

**2011 Facilities Master Plans for
Saddleback College & Irvine Valley College**

Final Program Environmental Impact Report
State Clearinghouse No. 2011071005

Prepared for:



South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692

Prepared by:



RGP Planning & Development Services
8921 Research Drive
Irvine, CA 92618

June 2012

RESPONSE TO COMMENTS

1.1 INTRODUCTION

As defined by Section 15050 of the California Environmental Quality Act (CEQA) Guidelines, the South Orange County Community College District is serving as “Lead Agency” for the preparation of the Program Environmental Impact Report (EIR) for the Saddleback College and Irvine Valley College 2011 Facilities Master Plans (FMPs or proposed project). The Final EIR presents the environmental information and analyses that have been prepared for the proposed project, including comments received addressing the adequacy of the Draft EIR, and responses to those comments. In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR. The Final EIR—which includes the responses to comments, the Draft EIR, along with the Mitigation Monitoring and Reporting Program—will be used by the Board of Trustees in the decision-making process for the proposed project.

1.2 ENVIRONMENTAL REVIEW PROCESS

A Notice of Preparation (NOP) of a Draft Program EIR (State Clearinghouse No. 2011071005) was circulated for a 30-day public review period beginning on July 1, 2011. A Scoping Meeting was held on July 21, 2011. A total of 14 written comments were received and used in the preparation of the Draft EIR. The Draft EIR for the proposed project was circulated for a 45-day public review period beginning on April 16, 2012 and ending on May 31, 2012. A total of 7 individual written comment letters were received on the Draft EIR.

Section 15088 of the CEQA Guidelines requires that the lead agency evaluate comments on environmental issues received from persons and agencies that reviewed the Draft EIR and prepare a written response addressing each of the comments received. The response to comments is contained in this document. A list of agencies, organizations, and interested parties who have commented on the Draft EIR is provided below in Table 1-1. A copy of each comment letter and a numbered response to each comment are provided in Section 1.4 (Response to Comments on the Draft EIR), below.

TABLE 1-1
PUBLIC COMMENTS RECEIVED ON THE DRAFT EIR

Letter Identifier	Commenter	Commenter Type
A	Governor’s Office of Planning & Research, State Clearinghouse & Planning Unit	State
B	California Department of Transportation (Caltrans)	State
C	Native American Heritage Commission	State
D	City of Irvine	Local Government
E	City of Mission Viejo	Local Government
F	City of Santa Ana	Local Government
G	City of Tustin	Local Government
H	Orange County Transportation Authority	Local Government

1.3 REVISIONS TO THE DRAFT EIR

This section presents all of the revisions made to the Draft EIR in response to comments received. New text is double underlined and deleted text is indicated by ~~strikethrough~~. Text changes are presented in the page order in which they appear in the Draft EIR.

Page ES-6

ES.3 Required Approvals

This program EIR will serve as the CEQA compliance documentation for the South Orange County Community College District (the lead agency), as well as any State or local agencies with discretionary and/or ministerial actions ~~decisions~~ associated with the Proposed Project. These agencies may include, but are not limited to, the agencies listed below.

TABLE ES-1
STATE AND LOCAL AGENCY PERMITTING ACTIONS OR APPROVALS

Agency	Permitting Actions or Approvals
South Orange County Community College District (Lead Agency)	<ul style="list-style-type: none"> • Certification of a Final Program EIR and other CEQA related actions and approvals • Approval of Design/Build contracts
California Department of General Services, Division of the State Architect	<ul style="list-style-type: none"> • Approval of architectural plans
California Department of Fish and Game	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit requirements
California Regional Water Quality Control Board	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit requirements
Cities of Irvine and Mission Viejo	<ul style="list-style-type: none"> • City of Mission Viejo slope easement (Saddleback Loop Road project) • Encroachment permits for public infrastructure improvements
City of Tustin	<ul style="list-style-type: none"> • Grading, Site Design and Development review per the conveyance agreement for the ATEP campus • Encroachment permits for public infrastructure improvements
<u>Irvine Ranch and Moulton Niguel Water Districts</u>	<ul style="list-style-type: none"> • <u>Encroachment permits for connections to domestic and reclaimed water and sewer lines</u>
Orange County Flood Control District	<ul style="list-style-type: none"> • Encroachment permit for any work within or adjacent to a Flood Control District right-of-way (Saddleback Loop Road project)
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit

Agency	Permitting Actions or Approvals
	requirements
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> To be determined based on Saddleback Loop Road permit requirements

Page ES-13

ES.6 Summary of Project Impacts and Mitigation Measures

TABLE ES-4
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Potential Impacts	Mitigation Measures	Level of Significance After Mitigation
3.2 TRAFFIC AND CIRCULATION		
<p>The following intersections will <u>have significant cumulative impacts related to be significantly impacted by project</u> traffic during PM peak hours at buildout of the Saddleback College campus (2030):</p> <ul style="list-style-type: none"> Marguerite Parkway at Crown Valley Parkway Marguerite Parkway at Avery Parkway <p>Saddleback College long-term growth will contribute to these intersections, which are forecast to operate at unacceptable levels without the Proposed Project.</p>	<p>Mitigation Measure TRA-1: The South Orange County Community College District shall coordinate with the City of Mission Viejo, the Orange County Transportation Authority, and the California Department of Transportation in the identification, planning and fair-share funding of intersection improvements at Marguerite Parkway and Avery Parkway. The district shall participate in a fair-share funding program that would ensure improvement of the Marguerite/Avery intersection to a minimum Level of Service D by the year 2030. If feasible improvements are identified for the intersection of Marguerite Parkway with Crown Valley Parkway, the District shall likewise participate in a fair-share funding program that would ensure improvement of the Marguerite/Crown Valley intersection to a minimum Level of Service E by the year 2030.</p>	<p>If feasible intersection improvements are identified for the two significantly impacted intersections and implemented by 2030, the District's participation in fair-share funding programs will mitigate the Project's incremental traffic effects to below a level of significance. However, if intersection improvements cannot be assured by 2030, when Saddleback College will be fully developed, the cumulative traffic impacts and the Project's contribution thereto will remain significant.</p>
3.8 BIOLOGICAL RESOURCES		
Construction activities that result in the removal of	<p>Mitigation Measure BIO-1: Prior to land-clearing activities from February 1 through August 31, a qualified biologist shall first</p>	Less than significant with mitigation incorporated and no

Potential Impacts	Mitigation Measures	Level of Significance After Mitigation
vegetation could impact actively nesting birds, including the nests of special-status species.	evaluate the type and extent of vegetation removal. As determined necessary, the biologist biological shall conduct a nesting survey to identify any direct or indirect impacts to actively nesting birds. If direct or indirect impacts are identified, the biologist shall specify the appropriate mitigation measure(s) for these impacts. Such measures may include avoidance of occupied nests, working outside an established buffer area, modified scheduling of grading and clearing, and monitoring of active nests during construction.	cumulative impacts.

Page 2-25

2.7 Required Approvals

This Program EIR will serve as the CEQA compliance documentation for the South Orange County Community College District (the lead agency), as well as any State or local agencies with discretionary and/or ministerial actions ~~decisions~~ associated with the Proposed Project. These agencies may include, but are not limited to, the agencies listed in Table 2-3 below.

TABLE 2-3
STATE AND LOCAL AGENCY PERMITTING ACTIONS OR APPROVALS

Agency	Permitting Actions or Approvals
South Orange County Community College District (Lead Agency)	<ul style="list-style-type: none"> • Certification of a Final Program EIR and other CEQA related actions and approvals • Approval of Design/Build contracts
California Department of General Services, Division of the State Architect	<ul style="list-style-type: none"> • Approval of architectural plans
California Department of Fish and Game	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit requirements
California Regional Water Quality Control Board	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit requirements
Cities of Irvine and Mission Viejo	<ul style="list-style-type: none"> • City of Mission Viejo slope easement (Saddleback Loop Road project) • Encroachment permits for public infrastructure improvements
City of Tustin	<ul style="list-style-type: none"> • Grading, Site Design and Development review per the conveyance agreement for the ATEP campus • Encroachment permits for public infrastructure

Agency	Permitting Actions or Approvals
	improvements
<u>Irvine Ranch and Moulton Niguel Water Districts</u>	<ul style="list-style-type: none"> • <u>Encroachment permits for connections to domestic and reclaimed water and sewer lines</u>
Orange County Flood Control District	<ul style="list-style-type: none"> • Encroachment permit for any work within or adjacent to a Flood Control District right-of-way (Saddleback Loop Road project)
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road jurisdictional determination and permit requirements
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> • To be determined based on Saddleback Loop Road permit requirements

Page 3.2-4

3.2.1.4 Alternative Transportation & Pedestrian Connections

The Orange County Transportation Authority (OCTA) provides bus service throughout Orange County, including the Saddleback College and IVC campuses. OCTA bus routes serving the Saddleback College campus include Routes 82 (connecting Foothill Ranch to Laguna Niguel), 85 (connecting Mission Viejo to Dana Point), 91 (Laguna Hills to San Clemente), 191 (Mission Viejo to San Clemente), 212 (Irvine to San Juan Capistrano), and 216 (San Juan Capistrano to Costa Mesa). Metrolink commuter rail service is provided from the Laguna Niguel/Mission Viejo Station, 0.5 mile west of the campus. Routes 82, 85, and 91 connect the campus to the Station. A shuttle service connects six stops located on the Saddleback College campus.

