSECTION IMPACT ANALYSIS

Intersection	Original Specific Plan		Proposed Project		Difference	
	AM	PM	AM	PM	AM	PM
SANTA ANA (Intersection Approach Volumes)						
1. Technology Center Dr & Dyer	4,242	4,431	4,241	4,461	<1%	1%
2. Hotel Terrace/SR-55 & Dyer	4,865	4,788	4,789	4,864	-2%	2%
3. Grand & Dyer	6,517	6,151	6,531	6,187	<1%	1%
4. SR-55 NB Ramps & Dyer	7,508	8,053	7,554	8,085	1%	<1%
5. Pullman & Dyer	5,661	5,966	5,747	6,027	2%	1%

	Original Specific Plan				Proposed Project					
	AM Peak		PM Peak		AM Peak		PM Peak			
Intersection	**ICU**	**LOS**	**ICU**	**LOS**	**ICU**	**LOS**	**ICU**	**LOS**	**Difference**	
IRVINE AND TUSTIN (ICUs)										
6. Tustin Ranch & Walnut	0.85	D	0.85	D	0.83	D	0.84	D	-0.02	-0.01
7. Red Hill & Valencia	1.07	F	0.95	E	0.85	D	0.84	D	-0.22	-0.11
8. Red Hill & Warner	0.91	E	1.02	F	0.88	D	0.90	D	-0.03	-0.12
9. Red Hill Av. & Barranca Pkwy.	0.66	B	0.78	C	0.64	B	0.78	C	-0.02	0.00
10. Red Hill Av. & Alton Pkwy.[1]	0.62	B	0.72	C	0.65	B	0.73	C	0.03	0.01
11. Von Karman Av. & Barranca Pkwy.[1]	0.76	C	0.78	C	0.81	D	0.76	C	0.05	-0.02
12. Von Karman Av. & Alton Pkwy.[1]	0.79	C	0.97	E	0.80	C	0.97	E	0.01	0.00
13. Jamboree Rd. & Barranca Pkwy.[1]	0.84	D	1.20	F	0.84	D	1.20	F	0.00	0.00

[1] This location is in Irvine Planning Area 36 (PA36)/Irvine Business Complex (IBC) where level of service (LOS) "E" (ICU=1.00) is acceptable.

ICU – Intersection Capacity Utilization
LOS – Level of Service



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YY Proposed Project Minus Original Specific Plan
------ Master Development Plan Circulation System
✕✕✕✕ Original Specific Plan Circulation System

2025 ADT Volumes (00s) Project Impact Differences

Exhibit 11

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Source: Austin Foust Associates, Inc., 2006

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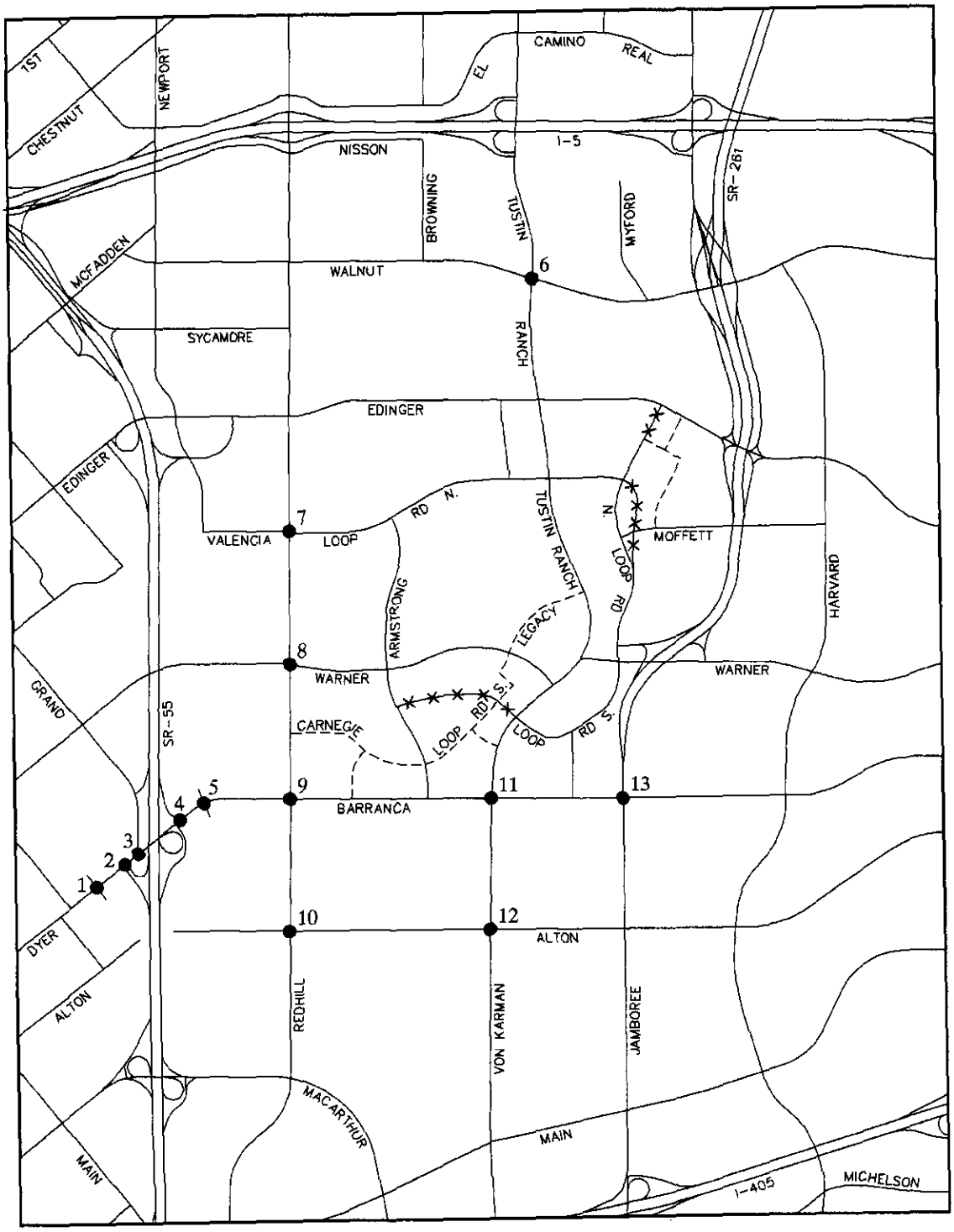

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- - - - Master Development Plan Circulation System
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Intersections Meeting Impact Analysis Criteria

Exhibit 12

Source: Austin-Foust Associates, Inc., 2006

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TABLE 5-31
SANTA ANA INTERSECTION ANALYSIS

Intersection	Percentage Change		Previous ICU		Interpolated ICU	
	AM	PM	AM	PM	AM	PM
1. Technology Center Dr. & Dyer	<1%	1%	0.44	0.65	0.44	0.66
2. Hotel Terrace/SR-55 & Dyer	-2%	2%	0.69	0.88	0.67	0.90
3. Grand & Dyer	<1%	1%	0.72	0.79	0.72	0.80
4. SR-55 NB Ramps & Dyer	1%	<1%	0.87	0.87	0.88	0.87
5. Pullman & Dyer	2%	1%	0.54	0.78	0.56	0.79
Source: Austin-Foust Associates, Inc. 2006.						

With the exception of the intersection of Jamboree Road/Barranca Parkway, all of the intersections in the cities of Tustin and Irvine would operate at an acceptable LOS. Although the level of service at the intersection of Von Karman Avenue and Barranca Parkway would reduce from LOS C to D during the AM, this is still an acceptable level of service and would not result in a new significant impact. No mitigation is required.

The FEIS/EIR identified the impact at the intersection of Jamboree Road/Barranca Parkway as a significant unavoidable impact that would also occur with the proposed Specific Plan Amendment, DDA, and Development Plan. The impact identified at this intersection is due in large part to the fact that this is the first intersection after the terminus of the Eastern Transportation Corridor. The Cities of Tustin and Irvine previously entered into a MOA with the Transportation Corridor Agencies to address the corridor impacts at the intersection of Jamboree Road/Barranca Parkway. There are no new mitigation measures that can be implemented by the City of Tustin to reduce this impact to a level considered less than significant. Additionally, using current modeling, the ICU at this intersection would be the same with the original Specific Plan land uses as it is with the proposed Specific Plan Amendment, DDA, and Development Plan. Therefore, the proposed project does not trigger new impacts or substantially more severe impacts at this intersection; therefore, no changes are being proposed to the MOA.

Under the proposed project, the significant unavoidable impact identified in the FEIS/EIR at the intersection of Tustin Ranch Road/Walnut Avenue would be avoided based on the proposed land uses and circulation system, and no mitigation is required. There would be no additional impacts at intersections within the City of Irvine.

In summary, the traffic analysis prepared for the proposed Specific Plan Amendment, DDA, and Development Plan concluded that the proposed land use and arterial circulation changes would avoid a previously identified significant unavoidable impact at the intersection of Tustin Ranch Road/Walnut Avenue and would not result in any new significant or substantially more severe impacts. The significant unavoidable impact at the intersection of Jamboree Road/Barranca Parkway identified in the FEIS/EIR would still occur with the proposed project, although not as a direct result of project implementation. The total number of trips generated by the project has not changed and does not exceed the trip caps established and agreed upon between the City of Tustin and the cities of Santa Ana and Irvine. It should be noted that the Project Phasing Plan has been revised and is presented as part of revised IA-1. The revised Trip Budget by Neighborhood is presented in Revised Table 3-3 in Section 3, Project Description.

B. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

No Substantial Change from Previous Analysis. As noted under the discussion of current condition, two new intersections within the previously identified study area have been added to the Orange County CMP since certification of the FEIS/EIR: SR-261 northbound ramps at Irvine Boulevard and SR-261 southbound ramps at Irvine Boulevard. Based on the analysis conducted in the FEIS/EIR, all of the CMP intersections are forecasted to operate at an acceptable LOS "E" or better, which is within the performance standard for CMP intersections. The proposed Specific Plan Amendment, DDA, and Development Plan would not result in any changes to these conclusions as all CMP intersections within the study area would continue to operate at an acceptable level of service.

C. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

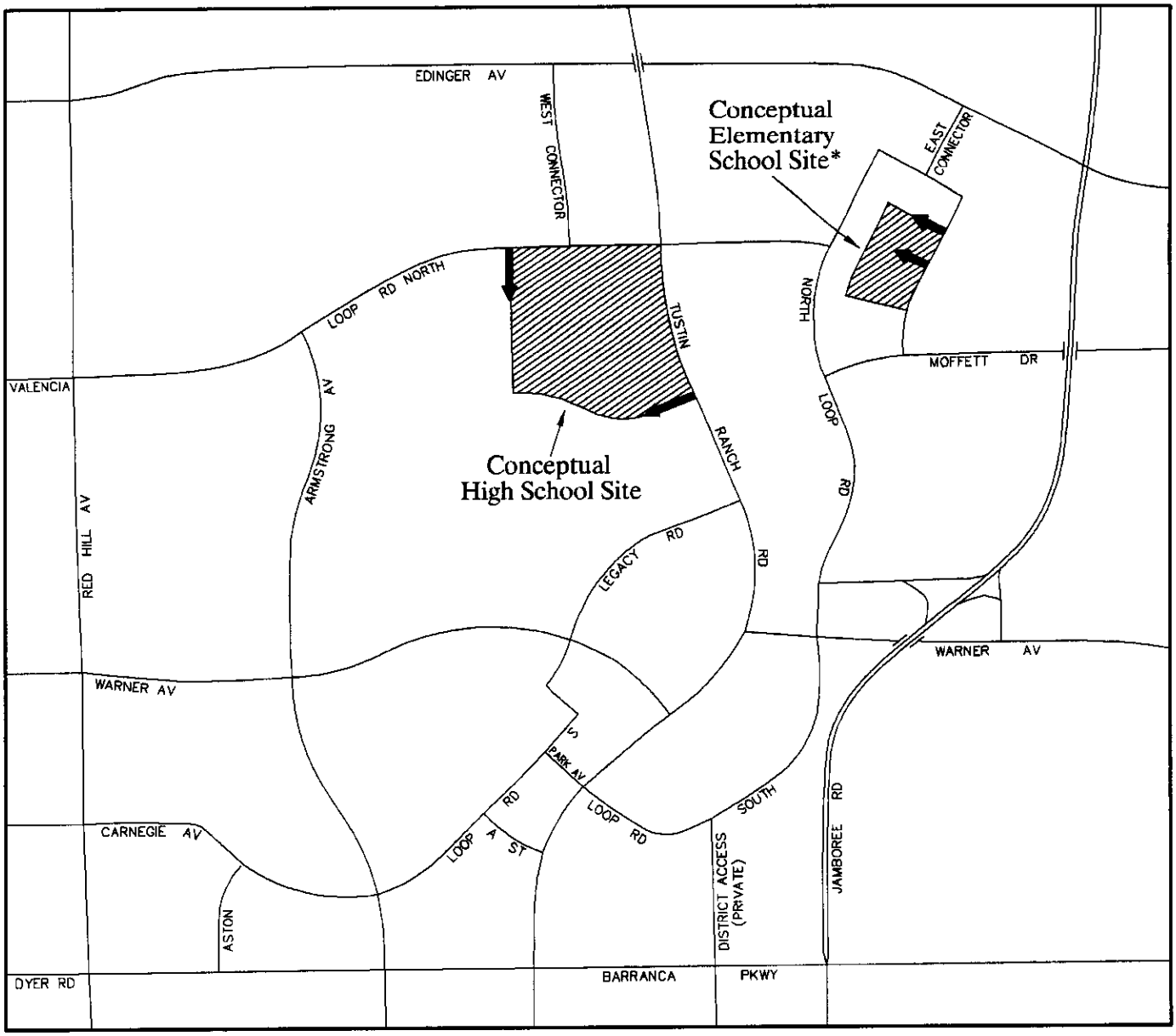
No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan would not include any uses that would change air traffic patterns or locations and would not increase the amount of air traffic. No mitigation is required.

D. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan involve reuse of the MCAS Tustin site and implementation of a new internal circulation system. The project does not include any uses or design features that would increase hazards. It should also be noted that the traffic analysis prepared for the proposed project included an assessment of access to the proposed high school and elementary school sites within the Master Developer footprint (Planning Areas 8 and 15, respectively). School access is anticipated to be via the recommended driveways as shown in Exhibit 13 and would be designed according to City of Tustin guidelines. Low volumes along the local roadway fronting the elementary school would not create any traffic problems. There are two local roadways proposed along the westerly and southerly boundaries of the high school in addition to access, which may also be available from the North Loop Road and Tustin Ranch Road. This would provide adequate alternative access for staff and busses to access the high school. The proposed Specific Plan Amendment, DDA, and Development Plan would not increase hazards.

E. Result in inadequate emergency access?

No Substantial Change from Previous Analysis. Access to the Specific Plan area is provided from the existing circulation system and new internal roadways on the project site. The new arterial connection proposed in the Development Plan by the extension of Carnegie from Red Hill Avenue to the North Loop Road would provide beneficial additional access to the project site from surrounding arterial highways. All access will conform with requirements outlined in Section 3.11 of the Specific Plan, General Development Regulations which include, but are not limited to: all structures would have a permanent means of access to a public street. The FEIS/EIR also identified that individual development projects with the site would be required to meet existing OCFA regulations regarding emergency access (page 4-57). Compliance with OCFA regulations remains applicable to the proposed Specific Plan Amendment, DDA, and



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Potential School Access

* The traffic study has taken into account the increase in enrollment in the event a middle school is developed on the site.

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School Sites Within Master Development Plan — Exhibit 13

Source: Austin-Foust Associates, Inc., 2006

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Development Plan. The proposed Specific Plan Amendment, DDA, and Development Plan would provide adequate emergency access so no mitigation is required.

F. Result in inadequate parking capacity?

No Substantial Change from Previous Analysis. As identified in the FEIS/EIR, each project would be required to provide the necessary off-street parking spaces to support the proposed uses. The amount of parking provided would be consistent with the requirements of the City of Tustin or City of Irvine parking regulations, as appropriate. By applying parking regulations outlined in Section 3.13 of the Specific Plan, off-street parking impacts associated with implementation of the proposed development would be avoided. In summary, Section 3.13 provides regulations related to: joint use of parking areas, transportation demand management plans, location of parking spaces, restricting the use of parking spaces, gates which limit access to parking areas, disabled access parking, maintenance and potential impacts to parking spaces, parking stall dimensions and parking lot design, and parking requirements for various land uses.

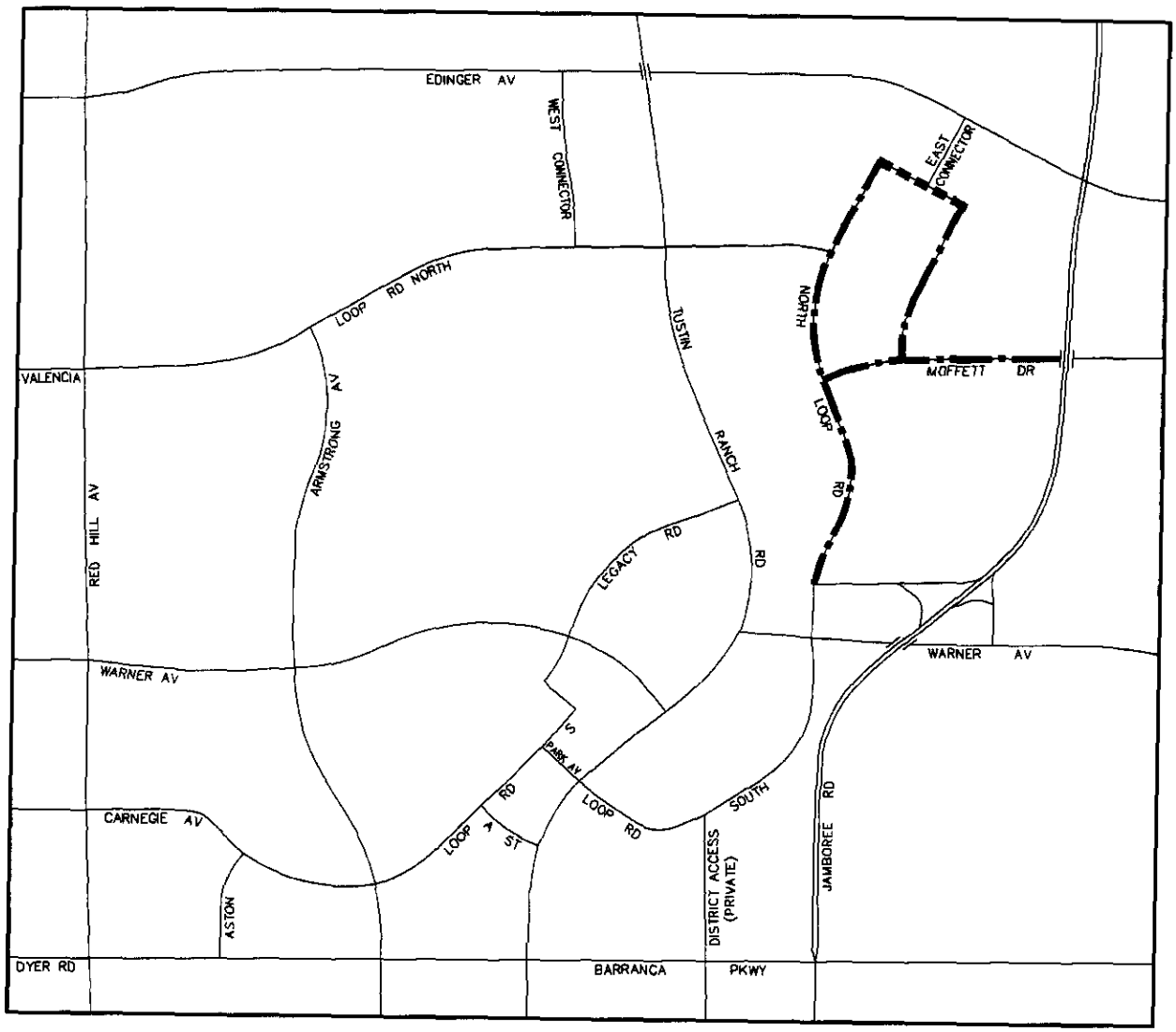
Within the Master Developer footprint, on-street parking on arterial roadways would be permitted on Moffett Drive, on North Loop Road between East Connector and the Jamboree Road/Warner Avenue southbound ramps, and on the local collector street adjacent to the proposed elementary school (see Exhibit 14). The East Connector between North Loop Road and this local street would have on-street parking allowed on the west side only. The low projected volumes (8,000 daily trips at most) can accommodate on-street parking on these roadways. Locations where diagonal parking may be permitted would be reviewed during the development process and would be subject to Specific Plan requirements, current City roadway standards, and approval of the City Engineer.

Similar to the conclusions in the FEIS/EIR, the proposed Specific Plan Amendment, DDA, and Development Plan would provide adequate parking capacity so no significant impacts would result.