OCTA bus routes serving the IVC campus include Routes 66 (Huntington Beach to Tustin), 70 (Sunset Beach to Tustin), 167 (Anaheim to Irvine), and 175 (serving Irvine). Metrolink commuter rail service is provided from Irvine Station, 2.8 miles northwest of the campus, and Irvine Station, 2.8 miles southeast of the campus. Route 70 connects the campus to Tustin Station, and is planned to also begin serving Irvine Station in October 2012; ~~there is currently no direct bus service to Irvine Station.~~

3.2.4.1 Analysis Scope and Methodology

Traffic Analysis Scenarios

Table 1-1 of the Traffic Study summarizes the student population and faculty/staff for the no-project and with-project traffic analysis scenarios under future (2015/2016 and 2030) conditions. The existing student population and number of faculty/staff are assumed for no-project conditions, and future 2030 with-project conditions are assumed to have buildout of the FMPs for both campuses. The short-term 2015 no-project and with-project forecasts for the Irvine Valley College campus are based on ITAM 2015. The baseline (no-project) short-term 2016 forecasts for the Saddleback College Campus area are based on applying growth factors to existing counts, a methodology consistent with the La Pata Traffic Study. While the FMP presents short-term enrollment and faculty/staff numbers at each campus, for worst-case analysis purposes, the Saddleback College campus was assumed to be built out per the FMP for

2016 with-project conditions. Therefore, the project traffic differences in 2030 were applied to 2016 baseline conditions.

It is important to note that the assumptions for the no-project condition in the Traffic Study are not the same as the no-project analyses in the Project Alternatives section of the EIR (Section 5.0). The no-project condition in the Traffic Study takes existing traffic counts and applies a growth factor (that is consistent with prior studies conducted in the area), while assuming no further development on the campuses. The purpose of this method of analysis is to conservatively estimate the impacts of all new development on the campuses. The no-project analyses in the Project Alternatives section assumes, as required by CEQA, that projects currently in the development process would be completed.

Page 3.2-12

The underline/strikethrough noted does not represent a change in the environmental impact conclusion for traffic, but is rather the correction of an inconsistency between the text in Section 3.2 (Traffic and Circulation) and the Executive Summary of the Draft EIR. This corrected text does not constitute a significant change to the Draft EIR, and thus does not trigger the requirement to recirculate the Draft EIR. As noted in CEQA Guidelines Section 15088.5(a), new information added to an EIR is not significant unless “[...] the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project [...].” The new information does not identify new environmental impacts or increase the severity of existing, recognized environmental impacts, but merely establishes consistency between EIR sections.

3.2.6 Level of Significance After Mitigation

As discussed above, the Project would not result in near-term impacts related to traffic and no mitigation is required. At buildout, significant impacts would be present at two intersections near the Saddleback College campus; however, these impacts are a result of cumulative developments and would occur even without the Project. Since the deficiencies would not be caused by the Project, these are not project-level impacts. Project-level traffic impacts are, therefore, below a level of significance.

Mitigation Measure TRA-1 addresses the Project’s incremental contribution to two intersections that will be significantly impacted by cumulative traffic. If feasible intersection improvements are identified for the two significantly impacted intersections and implemented by 2030, the district’s participation in fair-share funding programs will mitigate the Project’s incremental traffic effects to below a level of significance. However, if intersection improvements cannot be assured by 2030, when Saddleback College will be fully developed, the cumulative traffic impacts and the Project’s contribution thereto will remain significant. ~~Notwithstanding the district’s participation in fair-share funding programs, there is no known feasible mitigation for the cumulative traffic impacts that will occur at the intersection of Marguerite Parkway and Crown Valley Parkway. Without feasible mitigation, the cumulative traffic impacts and the Project’s contribution thereto will remain significant.~~

3.2.7 Cumulative Impacts

Each of the traffic and circulation effects evaluated in the preceding sections assumed project-related traffic plus cumulative project traffic. Without mitigation, significant cumulative impacts would be present at the Marguerite Parkway/Avery Parkway and Marguerite Parkway/Crown Valley Parkway intersections (i.e., these intersections are forecast to operate at an unacceptable

~~level without the Proposed Project). A mitigation program underway by various transportation planning agencies would improve conditions at the Marguerite/Avery intersection. The district's participation in a fair share funding program for those improvements would reduce the Project's incremental traffic effects to below a level of significance.~~

Despite planned improvements to be implemented by OCTA in the vicinity of the Marguerite/Avery intersection, it is not known if these improvements would improve the LOS at the Marguerite/Avery intersection to the acceptable LOS D. At the Marguerite/Crown Valley intersection, there are presently no improvement plans, so future deficiencies are expected to remain significant. Without feasible intersection improvements, the cumulative traffic impacts and the Project's contribution thereto will remain significant at both the Marguerite/Avery and Marguerite/Crown Valley intersections.

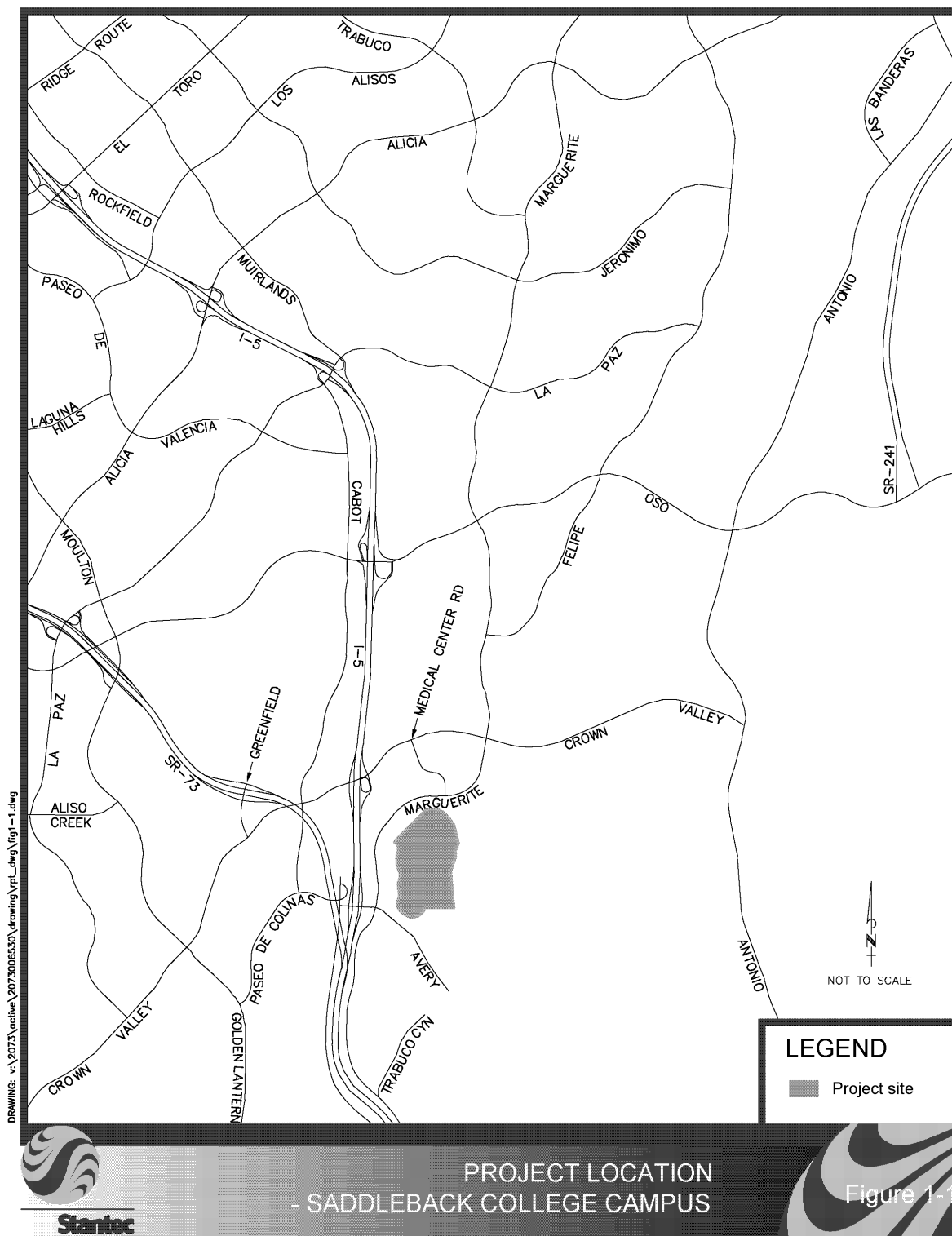
Page 3.8-7

3.8.4.1 Direct and Indirect Effects on Wildlife

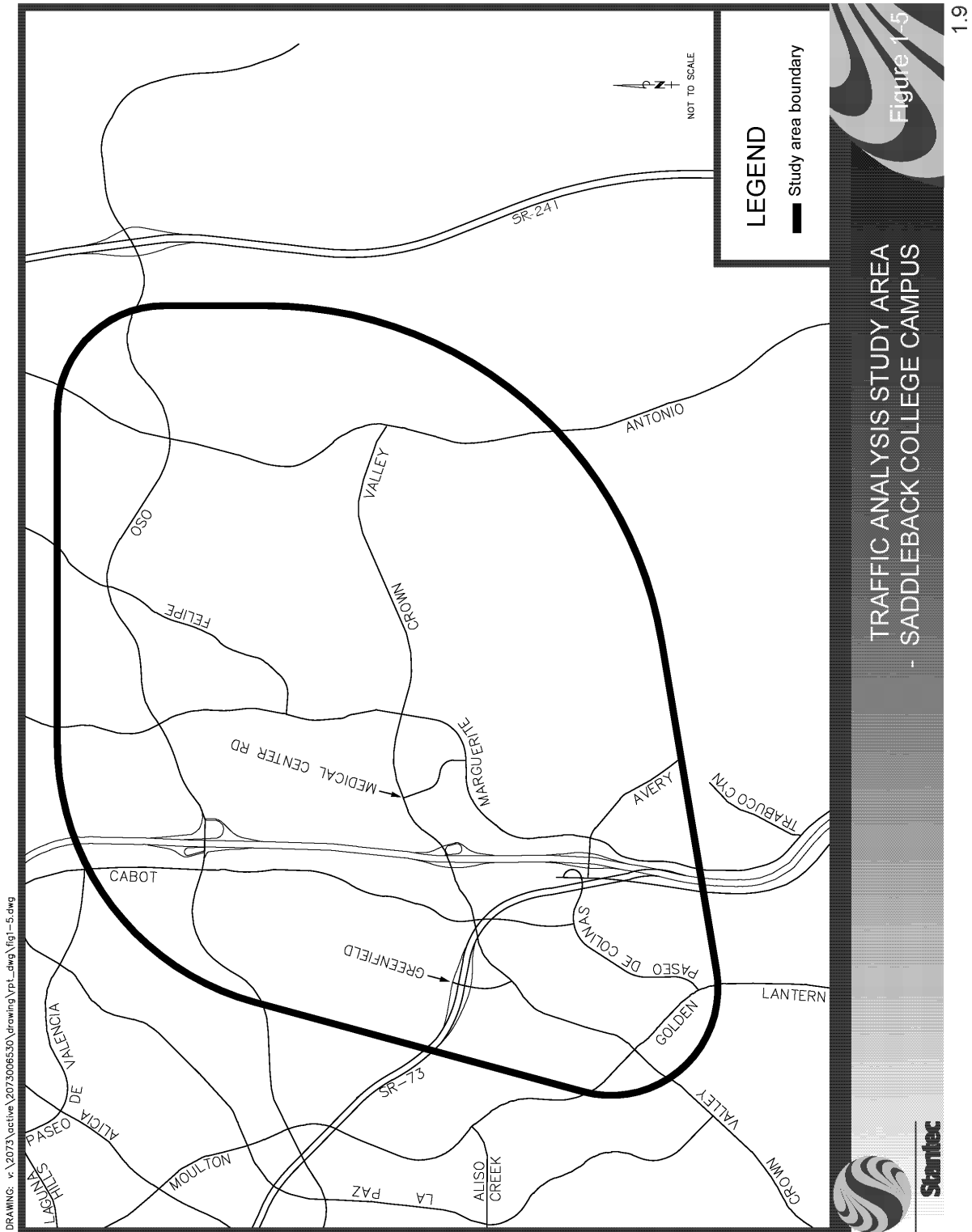
Mitigation Measure BIO-1: Prior to land-clearing activities from February 1 through August 31, a qualified biologist shall first evaluate the type and extent of vegetation removal. As determined necessary, the biologist ~~biological~~ shall conduct a nesting survey to identify any direct or indirect impacts to actively nesting birds. If direct or indirect impacts are identified, the biologist shall specify the appropriate mitigation measure(s) for these impacts. Such measures may include avoidance of occupied nests, working outside an established buffer area, modified scheduling of grading and clearing, and monitoring of active nests during construction.