G. Conflict with adopted policies, plan or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Substantial Change from Previous Analysis. The proposed Specific Plan Amendment, DDA, and Development Plan would provide a system of public sidewalks and pathways to accommodate the recreational and transportation needs of the residents. These facilities would provide access to nearby recreational facilities, schools, public amenities, commercial centers, and bus stops, and would also provide for an alternative mode of transportation for the area residents. Bicycle lanes would be provided along all public arterials in accordance with the City's standards and the General Plan. In addition to a system of internal pathways within each area, these facilities would serve the needs of recreational and experienced cyclists. The planned trails would also provide an alternative mode of transportation for those wishing to ride their bicycle to work, shopping centers, school, and other destinations.

The various walk and trail systems in the project area would mostly consist of eight-foot Class II, on-street bike lanes (where there is no on-street parking allowed) and five-to-eight foot Class I, off-street meandering trails which could be shared by pedestrians and bikes on roads where on-street parking would be allowed. According to City standards, sidewalks are generally either five or eight feet where Class II, on-street bike lanes are assumed; intersection locations are also configured according to the guidelines set forth in the Specific Plan. Eight-to-twelve foot



Legend

- On-street parking allowed on both sides of street.
- On-street parking allowed on west side of street only.

D:\Projects\Tustin\J004\Graphics\Ex14_020306.a

Planned On-Street Parking

Exhibit 14

Source: Austin-Foust Associates, Inc., 2006

BonTerra CONSULTING

R:\Projects\Tustin\J004\Graphics\Ex14_POSP_030206.pdf

parkway-separated sidewalks would be provided throughout the community arterial roadways, and access trails which connect the open space points of interest and trails with the community would also be provided throughout the site.

Similar to the conclusions in the FEIS/EIR, the proposed Specific Plan Amendment, DDA, and Development Plan would support alternative transportation modes.

5.15.4 MITIGATION MEASURES/IMPLEMENTATION ACTIONS

FEIS/EIR Mitigation Measures/Implementation Actions That Have Been Completed

The City of Tustin and the City of Santa Ana have entered into an Amendment to Joint Exercise of Powers Agreement regarding the Tustin-Santa Ana Transportation System Improvement Authority in February 2001. Additionally, the City of Tustin and the City of Irvine entered into an agreement regarding the Implementation, Timing and Funding of Transportation/Circulation Mitigation for the MCAS Tustin project in February 2001. The mitigation improvement at the Caltrans SR-55 ramp at Edinger Avenue is currently under construction. Therefore, the following have been completed.

MM T/C-2 The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall ensure that the arterial intersection improvements required in 2005 and 2020 and as indicated in Tables 4.12-7 and 4.12-9 of the FEIS/EIR are implemented for their respective jurisdictions according to the cumulative ADT thresholds identified in each table and according to the fair share basis noted. The ADT threshold represents the traffic volume which would result in an impact and the fair share percentage reflects the percent of the traffic impact resulting from the reuse generated traffic. In some cases, reuse traffic would generate 100 percent of the impact, thereby assuming full financial responsibility for the identified improvements. In other cases, reuse traffic would generate only a fraction of the traffic impacting the intersection and financial responsibility would correspond.

MM T/C-3 The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall contribute, on a fair share basis, to improvements to freeway ramp intersections as listed in Table 4.12-8 of the FEIS/EIR. The method of implementing improvements (e.g., restriping, ramp widening) shall be based on special design studies, in association with Caltrans.

MM T/C-8 Alternative improvements that provide an equivalent level of mitigation in 2005 or 2020 to what is identified in Tables 4.12-7 and 4.12-9 of the FEIS/EIR may be identified in consultation between the City of Tustin and the City of Irvine, as applicable, and the impacted jurisdiction.

MM T/C-9 The City of Tustin shall enter into agreements with Caltrans and the cities of Santa Ana and Irvine to ensure that the off-site roadway improvements needed to mitigate the effects of the proposed alternative are constructed pursuant to improvement programs established by the respective jurisdiction.

In order to properly coordinate the timing and improvements in the adjacent jurisdictions, the City of Tustin shall hold a scoping-like meeting with the respective jurisdictions. The purpose of said scoping-like meeting shall be to identify the concerns of the respective jurisdictions prior to the initiation of the fair

share study. The purpose of the study would be to fully identify, with each jurisdiction, the scope and costs of feasible improvements (as determined by the respective jurisdiction). The improvements would be acceptable to each jurisdiction toward fulfilling the timing and cost of the transportation improvement obligations as required to mitigate transportation impacts in each jurisdiction. The funding for the improvements to be incorporated into the agreement would be utilized by the respective agency to improve the capacity of the impacted intersections/links or be used for substituted improvements, as determined by mutual agreement.

Prior to execution of the agreement, each jurisdiction would be allowed ten (10) working days to review the technical report prior to being provided with a copy of the proposed agreement. Each jurisdiction would then have ten (10) working days to review and comment as to its concurrence with the improvement programs contained in the agreement. The comments of each jurisdiction would be considered to ensure that the City of Tustin's responsibility for fair share funding of the improvements in each jurisdiction as stated above is fully addressed.

IA-6 The City of Tustin will enter into agreements with Caltrans and the cities of Santa Ana and Irvine to ensure that the off-site roadway improvements needed to mitigate the effects of the Specific Plan are constructed pursuant to improvement programs established by the respective jurisdiction.

In order to properly coordinate the timing and funding of fair share obligation of Specific Plan improvements in the adjacent jurisdictions, the City of Tustin shall hold a scoping-like meeting with the respective jurisdictions. The purpose of said scoping-like meeting shall be to identify the concerns of the respective jurisdictions prior to the initiation of the fair share study. The purpose of the study would be to fully identify, with each jurisdiction, the scope and costs of obligations of the Specific Plan as required to mitigate transportation impacts in feasible improvements (as determined by the respective jurisdiction). The improvements would be acceptable to each jurisdiction toward fulfilling the timing and cost of the transportation improvement each jurisdiction, as listed above. The funding for the improvements to be incorporated into the agreement would be utilized by the respective agency to improve the capacity of the impacted intersections/links or be used for substituted improvements, as determined by mutual agreement.

Prior to execution of the agreement, each jurisdiction would be allowed ten working days to review the technical report prior to being provided with a copy of the proposed agreement. Each jurisdiction would then have ten working days to review and comment as to its concurrence with the improvement programs contained in the agreement. The comments of each jurisdiction would be considered to ensure that the City of Tustin's responsibility for fair share funding of the improvements in each jurisdiction as stated above is fully addressed.

FEIS/EIR Mitigation Measures/Implementation Actions Applicable to the Proposed Project

Construction Mitigation Measures

MM T/C-1 In conjunction with the approval of a site development permit, the City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan within Irvine), shall require each developer to provide traffic operations and control plans that would minimize the traffic impacts of proposed construction activity. The plans shall address roadway and lane closures, truck hours and routes, and notification procedures for planned short-term or interim changes in traffic patterns. The City of Tustin and the City of Irvine, as applicable, shall ensure that the plan would minimize anticipated delays at major intersections. Prior to approval, the City of Tustin or the City of Irvine, as applicable shall review the proposed traffic control and operations plans with any affected jurisdiction.

Implementation Actions

IA-7 Each Specific Plan project would contain, to the satisfaction of the City of Tustin and/or City of Irvine, as applicable, a pedestrian circulation component showing pedestrian access to regional hiking trails, parks, schools, shopping areas, bus stops, and/or other public facilities.

Refinements to FEIS/EIR Mitigation Measures/Implementation Actions

The following Development Mitigation Measures and Implementation Actions have been revised to include the updated Phasing Plan and Trip Budget consistent with the proposed Specific Plan Amendment.

Development Mitigation Measures

MM T/C-4 The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall ensure that all on-site circulation system improvements for the reuse plan area assumed in the 2005 and 2020 traffic analysis and as shown in Table ~~4.12-10~~ 4-4 of the ~~FEIS/EIR~~ revised Specific Plan Phasing Plan (attached) are implemented according to the cumulative ADT thresholds identified in the table. Under this Phasing Plan, the City of Tustin shall monitor all new development within the site, accounting for the cumulative ADT generated by development projects. As each ADT threshold is reached, the roadway improvements listed in ~~4.12-10~~ Table 4-4 of the ~~FEIS/EIR~~ revised Specific Plan Phasing Plan shall be constructed before any additional projects within the reuse plan area would be approved.

MM T/C-5 Prior to approval of a site development permit or vesting tract, except for financing or conveyance purposes, for all land use designation areas in Alternative 1 with the exception of the Learning Village, Community Park, and Regional Park, a project developer shall enter into an agreement with the City of Tustin and City of Irvine, as applicable (for that portion of the reuse plan area within Irvine) which assigns improvements required in the FEIS/EIR to the development site and which requires participation in a fair share mechanism to design and construct required on-site and arterial improvements consistent with

the ADT generation thresholds shown in ~~Tables 4.12-7, 4.12-8, 4.12-9, and 4.12-10~~ Table 4-4 of the revised Specific Plan Phasing Plan.

MM T/C-6 The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area in Irvine), will monitor new development within the reuse plan area, accounting for the cumulative ADTs generated by development projects within the reuse plan area. As each cumulative ADT threshold shown in Table ~~4.12-10~~ 4-4 of the revised Specific Plan Phasing Plan is reached, the roadway improvements listed shall be constructed before any additional projects within the reuse plan area are approved.

REVISED TABLE 4-3
ON-SITE ARTERIAL CIRCULATION IMPROVEMENTS

Road	Limits		Classification
	From	To	
Barranca Parkway	Red Hill Avenue	Jamboree Road	Major Arterial
Edinger Avenue	East of Red Hill Avenue	West of Jamboree Road	Major Arterial
Red Hill Avenue	Barranca Parkway	North of Valencia Avenue	Major Arterial
Tustin Ranch Road (including interchange)	Edinger Avenue	Barranca Parkway	Major Arterial
Warner Avenue	Red Hill Avenue	North Loop Road	Major Arterial
Harvard Avenue	Barranca Parkway	Edinger Avenue	Primary Arterial
Warner Avenue	North Loop Road	Jamboree Road	Primary Arterial
A Street[1]	South Loop Road	Tustin Ranch Road	Secondary Arterial
Armstrong Avenue	North Loop Road	Barranca Parkway	Secondary Arterial
Carnegie Avenue[1]	Red Hill Avenue	Armstrong Avenue	Secondary Arterial
East Connector	Edinger Avenue	North Loop Road	Secondary Arterial
Harvard Avenue	South of OCTA/SCRRA Railroad	Edinger Avenue	Secondary Arterial
Legacy Road[1]	Warner Avenue	North Loop Road	Secondary Arterial
North Loop Road	Valencia Avenue	Warner Avenue	Secondary Arterial
Park Avenue[1]	South Loop Road	Tustin Ranch Road	Secondary Arterial
South Loop Road	Tustin Ranch Road	Warner Avenue	Secondary Arterial
South Loop Road	Park Avenue	Armstrong Avenue	Secondary Arterial
West Connector	Edinger Avenue	North Loop Road	Secondary Arterial
Aston Street[1]	Carnegie Avenue	Barranca Parkway	Local Collector Street
Moffett Drive	North Loop Road	Harvard Avenue	Local Collector Street
Sweet Shade	Harvard Avenue	–	Local Collector Street
Landsdowne Road	North Loop Road	–	Local Street
Severyns Road	North Loop Road	–	Local Street

[1] New Improvement

REVISED TABLE 4-4
ON-SITE ADT DEVELOPMENT THRESHOLDS

ADT Added	(Cumulative)	Roads Added[1]
27,000	(27,000)	Armstrong Avenue – North Loop Road to Warner Avenue[2]
		Barranca Parkway – Tustin Ranch Road to Jamboree Road
		Edinger Avenue – along project frontage between Red Hill Avenue and Jamboree Road (completed)
		Harvard Avenue – Barranca Parkway to just south of OCTA/SCRRA railroad
		Landsdowne Road
		Marble Mountain Road (completed as "Sweet Shade")[2]
		North Loop Road – Red Hill Avenue to West Connector
		Severyns Road[2]
		West Connector
82,800	(109,800)	East Connector
		Barranca Parkway – Tustin Ranch Road to Red Hill Avenue
		Moffett Drive
		North Loop Road – West Connector to Moffett Drive
		Red Hill Avenue/Carnegie Avenue Intersection (East Leg to Linear Park)
		Red Hill Avenue – Barranca Parkway to just north of Valencia Avenue
		South Loop Road – Warner Avenue to Tustin Ranch Road[2]
		Tustin Ranch Road – Edinger Avenue to Barranca Parkway[2]
		Warner Avenue – Red Hill Avenue to Jamboree Road[2]
26,900	(136,700)	A Street – South Loop Road to Tustin Ranch Road[2]
		Armstrong Avenue – Warner Avenue to Barranca Parkway
		Carnegie Avenue – Linear Park to Armstrong Avenue becoming South Loop Road[2]
		Legacy Road – North Loop Road to Tustin Ranch Road[2]
		North Loop Road – Moffett Drive to Warner Avenue
		Park Avenue – South Loop Road to Tustin Ranch Road[2]
		South Loop Road – Armstrong Avenue to Tustin Ranch Road via Park Avenue[2]
39,500	(176,200)	Legacy Road – Warner Avenue to Tustin Ranch Road[2]
40,200	(216,400)	Aston Street – Carnegie Avenue to Barranca Parkway[2]

[1] Roadway shall be constructed prior to the issuance of certificates of occupancy for this phase.

[2] Changes to original FEIS/EIR.

MM T/C-7 The City of Tustin shall adopt a trip budget for individual portions of the reuse plan area to assist in the monitoring of cumulative ADTs and the amount and intensity of permitted non-residential uses as evaluated in the EIS/EIR.

Implementation Actions

IA-1 Table 4.12-10 of the FEIS/EIR, as revised and presented in Table 4-4 of the revised Specific Plan Phasing Plan, presents the Phasing Plan for the on-site circulation system. The Phasing Plan is based upon traffic circulation impact and mitigation analyses contained in the *Tustin Legacy Traffic Analysis* (Austin-Foust Associates, Inc., February 2006) ~~Traffic Report~~ (~~Final e~~ FEIS/EIR). Under this Specific Plan Phasing Plan, the City of Tustin shall monitor all new development within the Specific Plan, accounting for the cumulative ADT generated by development projects. As each ADT threshold is reached, the roadway improvements listed in ~~4.12-10 of the FEIS/EIR~~ Tables 4-3 (attached) and 4-4 of the revised Specific Plan Phasing Plan (attached) ~~and presented in Table 4 of the Tustin Legacy Phasing Plan~~ shall be constructed before any additional projects within the Specific Plan would be approved.

IA-2 Table 3-3, as revised and presented in Section 3 of this Addendum, presents the Trip Budget which summarizes the square footage of non-residential uses allocated to each neighborhood by Planning Area and the Associated ADT. (Residential uses are shown for information only; they are not part of the budget.) Pursuant to Section 3.2.4 of the Specific Plan, the City of Tustin shall implement the trip budget by neighborhood to control the amount and intensity of non-residential uses. Trip Budget transfers between neighborhoods shall also be implemented as directed in subsection 3.2.4 of the Specific Plan.

IA-3 Prior to the approval of (1) a Planning Area Concept Plan pursuant to Section 4.2 of the Specific Plan, (2) a site development permit, or (3) a vesting tentative map for new square footage (not for financing or conveyance purposes), a project developer shall provide traffic information consistent with the provisions of the Specific Plan, ~~this~~the FEIS/EIR, and this Addendum and the requirements of the City of Tustin Traffic Engineer. The traffic information shall (a) identify and assign traffic circulation mitigation measures required in the EIS/EIR pursuant to the Phasing Plan described in ~~4.12-10 of the FEIS/EIR~~ Table 4-4 of the revised Specific Plan Phasing Plan; (b) evaluate the effects of either the delay of any previously committed circulation improvements or the construction of currently unanticipated circulation improvements; and (c) utilize the circulation system and capacity assumptions within the EIS/EIR and any additional circulation improvements completed by affected jurisdictions for the applicable timeframe of analysis.

IA-4 Prior to the issuance of building permits for new development within planning areas requiring a concept plan, a project developer shall enter into an agreement with the City of Tustin to (a) design and construct roadway improvements consistent with the ADT generation Phasing Plan described in ~~4.12-10 of the FEIS/EIR~~ Table 4-4 of the revised Specific Plan Phasing Plan and (b) address the impact of and specify the responsibility for any previously committed circulation improvements assumed in the EIS/EIR which have not been constructed.

IA-5 If a subsequent traffic Phasing Plan demonstrates that certain circulation improvements should be included in a different phase of Specific Plan development (accelerated or delayed) or that a circulation improvement can be substituted, the mitigation Phasing Plan in ~~4.12-10 of the FEIS/EIR~~ Table 4-4 of the revised Specific Plan Phasing Plan may be amended, subject to approval of the City of Tustin and any other affected jurisdictions, provided that the same level of traffic mitigation and traffic capacity would be provided.

FEIS/EIR Mitigation Measures/Implementation Actions Not Applicable to the Proposed Project

The FEIS/EIR mitigation measures and Implementation Actions are applicable to the proposed project.

5.15.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting traffic and circulation, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to traffic and circulation than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to traffic and circulation has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR identified significant unavoidable impacts (project and cumulative) at the intersections of Jamboree Road/Barranca Parkway and Tustin Ranch Road/Walnut Avenue. The impact at the intersection of Tustin Ranch Road/Walnut Avenue is reduced with the proposed Specific Plan Amendment, DDA, and Development Plan; however, the impacts at the intersection of Jamboree Road/Barranca Parkway remain significant and unavoidable. There are no new mitigation measures available that the City of Tustin could implement to reduce this impact (project and cumulative) to a level considered less than significant. A Statement of Overriding Considerations was adopted by the Tustin City Council on January 16, 2001, for this unavoidable impact. The proposed project would not substantially increase the severity of this significant and unavoidable impact (project and cumulative) beyond that identified in the FEIS/EIR.

SOURCES

In addition to the sources used in preparation of this Addendum identified at the beginning of Section 5, the following sources were used to address traffic/circulation issues:

Austin-Foust Associates, Inc. *Tustin Legacy Traffic Analysis.* February 2006.

Tustin, City of. *Agreement Between the City of Irvine and the City of Tustin Regarding the Implementation, Timing and Funding of Transportation/Circulation Mitigation for the MCAS Tustin Project.* February 22, 2001.

Tustin, City of. Memorandum from Public Works Department, City of Tustin, to William A. Huston, City Manager, City of Irvine. *Memorandum of Agreement with the Transportation Corridor Agencies and the City of Irvine*. Tustin, California: May 4, 1998.

5.16 UTILITIES AND SERVICE SYSTEMS

5.16.1 SUMMARY OF IMPACTS FROM FEIS/EIR

The FEIS/EIR identified that construction impacts associated with implementation of utilities were addressed for each respective topical issue throughout the document since utilities occurred within the impact footprint, which included a portion of Peters Canyon Channel. It was identified that existing utilities would be replaced and would be sized to accommodate proposed uses. The utilities and service systems section addressed operational impacts associated with domestic/potable water, reclaimed water, sanitary sewer, drainage, electricity, natural gas, telephone, cable television, and solid waste disposal. The analysis presented in the FEIS/EIR was based on conceptual utility plans available at the time the FEIS/EIR was prepared.

Potable Water

The FEIS/EIR identified that IRWD provides potable water service to the project area. The FEIS/EIR identified that after build-out, the domestic water demand would be 2.8 million gallons per day (GPD). The FEIS/EIR concluded that IRWD had adequate existing capacity to supply water to the reuse plan area through its existing supplies or through acquisition of more water from the Orange County groundwater basin (wells), back up supply from Metropolitan Water District of Southern California (MWD), and from well water to satisfy future demand from the Specific Plan area. The FEIS/EIR concluded that IRWD would be able to provide water service to the project area and the impact would be less than significant.

Reclaimed Water

The FEIS/EIR identified that IRWD provides reclaimed water service to the project area and the estimated reclaimed water needs after build-out would be 1.8 million GPD. The FEIS/EIR noted that IRWD would prepare a Sub-area Master Plan to determine pipe sizes (based on demand), water-pressure requirements, and flow velocity. As indicated in the FEIS/EIR, development of the proposed project would include a reclaimed water system designed to adequately accommodate development and IRWD would have adequate capacity in the district to supply the Specific Plan area with reclaimed water. No significant impacts were identified.

Sanitary Sewer

The FEIS/EIR identified that IRWD provides sanitary sewer service to the project area, with regional service provided by the Orange County Sanitation District (OCSD). The FEIS/EIR identified that 2.5 million GPD would be generated by the project, with a peak flow of 7.7 million GPD. Since IRWD and OCSD indicated that they have adequate capacity to serve the reuse development area, and the sewer system would be designed to adequately accommodate development, the FEIS/EIR concluded that no significant impacts would result from implementation of the project.

Drainage

The FEIS/EIR identified that development of the Specific Plan area would replace existing built facilities, runways and tarmac with other types of impervious surface. In addition, it would

replace agricultural fields, operationally constrained undeveloped areas, and other undeveloped parcels with urban uses. The development plan in the FEIS/EIR provided a golf course and parks which provided some pervious surfaces; however, the overall impervious surface area were determined to increase. This section focuses on drainage facilities. Refer to the discussion provided in Section 5.8, Hydrology and Water Quality, regarding specific drainage impacts (e.g., increase in surface water runoff and potential for flooding).

A conceptual storm drain plan was prepared for the project in coordination with the OCFCD and was addressed in the FEIS/EIR. It was determined that the existing storm drain system within the project site could not be used because most of the pipes and channels are undersized. The proposed storm drain plan included five major drainage areas with mainline facilities and improvements to the OCFCD Barranca Channel. The backbone system followed the alignments of the major arterial roadways. The use of retention basins in the golf village area was also proposed.

The FEIS/EIR identified that future on-site facilities would discharge into the County's regional facilities (Peters Canyon Channel and Barranca Channel), but not the Santa Ana/Santa Fe Channel. At the time the FEIS/EIR was prepared, the OCFCD had included improvements to the Peters Canyon Channel in its five- year plan for design and construction. These improvements were not a feature of the Specific Plan. The Santa Ana/Santa Fe Channel and Barranca Channel were identified as being undersized. The proposed project evaluated in the FEIS/EIR included a public benefit conveyance to provide right-of-way to reflect the existing Barranca and Santa Ana/Santa Fe easements. For Peters Canyon, the public benefit conveyance was proposed to include the existing easement (180-feet) plus an additional 40 feet from the Metrolink rail line south to Warner Avenue.

The FEIS/EIR concluded that development of the Specific Plan area would require an improved storm drain system to adequately accommodate proposed development. Because the required system could be provided by the cities of Tustin and Irvine and OCFCD funded in part by fair-share contributions of Specific Plan developers, the impacts to storm drain facilities were determined to be less than significant. The storm drain system would be constructed within the impact area identified for the project.

Electricity

The FEIS/EIR identified that the proposed project would increase electricity usage compared to the established baseline usage. However, Southern California Edison (SCE) indicated that the existing substations could handle the increased demand and no new substations would be needed.

Existing overhead distribution lines and transformers would be phased out and replaced by an underground electrical system in new development areas. The systems previously used by military family housing would remain with no conversion necessary.

The FEIS/EIR concluded that the preliminary electrical system developed for the proposed project provided adequate capacity to meet the reuse demand; therefore, the impact to electrical service was considered less than significant.

Natural Gas

The FEIS/EIR identified that the proposed project would increase natural gas consumption compared to the established baseline condition. The natural gas provider at the time the

FEIS/EIR was prepared, Southern California Gas Company (SCGS), indicated that it could provide service with the increased demand; however, a new distribution and delivery system would need to be created. The FEIS/EIR concluded that a natural gas system would be constructed to adequately address the needs of proposed developed and SCGC indicated that it had sufficient capacity to provide service; therefore, the impact would be less than significant.

Telephone

At the time the FEIS/EIR was prepared Pacific Bell provided telephone service in the project area. The telephone service used on the MCAS property was owned and maintained by the military and did not meet industry standards; therefore, it would not be used to serve the Specific Plan area. The FEIS/EIR concluded that the proposed project would include implementation of a telephone system designed to adequately address the needs of the proposed project. It also indicated that Pacific Bell had sufficient capacity to provide service; therefore, the impact would be less than significant.

Cable Television

At the time the FEIS/EIR was prepared, it was identified that Cox Communications (Cox) would provide cable television to the development area. Cox indicated that it had the capacity to adequately provide service to the area. Therefore, the FEIS/EIR concluded that impacts related to cable television are less than significant.

Solid Waste Disposal

The Orange County Integrated Waste Management Department provides solid waste services to the project area. The FEIS/EIR identified that the proposed project would generate approximately 37,000 tons of solid waste per year, which would be an increase of about 32,300 tons per year. Solid waste disposal would occur at the Frank R. Bowerman Landfill, which is not scheduled to close until 2024. At the time the FEIS/EIR was prepared, the landfill had only used 20.6 million cubic yards (mcy) of its 117 mcy capacity. Both the Cities of Tustin and Irvine have adopted a Source Reduction and Recycling Element (SRRE), which were fully implemented in the year 2000 and was proposed to achieve a 50 percent reduction of solid waste. All new development would be required to comply with these SRRE standards. The FEIS/EIR concluded that no new solid waste facilities would be required to serve the proposed project; therefore, impacts would be less than significant.

5.16.2 CURRENT CONDITIONS

Telephone service is now provided by SBC, and natural gas is now provided by Sempra Energy/The Gas Company. While the project site is within the OCSD service boundaries, based on an agreement between IRWD and OCSD, IRWD no longer directly serves the project site. Federal Disposal Service provides solid waste hauling and recycling services to Tustin residents and businesses. It should also be noted that the City maintains area non-exclusive cable franchise policy and cable television franchises are granted on a city-wide basis.

The City of Tustin has already completed a number of actions to ensure implementation (funding and construction) of the Tustin Legacy Backbone Infrastructure Program. Cost estimates for the Tustin Legacy Backbone Infrastructure Program have been developed and the City has entered into agreements with each of the developers within the Specific Plan area regarding the required fair-share funding and phasing for the infrastructure improvements. Additionally, the City of Tustin has entered into agreements with adjacent jurisdictions regarding

funding for infrastructure improvements that are not within the City of Tustin. It should be noted that the Master Developer DDA being considered with the proposed project is the last agreement to be executed for the Tustin Legacy Backbone Infrastructure Program. The proposed DDA, together with agreements that the City of Tustin has already entered into with other Specific Plan developers and adjacent jurisdictions, assures implementation of the entire Tustin Legacy Backbone Infrastructure Program.

The following addresses updated studies, agreements and regulations that have been completed or implemented since preparation of the FEIS/EIR.

Potable Water, Non-Potable Water and Sewer

IRWD prepared a *Marine Corps Air Facility Tustin Redevelopment Sub-Area Master Plan* in December 1999. The Sub-Area Master Plan sets forth the necessary potable water, non-potable water, and sewer infrastructure required to fully provide service to the proposed Specific Plan area. The proposed phasing required for implementation of the facilities is also identified. The City of Tustin and IRWD have formed an improvement district for the purpose of financing water and sewer facilities at Tustin Legacy.

For domestic water and wastewater collection, IRWD has prepared separate Plan of Works for two improvement districts. The Plan of Works is the means by which fiscal requirements of the improvement district are identified, including bond authorization, in order to provide for construction, planning and design of facilities as well as imposing a tax rate for water and sewer facilities. General obligation bonds have been issued to fund installation of improvements at Tustin Legacy. As previously discussed, such utilities are within the scope of the Specific Plan.

In 1999, OCSD prepared a comprehensive strategic plan that identified near term and long term capital improvement projects to the collections system, treatment plants, discharge facilities, and biosolids management to accommodate future wastewater flows due to population increases within its service area boundaries. OCSD adopted an interim update of the 1999 Strategic Plan in 2002. Many of the near term capital improvement projects identified in the 1999 and 2002 Update to expand the capacity of OCSD current treatment plants in Huntington Beach and Fountain Valley and collection facilities are currently underway as documented on the OCSD website and will continue to accommodate future demand.

In July 2003, the OCSD and IRWD entered into an agreement that transferred the service area for the Tustin Legacy site to IRWD and identified that OCSD would receive project-generated wastewater from IRWD. To accommodate future sewer capacity to serve the entire Tustin Legacy project, IRWD and OCSD, with assistance from the City of Tustin completed construction of a new trunk sewer line from Armstrong Avenue just north of Barranca Parkway within the project site, southerly down Armstrong Avenue to Main Street in the City of Irvine. This new line connects with an existing trunk sewer in Main Street. This was the only new sewer main needed to serve the proposed project.

Regional Storm Drain System

In March 2003, the City of Tustin entered into a Cooperative Agreement (D02-119) with the OCFCD and the County of Orange (hereinafter referred to as the "County") for the improvement of regional drainage facilities throughout the Tustin Legacy site (within the City of Tustin). The Cooperative Agreement identified conditions for the development of certain portions of Tustin Legacy, including largely improvements to a portion of Peters Canyon Channel within the City of Tustin. Specifically, the agreement establishes the terms and conditions under which the

channel improvements will be scheduled, engineered, financed, constructed, operated, and maintained. It should be noted that the responsibility to construct the channel improvements can be passed from the City of Tustin to developers within the Specific Plan area. This agreement includes a requirement for the development of a Runoff Management Plan/Engineering Study for the Tustin Legacy site. The RMP was completed in December 2004 (RBF, 2004). The City and the County subsequently approved Amendment No. 1 to Agreement DO2-119 which includes provisions for the construction of additional regional improvements to the Peters Canyon Channel within the City of Tustin, and milestones for implementation of these improvements.

The City of Irvine required improvements for the portion of Peters Canyon Channel in its jurisdiction (from the City of Tustin limits to Barranca Parkway) to be completed by Marble Mountain Partners, LLP. The City of Tustin has entered into an agreement with the City of Irvine for funding of channel improvements in the City of Irvine by Marble Mountain Partners, LLP. The City of Irvine will use Community Facilities District fees for funding. As part of this agreement, these improvements have been incorporated into the Tustin Legacy Backbone Infrastructure Program.

The RMP identifies the recommended backbone infrastructure to intercept and convey both regional and local storm water runoff from the Tustin Legacy site. With the exception of the segments of Peters Canyon Channel covered under the agreement between the City of Irvine and the City of Tustin, the area of impact associated with implementation of regional and local drainage facility improvements is the same as addressed in the FEIS/EIR.

It should also be noted that Phase I Tustin Legacy infrastructure improvements were initiated in May 2005 and are underway and include construction of streets and utilities for Valencia Avenue from Red Hill Avenue to the West Connector; and the West Connector, Landsdowne, and Armstrong from Valencia south to Warner Avenue (with water and sewer utilities to be also installed south to Barranca Parkway). These improvements comply with the Specific Plan.

5.16.3 COMPARISON OF PROPOSED AND PREVIOUSLY APPROVED PROJECT IMPACTS

Environmental Checklist Responses

Would the project:

A. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Substantial Change from Previous Analysis. Wastewater originating from the project site would be generated by residential, commercial/business, institutional, recreational, and open space uses and would ultimately be treated by facilities owned and operated by IRWD and/or OCSD. The wastewater treatment requirements of the California Porter-Cologne Water Quality Act, the federal Clean Water Act and regulations issued by the California Regional Water Quality Control Board for the treatment facilities were developed to ensure that adequate levels of treatment would be provided for the wastewater flows emanating from all land uses within its service area. Therefore, the wastewater from the project site would not cause the treatment plant to exceed these treatment requirements. No impacts are anticipated and no mitigation in addition to planned construction of the sanitary sewer facilities is required.

B. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?

E. Result in a determination by the wastewater treatment provider, which services or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Substantial Change from Previous Analysis. IRWD provides water and wastewater service to the project area. The proposed Specific Plan Amendment, DDA, and Development Plan would not substantially change the types or amount of land uses assumed in the Land Use Plan addressed in the FEIS/EIR. The number of residential units remains the same and the amount of non-residential development has been reduced. Based on the changes in the amount and type of proposed land uses, and using the demand factors presented in the Appendix E of the FEIS/EIR, it has been determined that the proposed project would have a reduced domestic water demand compared with the previously approved project (estimated at 2.7 million gallons per day [gpd] vs. 2.8 million gpd), and non-potable water demand (estimated at 1.35 million gpd vs. 1.79 million gpd). The reduction in demand for non-potable water is primarily due to the elimination of the 159-acre golf course which would have been irrigated with non-potable water. The amount of wastewater generated under the proposed project would also be reduced (an average daily flow estimated at 2.15 million gpd vs. 2.55 million gpd with the previously approved project).

Based on an agreement between IRWD and OCSD executed in 2003, IRWD provides wastewater service to the project area and OCSD has agreed to accept the wastewater from IRWD. As discussed above, a new sewer main was constructed to accommodate wastewater flows for the project site and additional infrastructure for regional service is required to serve the proposed project.

As discussed in Section 3, Project Description, development within the Master Developer footprint, and the remainder of Tustin Legacy would result in the need for Tustin Legacy backbone infrastructure located within and outside the Master Developer footprint, including domestic and reclaimed water and sewer. The Master Developer would have a responsibility to make a fair share contribution to implementation of the backbone infrastructure for the Specific Plan area, and would also be responsible for design and construction of a portion of the infrastructure program consistent with the provisions of the DDA. The phasing of backbone infrastructure and performance completion of phased infrastructure would be a precondition to the subsequent Land Conveyance phase.

The construction of new facilities was addressed in the FEIS/EIR and no new impacts would result with the proposed project since the required infrastructure has not substantially changed and is within the impact area addressed in the FEIS/EIR and this Addendum. Development of the site would still occur in phases, and the Master Developer is required to pay its fair share for Tustin Legacy Backbone Infrastructure on behalf of the project. Section 3.2.3 of this Addendum provides a discussion of the complete funding and construction of the Tustin Legacy Backbone Infrastructure. In addition, the Master Developer would be responsible for design and construction of a portion of the Tustin Legacy Backbone Infrastructure Program consistent with the Specific Plan, and as required by the DDA. New water and sewer facilities would be constructed on-site in compliance with IRWD requirements. The environmental impacts associated with these construction activities have been evaluated for each topical issue addressed in the FEIS/EIR and in this Addendum. As concluded in the FEIS/EIR no

unavoidable significant impacts would result. The proposed project would not result in new or substantially more severe impacts than what was evaluated in the FEIS/EIR.

C. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

Figure 2-10 of the Specific Plan sets forth the original conceptual storm drain improvement plan. This plan conceptual, and the Specific Plan and FEIS/EIR require preparation of refined storm drain improvement plans for review and approval by the City of Tustin during the design of the project.

Since the preparation of the original Specific Plan, and in compliance with the requirements of the Cooperative Agreement D02-119, a RMP has been completed for the Tustin Legacy project to identify required local and regional storm drain facilities. Consistent with the conclusion reached in the FEIS/EIR, implementation of the storm drain improvements identified in the RMP can accommodate local and regional storm water flows, eliminating the potential for flooding on- and off-site.

Further, the Cooperative Agreement and the RMP call for design of a storm drain system that is consistent with the Specific Plan conceptual storm drain plan, but which will result in a engineering refinement and which may alter the alignments, sizes and extent of the certain storm drain improvements. Some additional facilities and minor changes to the storm drain system will be incorporated into the storm drain facilities plans pursuant to the RMP and the referenced agreements. For example, a detention basin is proposed to be incorporated into the Master Development project to control stormwater releases to Barranca Channel.

Implementation Measure (a) presented in the FEIS/EIR and restated below is still applicable to the proposed project. Development of the site would still occur in phases, and as noted above the Master Developer is required to pay its fair share for Tustin Legacy Backbone Infrastructure on behalf of the project. In addition, the Master Developer would be responsible for design and construction of a portion of the Tustin Legacy Backbone Infrastructure Program consistent with the Specific Plan.

With the exception of a portion of the Peters Canyon Channel, the storm drain improvements required for the proposed Specific Plan Amendment, DDA, and Development Plan are within the impact area for the project addressed in the FEIS/EIR, and have been evaluated for each topical issue in this section. Improvements to the Barranca Channel and Peters Canyon Channel (between Barranca Parkway and the Metrolink rail crossing) would impact areas under the jurisdiction of the CDFG and USACE. These impacts have been updated and addressed in Section 5.4, Biological Resources, and would be mitigated to a level considered less than significant.

No new impacts or substantially more severe impacts would result from implementation of the proposed project's storm drain facilities. Compliance with the Implementation Measures identified below would reduce impacts to a level considered less than significant

D. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The potable and non-potable water demand for the proposed project would be reduced from that evaluated in the FEIS/EIR due to the proposed reduction in development intensity for non-

residential uses. Specifically, the amount of non-residential uses has been reduced by approximately 1,022,422 square feet compared to the project evaluated in the FEIS/EIR. Therefore, the proposed Specific Plan, DDA and Development Plan would not change the conclusion reached in the FEIS/EIR that there is sufficient water supply to accommodate the proposed development.

IRWD's ability to meet long the term water demand of customers within its service area boundary, including future land uses contemplated by the proposed project, is primarily documented in two service area wide planning documents. IRWD's principal planning document is the Water Resources Master Plan (WRMP). The WRMP is a comprehensive document compiling data and analyses that IRWD considers necessary for its planning needs, including water supply planning. IRWD has also prepared an Urban Water Management Plan (UWMP), a document required by statute. The UWMP is based on the WRMP, but contains defined elements as listed in the statute (Water Code Section 10631, et. seq.). The UWMP is required to be updated in years ending with "five" and "zero," and IRWD's next update of that document is anticipated in 2010.

Both the WRMP and the most recent 2005 UWMP include future build-out of the Specific Plan area for purposes of assessing supply and demand. The 2005 UWMP specifically acknowledges future build-out of MCAS Tustin in Section II, which describes current and projected population and other demographic factors affecting IRWD's water management planning. (See p. II-8, 2005 UWMP). As documented in Section VII of the 2005 UWMP, which addresses "water service reliability", IRWD has sufficient water supplies to meet customer demand needs, including the demand needs for future land uses within the Specific Plan area, through 2030 under the "normal water supply and demand," "single dry year supply and demand," and multiple dry year supply and demand" scenarios.

In addition, IRWD has already prepared and/or approved plans for the Specific Plan area and has taken other steps to facilitate the delivery and supply of water service to the project. For example, IRWD has approved a Sub-Area Master Plan (SAMP). IRWD also has adopted a Plan of Work that corresponds to implementation activities related to the (SAMP) including adopting two separate improvement districts which cover the Specific Plan area and imposing a tax rate for water and sewer facilities. IRWD has issued general obligation bonds to fund installation of improvements at Specific Plan area.

IRWD has also signed and approved water and sewer plans for Phase I –Armstrong/Valencia and West Connector improvements that the City is currently constructing, and approved a reimbursement agreement with the City for such improvements. Finally, IRWD has signed and approved water and sewer plans for projects within the Specific Plan area, including the Vestar project and Tustin Ranch Road/Warner Avenue. Collectively, these planning and implementation actions have been taken consistently with, and reflect the provisions of the WRMP.

F. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

G. Comply with federal, state and local statutes and regulations related to solid waste?

No Substantial Change from Previous Analysis. The OCIWMD operates the Orange County landfill system which would serve proposed development. The proposed Specific Plan Amendment, DDA, and Development Plan would result in the same amount of residential development and reduced non-residential development intensity compared to that evaluated in the FEIS/EIR. Based on the changes in the amount and type of proposed land uses, and using the demand factors presented in the Appendix E of the FEIS/EIR, it has been determined that the proposed project would generate slightly more solid waste compared to the previously approved project (37,518 tons per year vs. 37,379 tons per year). This represents an increase of less than one percent.

The County's landfill system has sufficient capacity to accommodate the increase in solid waste. OCIWMD plans to expand the capacity of the Frank R. Bowerman landfill allowing for an increase from 8,500 tons per day to 11,500 tons per day, and extending landfill operations from 2022 until 2053. IWMD has prepared a Draft EIR for the proposed expansion which is currently out for public review (J. Arnau, pers. comm., January 17, 2006). In addition to the Frank R. Bowerman Landfill, the County operates the Olinda Alpha and the Prima Deshecha Landfills which could also receive solid waste generated from the proposed project. Implementation of the proposed project would not change the conclusion reached in the FEIS/EIR that there is adequate capacity for the proposed project available within the Orange County landfill system, which includes three active landfills. Therefore, no significant impacts related to landfill capacity would result.

In September of 1989, in response to a state-wide problem of rapidly increasing solid waste and a limited amount of landfill sites to dispose of increasing waste volumes, the California Integrated Waste Management Act (AB 939) was signed into law. This Act required every California County and incorporated city to plan and implement programs designed to reduce the amount of solid waste disposed of at landfills by 50 percent by the year 2000. In compliance with guidelines set forth by AB 939, both the Cities of Irvine and Tustin adopted a Source Reduction and Recycling Element (SRRE) to define goals and objectives for waste reduction, recycling and diversion. The SRRE defines guidelines to implement these goals and objectives through eight main programs, consisting of Source Reduction, Recycling, Composting, Special Waste, Public Education Information, Disposal Facility Capacity, Funding, and Integration.

OCIWMD also is obligated to obtain a Solid Waste Facilities Permit, a Stormwater Discharge Permit, and permits to construct and operate gas management systems and meet Waste Discharge Requirements. The local enforcement agency (LEA), SCAQMD and RWQCB enforce landfill regulations related to health, air quality, and water quality, respectively. Proposed development within the Specific Plan area would not inhibit OCIWMD's compliance with the requirements of each of these governing bodies.

It should also be noted that the cities of Tustin and Irvine comply with all State and local statutes and regulations related to solid waste including the California Public Resources Code, Section 40000 et al. Federal Disposal Service is responsible for implementing and managing several citywide recycling programs and assisting the City to achieve the state-mandated recycling of 50 percent as required under AB 939. When last reported (2002) the City of Tustin had received a

46 percent recycling rate and had received an extension from the California Integrated Waste Management Board for meeting the 50 percent solid waste reduction requirement. In 2003, the City adopted Municipal Code Section 4327, Waste Disposal Diversion Requirements for Construction Demolition and Renovation Projects in the City, to increase the recycling rate to 50 percent. In 2002, the City of Irvine successfully diverted 50 percent of its solid waste stream. (California Integrated Waste Management Board, 2006). The proposed project would be in compliance with AB 939. The compliance standard for AB 929 is "good faith effort." The cities of Irvine and Tustin have been deemed to be in good faith compliance with AB939. Development of the proposed project would not adversely effect the City's ability to attain the waste reduction requirements of AB 939.