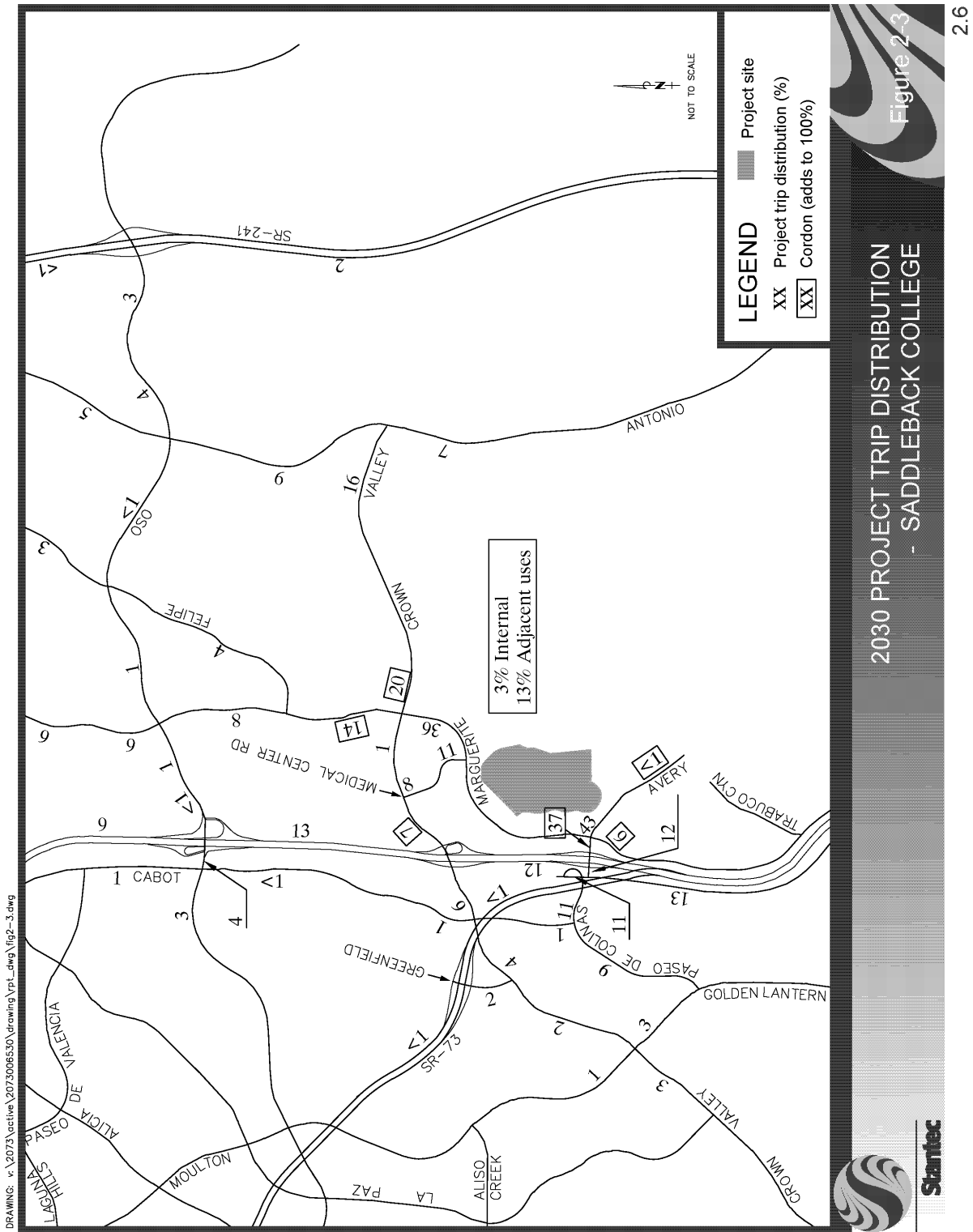
Appendix B

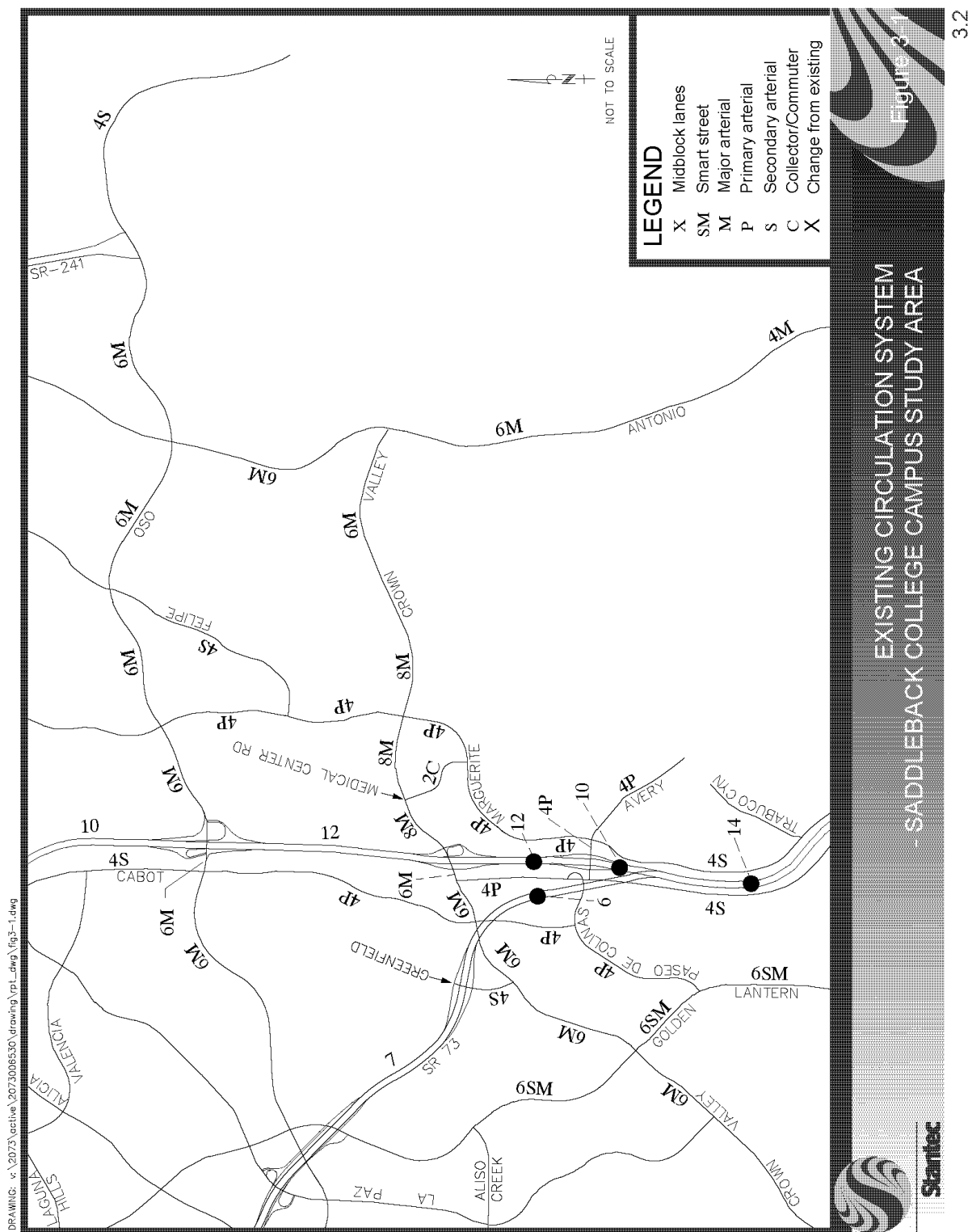
The following pages replace the equivalent sheets in the Traffic Study. The graphics are modified to depict the location of and average daily traffic statistics for Medical Center Road. Additionally, a correction is made to Figure 2-3 to correctly indicate the traffic percentages in the project "cordon." The additional information provided on these sheets is not considered significant, and thus does not trigger the requirement to recirculate the Draft EIR. As noted in *CEQA Guidelines* Section 15088.5(a), new information added to an EIR is not significant unless "[...] the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project [...]." The new information does not identify new environmental impacts or increase the severity of existing, recognized environmental impacts.

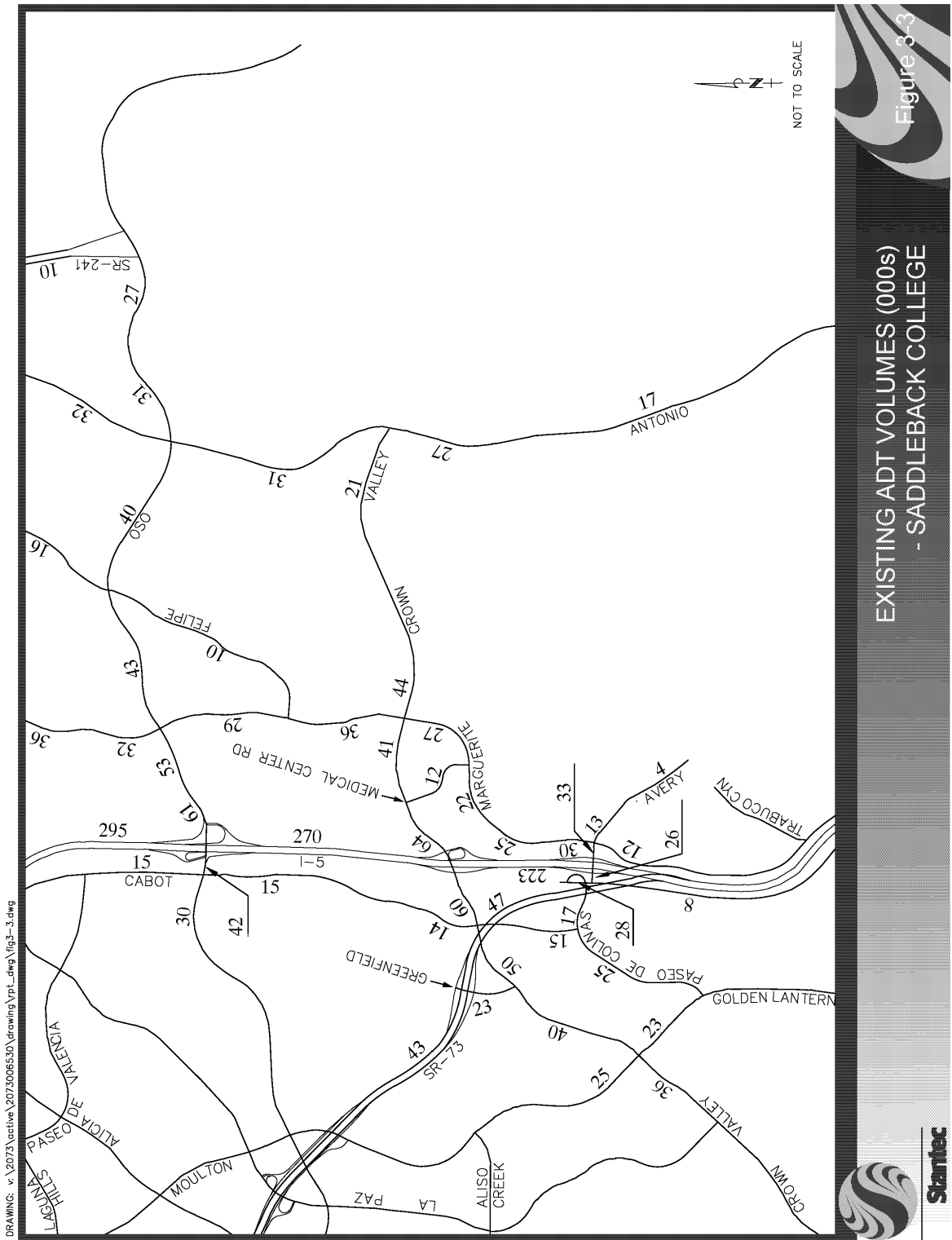


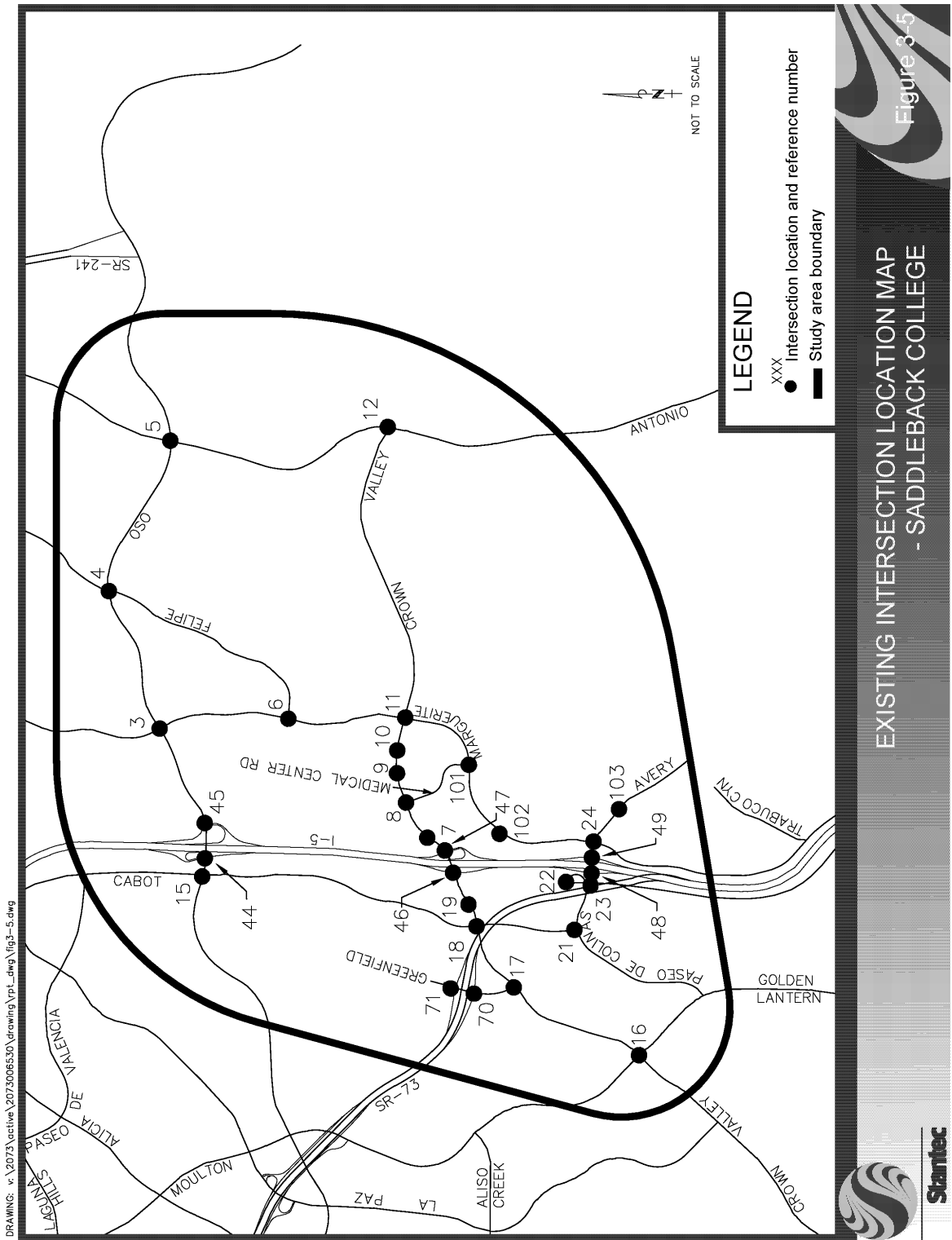
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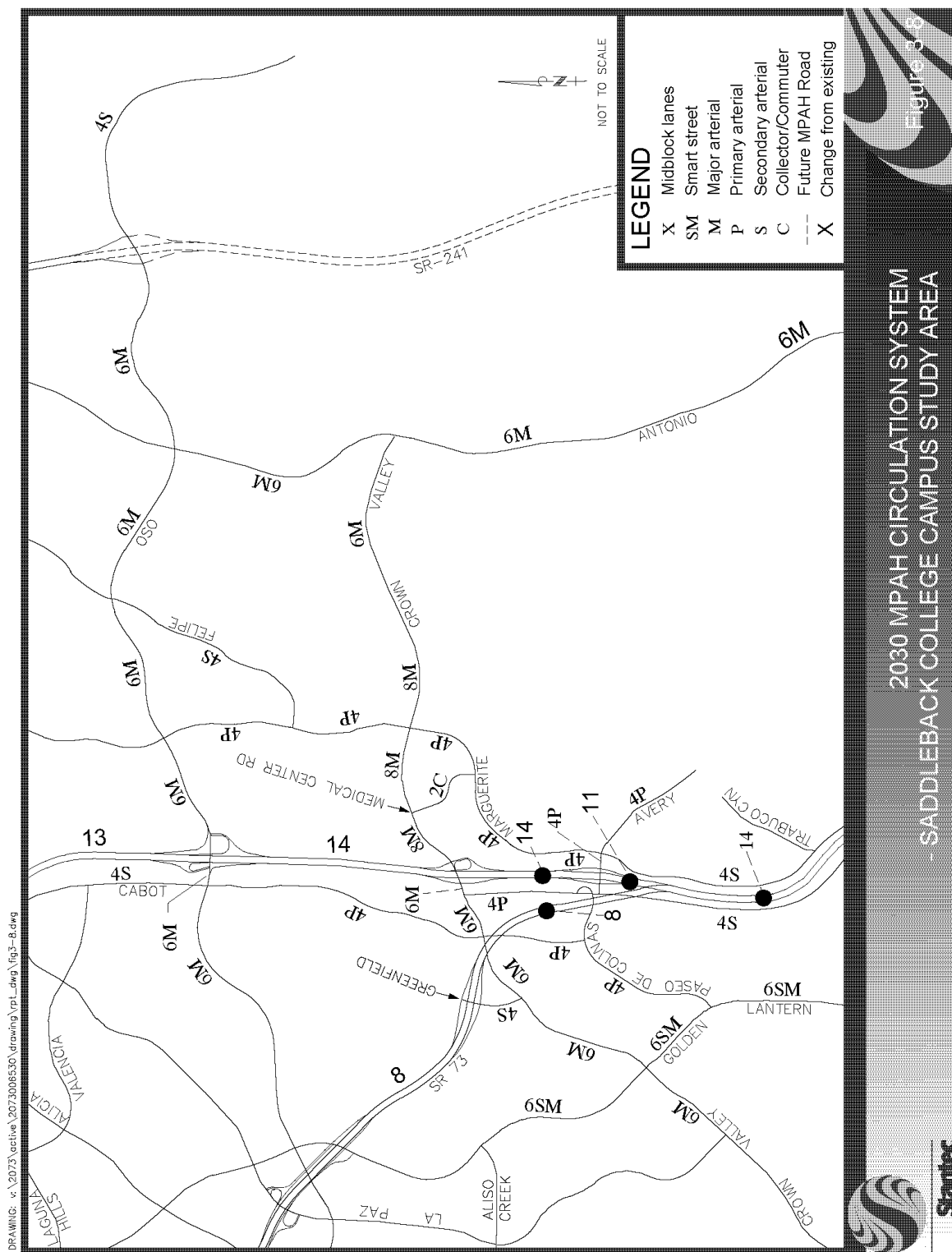