H. Require or result in the construction of new electric, natural gas, or cable facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?

No Substantial Change from Previous Analysis.

Electricity

SCE provides electrical service to the project area. The proposed Specific Plan Amendment, DDA, and Development Plan would not substantially change the types or amount of land uses assumed in the Land Use Plan addressed in the FEIS/EIR. The number of residential units remains relatively the same (with an increase of only 20 units) and the amount of non-residential development has been reduced. Ralph E. Hitchcock & Associates conducted the following analyses for the proposed project: comparison of annual and peak electric demand between the original Specific Plan and proposed Specific Plan Amendment, DDA and Development Plan; and an analysis of electrical energy impacts, including impact on peak demand and electrical supply, as well as anticipated conservation measures in compliance with Appendix F of the State CEQA Guidelines. To conduct this analysis, peak and annual demand was estimated based on anticipated project end uses, and the current energy supply was assessed. The technical analyses are available for review at the City of Tustin and summarized in this section.

Based on the application of current electric demand information to the land uses proposed in the original Specific Plan and for the currently proposed project, a comparison of the electricity demand has been generated. Using current demand generation factors available from SCE, the original Specific Plan would create the need for 213,263,595 kWh annually and a coincident peak electric demand of 44,375 kW at project buildout. Coincident peak is what the electrical delivery system and generation actually experience on the one hour in a year when the most electricity is use. The proposed project would consume 221,210,258 kWh or an increase of 7,946,663 kWh or 3.73 percent. The proposed project peak demand is 34,434 kW reduced by 9,941 kW or 22.4 percent from the original project.

The reduction in peak demand is significant in that it helps reduce the State's overall generation needs. While the State is not in catastrophic need of reduced electric peak demand to conserve generation resources (baring unseasonable heat storms) it is helpful to keep demand needs to a minimum as the California Energy Commission tries to implement policies that will secure long term generation stability within the state. The increase in annual estimated electrical demand associated with the proposed project is not substantial in light of the State's overall electricity supply capabilities, and when demographics associated with the proposed project are taken into account. Therefore, the proposed project would not have substantially more severe impacts than the original project related to electrical demand.

Below is a summary of the recommended energy analysis described in Appendix F of the State CEQA Guidelines.

Energy Impact and Potential Conservation Measures to Reduce Peak Energy Demand

The residential portion of the proposed project includes 4,621 new residential units, which would add 36 million kilowatt hours (kWh) of annual energy usage and 8.2 megawatts (mW) of peak demand. This represents an average of 7,800 kWh per unit per year. Compared to Southern California Edison's average annual residential consumption of 6,100 kWh this is a 28 percent increase or 1,700 kWh. This is not an unreasonable or significant increase given demographics of SCE's 3.6 million residential customers compared to those of the 4,621 units within the project area. This average dwelling usage of 7,800 kWh is consistent with 2003 SCE Residential Appliance End Use Study. The overall impact of the non-residential portion of the project over the buildout period is 185 mWh annually in energy consumption and a peak demand of 26.9 mW.

SCE will not, as a matter of corporate policy, provide any of the type of information provided above. However, in preparation of the FEIS/EIR the City of Tustin consulted with SCE. SCE indicated that they would be able to serve the project and this is demonstrated by their subsequent approval of construction plans for Phase I improvements as well as the Vestar Phase I improvements.

Potential conservation measures have been identified that would reduce energy demand from that presented above. The proposed project would comply with applicable local and state requirements for energy conservation. This includes compliance with all State Energy Insulation Standards and City of Tustin codes in effect at the time of application for building permits, including Title 24/Department of Energy (DOE)-2 design criteria. (Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 covers the use of energy efficient building standard, including ventilation, insulation and construction and the use of energy saving appliances, conditioning systems, water heating, and lighting.) Other energy conservation measures that would be reviewed during subsequent project design stages that could be incorporated into proposed development include, but are not limited to:

- Use of landscaping that takes into consideration orientation and shade to improve energy consumption.
- Use of the most efficient energy consuming devices based on practicality and economics.
- Thermal energy storage would be considered based on the specific application, location of the complex and overall economics.
- Use of sophisticated lighting controls for thermal reduction would be considered based on application.
- Use of facility energy management systems and controls would be considered based on application and overall economics.
- Use of communication conduit to accommodate voice, video and data services would be considered based on application and overall economics.

Energy Use and Supplies

The project would have an annual requirement of 221,210 mWh and need 34.4 mW of demand support. This need would be accommodated by using SCE's purchased energy considering the

best mix of environmentally sensitive and economic dispatch. The proposed project would be planned and designed with energy efficient usage at the forefront, both for environmental as well as economic needs.

Based on coordination between the City and SCE, it is reasonable that SCE's long range load flow studies, future distribution substation size, and location and distribution circuit plans would accommodate the project's energy needs in the normal course of SCE's regional planning. It should also be noted that the impact of the planned conservation/energy management actions for reducing kWh and kW demand are not yet defined for the project; therefore, there would likely be a substantial reduction from the amount noted in this analysis. Additionally, SCE and the City of Tustin have an existing Franchise Agreement for the provision of electric service in the City, including the Specific Plan area.

Statewide Energy Supply/Demand

It is estimated that the State's electric peak demand would increase to approximately 61.4 GW in 2012. Assuming there is no additional generation capacity added between 2005 and 2012, there would be an 11 percent spinning reserve and no surplus capacity. The minimum spinning reserve is 7 percent. This scenario, assuming no further capacity additions, leaves the State with 4 percent, or 2.5GW, above the minimum requirements for spinning reserve.

The proposed project's peak demand of 34,434kW (0.034 GW), represents approximately six hundredths of one percent (0.06 percent) of the anticipated California peak demand in 2012. The project's energy consumption in 2013 of 221,210,258 kWh for the area compared to the State's energy consumption of 310 billion kWh represents seven hundredths of one percent (0.07 percent) of the State's total energy needs.

The California Energy Commission (CEC) is working on establishing resource adequacy requirements for all suppliers of retail electricity in an effort to maintain reliable supplies and reduce prices for energy in California. This process should assess the supply and demand for electricity, as well as the most prominent risks to the reliability of the system and electricity consumers in terms of electricity costs, and establish benchmarks to ensure that adequate planning reserves are maintained. Supporting this process, the CEC is addressing the issues of: (a) ensuring that electricity is used as efficiently as possible, (b) generation capacity is available through construction within the State and addressing surplus purchasable energy within the western states, (c) reducing the State's dependency on natural gas for generation of electricity by aggressively developing energy resources required under California's Renewables Portfolio Standard (RPS), (d) the State's bulk transmission system which needs major upgrades and new additions, and (e) offering consumers energy choices.

It has been concluded that there is sufficient energy available to the State for the proposed project, and the proposed project would not substantially impact the ability of SCE's system to serve the new and existing loads. This conclusion is based on the following:

- The regional power markets in general have reacted properly to the recent crisis, in that new sources of supply have come on-line and more are planned and under construction but construction is lagging the forecast. The incentives are there to provide the needed capacity.

- Statewide transmission constraints are being dealt with in ongoing proceedings at the CEC, and within the utility/transmission community. The transmission constraints are not resolved and would remain an ongoing issue.

- Within the time frame that the proposed project would take to build out, the amount of load added by this development is not material in the context of the swings in power movement from north to south or from east to west during any given day's power trading, and would be lost in the California ISO's rounding errors in determining available capacity.

- SCE is aware of its system constraints and their system would be able to handle the additional load presented by the proposed project.

Therefore, the additional load created by the project would not have any significant impact on the generation or transmission of electricity in the area. Given the anticipated energy and demand created by the proposed project at buildout, there would be sufficient transmission capacity to serve the area load. During construction and at buildout, the distribution infrastructure would also be adequate to deliver the load to the project site. SCE continually updates a regional Distribution Substation Plan that forecasts load increases such as Tustin Legacy, in a generic sense, to assure there would be proper infrastructure in place when projects are implemented.

Electric facilities would be constructed on-site in compliance with the provisions of the Tustin Legacy Backbone Infrastructure Program, conditions of entitlements within the Specific Plan Area, and within the Master Developer footprint as required by the DDA. The environmental impacts associated with these construction activities have been evaluated for each topical issue addressed in the FEIS/EIR and in this Addendum. As concluded in the FEIS/EIR no significant impacts would result. The proposed project would not result in new or substantially more severe impacts than what was evaluated in the FEIS/EIR. Mitigation measures identified in the FEIS/EIR reduce impacts to a level that is less than significant.

Natural Gas

Sempra Energy/The Gas Company (Sempra) provides natural gas service to the project area. The proposed Specific Plan Amendment, DDA, and Development Plan would not substantially change the types or amount of land uses assumed in the Land Use Plan addressed in the FEIS/EIR. The number of residential units has increased by only 20 units and the amount of non-residential development has been reduced. Based on the changes in the amount and type of proposed land uses, and using the most current adopted demand factors as presented in *SCAQMD CEQA Air Quality Handbook*, it has been determined that the proposed project would have a reduced natural gas demand compared to the previously approved project (589.65 million cubic feet/year vs. 659.76 million cubic feet/year).

Natural gas distribution facilities would be constructed on-site in compliance with the requirements of Sempra, the provisions of the Tustin Legacy Backbone Infrastructure Program, and conditions of entitlements within the Specific Plan Area, and within the Master Developer footprint as required by the DDA. The environmental impacts associated with these construction activities have been evaluated for each topical issue addressed in the FEIS/EIR and in this Addendum.

It should also be noted that the Sempra and the City of Tustin have an existing Franchise Agreement for the provision of natural gas in the City, including the Specific Plan area. Sempra's forecasts for additional demands such as the proposed project and continues to provide the necessary energy resources for existing demands. Necessary distribution facilities, such as the extension of natural gas lines described above, will be performed according to the specific requirements of Sempra. The proposed project would not result in new or substantially more severe impacts related to natural gas service than what was evaluated in the FEIS/EIR and no new mitigation measures are required because impacts are reduced to a level that is less than significant.

Cable

As noted above, the City of Tustin maintains an open service area policy and cable television franchises are granted on a citywide basis. Cable facilities would be constructed on-site in compliance with the provisions of the Tustin Legacy Backbone Infrastructure Program, conditions of entitlements within the Specific Plan Area, and within the Master Developer footprint as required by the DDA. The environmental impacts associated with these construction activities have been evaluated for each topical issue addressed in the FEIS/EIR and in this Addendum. The proposed project would not result in new or substantially more severe impacts than what was evaluated in the FEIS/EIR.

5.16.4 IMPLEMENTATION MEASURES

To support proposed development in the MCAS Tustin Specific Plan area, utilities and associated infrastructure must be provided concurrent with demand. Compliance with the following Implementation Measures would ensure that utilities are provided by the project developer when needed. For consistency, the lettering system follows that provided in the approved Mitigation Monitoring and Reporting Program for the FEIS/EIR.

FEIS/EIR Measures That Have Been Completed

No measures related to utilities have been completed.

FEIS/EIR Measures Applicable to the Proposed Project

Implementation Measures for Utilities

IM (b) Prior to a final map recordation (except for financing and reconveyance purposes), the development applicant shall enter into an agreement with the City of Tustin and City of Irvine and any appropriate regional utility agencies, districts, and providers, as applicable, to dedicate all easement, rights-of-way, or other land determined necessary to construct adequate utility infrastructure and facilities to serve the project as determined by the city, agency, district, or other providers.

IM (c) Prior to any final map recordation (except for financing and conveyance purposes), the development applicant shall enter into a secured agreement with the cities of Tustin and/or Irvine, as applicable, to participate on a pro-rated basis in construction of capital improvements necessary to provide adequate utility facilities.

IM (d) Prior to the issuance of permits for any public improvements or development project, a development applicant shall submit to the City of Tustin and City of Irvine, as applicable, information from IRWD which outlines required facilities necessary to provide adequate potable water and reclaimed water service to the development.

IM (g) Prior to the issuance of grading permits or approval of any subdivision map (except for financing and reconveyance purposes), whichever occurs first, for development within the 100-year flood plain, grading and drainage systems shall be designed by the project developer such that all building pads would be safe from inundation from runoff from all storms up to and including the theoretical 100-year storm, to the satisfaction of the City of Tustin Building Division or the Irvine Public Works Department, as applicable. Grading permits or subdivision maps generated for financing and reconveyance purposes are exempt.

IM (i) Prior to issuance of any grading permit or approval of any subdivision map (except for financing and conveyance purposes), for any development that is either partially or completely located within the 100-year flood plain of the Flood Insurance Rate Map, the development applicant shall submit all required documentation to the FEMA and demonstrate that the application for a Conditional Letter of Map Revision for changes to the 100-year flood plain is satisfied in a manner meeting the approval of each respective city, as applicable.

IM (j) Prior to the approval of any applicable subdivision map (except for financing and conveyance purposes), the developer-applicant shall design and construct local drainage systems for conveyance of the 10-year runoff. If the facility is in a local sump, it shall be designed to convey the 25-year runoff.

IM (k) Prior to any grading for any new development, the following drainage studies shall be submitted to and approved by the City of Tustin, City of Irvine, and/or OCFCD, as applicable:

(1) A drainage study including diversions (i.e., off-site areas that drain onto and/or through the project site) with justification and appropriate mitigation for any proposed diversion.

(2) A drainage study evidencing that proposed drainage patterns would not result in increased 100-year peak discharges within and downstream of the project limits, and would not worsen existing drainage conditions at storm drains, culverts, and other street crossings including regional flood control facilities. The study shall also propose appropriate mitigation for any increased runoff causing a worsening condition of any existing facilities within or downstream of project limits. Implementation of appropriate interim or ultimate flood control infrastructure construction must be included.

(3) Detailed drainage studies indicating how, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, building pads are made safe from runoff inundation which may be expected from all storms up to and including the theoretical 100-year flood.

IM (l) Prior to approval of any subdivision map (except for financing or conveyance purposes), an agreement will be executed with the OCFCD that provides for the identification and contribution of a project-specific fair share contribution toward the construction of ultimate flood control faculties needed to accommodate build-out of the affected project. Interim flood control facilities may be considered for approval provided such facilities meet OCFCD requirements. Nothing shall preclude the City of Tustin from transferring the obligation onto other project developers within the project area.

Refinements to FEIS/EIR Implementation Measures/New Implementation Measures

IM (a) The City of Tustin or City of Irvine, as appropriate, shall ensure that infrastructure is constructed in phases as triggered by identified thresholds in ~~4.3-1~~ Table 4-2 of the revised Specific Plan Phasing Plan, Phasing Plan Requirements (attached) ~~of the FEIS/EIR (see Table 1 at the end of the Mitigation Monitoring and Reporting Program)~~. The Phasing Plan provides an organizational framework to facilitate development of the reuse plan area in tandem with infrastructure necessary to support the planned development.

This framework reflects the fact that each component of the infrastructure has its own threshold for accommodating additional development toward build-out of the reuse plan area. The triggering mechanisms that identify timing of key infrastructure provisions are summarized in Table 4-2 of the revised Specific Plan Phasing Plan, Phasing Plan Requirements. ~~Table 4.3-1~~.

IM (e) Prior to the issuance of building permits ~~the certificates of use and occupancy~~, the project developer shall ensure that fire hydrants capable of flows in amounts approved by the OCFA are in place and operational to meet fire flow requirements. No refinements need to be made to the FEIS/EIR Implementation Measures and no new Implementation Measures are required.

IM (f) Prior to the issuance of permits for any public improvements or development project, a development applicant shall submit to the City of Tustin and City of Irvine, as applicable, information from IRWD~~, OCSD~~, or the City of Tustin which outlines required facilities necessary to provide adequate sanitary sewage service to the development.

IM (h) Prior to construction of regional flood control facilities, appropriate state and federal approvals, including agreements and permits, shall be obtained. These include but are not limited to Regional Water Quality Control Board permits, including NPDES permits; Section 401 water quality certifications; Section 404 permits from the USACE, and Section 1601 or 1603 agreements from the CDFG in a manner meeting the approval of the City of Tustin and the Irvine Public Works Department, as applicable.

REVISED TABLE 4-2
PHASING PLAN REQUIREMENTS

Facility	General Scope	General Triggering Mechanism
Circulation	1) On-site arterial highways, intersections and Tustin Ranch Road/Edinger Avenue interchange; 2) Off-site arterial highway, intersection improvements; 3) Selected advanced transportation management system (ATMs) facilities.	When cumulative development and associated average daily trips reach ADT development thresholds based on the land use/trip budget presented in the FEIS/EIR or as modified by the FEIS/EIR Addendum or any subsequent amendment. ~~per the joint EIS/EIR based on the land use/trip budget in Chapter 3.~~
Bikeways/Trails	1) Class 1 Bikeway along Peters Canyon Channel; 2) On-site Class II Bikeway System.	1) When Peters Canyon Channel is improved ~~by County;~~ 2) When backbone arterial highways are constructed.
Domestic (Potable) Water	1) Existing housing water distribution lines; 2) New backbone water mains; 3) Abandoned/relocated wells	1) Upon determination by IRWD regarding acceptability of the lines. 2) When backbone arterial highways are constructed; 3) Upon determination by the City and consultation with IRWD.
Reclaimed (Non-Potable) Water	1) New backbone water lines; 2) Existing and new well sites.	1) When backbone arterials highways are constructed; 2) Upon completion of negotiations by City IRWD or developer(s) regarding exchange of well sites.
Sanitary Sewer	1) Existing housing sewer conveyance lines; 2) New backbone sewer mains.	1) Upon determination by the IRWD~~and OCSD~~ regarding acceptability of the lines; 2) When backbone arterial highways are constructed.
Storm Drain	1) Backbone storm drain systems; 2) Regional flood control channel improvements; 3) Retention basins; 4) Flood plain mitigation.	1) Generally in conjunction with arterial highway construction. Armstrong/Barranca channel improvements upon determination of acceptability as part of development plans. 2) Any project generated Barranca Channel improvements in conjunction with ~~Phase II~~ development as needed or determined by the applicable jurisdiction and in consultation with the OCFCD; any necessary project generated Peters Canyon Channel and Santa Ana/Santa Fe channel improvements in conjunction with ~~Phase III~~ development as needed or determined by the applicable jurisdiction and in consultation with the OCFCD. 3) As necessary as interim or permanent design in review of development plans. 4) Filing of flood zone map with FEMA prior to any ~~Phase II~~ construction.
Electricity	Backbone electric distribution lines.	When backbone arterial highways are constructed.
Natural Gas	Backbone gas distribution lines.	When backbone arterial highways are constructed.
Telephone	Backbone telephone lines.	When backbone arterial highways are constructed.
Cable Television	Backbone cable television distribution lines; fiber optic cables.	When backbone arterial highways are constructed.

REVISED TABLE 4-2 (Continued)
PHASING PLAN REQUIREMENTS

Facility	General Scope	General Triggering Mechanism
Parks	1) Regional park; 2) Community park (24 acre); 3) Community park (46 acres), neighborhood parks, private parks; and ~~Neighborhood parks in Tustin (community and other private parks);~~ 4) Neighborhood park in Irvine.	1) Site can be used upon transfer to County; improvements will occur per agreement with City of Tustin; 2) Site can be used upon transfer to City; upgrading will occur upon receipt of adequate funding including park development fees; 3) When adequate park development fees are received, subject to development conditions, development agreements and funding availability as applicable; 4) When adequate funding has been secured from assessment district funding; tax-increment or developer-negotiation.
Note: In addition to applicable sections of this Phasing Plan, the provisions of the joint Final EIS/EIR will apply.		

FEIS/EIR Measures Not Applicable to the Proposed Project

All measures identified in the FEIS/EIR related to utilities are applicable to the proposed project.

5.16.5 CONCLUSION

Pursuant to Sections 15162 and 15183 of the CEQA Guidelines, the City of Tustin has determined, on the basis of substantial evidence in the light of the whole record, that: (a) the amended project does not propose substantial changes to the project affecting utilities and service systems, which would require major revisions to the FEIS/EIR; (b) there have been no substantial changes in circumstances under which the project will be undertaken that will require major revisions to the FEIS/EIR due to new or substantially more severe significant environmental effects related to utilities and service systems than previously analyzed in the FEIS/EIR; and (c) no new information of substantial importance, as described in subsection (a)(3) of Section 15164 of the CEQA Guidelines, related to utilities and service systems has been revealed that would require major revisions to the FEIS/EIR or its conclusions.

The FEIS/EIR concluded that there would be no significant unavoidable impacts related to utilities and service systems. Additionally, the proposed project would not result in a substantial increase in the severity of impacts to utilities and service systems beyond that identified in the FEIS/EIR.