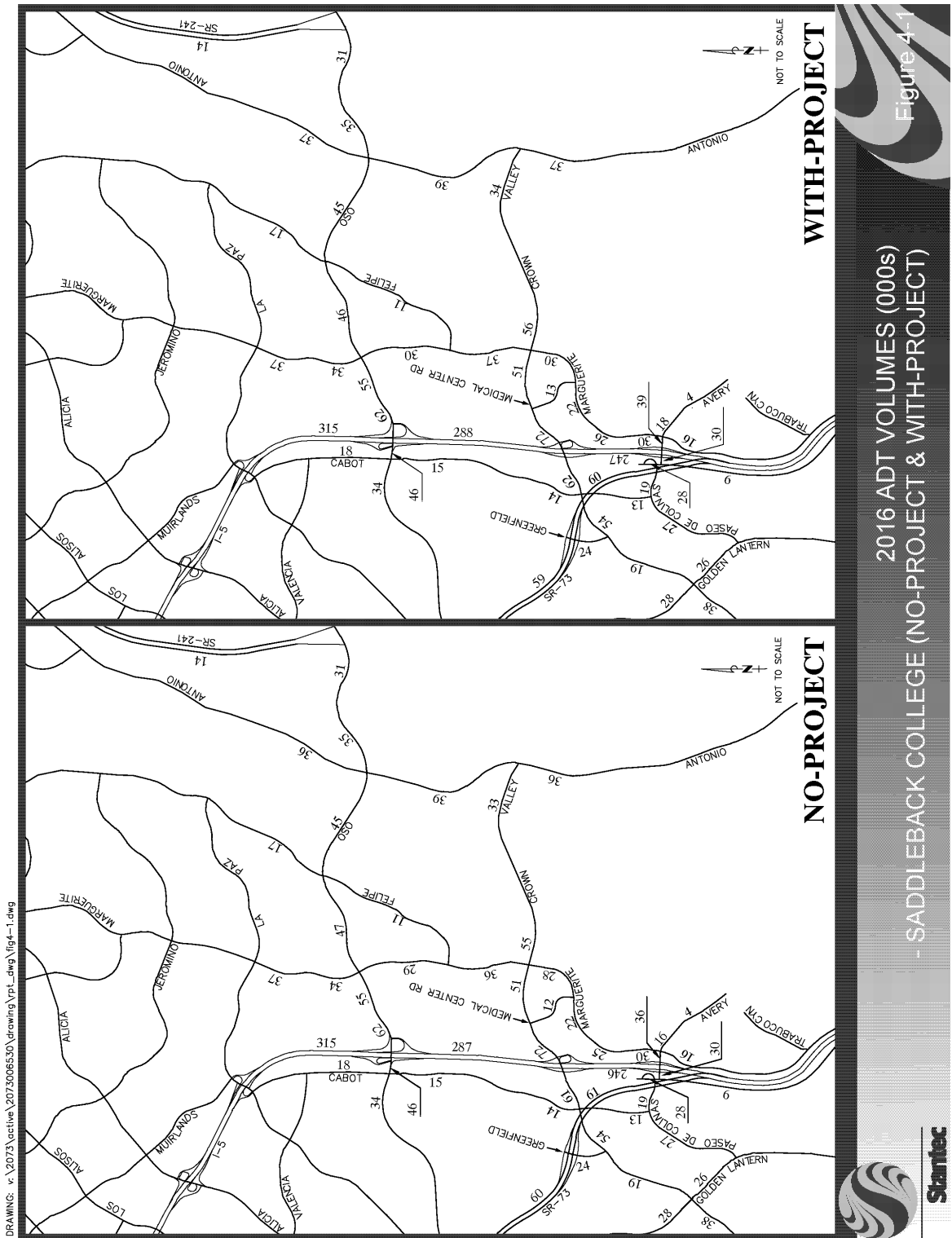




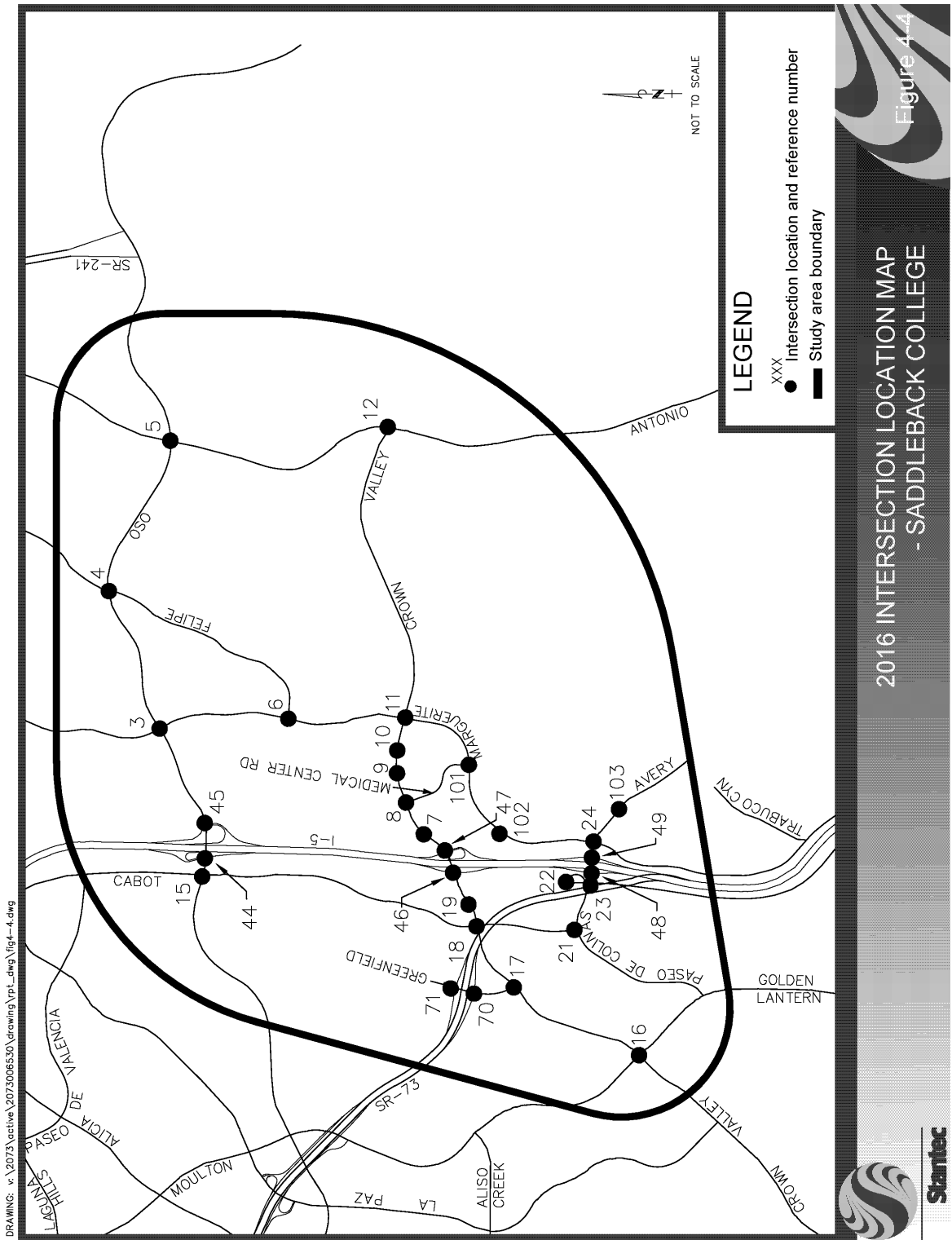


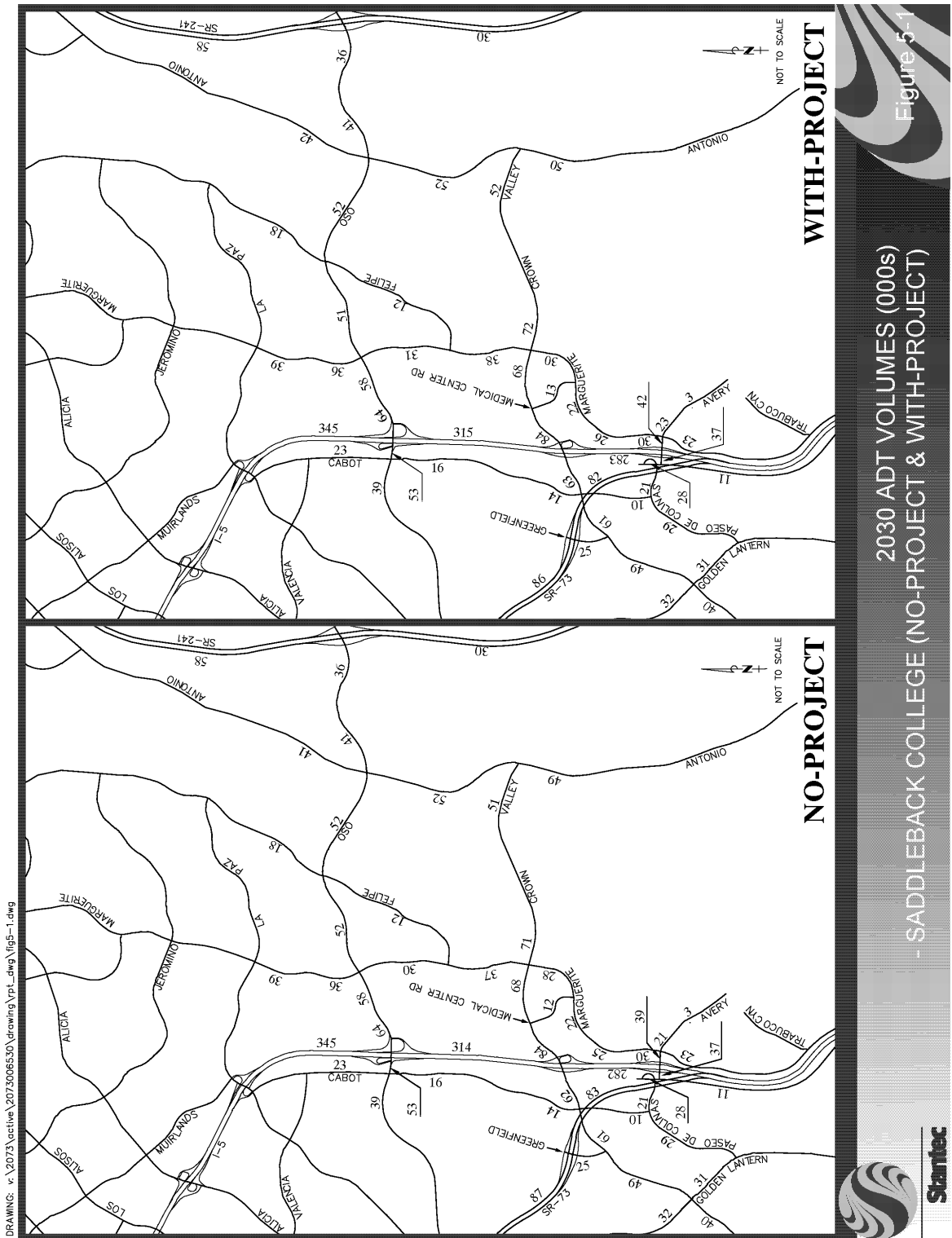




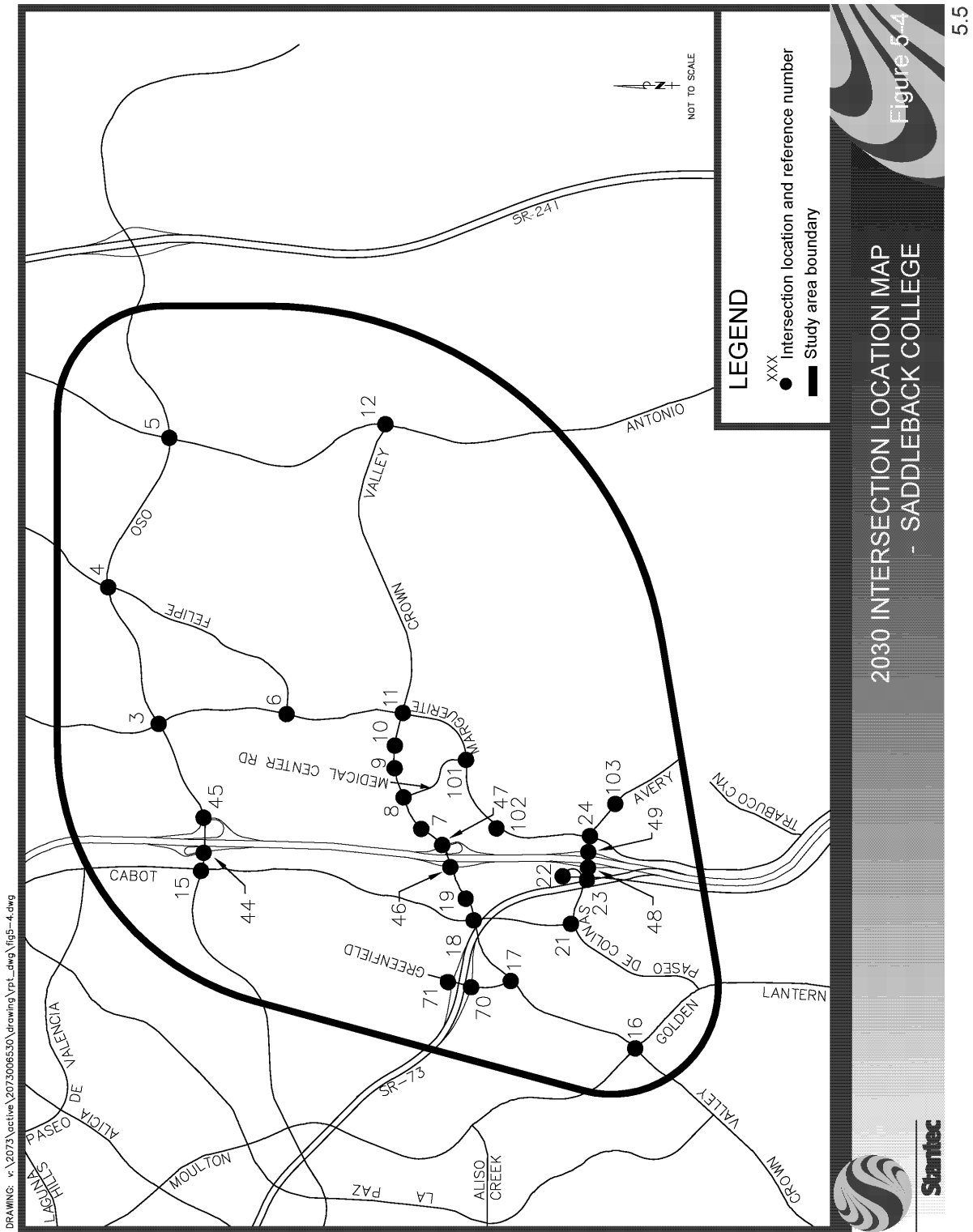


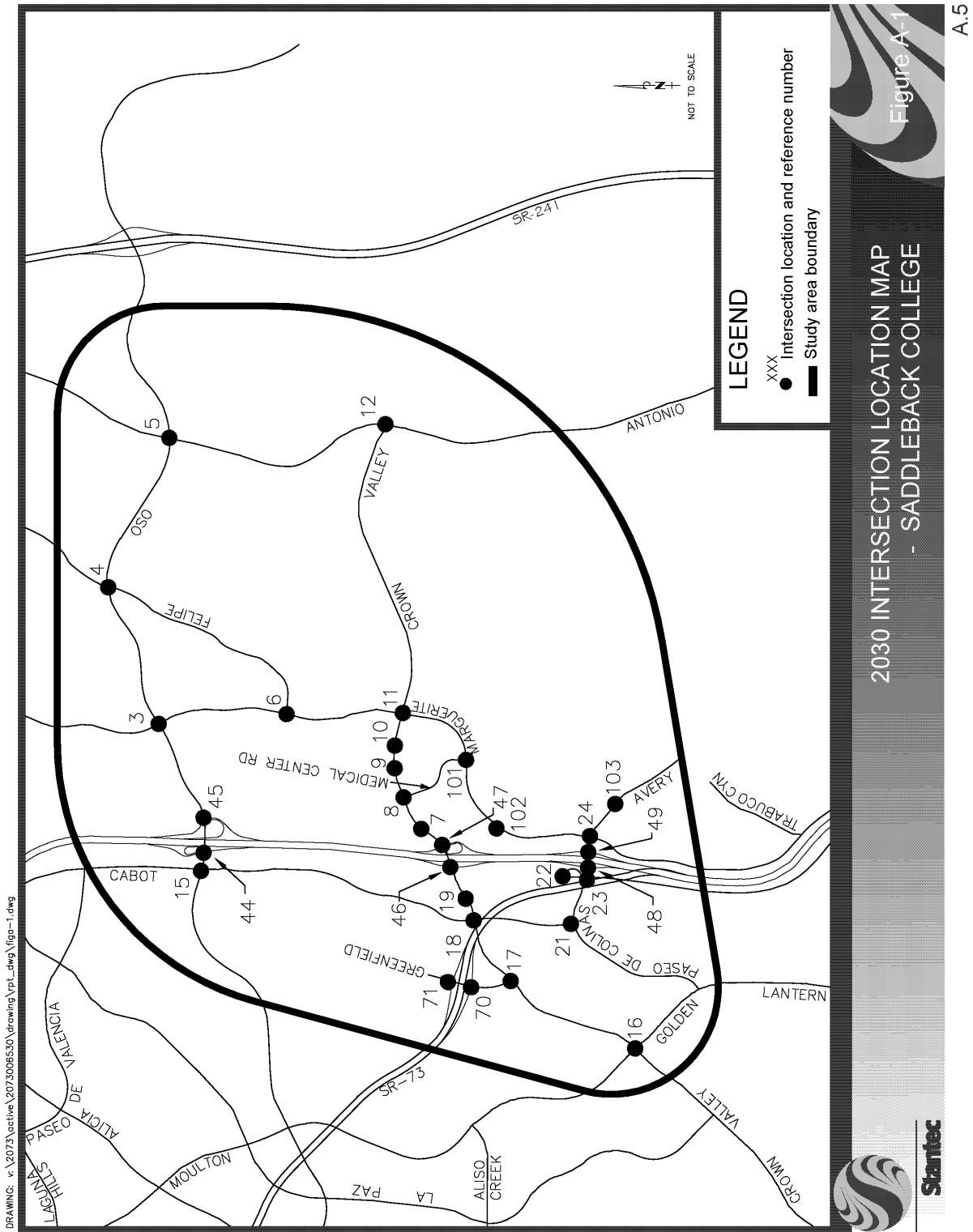
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5.2





1.4 RESPONSE TO COMMENTS ON THE DRAFT EIR

Comments received on the Draft EIR and responses to those comments are shown on the following pages.

Letter A: Governor's Office of Planning & Research, State Clearinghouse & Planning Unit



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

May 31, 2012

Dr. Debra Fitzsimons
South Orange County Community College District
2800 Marguerite Parkway
Mission Viejo, CA 92692

Subject: SOCCCD Saddleback College & Irvine Valley College 2011 Facilities Master Plans
SCH#: 2011071005

Dear Dr. Debra Fitzsimons:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on May 29, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

1

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

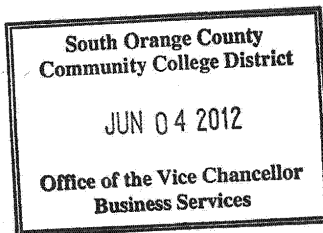
These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency



1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2011071005
Project Title SOCCCD Saddleback College & Irvine Valley College 2011 Facilities Master Plans
Lead Agency South Orange County Community College District

Type EIR Draft EIR

Description The 2011 Saddleback College and Irvine Valley College Facilities Master Plans (FMPs) describe the needed buildings, infrastructure, vehicular and pedestrian circulation improvements, and proposed sequencing schedules required for construction and operation of instructional and support facilities through the year 2031. The 2011 FMPs also provide extensive guidance with regard to water and energy efficiency technologies and conservation practices; construction/demolition (C&D) and solid waste recycling; renewable energy standards; stormwater pollutant reduction; and overall sustainable design and building practices.

Lead Agency Contact

Name Dr. Debra Fitzsimons
Agency South Orange County Community College District
Phone (949) 582-4663 **Fax** (949) 347-2472
email dfitzsimons@socccd.edu
Address 2800 Marguerite Parkway
City Mission Viejo **State** CA **Zip** 92692

Project Location

County Orange
City Mission Viejo, Irvine, Tustin
Region
Lat / Long 33° 33' 08" N / 117° 39' 39" W
Cross Streets Saddleback:Marguerite Prkwy, Avery Prkwy;Irvine:Irvine Valley Dr.,Irvine Center Dr.,Jeffrey Rd.