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Errata to the Addendum to the
FEIS/EIR for the Disposal and Reuse of MCAS Tustin

Subsequent to completion of the Addendum to the Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) for the Disposal and Reuse of MCAS Tustin, it was determined that implementation of the Master Developer Development Plan would require the import of soil. The import of soil is required to ensure that the finished grade of the project site is compatible with adjacent development currently being completed by Vestar.

Based on information provided by the Master Developer it is estimated that a maximum of 1,000,000 cubic yards of soils material would be imported over a period of 24 months. Only soils deemed suitable for onsite development would be used. Assuming 14 cubic yards per truck load, it is estimated that there would be 99 truck loads per day over the 24 month period. Three existing entries to the site would be used by haul trucks (Edinger Avenue, Warner Avenue and Barranca Parkway); therefore, approximately 33 truck trips would access the site at each entry on a daily basis.

The potential impacts associated with the import of soil to the project site have been assessed and require minor modifications to the Addendum's discussion of short term construction impacts relating to Air Quality, Traffic and Noise, which are discussed below. It is important to note that despite this change in the project's construction requirements, the FEIS/EIR's ultimate conclusions relating to short-term construction impacts on these environmental resources would be the same.

Section 5.3, Air Quality

Page 5-19 – The construction analysis is revised as follows:

Construction

In recognition that actual construction schedules would be determined at a later date, the construction analysis presented in the FEIS/EIR was based on assumptions for the peak construction year. This information was then used to estimate construction activity during the peak construction quarter and peak construction day. Based on current phasing assumptions of the DDA (see Section 3.2.3 of this Addendum), construction activities associated with the proposed project would be similar to the assumptions for peak construction activities outlined in the FEIS/EIR. Even with the import of the soil, the grading activity assumptions on the peak day would not substantially change.

However, it should be noted that during grading activities for the Master Developer footprint it would be necessary to import an estimated one million cubic yards of soil over a two year period. A source site has not been identified and would be dependent on the availability of suitable soils at the time of construction. The imported soil would be used during grading activities for Phase I and Phase II. The soil would be brought to the site by haul trucks (approximately 99 loads per day). The haul trucks would primarily generate NO_x emissions, which would be in addition to what was previously assumed in the FEIS/EIR. As noted above, the FEIS/EIR concluded that NO_x emissions would exceed SCAQMD significance thresholds for these pollutants even with implementation of the mitigation measures. While NO_x emissions would increase from the additional

haul truck trips, the conclusions of the FEIS/EIR would not change. Moreover, since the NO_x would be distributed along the haul route path it would not cause local impacts but would contribute to regional ozone formation.

Because the proposed project would not substantially change the maximum daily construction efforts required to implement the project, it would not result in substantially different or more severe air pollutant emissions during construction. As noted in Section 5.13, PM_{10}, ROC and NO_x emissions would be significant and unavoidable. The conclusions of the FEIS/EIR related to construction emissions would not change. Section 5.3.4 below includes measures carried forward from the FEIS/EIR as well as an updated MM AQ-1 for reducing construction-related air quality impacts. The intent of MM AQ-1 remains the same, but as modified incorporates additional strategies for controlling fugitive dust (also known as PM_{10} or particulate matter) emissions, and reflects provisions of SCAQMD's updated fugitive dust control rules (i.e., Rule 402 and Rule 403), which became effective in January 2005, after certification of the FEIS/EIR. Compliance with refined MM AQ-1 would yield greater PM_{10} reduction benefits than the original mitigation measures included in the FEIS/EIR.

Consistent with the conclusions reached in the FEIS/EIR, the proposed project would result in significant short-term construction air quality impacts. Because the maximum daily construction activities are similar, the proposed project would not substantially increase the type or severity of construction-related air quality impacts from those identified in the FEIS/EIR. Because MM AQ-1 is modified to require compliance with the updated dust controls now mandated by Rules 402 and 403, new control technologies available to reduce construction air quality impacts would be implemented during project construction.

Section 5.11, Noise

Page 5-99 – The following is hereby added under the discussion of Thresholds B and D.

The 99 daily trucks trips associated with importing soils would not cause a discernable increase in the CNEL noise level along a roadway due to the current traffic volumes on roadways that would be used (e.g., Jamboree Road, Red Hill Avenue, Edinger Avenue, Barranca Parkway). A roadway would have to have an average daily traffic (ADT) volume of less than 1,215 vehicles for there to be a discernable increase (i.e., more than 3 dB). It should also be noted that the truck traffic would occur during daytime hours (7:00 a.m. to 7:00 p.m.).

A significant impact only occurs if the traffic due to the project causes a discernable increase and the resulting noise level exceeds the City's 65 CNEL noise standard. This would not occur along any roadways with sensitive receptors and therefore the haul trucks importing soils would not result in a significant noise impact. There would be no change to the conclusions of the FEIS/EIR related to construction noise.

Section 5.15, Transportation and Traffic

Page 5-131 - The following subsection is hereby added following the discussion of Performance Criteria:

Construction Traffic

As identified in the FEIS/EIR, one of the primary activities generating construction traffic is site development. The FEIS/EIR concluded that the magnitude of the impacts would depend on the type and location of such activities, and would be monitored by City of Tustin administrative procedures for such activities. Possible significant impacts could include lane closures with short-term disruption to the public. Measures to minimize conflicts could include designated routes and times for heavy trucks (i.e., major roadways only and avoiding peak hours). The procedures should be coordinated with neighboring jurisdictions that would be affected.

The proposed project would not change these conclusions; however, it should be noted that additional construction traffic would be associated with the import of soil to the project site. It is estimated that approximately 99 haul trucks would access the site on a daily basis using three entries (33 trucks per entry). This volume of construction traffic would not cause significant traffic impacts to the operation of the roadways. Additionally, Mitigation Measure T/C-1, which requires that each developer provide traffic operations and control plans for construction activities, would also apply to haul truck traffic to confirm sufficient flow of traffic at the existing entries. The proposed project would not result in new significant or substantially more severe impacts related to construction traffic beyond that previously identified in the FEIS/EIR.

Exhibit 2 to Attachment A (MMRP)

MITIGATION MONITORING AND REPORTING PROGRAM
MCAS TUSTIN DISPOSAL AND REUSE
Revised March 21, 2006

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Mitigation Measures for Land Use				
LU-1.	The City of Tustin shall amend its General Plan and zoning ordinance to be consistent with planned land uses. Any zoning ordinance shall include site design measures such as buffering, landscaping, screening, and setbacks, to ensure high quality development and compatibility between land uses. The goal is to assure that the overall appearance of development on the site is at least similar in quality to other master planned areas in Tustin and other adjacent cities.	Prior to a final map recordation (except for financing and reconveyance purposes) within the Reuse Plan Area within the City of Tustin.	City of Tustin	Community Development Department (Tustin)
LU-2.	The City of Irvine shall amend its General Plan and zoning ordinance to be consistent with planned land uses. Any zoning ordinance shall include site design measures such as buffering, landscaping, screening, and setbacks, to ensure high quality development and compatibility between land uses. The goal is to assure that the overall appearance of development on the site is at least similar in quality to other master planned areas in Tustin and other adjacent cities.	Prior to a final map recordation (except for financing and reconveyance purposes) within the Reuse Plan Area within the City of Irvine.	City of Irvine	Community Development Department (Irvine)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
	Implementation Measures for Utilities			
(a)	The City of Tustin or City of Irvine, as appropriate, shall ensure that infrastructure is constructed in phases as triggered by identified thresholds in Table ~~4.3-1 of the Final EIS/EIR~~ 4-2 of the revised Specific Plan Phasing Plan, Phasing Plan Requirements (see Table 4-2 at the end of this Mitigation Monitoring and Reporting Program). The Phasing Plan provides an organizational framework to facilitate development of the reuse plan area in tandem with infrastructure necessary to support the planned development. This framework reflects the fact that each component of the infrastructure has its own threshold for accommodating additional development toward build-out of the reuse plan area. The triggering mechanisms that identify timing of key infrastructure provisions are summarized in Table ~~4.3-1~~ 4-2 of the revised Specific Plan Phasing Plan, Phasing Plan Requirements (see Table 4-2 at the end of this Mitigation Monitoring and Reporting Program).	See Table 4.3-1 of the Final EIS/EIR or Table 1 at the end of this Mitigation Monitoring and Reporting Program for each specific triggering mechanism.	City of Tustin and/or City of Irvine, as applicable	Community Development Department (Tustin and/or Irvine, as applicable)
(b)	Prior to a final map recordation (except for financing and reconveyance purposes), the development applicant shall enter into an agreement with the City of Tustin and City of Irvine and any appropriate regional utility agencies, districts, and providers, as applicable, to dedicate all easement, rights-of-way, or other land determined necessary to construct adequate utility infrastructure and facilities to serve the project as determined by the city, agency, district, or other providers.	Prior to final map recordation (except for financing and reconveyance purposes).	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(c)	Prior to any final map recordation (except for financing and conveyance purposes), the development applicant shall enter into a secured agreement with the cities of Tustin and/or Irvine, as applicable, to participate on a pro-rated basis in construction of capital improvements necessary to provide adequate utility facilities.	Prior to final map recordation (except for financing and reconveyance purposes).	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
(d)	Prior to the issuance of permits for any public improvements or development project, a development applicant shall submit to the City of Tustin and City of Irvine, as applicable, information from IRWD which outlines required facilities necessary to provide adequate potable water and reclaimed water service to the development.	Prior to the issuance of permits for any public improvements or development project.	Project developer	Community Development Department (Tustin and/or Irvine, as appropriate)
(e)	Prior to the issuance of <u>building permits</u> ~~the certificates of use and occupancy~~, the project developer shall ensure that fire hydrants capable of flows in amounts approved by the OCFA are in place and operational to meet fire flow requirements.	Prior to the issuance of the certificates of use and occupancy.	Project developer	Community Development Department (Tustin and/or Irvine, as appropriate); OCFA
(f)	Prior to the issuance of permits for any public improvements or development project, a development applicant shall submit to the City of Tustin and City of Irvine, as applicable, information from IRWD~~, OCSD~~, or the City of Tustin which outlines required facilities necessary to provide adequate sanitary sewage service to the development.	Prior to the issuance of permits for any public improvements or development project.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(g)	Prior to the issuance of grading permits or approval of any subdivision map (except for financing and reconveyance purposes), whichever occurs first, for development within the 100-year flood plain, grading and drainage systems shall be designed by the project developer such that all building pads would be safe from inundation from runoff from all storms up to and including the theoretical 100-year storm, to the satisfaction of the City of Tustin Building Division or the Irvine Public Works Department, as applicable. Grading permits or subdivision maps generated for financing and reconveyance purposes are exempt.	Prior to the issuance of grading permits or approval of any subdivision map (except for financing and reconveyance purposes), whichever occurs first.	Project developer	Tustin Building Division or the Irvine Public Works Department, as applicable
(h)	Prior to construction of regional flood control facilities, appropriate state and federal approvals, including agreements and permits, shall be obtained. These include but are not limited to Regional Water Quality Control Board permits, including NPDES permits; Section 401 water quality certifications; Section 404 permits from the USACOE, and Section 1601 or 1603 agreements from the CDFG in a manner meeting the approval of the City of Tustin and the Irvine Public Works Department, as applicable.	Prior to construction of regional flood control facilities.	Project developer	Public Works Department (Tustin and/or Irvine, as applicable)
(i)	Prior to issuance of any grading permit or approval of any subdivision map (except for financing and conveyance purposes), for any development that is either partially or completely located within the 100-year flood plain of the Flood Insurance Rate Map, the development applicant shall submit all required documentation to the FEMA and demonstrate that the application for a Conditional Letter of Map Revision for changes to the 100-year flood plain is satisfied in a manner meeting the approval of each	Prior to issuance of any grading permit or approval of any subdivision map (except for financing and conveyance purposes).	Project developer	Tustin Building Division or the Irvine Public Works Department, as applicable

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
	respective city, as applicable.			
(j)	Prior to the approval of any applicable subdivision map (except for financing and conveyance purposes), the developer-applicant shall design and construct local drainage systems for conveyance of the 10-year runoff. If the facility is in a local sump, it shall be designed to convey the 25-year runoff.	Prior to the approval of any applicable subdivision map (except for financing and conveyance purposes).	Project developer	Public Works Department (Tustin and/or Irvine, as applicable)
(k)	Prior to any grading for any new development, the following drainage studies shall be submitted to and approved by the City of Tustin, City of Irvine, and/or OCFCD, as applicable:	Prior to any grading for any new development.	Project developer	Tustin Building Division or Public Works Department (Tustin and/or Irvine, as applicable)
	(1) A drainage study including diversions (i.e., off-site areas that drain onto and/or through the project site), with justification and appropriate mitigation for any proposed diversion.	Prior to any grading for any new development.	Project developer	
	(2) A drainage study evidencing that proposed drainage patterns would not result in increased 100-year peak discharges within and downstream of the project limits, and would not worsen existing drainage conditions at storm drains, culverts, and other street crossings including regional flood control facilities. The study shall also propose appropriate mitigation for any increased runoff causing a worsening condition of any existing facilities within or downstream of project limits. Implementation of appropriate interim or ultimate flood control infrastructure construction must be included.			

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(k) (cont.)	(3) Detailed drainage studies indicating how, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, building pads are made safe from runoff inundation which may be expected from all storms up to and including the theoretical 100-year flood.			Tustin Building Division or Public Works Department (Tustin and/or Irvine, as applicable)
(l)	Prior to approval of any subdivision map (except for financing or conveyance purposes), an agreement will be executed with the OCFCD that provides for the identification and contribution of a project-specific fair share contribution toward the construction of ultimate flood control facilities needed to accommodate build-out of the affected project. Interim flood control facilities may be considered for approval provided such facilities meet OCFCD requirements. Nothing shall preclude the City of Tustin from transferring the obligation onto other project developers within the project area.	Prior to approval of any subdivision map (except for financing or conveyance purposes).	City of Tustin	Tustin Public Works Department, Tustin Community Redevelopment Agency

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
	Implementation Measures for Public Services and Facilities			
(m)	General The City of Tustin and the City of Irvine, each within its respective jurisdiction, shall ensure that adequate fire protection, police protection, libraries, and parks and recreation facilities (including bikeways/trails) needed to adequately serve the reuse plan area shall be provided as necessary. To eliminate any negative impact the project could have on each community's general fund, financing mechanisms including but not limited to developer fees, assessment district financing, and/or tax increment financing (in the event that a redevelopment project area is created for the site), shall be developed and used as determined appropriate by each City. Specifically; (1) Applicants for private development projects shall be required to enter into an agreement with City of Tustin or the City of Irvine, as applicable, to establish a fair-share mechanism to provide needed fire and police protection services, libraries, and parks and recreation facilities (including bikeways) through the use of fee schedules, assessment district financing, Community Facility District financing, or other mechanisms as determined appropriate by each respective city. (2) Recipients of property through public conveyance process, or other conveyance procedures, shall be required to mitigate any impacts of their public uses of property on public services and facilities.	Prior to final map recordation or building permit issuance.	Project developer Property recipients	Tustin Community Development Department, Police Department, or Parks Department or the City of Irvine, and/or OCFA, as appropriate

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(n)	The cities of Tustin and Irvine shall jointly consult and coordinate with the OCPFRD/Harbors, Beaches and Parks, Program Management and Coordination Division, in preparation of trail designs for the Peters Canyon and Barranca trails within the reuse plan area. Improvements for each of these trails would be installed upon completion of flood control channel improvements and approval of their joint use by the OCPFRD.	Ongoing prior to implementation of Peters Canyon and Barranca trails.	City of Tustin and City of Irvine	Community Development Department (Tustin and/or Irvine, as applicable)
(o)	Fire Protection/Emergency Medical Services Prior to the first final map recordation or building permit issuance for development (except for financing and reconveyances purposes), the project developer could be required to enter into an agreement with the City of Tustin or City of Irvine/OCFA, as applicable, to address impacts of the project on fire services. Such agreement could include participation for fire protection, personnel and equipment necessary to serve the project and eliminate any negative impacts on fire protection services.	Prior to the first final map recordation or building permit issuance for development (except for financing and reconveyances purposes).	Project developer	Tustin Community Redevelopment Agency and the City of Irvine
(p)	Prior to issuance of building permits, the project developer shall work closely with the OCFA to ensure that adequate fire protection measures are implemented in the project.	Prior to issuance of building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
(q)	Prior to issuance of building permits for phased projects, the project developer shall submit a construction phasing plan to the OCFA demonstrating that emergency vehicle access is adequate.	Prior to issuance of building permits for phased projects.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(r)	Prior to the issuance of building permits, the project developer shall submit a fire hydrant location plan for the review and approval of the Fire Chief and ensure that fire hydrants capable of flows in amounts approved by the OCFA are in place and operational to meet fire flow requirements.	Prior to issuance of building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
(s)	Police Protection Prior to issuance of building permits, the project developer shall work closely with the respective Police Department to ensure that adequate security precautions are implemented in the project.	Prior to issuance of building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
(t)	Schools Prior to the issuance of building permits ~~certificates of use and occupancy~~, the project developer shall submit to the respective City proof of payment of appropriate school fees adopted by the applicable school district pursuant to Government Code Section 65995. Alternatively, a project developer may enter into a mutual agreement with an applicable school district to provide alternative mitigation that addresses student generation increases.	Prior to the issuance of building permits ~~certificates of use and occupancy~~.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
(u)	Parks and Recreation Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance for development within the City of Tustin portion of the site, the project developer shall be required to provide evidence of compliance with all requirements and standards of the City of Tustin Park Code.	Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance.	Project developer	Tustin Community Development Department and Parks and Recreation Department

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(v)	Prior to the first final map recordation or building permit issuance within the City of Irvine portion of the site, the project developer shall be required to provide evidence of compliance with all requirements and standards of the City of Irvine Park Code.	Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance.	Project developer	Irvine Community Development Department
(w)	Prior to the first concept plan for tentative tract map in the City of Tustin, the project developer shall file a petition for the creation of a landscape maintenance district for the project area with the City of Tustin. The district shall include public neighborhood parks, landscape improvements, and specific trails (Barranca only), the medians in arterials, or other eligible items mutually agreed to by the petitioner and the City of Tustin. In the event that a district is not established prior to issuance of the first building permit, maintenance of items mentioned above shall be the responsibility of a community association.	Prior to the first concept plan for tentative tract map.	Project developer	Tustin Public Works Department; Tustin Community Redevelopment Agency
(x)	Prior to approval of any subdivision map (except for financing or conveyance purposes), an agreement will be executed with the following agencies for the associated trail improvements: a. County of Orange Harbors, Beaches — identification of a project-specific fair share contribution toward the installation of necessary regional bikeway trail improvements within Peters Canyon Channel, to be installed in conjunction with the County of Orange's other channel improvements;	Prior to approval of any subdivision map (except for financing or conveyance purposes).	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure			Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
(x) (cont.)	b.	City of Tustin — the identification of a project-specific fair share contribution toward the installation of Class II bicycle trails through the project site. For the area of the site northeast of Irvine Center Drive, a separate agreement would be required to ensure the provision of a bikeway right-of-way easement, and design and construction of a bike trial along the SCRRA/OCTA rail tracks from Harvard Avenue westerly to the Peters Canyon Channel. In addition, project developers of the areas of the site southeast of the Peters Canyon Channel would need to accommodate access to both the Peters Canyon Trail and the trail adjacent to the SCRRA/OCTA tracks in any project site design including dedication of any necessary recreational trail easements;	Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance.	Project developer	Tustin Community Development Department and/or SCRRA/OCTA, as appropriate
	c.	City of Tustin — the identification of a project-specific fair-share contribution toward installation of Class I bikeway trail improvements northerly of Barranca Parkway after completion of the Barranca Channel improvements. For proposed developments adjacent to Barranca Channel, separate agreements would be required to ensure the establishment of a bikeway right-of-way easement between Jamboree Road and Red Hill Avenue.	Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance.	Project developer	Tustin Community Development Department

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Mitigation Measures for Aesthetics				
Vis-1	In conjunction with any zoning ordinance amendments to implement the reuse plan in Tustin or Irvine, an urban design plan shall be adopted to provide for distinct and cohesive architectural and landscape design, features and treatments, as well as harmony with adjacent landscaping. The urban design plan shall have the following elements: • landscaping concept and master signage plan; • design review and approval process; • limits on development intensity for each specific land use; • limits on height of structures and lot coverage; • minimum site building setbacks; • minimum on-site landscaping requirements; • buffering requirements, including berms, masonry walls, and landscaping; • lighting regulations, including regulations ensuring that exterior lighting does not • negatively impact surrounding property; • screening regulations for mechanical equipment and outside storage; and • site signage requirements, including sign permit approval.	Prior to the first final map recordation (except for financing and reconveyance purposes) or building permit issuance.	City of Tustin and City of Irvine	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Mitigation Measures for Cultural and Paleontological Resources				
Hist-1	Historic American Building Survey (HABS) - DON will complete the appropriate recordation for hangars 28 and 29 and the discontiguous historic district prior to conveyance of any property within the discontiguous historic district and shall ensure that copies of the recordation are made available to SHPO, the City of Tustin, and any local or other archive facilities designated by SHPO.	Prior to conveyance to City of Tustin	Department of the Navy	Department of the Navy
Hist-2	Curation - within 30 days of the execution of the MOA, Department of the Navy will Department of the Navyate copies of plans and architectural drawings and other archival materials and records, as available, concerning the layout and the buildings and structures that made up the original Navy lighter-than-air blimp facility to a local curation facility. The City of Tustin or its designee will also be provided with copies of these materials.	Within 30 days of the execution of the MOA	Department of the Navy	Department of the Navy
Arch-1	Prior to issuance of grading permits, the four-acre parcel currently outside the boundaries of the Air Station along Harvard Avenue shall be surveyed to determine the presence/absence of archaeological resources prior to grading.	Prior to issuance of grading permits.	Project developer	Tustin Community Development Department

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Arch-2	Prior to issuance of grading permits, the cities of Tustin and Irvine shall each require applicants of individual development projects to retain, as appropriate, a county-certified archaeologist. If buried resources are found during grading within the reuse plan area, a qualified archaeologist would need to assess the site significance and perform the appropriate mitigation. The Native American view point shall be considered during this process. This could include testing or data recovery. Native American consultation shall also be initiated during this process.	Prior to issuance of grading permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
Hist-3	As specified in the MOA, a substantive effort will be made to determine whether there is an economically viable adaptive use of Hangar 28 and Hangar 29.	Ongoing, prior to making substantial changes to Hangar 28 or Hangar 29.	Department of the Navy and County of Orange	Tustin Community Redevelopment Agency
Hist-4	If the marketing effort identifies an economically viable adaptive use of either of the complexes, that complex will be encumbered by a historic preservation covenant. In the case of the Hangar 28 complex, these measures shall balance the needs of the adaptive use and the needs for effective operation of the Federal Lands to Parks or Historic Monument programs.	Prior to making substantial changes to Hangar 28 or Hangar 29.	Department of the Navy	Tustin Community Development Department
Hist-5	If NPS and/or SHPO determine that, despite a marketing effort that complies with the terms of the MOA or as agreed to by the City of Tustin/County of Orange, NPS, and/or SHPO, an economically viable adaptive use of the Hangar 28 complex was not identified, NPS and/or SHPO shall promptly advise Department of the Navy and notify the City of Tustin/County of Orange that the following measures are required.	Prior to making substantial changes to Hangar 28.	Department of the Navy	NPS, SHPO, and Department of the Navy

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Hist-5 (cont.)	a. Written History - The City of Tustin/County of Orange shall prepare an illustrated history report on MCAS TUSTIN, with emphasis on the initial construction of the Air Station and its World War II Navy lighter-than-air operations. b. Exhibit - The City of Tustin/County of Orange shall prepare a professional-quality illustrated interpretive exhibit with emphasis on the initial construction of the air station and its World War II Navy lighter-than-air operations. c. Interpretive Video - The City of Tustin/County of Orange shall prepare a professional-quality documentary video and shall undertake a one-time distribution and outreach program for the documentary video.	Prior to making substantial changes to Hangar 28.	Department of the Navy	NPS, SHPO, and Department of the Navy
Paleo-1	The cities of Tustin and Irvine shall each require applicants of individual development projects to comply with the requirements established in a PRMP prepared for the site, which details the methods to be used for surveillance of construction grading, assessing finds, and actions to be taken in the event that unique paleontological resources are discovered during construction.	Prior to issuance of grading permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
Paleo-2	Prior to the issuance of a grading permit, project applicants shall provide written evidence to each city, that a county-certified paleontologist has been retained to conduct salvage excavation of unique paleontological resources if they are found.	Prior to issuance of grading permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
	Mitigation Measures for Biological Resources			
Bio-1	The project proponents of any development affecting jurisdictional waters of the U.S. or vegetated wetlands shall obtain Section 401, Section 404, Section ~~1601~~1602, and other certifications, approvals and permits as necessary. Copies of the necessary state and federal permits shall be provided to the City prior to the issuance of mass or grading permits for grading activities impacting jurisdictional areas. A replacement ratio for affected wetland resources shall be determined in consultation with regulatory agencies as part of the permitting process and shall be no less than 1:1 replacement of function and value. Additional criteria and requirements will be as follows: ~~The actions proposed on Peter Canyon Channel shall be mitigated by the OCFCD who is the project proponent for flood control improvements.~~ • Create (establish), restore, or enhance wetland/riparian habitats on-site to the maximum extent practicable to minimize and replace the on-site loss of USACE and CDFG jurisdictional acreage and function, or off-site as may be permitted by the USACE and CDFG. • To return jurisdictional habitats that are temporarily disturbed during construction to pre-construction conditions. • To provide for maintenance, management and monitoring of the mitigation site or sites for a minimum of three years as determined through the permitting process.	Prior to issuance of grading permits or any public improvements within pond turtle habitat.	Project developer	Tustin Community Development Department and/or OCFCD, as appropriate

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Bio-2	Based on consultations with CDFG, City of Tustin, or a project proponent as applicable, an off-site relocation site for southwestern pond turtles captured on site shall be identified that is as close to the Reuse Plan area as possible and that is sustainable in perpetuity. (No appropriate habitat in the City of Tustin is available for relocation.) Potential relocation sites include but are not limited to a turtle pond and relocation site ~~a old pond (currently thought dry)~~ located in upper Shady Canyon within the Orange County Nature Preserve ~~that could be improved or restored to serve as a relocation site~~; or the San Joaquin Marsh, which is managed by UC Irvine, Irvine Ranch, and the Orange County Water District. Some property owners and public agencies may be adverse to the relocation of species of special concern onto their property or jurisdiction, and it would be speculative to identify actual sites prior to completion of consultation with CDFG and with potential property owners and/or appropriate public agencies. A relocation and mitigation plan shall be prepared by a qualified biologist for approval by the CDFG. The relocation and mitigation plan shall include the following: • Requirement for focused surveys for southwestern pond turtles prior to construction activities and submittal of survey report to the CDFG. • Identification of specific relocation site within the Newport Bay watershed. • Methodology for trapping, capture, recordation and release of southwestern pond turtles. • Requirement of biological monitoring during	Prior to issuance of grading permits or any public improvements within pond turtle habitat.	City of Tustin and/or project developer, as appropriate	Tustin Community Development Department

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Bio-2 (cont.)	construction and requirement for capture and relocation by a qualified biologist of any additional southwestern pond turtles observed during construction.			
Bio-3	Permits from the CDFG shall be obtained for live-capture of the turtles and for transporting them to the relocation site.	Prior to issuance of grading permits or any public improvements within pond turtle habitat.	Project developer	Tustin Community Development Department
Bio-4	A project proponent shall negotiate ~~an agreement shall be negotiated~~ with the CDFG~~, City of Tustin, project proponent,~~ or other agency or organization as appropriate, for relocation of turtles and/or contribution of funds to improve, restore, or create ~~the~~ a relocation site as turtle habitat, in conjunction with any regulatory permits necessary.	Ongoing	City of Tustin and/or project developer, as appropriate	Tustin Community Development Department
	Mitigation Measures for Traffic/Circulation			
T/C-1	Construction In conjunction with the approval of a site development permit, the City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan within Irvine), shall require each developer to provide traffic operations and control plans that would minimize the traffic impacts of proposed construction activity. The plans shall address roadway and lane closures, truck hours and routes, and notification procedures for planned short-term or interim changes in traffic patterns. The City of Tustin and the City of Irvine, as applicable, shall ensure that the plan would minimize anticipated delays at major intersections. Prior to approval, the City of Tustin or the City of Irvine, as applicable shall review the proposed traffic control and operations plans with any affected jurisdiction.	Prior to site development permit.	Project developer	Public Works Department (Tustin or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
T/C-2	Development The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall ensure that the arterial intersection improvements required in 2005 and 2020 and as indicated in Tables 4.12-7 and 4.12-9 of the Final EIS/EIR (see Tables 2 and 4 and at the end of this Mitigation Monitoring and Reporting Program) are implemented for their respective jurisdictions according to the cumulative ADT thresholds identified in each table and according to the fair share basis noted. The ADT threshold represents the traffic volume which would result in an impact and the fair share percentage reflects the percent of the traffic impact resulting from the reuse generated traffic. In some cases, reuse traffic would generate 100 percent of the impact, thereby assuming full financial responsibility for the identified improvements. In other cases, reuse traffic would generate only a fraction of the traffic impacting the intersection and financial responsibility would correspond.	Prior to issuance of certificates of occupancy.	Project developer	Public Works Department (Tustin or Irvine, as applicable)
T/C-3	The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall contribute, on a fair share basis, to improvements to freeway ramp intersections as listed in Table 4.12-8 of the Final EIS/EIR (see Table 3 at the end of the Mitigation Monitoring and Reporting Program). The method of implementing improvements, e.g., restriping, ramp widening, shall be based on special design studies, in association with Caltrans.	See Table 4.12-8 of the Final EIS/EIR or Table 3 at the end of the Mitigation Monitoring and Reporting Program for each specific triggering mechanism.	Project developer	Public Works Department (Tustin or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
T/C-4	The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area within Irvine), shall ensure that all on-site circulation system improvements for the reuse plan area assumed in the 2005 and 2020 traffic analysis and as shown in Table ~~4.12-10~~ 4-4 of the revised Specific Plan Phasing Plan ~~Final EIS/EIR~~ (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) are implemented according to the cumulative ADT thresholds identified in the table. Under this Phasing Plan, the City of Tustin shall monitor all new development within the site, accounting for the cumulative ADT generated by development projects. As each ADT threshold is reached, the roadway improvements listed in Table 4-4 ~~4.12-10~~ of the revised Specific Plan Phasing Plan ~~Final EIS/EIR~~ (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) shall be constructed before any additional projects within the reuse plan area would be approved.	Ongoing (see Table 4.12-10 of the Final EIS/EIR or Table 5 at the end of the Mitigation Monitoring and Reporting Program for each specific triggering mechanism.	Project developer	Public Works Department (Tustin or Irvine, as applicable)
T/C-5[1]	Prior to approval of a site development permit or vesting tract, except for financing or conveyance purposes, for all land use designation areas in Alternative 1 with the exception of the Learning Village, Community Park, and Regional Park, a project developer shall enter into an agreement with the City of Tustin and City of Irvine, as applicable (for that portion of the reuse plan area within Irvine) which assigns improvements required in the EIS/EIR to the development site and which requires participation in a fair share mechanism to design and construct required on-site and arterial improvements	Ongoing, prior to approval of a site development permit or vesting tract, except for financing or conveyance purposes, based on the ADT generation thresholds shown in Tables 4.12-7, 4.12-8, 4.12-9, and 4.12-10 of the Final EIS/EIR (see Tables 2 through 5 at the end of the Mitigation Monitoring and Reporting Program for each specific	Project developer	Public Works/Community Development Departments (Tustin and/or Irvine, as applicable)

[1] Table references in the mitigation measures have been changed from Final FEIS/EIR to match the correct table numbers in the FEIS/EIR.

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
T/C -5 (cont.)	consistent with the ADT generation thresholds shown in ~~Tables 4.12-7, 4.12-8, 4.12-9, and 4.12-10~~ Table 4-4 of the revised Specific Plan Phasing Plan (see Tables 4-4 at the end of the Mitigation Monitoring and Reporting Program).	triggering mechanism).		
T/C-6[1]	The City of Tustin and the City of Irvine, as applicable (for that portion of the reuse plan area in Irvine), will monitor new development within the reuse plan area, accounting for the cumulative ADTs generated by development projects within the reuse plan area. As each cumulative ADT threshold shown in Table 4-4 of the revised Specific Plan Phasing Plan ~~4.12-10~~ (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) is reached, the roadway improvements listed shall be constructed before any additional projects within the reuse plan area are approved.	Ongoing, based on the ADT generation thresholds shown in Table 4.12-10 of the Final EIS/EIR (see Table 5 at the end of the Mitigation Monitoring and Reporting Program for each specific triggering mechanism).	Project developer	Public Works and Community Development Departments (Tustin and/or Irvine, as applicable)
T/C-7	The City of Tustin shall adopt a trip budget for individual portions of the reuse plan area to assist in the monitoring of cumulative ADTs and the amount and intensity of permitted non-residential uses as evaluated in the EIS/EIR.	Within one (1) year of project approval, and ongoing thereafter.	City of Tustin	Tustin Public Works and Community Development Departments
T/C-8	Alternative improvements that provide an equivalent level of mitigation in 2005 or 2020 to what is identified in Tables 4.12-7, 4.12-8, and 4.12-9 of the Final EIS/EIR (see Tables 2 through 4) at the end of the Mitigation Monitoring and Reporting Program) may be identified in consultation between the City of Tustin and the City of Irvine, as applicable, and the impacted jurisdiction.	Ongoing	City of Tustin and/or City of Irvine	Public Works and Community Development Departments (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
T/C-9	The City of Tustin shall enter into agreements with Caltrans and the cities of Santa Ana and Irvine to ensure that the off-site roadway improvements needed to mitigate the effects of the proposed alternative are constructed pursuant to improvement programs established by the respective jurisdiction. In order to properly coordinate the timing and improvements in the adjacent jurisdictions, the City of Tustin shall hold a scoping-like meeting with the respective jurisdictions. The purpose of said scoping-like meeting shall be to identify the concerns of the respective jurisdictions prior to the initiation of the fair share study. The purpose of the study would be to fully identify, with each jurisdiction, the scope and costs of feasible improvements (as determined by the respective jurisdiction). The improvements	Within one (1) year of project approval.	City of Tustin, City of Irvine	Public Works and Community Development Departments (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
T/C-9 (cont.)	would be acceptable to each jurisdiction toward fulfilling the timing and cost of the transportation improvement obligations as required to mitigate transportation impacts in each jurisdiction. The funding for the improvements to be incorporated into the agreement would be utilized by the respective agency to improve the capacity of the impacted intersections/links or be used for substituted improvements, as determined by mutual agreement. Prior to execution of the agreement, each jurisdiction would be allowed ten (10) working days to review the technical report prior to being provided with a copy of the proposed agreement. Each jurisdiction would then have ten (10) working days to review and comment as to its concurrence with the improvement programs contained in the agreement. The comments of each jurisdiction would be considered to ensure that the City of Tustin's responsibility for fair share funding of the improvements in each jurisdiction as stated above is fully addressed.	Within one (1) year of project approval.	City of Tustin, City of Irvine	Community Development and Public Works Departments of the City of Tustin and the City of Irvine

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
IA-1	Table 4.12-10 of the Final EIS/EIR, as revised and presented in Table 4-4 of the revised Specific Plan Phasing Plan (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) presents the Phasing Plan for the on-site circulation system. The Phasing Plan is based upon traffic circulation impact and mitigation analyses contained in the *Tustin Legacy Traffic Analysis* (Austin-Foust Associates, Inc., February 2006)~~Traffic Report (Final Appendix F of the Final EIS/EIR)~~. Under this Specific Plan Phasing Plan, the City of Tustin shall monitor all new development within the Specific Plan, accounting for the cumulative ADT generated by development projects. As each ADT threshold is reached, the roadway improvements listed in Table ~~4.12-10 of the Final EIS/EIR~~ Tables 4-3 and 4-4 of the revised Specific Plan Phasing Plan (see Tables 4-3 and 4-4 at the end of the Mitigation Monitoring and Reporting Program) shall be constructed before any additional projects within the Specific Plan would be approved.	See Table 4.12-10 of the Final EIS/EIR or Table 5 at the end of the Mitigation Monitoring and Reporting Program for each specific triggering mechanism.	City of Tustin	Community Development and Public Works Departments (Tustin and/or Irvine, as applicable)
IA-2	Table 7-3 of the Final EIS/EIR (see Table 3 at the end of the Mitigation Monitoring and Reporting Program) presents the Trip Budget which summarizes the square footage of non-residential uses allocated to each neighborhood by Planning Area and the associated ADT. (Residential uses are shown for information only, they are not part of the budget.) Pursuant to Section 3.2.4 of the Specific Plan, the City of Tustin shall implement the trip budget by neighborhood to control the amount and intensity of non-residential uses. Trip Budget transfers between neighborhoods shall also be implemented as directed in subsection 3.2.4 of the Specific Plan.	See Table 7-3 of the Final EIS/EIR or Table 6 at the end of the Mitigation Monitoring and Reporting Program for each specific triggering mechanism.	City of Tustin	Tustin Community Development and Public Works Departments

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
IA-3	Prior to the approval of (1) a Planning Area Concept Plan pursuant to Section 4.2 of the Specific Plan, (2) a site development permit, or (3) a vesting tentative map for new square footage (not for financing or conveyance purposes), a project developer shall provide traffic information consistent with the provisions of the Specific Plan, ~~this~~ the FEIS/EIR, and this Addendum, and the requirements of the City of Tustin Traffic Engineer. The traffic information shall (a) identify and assign traffic circulation mitigation measures required in the EIS/EIR pursuant to the Phasing Plan described in Table ~~4.12-10 of the Final EIS/EIR~~ 4-4 of the revised Specific Plan Phasing Plan (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program); (b) evaluate the effects of either the delay of any previously committed circulation improvements or the construction of currently unanticipated circulation improvements; and (c) utilize the circulation system and capacity assumptions within the EIS/EIR and any additional circulation improvements completed by affected jurisdictions for the applicable timeframe of analysis.	Prior to the approval of (1) a Planning Area Concept Plan pursuant to Section 4.2 of the Specific Plan, (2) a site development permit, or (3) a vesting tentative map for new square footage (not for financing or conveyance purposes).	Project developer	Tustin Community Development and Public Works Departments
IA-4	Prior to the issuance of building permits for new development within planning areas requiring a concept plan, a project developer shall enter into an agreement with the City of Tustin to (a) design and construct roadway improvements consistent with the ADT generation Phasing Plan described in Table ~~4.12-10 of the Final EIS/EIR~~ 4-4 of the revised Specific Plan Phasing Plan (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) and (b) address the impact of and specify the responsibility for any previously committed circulation improvements assumed	Prior to the issuance of building permits.	Project developer	Tustin Community Development and Public Works Departments

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
IA-4 (cont.)	in the EIS/EIR which have not been constructed.			
IA-5	If a subsequent traffic Phasing Plan demonstrates that certain circulation improvements should be included in a different phase of Specific Plan development (accelerated or delayed) or that a circulation improvement can be substituted, the mitigation Phasing Plan in Table ~~4.12-10 of the Final EIS/EIR~~ 4-4 of the revised Specific Plan Phasing Plan (see Table 4-4 at the end of the Mitigation Monitoring and Reporting Program) may be amended, subject to approval of the City of Tustin and any other affected jurisdictions, provided that the same level of traffic mitigation and traffic capacity would be provided.	Ongoing	City of Tustin	tustin Public Works and Community Development Departments
IA-6	The City of Tustin will enter into agreements with Caltrans and the cities of Santa Ana and Irvine to ensure that the off-site roadway improvements needed to mitigate the effects of the Specific Plan are constructed pursuant to improvement programs established by the respective jurisdiction.	Within one (1) year of approval of reuse and disposal of MCAS Tustin	City of Tustin	Tustin Public Works and Community Development Departments

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
IA-6 (cont.)	In order to properly coordinate the timing and funding of fair share obligation of Specific Plan improvements in the adjacent jurisdictions, the City of Tustin shall hold a scoping-like meeting with the respective jurisdictions. The purpose of said scoping-like meeting shall be to identify the concerns of the respective jurisdictions prior to the initiation of the fair share study. The purpose of the study would be to fully identify, with each jurisdiction, the scope and costs of obligations of the Specific Plan as required to mitigate transportation impacts in feasible improvements (as determined by the respective jurisdiction). The improvements would be acceptable to each jurisdiction toward fulfilling the timing and cost of the transportation improvement each jurisdiction, as listed above. The funding for the improvements to be incorporated into the agreement would be utilized by the respective agency to improve the capacity of the impacted intersections/links or be used for substituted improvements, as determined by mutual agreement. Prior to execution of the agreement, each jurisdiction would be allowed ten working days to review the technical report prior to being provided with a copy of the proposed agreement. Each jurisdiction would then have ten working days to review and comment as to its concurrence with the improvement programs contained in the agreement. The comments of each jurisdiction would be considered to ensure that the City of Tustin's responsibility for fair share funding of the improvements in each jurisdiction as stated above is fully addressed.	Within one (1) year of approval of reuse and disposal of MCAS Tustin	City of Tustin	Public Works and Community Development Departments (Tustin, Irvine, and Santa Ana), and Caltrans