Parcel No.
Township 7S **Range** 8W **Section** 24 **Base** SBB&M

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Multiple campuses

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 12; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9; Department of Toxic Substances Control; Native American Heritage Commission; California Energy Commission; Public Utilities Commission

Date Received 04/13/2012 **Start of Review** 04/13/2012 **End of Review** 05/29/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response to Letter A: Governor's Office of Planning & Research, State Clearinghouse & Planning Unit

- 1 Thank you for distributing the Draft EIR to the appropriate agencies. The letter confirms that the project has complied with State Clearinghouse review requirements for draft environmental documents. The letter does not provide any specific comments requiring a response.

Letter B: Caltrans

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

District 12
3347 Michelson Drive, Suite 100
Irvine, CA 92612-8894
Tel: (949) 724-2241
Fax: (949) 724-2592



*Flex your power!
Be energy efficient!*

May 31, 2012

Dr. Debra Fitzsimons
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692

File: IGR/CEQA
SCH#: 2011071005
Log #: 2766A
I-5, I-405.

Subject: SOCCCD Saddleback College & Irvine Valley College 2011 Facilities Master Plans

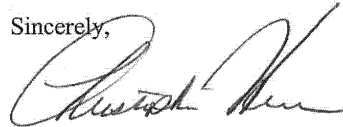
Dear Dr. Fitzsimons:

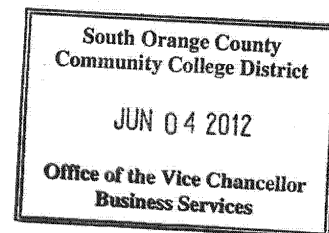
1 Thank you for the opportunity to review and comment on the **Draft Program Environmental Impact Report (PEIR) for the 2011 Facilities Master Plans for Saddleback College and Irvine Valley College**. The 2011 Saddleback College and Irvine Valley College Facilities Master Plans (FMPs) describe the needed buildings, infrastructure, vehicular and pedestrian circulation improvements, and proposed sequencing schedules required for construct and operation of instructional and support facilities through the year 2031. The 2011 FMPs also provide extensive guidance with regard to water and energy efficiency technologies and conservation practices; construction/demolition (C&D) and solid waste recycling; renewable energy standards; stormwater pollutant reduction; and overall sustainable design and building practices. The nearest State route to the Saddleback College location is I-5 and the nearest State routes to the Irvine Valley College location is I-5 and I-405.