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
IA-7	Each Specific Plan project would contain, to the satisfaction of the City of Tustin and/or City of Irvine, as applicable, a pedestrian circulation component showing pedestrian access to regional hiking trails, parks, schools, shopping areas, bus stops, and/or other public facilities.	Prior to issuance of grading permits	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
	Mitigation Measures for Air Quality			
AQ-1	During construction of the proposed project, the City, and/or developer and its contractors shall be required to comply with regional rules, which would assist in reducing short-term air pollutant emissions. SCAQMD Rule 402 requires that air pollutant emissions should not create a nuisance off-site. SCAQMD Rule 403 requires that fugitive dust be controlled with the best available control measures so the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. The City and its contractors shall use the measures presented in SCAQMD Rule 403 Tables 1, 2 and 3 (presented in Tables 5-1, 5-2 and 5-3 of the FEIS/EIR Addendum). This compliance measure shall be included in the contractor's specifications and verified on City projects by the Department of Public Works.	Prior to issuance of grading or building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
AQ-2	Unless determined by the City of Tustin and the City of Irvine, as applicable, to be infeasible on a project-by-project basis due to unique project characteristics, each city shall require individual development projects to use low VOC architectural coatings for all interior and exterior painting operations.	Prior to issuance of grading or building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
AQ-3	Prior to the issuance of development permits for new non-residential projects with 100 or more employees, and expanded projects where additional square footage would result in a total of 100 or more employees, the City of Tustin and the City of Irvine, as applicable, shall impose a mix of TDM measures which, upon estimation, would result in an average vehicle ridership of at least 1.5, for each development with characteristics that would be reasonably conducive to successful implementation of such TDM measures. These TDM measures may include one or more of the following, as determined appropriate and feasible by each city on a case-by-case basis:	Prior to issuance of development permits for new non-residential projects with 100 or more employees and expanded projects where additional square footage would result in a total of 100 or more employees	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
AQ-3 (cont.)	- Establish preferential parking for carpool vehicles. - Provide bicycle parking facilities. - Provide shower and locker facilities. - Provide carpool and vanpool loading areas. - Incorporate bus stop improvements into facility design. - Implement shuttles to shopping, eating, recreation, and/or parking and transit facilities. - Construct remote parking facilities. - Provide pedestrian circulation linkages. - Construct pedestrian grade separations. - Establish carpool and vanpool programs. - Provide cash allowances, passes, and other public transit and purchase incentives. - Establish parking fees for single occupancy vehicles. - Provide parking subsidies for rideshare vehicles. - Institute a computerized commuter rideshare matching system. - Provide a guaranteed ride-home program for ridesharing. - Establish alternative work week, flex-time, and compressed work week schedules. - Establish telecommuting or work-at-home programs. - Provide additional vacation and compensatory leave incentives. - Provide on-site lunch rooms/cafeterias and commercial service such as banks, restaurants, and small retail. - Provide on-site day care facilities. - Establish an employee transportation coordinator(s).	Prior to issuance of development permits for new non-residential projects with 100 or more employees and expanded projects where additional square footage would result in a total of 100 or more employees	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
AQ-4	If not required under each individual development's TDM plan, the City of Tustin and the City of Irvine, as applicable, shall implement the following measures, as determined appropriate or feasible by each city on a case-by-case basis: - Reschedule truck deliveries and pickups for off-peak hours. - Implement lunch shuttle service from a worksite(s) to food establishments. - Implement compressed work week schedules where weekly work hours are compressed into fewer than five days, such as 9/80, 4/40, or 3/36. - Provide on-site child care and after-school facilities or contribute to off-site developments within walking distance. - Provide on-site employee services such as cafeterias, banks, etc. - Implement a pricing structure for single-occupancy employee parking, and/or provide discounts to ridesharers. - Construct off-site pedestrian facility improvements such as overpasses and wider sidewalks. - Include retail services within or adjacent to residential subdivisions. - Provide shuttles to major rail transit centers or multi-modal stations. - Contribute to regional transit systems (e.g., right-of-way, capital improvements, etc.). - Synchronize traffic lights on streets impacted by development.	Ongoing	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
AQ-4 (cont.)	- Construct, contribute, or dedicate land for the provision of off-site bicycle trails linking the facility to designated bicycle commuting routes. - Include residential units within a commercial development. - Provide off-site bicycle facility improvements, such as bicycle trails linking the facility to designated bicycle commuting routes, or on-site improvements, such as bicycle paths. - Include bicycle parking facilities such as bicycle lockers. - Include showers for bicycling and pedestrian employees' use. - Construct on-site pedestrian facility improvements, such as building access which is physically separated from street and parking lot traffic, and walk paths.	Ongoing	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
Mitigation Measures for Noise				
N-1	Prior to reuse of any existing residential units within the reuse area for civilian use, the City of Tustin or the City of Irvine, as applicable, and where necessary and feasible, shall require the installation of noise attenuation barriers, insulation, or similar devices to ensure that interior and exterior noise levels at these residential units do not exceed applicable noise standards.	Prior to reuse of any existing residential units.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
N-2	During design of the grade-separated intersection of Tustin Ranch Road at Edinger Avenue, the City of Tustin shall evaluate potential noise impacts on surrounding properties to the northeast of Edinger Avenue and shall incorporate into the design of this intersection noise attenuation measures determined appropriate and feasible by the City of Tustin, in order to ensure that these surrounding properties do not experience noise levels that exceed City of Tustin noise standards.	Prior to approval of final design plans.	Project developer	Tustin Public Works Department
N-3	For new development within the reuse area, the City of Tustin and City of Irvine, as applicable, shall ensure that interior and exterior noise levels do not exceed those prescribed by state requirements and local city ordinances and general plans. Plans demonstrating noise regulation conformity shall be submitted for review and approval prior to building permits being issued to accommodate reuse.	Prior to issuance of building permits.	Project developer	Community Development Department (Tustin and/or Irvine, as applicable)
N-4	Prior to the connection of Warner Avenue to the North Loop Road or the South Loop Road, the City of Tustin shall conduct an acoustical study to assess reuse traffic noise impacts to existing sensitive receptors adjacent to Warner Avenue, between Harvard Avenue and Culver Drive. If mitigation of reuse traffic noise impacts is required, the City of Tustin and the City of Irvine shall enter into an agreement that defines required mitigation and which allocates the cost of mitigation between the City of Tustin and the City of Irvine on a fair share basis.	Prior to approval of final design plans.	City of Tustin and City of Irvine	Tustin Community Development and Public Works Departments

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Implementation Measures for Water Quality				
WQ-1	Prior to the approval of grading plans, the project developers shall provide written evidence to the Department of Public Works that it has filed a Notice of Intent with the State Water Resources Control Board in order to obtain coverage under the latest approved General Construction Permit. Pursuant to the permit requirements, developers shall develop a Stormwater Pollution Prevention Plan (SWPPP) that incorporates Best Management Practices for reducing or eliminating sediment and other construction-related pollutants in the site runoff.	Prior to approval of grading plans.	Project Developer	Community Development Department (Tustin and/or Irvine, as applicable)
WQ-2	Prior to approval of a grading plans, the Department of Public Works shall confirm that the contractors specifications require compliance with the latest approved General Waste Discharge Requirements issued by the Santa Ana Regional Water Quality Control Board to govern discharges from construction dewatering and water line/sprinkler line testing should they occur during construction. Developers shall comply with these regulations including provisions requiring notification, testing and reporting of dewatering and testing-related discharges, which shall mitigate any impacts of such discharges.	Prior to approval of grading plans.	Project Developer	Community Development Department (Tustin and/or Irvine, as applicable)
WQ-3	The City of Tustin and major master plan developers of the former MCAS Tustin shall participate in the Regional Board's NSMP Working Group and contribute to funding and implementation of the Work Plan. To mitigate construction-related selenium and nutrient water quality impacts that may result from construction-related groundwater discharges, developers shall implement: (a) feasible and available volume reduction BMPs in	Ongoing	Project Developer	Community Development Department (Tustin and/or Irvine, as applicable)

	Measure	Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
	Implementation Measures for Water Quality			
WQ-3 (cont.)	accordance with the General NSMP Permit (R8-2004-0021); (b) selenium and nutrient control BMPs that are developed under the Work Plan as of the date of project approval; and (c) selenium and nutrient measures that may be developed under the Work Plan after project approval which are available and feasible to deploy.			
WQ-4	To mitigate post-construction surface water and long-term groundwater discharge water quality impacts, prior to issuance of grading permits, developers shall prepare a project WQMP, which shall be submitted to the City of Tustin or City of Irvine, as applicable, for approval. The WQMP shall be prepared in compliance with all MS4 Permit requirements (including DAMP and LIP requirements), and at a minimum shall contain the following elements: a) *An Integrated Water Conservation/Storm Water Runoff and Subdrain Discharge Water Quality Management Program.* This program shall integrate into the storm drainage and water quality control system facilities and systems to capture, recycle and conserve low flows, which may include irrigation returns and subdrain discharges, to reduce, to the extent feasible, post-development low flow surface runoff and groundwater discharge volumes. The program shall also implement one or more treatment control technologies developed under the NSMP and available at the time of project approval for nutrient and selenium removal. b) *Site Planning and Design BMPs.* The WQMP shall incorporate site design BMPs described in the Model WQMP attached as Exhibit 7.11 to the	Prior to issuance of grading permits.	Project Developer	Community Development Department (Tustin and/or Irvine, as applicable)

Measure		Timing and Implementation	Mitigation Compliance Responsibility	Mitigation Monitoring and Enforcement Responsibility
Implementation Measures for Water Quality				
WQ-4 (cont)	DAMP to the extent feasible and appropriate in light of proposed land uses. c) *Source Control BMPs.* The WQMP shall incorporate source control BMPs described in the Model WQMP attached as Exhibit 7.11 to the DAMP to the extent feasible and appropriate in light of proposed land use. d) *Treatment Control BMPs.* The WQMP shall incorporate treatment control BMPs described in the Model WQMP attached as Exhibit 7.11 to the DAMP.			
WQ-5	As required by DAMP and the MS4 Permit, as well as the Cooperative Agreement DO2-119 between the City of Tustin, OCFCD, and the County of Orange, a Water Quality Technical Report (WQTR) shall be prepared prior to the issuance of grading permits. The WQTR shall quantitatively and qualitatively (as appropriate) assess planned BMPs to be included in the WQMP to confirm that the treatment and hydrologic controls included in the SWPPP and WQMP will be sufficient to assure that project discharges will not cause a violation of applicable water quality standards.	Prior to issuance of grading permits.	Project Developer	Community Development Department (Tustin and/or Irvine, as applicable)

REVISED SPECIFIC PLAN TABLE 3-3
PLANNING AREA TRIP BUDGET[1]

Planning Area	*Land Use Category*	*Units*	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
NEIGHBORHOOD A						
1	Elementary/Middle School	STU			550	561
	Learning Center	TSF			1,293.86	7,920
	Neighborhood Commercial	TSF			27.12	3,033
	Tustin Facility	SG				6,220
	PA 1 Trip Budget Total				1,320.98	17,734
2	Sports Park	ACRE	24.10	1,297		
3	Transitional Housing	ROOM	192	941		
Neighborhood A Square Footage Total		TSF			**1,320.98**	
Neighborhood A Trip Budget Total						**17,734**
NEIGHBORHOOD B						
4	LDR (1-7 DU/Acre)	DU	145	1,388		
	MDR (8-15 DU/Acre)	DU	120	960		
	Senior Housing Attached	DU	72	250		
5	MDR (8-15 DU/Acre)	DU	132	1,056		
	MHDR (16-25 DU/Acre)	DU	438	2,903		
	Senior Housing Attached	DU	170	590		
7	Community Commercial	TSF			103.46	7,052
	General Office	TSF			144.84	1,922
	PA 7 Trip Budget Total				248.30	8,974
Neighborhood B Square Footage Total		TSF			**248.30**	
Neighborhood B Trip Budget Total						**8,974**
NEIGHBORHOOD C						
6	Community Commercial	TSF			57.50	3,920
	Regional Park	ACRE	84.50	423		
	PA 6 Trip Budget Total					3,920
Neighborhood C Square Footage Total		TSF			**57.50**	
Neighborhood C Trip Budget Total						**3,920**
NEIGHBORHOOD D						
8	High School	STU			1,850	3,312
	Neighborhood Commercial	TSF			65.69	7,345
	General Office	TSF			207	2,747
	Office Park	TSF			1,383.80	11,280
	Industrial Park	TSF			319.51	3,803
	Park	ACRE	10.30	52		
	Sports Park	ACRE	46	2,475		
	PA 8 Trip Budget Total				1,976	28,487

REVISED SPECIFIC PLAN TABLE 3-3
PLANNING AREA TRIP BUDGET
(Continued)

Planning Area	Land Use Category	Units	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
13	MHDR (16-25 DU/Acre)	DU	891	5,907		
	Hotel (380 TSF)	ROOM			500	4,115
	Neighborhood Commercial	TSF			9.76	1,091
	Community Commercial	TSF			117.10	7,984
	General Office	TSF			1,512	20,065
	Park	ACRE	12.90	65		
	Health Club	TSF			30	988
	High-Turnover Restaurant	TSF			12	1,526
	PA 13 Trip Budget Total				2,060.86	35,769
14	Community Commercial	TSF			11.11	757
	General Office	TSF			136.90	1,818
	Office Park	TSF			547	5,645
	Theatre (25 TSF)	SEAT			1,000	1,250
	High-Turnover Restaurant	TSF			6	763
	PA 14 Trip Budget Total				726.01	10,233
Neighborhood D Square Footage Total		TSF			**4,762.87**	
Neighborhood D Trip Budget Total						**74,489**
NEIGHBORHOOD E						
9	Industrial Park	TSF			44.61	714
	Park	ACRE	1.10	6		
	Sports Park	ACRE	6.10	328		
	PA 9 Trip Budget Total				44.61	714
10	General Office	TSF			156.82	2,081
	Industrial Park	TSF			124.41	1,569
	Park	ACRE	1.40	7		
	Sports Park	ACRE	4.30	231		
	PA 10 Trip Budget Total				281.23	3,650
11	Neighborhood Commercial	TSF			18.13	2,028
	General Office	TSF			371.89	4,935
	Office Park	TSF			278.78	2,663
	Industrial Park	TSF			138.52	2,002
	Park	ACRE	25.70	130		
	PA 11 Trip Budget Total				807.32	11,628
12	Office Park	TSF			134.17	1,281
	PA 12 Trip Budget Total				134.17	1,281
Neighborhood E Square Footage Total		TSF			**1,267.33**	
Neighborhood E Trip Budget Total						**17,273**

REVISED SPECIFIC PLAN TABLE 3-3
PLANNING AREA TRIP BUDGET
(Continued)

Planning Area	Land Use Category	Units	Residential/Parks		Non-Residential	
			Amount	ADT	Amount	ADT
NEIGHBORHOOD F						
16	Shopping Center	TSF			448	13,772
	PA 16 Trip Budget Total				448	13,772
17	Shopping Center	TSF			47	1,445
	PA 17 Trip Budget Total				47	1,445
18	Military (Office)	TSF			40.85	542
	PA 18 Trip Budget Total				40.85	542
19	Shopping Center	TSF	435.60	13,391	435.60	13,391
	Multiplex Theater (70 TSF)	SEAT			3,500	6,300
	PA 19 Trip Budget Total	TSF			505.60	19,691
Neighborhood F Square Footage Total		TSF			**1,041.45**	
Neighborhood F Trip Budget Total						**35,450**
NEIGHBORHOOD G						
15	LDR (1-7 DU/Acre)	DU	533	5,102		
	MDR (8-15 DU/Acre)	DU	489	3,912		
	MHDR (16-25 DU/Acre)	DU	192	1,273		
	Elementary/Middle School	STU	1,200	1,224		
	Neighborhood Commercial	TSF			26.68	2,983
	Community Commercial	TSF			130.68	8,908
	General Office	TSF			150.28	1,994
	Park	ACRE	49	249		
	Senior Congregate	TSF			158.99	970
	Sports Park	ACRE	14.10	758		
	PA 15 Trip Budget Total				466.63	14,855
20	MHDR (16-25 DU/Acre)	DU	376	2,493		
21	LDR (1-7 DU/Acre)	DU	189	1,809		
	MDR (8-15 DU/Acre)	DU	465	3,720		
Neighborhood G Square Footage Total		TSF			**466.63**	
Neighborhood G Trip Budget Total						**14,855**
NEIGHBORHOOD H						
22	LDR (1-7 DU/Acre)	DU	166	1,589		
	MDR (8-15 DU/Acre)	DU	243	1,944		
	Elementary/Middle School	STU	650	663		
Neighborhood H Square Footage Total		TSF			**0**	
Neighborhood H Trip Budget Total						**0**

[1] Residential and park uses are shown for informational purposes only and are not part of the non-residential trip budget.

REVISED TABLE 4-2
PHASING PLAN REQUIREMENTS

Facility	General Scope	General Triggering Mechanism
Circulation	1) On-site arterial highways, intersections and Tustin Ranch Road/Edinger Avenue interchange; 2) Off-site arterial highway, intersection improvements; 3) Selected advanced transportation management system (ATMs) facilities.	When cumulative development and associated average daily trips reach ADT development thresholds based on the land use/trip budget presented in the FEIS/EIR or as modified by the FEIS/EIR Addendum or any subsequent amendment. ~~per the joint EIS/EIR based on the land use/trip budget in Chapter 3.~~
Bikeways/Trails	1) Class 1 Bikeway along Peters Canyon Channel; 2) On-site Class II Bikeway System.	1) When Peters Canyon Channel is improved ~~by County;~~ 2) When backbone arterial highways are constructed.
Domestic (Potable) Water	1) Existing housing water distribution lines; 2) New backbone water mains; 3) Abandoned/relocated wells	1) Upon determination by IRWD regarding acceptability of the lines. 2) When backbone arterial highways are constructed; 3) Upon determination by the City and consultation with IRWD.
Reclaimed (Non-Potable) Water	1) New backbone water lines; 2) Existing and new well sites.	1) When backbone arterials highways are constructed; 2) Upon completion of negotiations by City IRWD or developer(s) regarding exchange of well sites.
Sanitary Sewer	1) Existing housing sewer conveyance lines; 2) New backbone sewer mains.	1) Upon determination by the IRWD~~and OCSD~~ regarding acceptability of the lines; 2) When backbone arterial highways are constructed.
Storm Drain	1) Backbone storm drain systems; 2) Regional flood control channel improvements; 3) Retention basins; 4) Flood plain mitigation.	1) Generally in conjunction with arterial highway construction. Armstrong/Barranca channel improvements upon determination of acceptability as part of development plans. 2) Any project generated Barranca Channel improvements in conjunction with ~~Phase II~~ development as needed or determined by the applicable jurisdiction and in consultation with the OCFCD; any necessary project generated Peters Canyon Channel and Santa Ana/Santa Fe channel improvements in conjunction with ~~Phase III~~ development as needed or determined by the applicable jurisdiction and in consultation with the OCFCD. 3) As necessary as interim or permanent design in review of development plans. 4) Filing of flood zone map with FEMA prior to any ~~Phase II~~ construction.
Electricity	Backbone electric distribution lines.	When backbone arterial highways are constructed.
Natural Gas	Backbone gas distribution lines.	When backbone arterial highways are constructed.
Telephone	Backbone telephone lines.	When backbone arterial highways are constructed.

REVISED TABLE 4-2
PHASING PLAN REQUIREMENTS
(Continued)

Facility	General Scope	General Triggering Mechanism
Cable Television	Backbone cable television distribution lines; fiber optic cables.	When backbone arterial highways are constructed.
Parks	1) Regional park; 2) Community park (24 acre); 3) Community park (46 acres), neighborhood parks, private parks; and ~~Neighborhood parks in Tustin (community and other private parks);~~ 4) Neighborhood park in Irvine.	1) Site can be used upon transfer to County; improvements will occur per agreement with City of Tustin; 2) Site can be used upon transfer to City; upgrading will occur upon receipt of adequate funding including park development fees; 3) When adequate park development fees are received, subject to development conditions, development agreements and funding availability as applicable; 4) When adequate funding has been secured from assessment district funding; tax-increment or developer-negotiation.
Note: In addition to applicable sections of this Phasing Plan, the provisions of the Joint Final EIS/EIR will apply.		

REVISED TABLE 4-3
ON-SITE ARTERIAL CIRCULATION IMPROVEMENTS

Road	Limits		Classification
	From	To	
Barranca Parkway	Red Hill Avenue	Jamboree Road	Major Arterial
Edinger Avenue	East of Red Hill Avenue	West of Jamboree Road	Major Arterial
Red Hill Avenue	Barranca Parkway	North of Valencia Avenue	Major Arterial
Tustin Ranch Road (including interchange)	Edinger Avenue	Barranca Parkway	Major Arterial
Warner Avenue	Red Hill Avenue	North Loop Road	Major Arterial
Harvard Avenue	Barranca Parkway	Edinger Avenue	Primary Arterial
Warner Avenue	North Loop Road	Jamboree Road	Primary Arterial
A Street[1]	South Loop Road	Tustin Ranch Road	Secondary Arterial
Armstrong Avenue	North Loop Road	Barranca Parkway	Secondary Arterial
Carnegie Avenue[1]	Red Hill Avenue	Armstrong Avenue	Secondary Arterial
East Connector	Edinger Avenue	North Loop Road	Secondary Arterial
Harvard Avenue	South of OCTA/SCRRA Railroad	Edinger Avenue	Secondary Arterial
Legacy Road[1]	Warner Avenue	North Loop Road	Secondary Arterial
North Loop Road	Valencia Avenue	Warner Avenue	Secondary Arterial
Park Avenue[1]	South Loop Road	Tustin Ranch Road	Secondary Arterial
South Loop Road	Tustin Ranch Road	Warner Avenue	Secondary Arterial
South Loop Road	Park Avenue	Armstrong Avenue	Secondary Arterial
West Connector	Edinger Avenue	North Loop Road	Secondary Arterial
Aston Street[1]	Carnegie Avenue	Barranca Parkway	Local Collector Street
Moffett Drive	North Loop Road	Harvard Avenue	Local Collector Street
Sweet Shade	Harvard Avenue	–	Local Collector Street
Landsdowne Road	North Loop Road	–	Local Street
Severyns Road	North Loop Road	–	Local Street

[1] New Improvement

REVISED TABLE 4-4
ON-SITE ADT DEVELOPMENT THRESHOLDS

ADT Added	(Cumulative)	Roads Added[1]
27,000	(27,000)	Armstrong Avenue – North Loop Road to Warner Avenue[2]
		Barranca Parkway – Tustin Ranch Road to Jamboree Road
		Edinger Avenue – along project frontage between Red Hill Avenue and Jamboree Road (completed)
		Harvard Avenue – Barranca Parkway to just south of OCTA/SCRRA railroad
		Landsdowne Road
		Marble Mountain Road (completed as "Sweet Shade")[2]
		North Loop Road – Red Hill Avenue to West Connector
		Severyns Road[2]
		West Connector
82,800	(109,800)	East Connector
		Barranca Parkway – Tustin Ranch Road to Red Hill Avenue
		Moffett Drive
		North Loop Road – West Connector to Moffett Drive
		Red Hill Avenue/Carnegie Avenue Intersection (East Leg to Linear Park)
		Red Hill Avenue – Barranca Parkway to just north of Valencia Avenue
		South Loop Road – Warner Avenue to Tustin Ranch Road[2]
		Tustin Ranch Road – Edinger Avenue to Barranca Parkway[2]
		Warner Avenue – Red Hill Avenue to Jamboree Road[2]
26,900	(136,700)	A Street – South Loop Road to Tustin Ranch Road[2]
		Armstrong Avenue – Warner Avenue to Barranca Parkway
		Carnegie Avenue – Linear Park to Armstrong Avenue becoming South Loop Road[2]
		Legacy Road – North Loop Road to Tustin Ranch Road[2]
		North Loop Road – Moffett Drive to Warner Avenue
		Park Avenue – South Loop Road to Tustin Ranch Road[2]
		South Loop Road – Armstrong Avenue to Tustin Ranch Road via Park Avenue[2]
39,500	(176,200)	Legacy Road – Warner Avenue to Tustin Ranch Road[2]
40,200	(216,400)	Aston Street – Carnegie Avenue to Barranca Parkway[2]

[1] Roadway shall be constructed prior to the issuance of certificates of occupancy for this phase.

[2] Changes to original FEIS/EIR.

Table 1
Utilities Phasing Requirements

Facility	General Scope	General Triggering Mechanisms
Domestic Water	1) Existing housing water distribution lines 2) New backbone water mains 3) Aban Department of the Navyed/relocated wells	1) Upon determination by IRWD regarding acceptability of water lines 2) When backbone arterial highways are constructed 3) Upon determination by IRWD
Reclaimed (Non-Potable) Water	1) New backbone water lines; 2) Existing and new well sites.	1) When backbone arterial highways are constructed; 2) Upon completion of negotiations by IRWD and developer(s) regarding exchange of well sites.
Sanitary Sewer	1) Existing housing sewer conveyance lines 2) New backbone sewer mains	1) Upon determination by IRWD and OCSD regarding acceptability of the lines 2) When backbone arterial highways are constructed
Storm Drain	3) Backbone storm drain channels 4) Regional flood control channel improvements 5) Retention basins 6) Flood plain mitigation	1,2) Armstrong storm drain 1,2) Generally in conjunction with arterial highway construction 3) Upon determination of acceptability as part of development plans 4) Filing of flood zone map with FEMA prior to any Phase II construction
Electricity	Backbone electric distribution lines	When backbone arterial highways are constructed
Natural Gas	Backbone gas distribution lines	When backbone arterial highways are constructed
Telephone	Backbone telephone lines	When backbone arterial highways are constructed
Cable Television	Backbone cable television distribution lines, fiber optic cables	When backbone arterial highways are constructed

Source: City of Tustin 1996b and 1998

Table 2

2005 Mitigation for Impacted Arterial Intersections

Location		Southbound			Westbound			Northbound			Eastbound			Impact		Result		Implementation Threshold Cumulative ADT	Project Share[6] Percent
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM		
Tustin/Irvine																			
86. Von Karman & Barranca[1] [4]	Base	-	-	-	2	3	-	2	-	1	-	3	d						
	Mit.	-	-	-	2	3	-	2	-	2	-	3	d	-	p	-	ma	102,000	100
103. Jamboree & Barranca[1, 2, 3]	Base	2	4	f	2	3	f	2	4	f	2.5	2.5	1						
	Mit.	2	4	f	2	3	f	2	4	f	2.5	2.5	1	-	[5]	-	ma	92,000	[5]
Santa Ana																			
47. Main & Warner	Base	2	3	-	1	2	-	2	3	-	1	2	1						
	Mit.	2	3	-	1	3	-	2	3	-	1	2	1	-	e	-	mp	78,000	15
48. Main & Dyer	Base	1	3	-	1	2	-	1	2	1	1	2	1						
	Mit.	2	3	-	2	2	-	1	2	1	1	2	1	-	e	-	mp	78,000	17
61. Grand & Edinger[3]	Base	1	3	-	1	3	-	1	3	-	1	3	-						
	Mit.	1	3	-	1	3	-	2	3	-	1	3	-	-	p	-	ma	32,000	100
72. Ritchey & Edinger	Base	1	2	-	1	3	-	1	1	-	1	3	-						
	Mit.	1	2	-	1	3	-	1	2	-	1	3	-	-	p	-	ma	70,000	100

Base - Intersection lanes without mitigation; Mit. - Intersection lanes with mitigation
d - de facto right-turn; f - free right-turn
L, T, R - left, through, right
Bold - notation indicates lane change from base scenario (without mitigation)
A 0.5 or 1.5 lane designation represents lane sharing between different movements
p - Project causes deficiency; e - project contributes to deficiency.
ma - Mitigated to an adequate level of service; mp - Project portion of impact mitigated, LOS remains less than adequate

[1] IBC intersection
[2] TSIA intersection
[3] Additional access from Warner Avenue west of Jamboree Road
[4] Interim improvement only, not necessary for 2020
[5] Fair share contribution by City of Tustin for project responsibility. TSIA funds would not be used for this portion of the funding. Many of the measures specified for mitigation of traffic/circulation impacts require financial contributions on a fair share basis. Fair share contributions shall be no greater than required for capacity improvements consistent with and assumed in this EIS/EIR, as mutually agreed to by the Cities of Tustin, Irvine, and Santa Ana, as applicable.
[6] Currently unidentified future improvements will be made to this intersection to maintain an acceptable level of service to be agreed to by the cities of Tustin and Irvine for baseline conditions pursuant to the TCA, Tustin and Irvine 1998 MOA. Only when these improvements are included in the ICU calculations can the impact of reuse be identified. Therefore, impacts from reuse may be overstated, difficult to quantify at this time and could be less at this location because of unknown improvements.

Table 3
2005 Mitigation for Impacted Freeway Ramp Intersection

Location		Southbound			Westbound			Northbound			Eastbound			Impact		Result		Implementation Threshold Cumulative ADT	Project Share[3] Percent
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM		
Santa Ana																			
75. SR-55 SB Ramps & Edinger[1][2]	Base	1	1	-	1	2	-	1.5	.5	f	1	2	f						
	Mit.	1	1	-	1	2	-	1.5	.5	f	1	3	f	-	p	-	mp	37,000	28

Base - Intersection lanes without mitigation; Mit. - Intersection lanes with mitigation
d - de facto right turn; f - free right turn
L, T, R - left, through, right
Bold - notation indicates lane change from base scenario (without mitigation)
A 0.5 or 1.5 lane designation represents lane sharing between different movements
p - Project causes deficiency; c - project contributes to deficiency.
ma - Mitigated to an adequate level of service; mp - Project portion of impact mitigated, LOS remains less than adequate
[1] CMP monitored intersection
[2] TSIA intersection
[3] Fair share contribution by City of Tustin for project responsibility. TSIA funds would not be used for this portion of the funding. Many of the measures specified for mitigation of traffic/circulation impacts require financial contributions on a fair share basis. Fair share contributions shall be no greater than required for capacity improvements consistent with and assumed in this EIS/EIR, as mutually agreed to by the Cities of Tustin, Irvine, and Santa Ana, as applicable.

Table 4
2020 Mitigation for Impacted Arterial Intersections

Location		Southbound			Westbound			Northbound			Eastbound			Impact		Result		Implementation Threshold Cumulative ADT	Project Share[6] Percent
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM		
Tustin																			
15. Newport & Edinger[1, 3]	Base	2	2.5	1.5	1	3	f	2	3	d	2	3	1						
	Mit.	2	2.5	1.5	1	3	f	2	3	d	2	3	1	-	p	-	ma	[7]	100
30. Red Hill & Edinger[1, 3]	Base	2	3	1	2	3	1	2	3	1	2	3	1						
	Mit.	2	3	1	2	3	1	2	3	1	2	3	1	-	p	-	ma	174,000	100
42. Tustin Ranch & Walnut[2]	Base	2	3	d	1	2	1	2	3	d	1	2	1						
	Mit.	2	3	d	2	2	1	2	3	d	2	2	1	p	p	nm	nm	122,000	100
Tustin/Santa Ana																			
77. Red Hill & Warner[3]	Base	2	4	1	2	3	1	2	4	1	2	3	1						
	Mit.	2	4	1	2	3	2	2	4	1	2	3	1	-	p	-	ma	206,000	100
Tustin/Irvine																			
103. Jamboree & Barranca[3, 4]	Base	2	4	f	2	3	f	2	4	f	2.5	2.5	1						
	Mit.	2	4	f	2	3	f	2	4	f	2.5	2.5	1	-	e	-	nm	141,000	[8]
Santa Ana																			
53. Hutton Centre & MacArthur	Base	2	1	2	2	3	1	1	.5	1.5	2	3	1						
	Mit.	2	1	2	2	4	-	1	.5	1.5	2	3	1	-	e	-	ma	[7]	20
61. Grand & Edinger[3]	Base	2	3	1	2	3	1	2	3	1	2	3	1						
	Mit.	2	3	1	2	4	-	2	4	-	2	3	1	e	e	-	ma	172,000	100
63. Grand & Warner[3]	Base	2	3	1	2	3	1	2	3	1	2	3	1						
	Mit.	2	3	1	2	3	1	2	4	-	2	3	1	-	p	-	ma	195,000	100
66. Grand & Dyer[3]	Base	2	-	1	-	3	1	-	-	-	2	3	-						
	Mit.	1.5	-	1.5	-	3	1	-	-	-	2	3	-	-	e	-	ma	131,000	29
70. Lyon & Edinger[3]	Base	1	1	1	1	3	1	1	1	2	1	3	-						
	Mit.	1.5	.5	1	1	3	1	1	1	2	1	3	-	-	e	-	mp	152,000	13
202. Standard & Edinger	Base	1	2	-	1	3	-	1	2	-	1	3	-						
	Mit.	1	2	-	1	3	1	1	2	-	1	3	-	-	e	-	ma	181,000	9

Table 4 Continued

Location		Southbound			Westbound			Northbound			Eastbound			Impact		Result		Implementation Threshold Cumulative ADT	Project Share[6] Percent
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM		
Irvine																			
81. Red Hill & Main[4]	Base	1	3	d	2	3	d	2	3	f	1	3	d						
	Mit.	1	3	f	2	3	d	2	3	f	1	3	d	–	p	–	ma	157,000	100
89. Von Karman & Michelson[4]	Base	1	2	d	1	2	f	1	2	1	1	2	d						
	Mit.	1	2	d	1	2	f	1	2	1	2	2	d	–	c	–	ma	141,000	22
106. Jamboree & Alton[4]	Base	2	4	d	2	3	d	2	4	1	2	3	d						
	Mit.	2	4	d	2	3	d	2	5	1	2	3	d	–	p	–	ma	[7]	100
118. Harvard & Alton	Base	1	2	1	2	3	d	1	2	d	2	3	1						
	Mit.	1	2	1	2	3	d	2	2	d	2	3	1	p	–	ma	–	181,000	100
128. Culver & Warner	Base	1	3	d	1	2	d	1	3	1	1	2	d						
	Mit.	1	3	d	1	2	d	1	3	1	2	2	d	–	p	–	ma	174,000	100

Base - Intersection lanes without mitigation; Mit. - Intersection lanes with mitigation
ATMS - Advanced Transportation Management System
d - de facto right-turn; f - free right-turn
L, T, R - left, through, right
Bold - notation indicates lane changes from base scenario (without mitigation)
A .5 or 1.5 lane designation represents lane sharing between different movements
p - Project causes deficiency; c - project contributes to deficiency
ma - Mitigated to an adequate level of service; mp - Project portion of impact mitigated, LOS remains less than adequate; nm - Project impact not mitigated
c - Project contributes to deficiency
(1) - No lane changes; ATMS measures
(2) - Lane changes and ATMS measures
(3) - TSIA intersection
(4) - IBC intersection
(5) - No identifiable mitigation measures
(6) - Fair share contribution by City of Tustin for project responsibility. TSIA funds would not be used for this portion of the funding. Many of the measures specified for mitigation of traffic/circulation impacts require financial contributions on a fair share basis. Fair share contributions shall be no greater than required for capacity improvements consistent with and assumed in this EIS/EIR, as mutually agreed to by the cities of Tustin, Irvine, and Santa Ana, as applicable.
(7) - Full buildout of Reuse Alternative 1
(8) - Currently unidentified future improvements will be made to this intersection to maintain an acceptable level of service to be agreed to by the cities of Tustin and Irvine for baseline conditions pursuant to the 1998 MOA between the TCA and cities of Irvine and Tustin. Therefore, the impacts of reuse may be overstated, difficult to quantify at this time, and could be less at this location because of unknown improvements.

Table 5
On-site ADT Development Thresholds

ADT ∞Cumulative∫		Roads Added
27,000	(27,000)	Edinger Avenue Landsdowne Road North Loop Road - Red Hill Avenue to West Connector Road (Build 3 lanes only) West Connector Road
82,800	(109,800)	East Connector Road Marble Mountain Road Moffett Drive North Loop Road - Hill Avenue to West Connector Road (Final Buildout) North Loop Road - East Connector Road to Moffett Drive (Build 3 lanes only) Red Hill Avenue/Carnegie Avenue Intersection (East Leg) Red Hill Avenue/Warner Avenue Intersection (East Leg) Severyns Road
26,900	(136,700)	Armstrong Avenue - North Loop Road to Barranca Parkway North Loop Road - West Connector Road to East Connector Road North Loop Road - East Connector to Moffett Drive (Final Buildout) North Loop Road - Moffett Drive to Warner Avenue South Loop Road - Warner Avenue to Tustin Ranch Road Tustin Ranch Road - Edinger Avenue to North Loop Road (6 lanes) Tustin Ranch Road - Warner Avenue to Barranca Parkway (Build 4 lanes only) Warner Avenue - Red Hill Avenue to Jamboree Road (Build 4 lanes only)
39,500	(176,200)	South Loop Road - Armstrong Avenue to Tustin Ranch Road Tustin Ranch Road - North Loop Road to South Loop Road (Build 4 lanes only)
40,200	(216,400)	Widen Tustin Ranch Road to 6 lanes (Final Buildout) Widen Warner Avenue to 6 lanes (Final Buildout)

~~Table 6~~
~~Planning Area Trip Budget~~

~~Planning Area No.~~	~~Assumed Land Use~~	~~Residential/Parks~~		~~Non Residential~~	
		~~Amount~~	~~ADTs~~	~~Amount~~	~~ADTs[3]~~
~~Neighborhood A~~					
~~1~~	~~General Commercial~~			~~27,120 sf~~	~~3,033~~
	~~Learning Village~~			~~1,385,531 sf~~	~~8,479~~
	~~PA 1 Trip Budget Subtotal~~				~~11,512~~
~~2~~	~~Community Park~~	~~24.1 ac~~	~~121~~		
~~3~~	~~Transitional Housing~~	~~192 du~~	~~941~~		
	~~*Neighborhood A Square Footage Total*~~			~~*1,412,651 sf*~~	
	~~*Neighborhood A Trip Budget Total*~~				~~*11,512*~~
~~Neighborhood B~~					
~~4~~	~~LDR (1-7 du/ac)~~	~~304 du~~	~~2,909~~		
~~5~~	~~MDR (8-15 du/ac)~~	~~621 du~~	~~4,968~~		
~~7~~	~~General Commercial~~			~~315,592 sf~~	~~14,273~~
	~~PA 7 Trip Budget Subtotal~~				~~14,273~~
	~~*Neighborhood B Square Footage Total*~~			~~*315,592 sf*~~	
	~~*Neighborhood B Trip Budget Total*~~				~~*14,273*~~
~~Neighborhood C~~					
~~6~~	~~Regional Park~~	~~84.5 ac~~	~~423~~		
	~~Non-Residential General Commercial~~			~~57,500 sf~~	~~3,920~~
	~~*Neighborhood C Square Footage Total*~~			~~*57,500 sf*~~	
	~~*Neighborhood C Trip Budget Total*~~				~~*3,920*~~

Planning Area No.	Assumed Land Use	Residential/Parks		Non Residential	
		Amount	ADTs	Amount	ADTs[3]
Neighborhood D					
8	MHDR (16-25 du/ac)	891 du	5,907		
	Office Park			1,815,380 sf	14,872
	Industrial Park			1,633,830 sf	13,384
	Shopping Center			181,540 sf	12,376
	PA 8 Trip Budget Subtotal				40,632
	Neighborhood D Square Footage Total			*3,630,730 sf*	
	Neighborhood D Trip Budget Total				*40,632*
Neighborhood E					
9	General Commercial			110,990 sf	7,566
	Light Industrial			47,570 sf	386
	PA 9 Trip Budget Subtotal				7,952
10	Office Park			174,570 sf	2,317
	Light Industrial			157,110 sf	1,274
	General Commercial			17,460 sf	1,952
	PA 10 Trip Budget Subtotal				5,543
11	General Commercial			68,390 sf	4,662
	Office Park			615,505 sf	5,042
	Industrial Park			683,890 sf	5,602
	PA 11 Trip Budget Subtotal				15,306
12	General Commercial			12,810 sf	1,432
	General Office			115,280 sf	1,530
	PA 12 Trip Budget Subtotal				2,962

Planning Area No.	Assumed Land Use	Residential/Parks		Non Residential	
		Amount	ADTs	Amount	ADTs[3]
13	General Commercial			34,240 sf	3,829
	General Office			136,950 sf	1,817
	Light Industrial			513,575 sf	4,663
	PA 13 Trip Budget Subtotal				10,309
14	General Commercial			42,340 sf	4,734
	General Office			338,720 sf	3,387
	Light Industrial			465,750 sf	4,326
	PA 14 Trip Budget Subtotal				12,447
Neighborhood E Square Footage Total				*3,535,130 sf*	
Neighborhood E Trip Budget Total					*54,519*
Neighborhood F					
16	General Commercial			72,930 sf	4,972
	General Office			97,250 sf	1,291
	Light Industrial			315,950 sf	3,211
	PA 16 Trip Budget Subtotal				9,474
17	Light Industrial			284,010 sf	2,959
	PA 17 Trip Budget Subtotal				2,959
18	Military			40,850 sf	542
	PA 18 Trip Budget Subtotal				542
19	Shopping Center			672,570 sf	23,217
	PA 19 Trip Budget Subtotal				23,217
Neighborhood F Square Footage Total				*1,483,560 sf*	
Neighborhood F Trip Budget Total					*36,192*

Planning Area No.	Assumed Land Use	Residential/Parks		Non Residential	
		Amount	ADTs	Amount	ADTs[2]
Neighborhood G					
15	LDR (1-7 du/ac)	272 du	2,603		
	MDR (8-15 du/ac)	662 du	5,296		
	General Commercial			62,730 sf	4,276
	Hotel			500 rm	4,115
	Golf Course			159.3 ac	1,274
	PA 15 Trip Budget Subtotal				9,665

Planning Area No.	Assumed Land Use	Residential/Parks		Non Residential	
		Amount	ADTs	Amount	ADTs[2]
20	MHDR (16-25 du/ac)	588 du	3,898		
	General Commercial (by CUP)			23,000 sf	2,572
	PA 20 Trip Budget Subtotal				2,572
21	LDR (1-7 du/ac) - Tustin	711	6,804		
	LDR (1-7 du/ac) - Irvine	150	1,436		
	PA 21 Trip Budget Subtotal				
Neighborhood G Square Footage Total				*85,730 sf*	
Neighborhood G Trip Budget Total					*12,237*
Neighborhood H					
22	MDR (8-15 du/ac)	402	3,216		
Neighborhood H and PA 22 Trip Budget Total					*0*

rm - hotel rooms

Source: ADTs for land use types derived from *MCAS Tustin Specific Plan/Reuse Plan Traffic Study* (Austin-Foust Associates, Inc. 1999) in Appendix F, bound separately.

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