The Department of Transportation (Department) is a commenting agency on this project and has no comment at this time. However, in the event of any activity in the Department's right-of-way, an encroachment permit will be required.

Please continue to keep us informed of this project and any future developments that could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Marlon Regisford at (949) 724-2241.

Sincerely,


Christopher Herre, Branch Chief
Local Development/Intergovernmental Review



C: Scott Morgan, Office of Planning and Research

"Caltrans improves mobility across California"

Response to Letter B: Caltrans

- 1 Thank you for your review of the Draft EIR. The letter acknowledges receipt of the Draft EIR and that Caltrans has no comments at this time. No response is required.

Letter C: Native American Heritage Commission

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

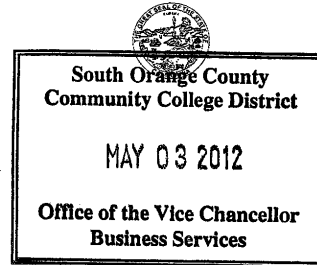
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

April 30, 2012

Dr. Debra Fitzsimons, Vice Chancellor

South Orange County Community College District

28000 Marguerite Parkway
Mission Viejo, CA 92692



Re: SCH#2011071005 CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the for the "South Orange County Community College District 2011 Facilities Master Plan Project;" located at the existing campuses of Saddleback College and Irvine Valley College; Orange County, California.

Dear Dr. Fitzsimons:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did not conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE) due to the absence of the United States Geological Service (USGS) coordinates.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

1
cont'd.

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

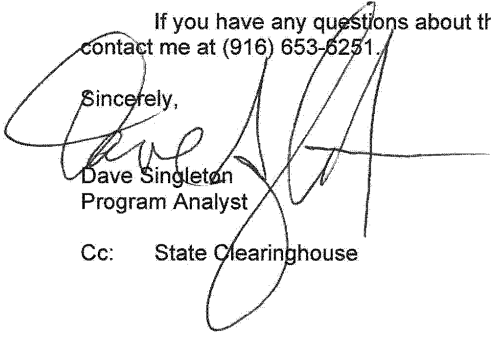
To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

2

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contacts

Orange County

April 30, 2012

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, , CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675 m
chiefdavidbelardes@yahoo.
(949) 493-4933 - home
(949) 293-8522

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(949) 488-3294 - FAX
(530) 354-5876 - cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva

tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071005; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the South Orange County Community College District 2011 Facilities Master Plan; located in the southern Orange County, California.

Native American Contacts

Orange County

April 30, 2012

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim, CA 92807
neta777@sbcglobal.net
(714) 779-8832

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles, CA 90067
(619) 294-6660-work
(310) 428-5690 - cell
(310) 587-0170 - FAX
bacuna1@gabrieinotribe.org

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine, CA 92612
949-293-8522

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Pk East #1500 Gabrielino
Los Angeles, CA 90067
lcandelaria1@gabrielinoTribe.org
626-676-1184- cell
(310) 587-0170 - FAX
760-904-6533-home

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina, CA 91723
(626) 926-4131
gabrielenoindians@yahoo.
com

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011071005; CEQA Notice of Completion; draft Environmental Impact Report (DEIR) for the South Orange County Community College District 2011 Facilities Master Plan; located in the southern Orange County, California.

Response to Letter C: Native American Heritage Commission

- 1 Thank you for your comment. The commenter notes that no Sacred Lands File search was conducted following completion of the Draft EIR. However, as stated in the Native American Heritage Commission (NAHC) comment letter to the NOP (provided in Appendix A of the Draft EIR), a Sacred Lands File search previously conducted for the project established that no American Indian cultural resources were identified within one-half mile of the project sites. The Native American Contact List included in the comment was also previously provided in the NOP comment letter. As discussed in Section 3.9 (Cultural and Paleontological Resources) and Appendix F of the Draft EIR, local tribes were sent consultation letters and emails, followed by telephone calls. No comments regarding possible cultural resources or the cultural significance of the project sites for the tribes were received.

Letter D: City of Irvine



Community Development

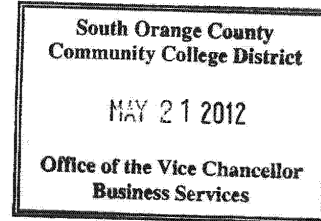
City of Irvine, One Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 (949) 724-6000

www.cityofirvine.org

*Brandy
F4I
Debra*

May 18, 2012

Dr. Debra Fitzsimons, Vice Chancellor
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692



Subject: Draft Environmental Impact Report (DEIR) for the South Orange County Community College District (SOCCCD) 2011 Facilities Master Plans

Dear Dr. Fitzsimons:

Thank you for the opportunity to comment on the DEIR the proposed Facilities Master Plans for Irvine Valley College (IVC) and Saddleback College. The City has reviewed the project, and has the following comments regarding the Irvine Valley College Master Plan DEIR.

Traffic Study

1. General Comment: The analysis for the IVC Campus Study area does not include City of Irvine Transportation Design Procedures (TDP). The existing and proposed accesses on Barranca Parkway, Jeffrey Road and Irvine Center Drive will need to meet all applicable City of Irvine Transportation Design Procedures, Design Standards and Conditions.
- 1 Furthermore, without analyzing these City requirements, the determination of impacts based on the access points is not fully complete. The intersection capacity utilization (ICU) determines there are no impacts at the IVC Campus, but the location and the lane geometry at these access points may not work physically and operationally. Provide this analysis in the Traffic Study language with exhibits. More detailed comments are included below regarding consistency with these City standards.
- 2 2. Page 1.6: State how many feet the proposed entrance on Irvine Center Drive is east of the existing signalized entrance on Irvine Center Drive.
- 3 3. Pages 1.6 and 2.4: The first paragraph states analyzing the Barranca entrance in 2030 and not 2015 is a 'worst-case condition'. Clarify how this is the worst case condition and for what locations. This is not consistent

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Dr. Debra Fitzsimons
May 18, 2012
Page 2

3
cont'd.

with the January 2012 Barranca Parkway Access Study that was submitted to the City of Irvine and later approved on January 19, 2012.

4

4. Page 2.4: Section 2.2 Project Trip Generation states IVC is proposed to generate 500 AM, 450 PM, and 5,130 ADT at project build-out. These volumes are less than existing volumes shown in the recently approved Barranca Parkway Access Study showing existing volumes of 1,096 AM, 922 PM and 20,000 ADT and proposed 2030 volumes of 1,852 AM, 1,557 PM and 33,800 ADT. Clarify which data is correct, this study or the recently approved study.

5. Table 2-1: Update this table with the correct volumes as stated in comment Item 4.

5

6. Figure 2-4 – 2030 Project Trip Distribution: Confirm or provide the ICUs for intersection locations where the project distribution percentages have not dropped below 2 percent.

6

7. Include access analysis for all existing and proposed access locations including City of Irvine Transportation Design Procedure analysis for TDP-1 Turn Pocket Length, TDP-4 Right Turn Lane, TDP-10 Distance Between Driveways and Intersections, and TDP-14 Driveway Lengths.

DEIR

7

8. Page 2-20: The proposed access on Irvine Center Drive will need to meet City Transportation Design Guideline requirements. Reference that this analysis has been conducted in this section of the DEIR. Also, this analysis should be included in the Traffic Study.

8

9. Section 3.02 "Traffic": This section does not reference the appendix in which the analysis for IVC Campus has been provided in this document. Revise this section accordingly.

9

10. Section 3.2.3.2 "Traffic Hazard", Page 3.2-6: The report indicates that the existing perimeter road will be too close to Irvine Center Drive at the proposed new right in/out driveway on Irvine Center Drive. In addition, this driveway does not include a right turn lane on Irvine Center Drive. The construction of a right turn lane will reduce this distance even further. Therefore, provide a detailed access analysis for the proposed driveway consistent with all applicable City of Irvine standards. The City's Public Works staff is available to meet to discuss any of your concerns regarding this proposed driveway access.

Dr. Debra Fitzsimons
May 18, 2012
Page 3

- 10 | 11. Page 3.2-4: The second paragraph states the Barranca Parkway access is not assumed in place until 2030 for a more conservative analysis. Clarify how is this more conservative, and for which locations.
- 11 | 12. Page 3.2-9: The first full paragraph states IVC is proposed to generate 500 AM, 450 PM, and 5,130 ADT at project build-out. These volumes are less than existing volumes shown in the recently approved Barranca Parkway Access Study which showed existing volumes of 1,096 AM, 922 PM and 20,000 ADT and proposed 2030 volumes of 1,852 AM, 1,557 PM and 33,800 ADT. Clarify which data is correct, this study or the recently approved study.

Please forward copies of all additional documentation associated with this project for our review. If you have any questions, please contact me at (949) 724-6314 or via e-mail at dlaw@cityofirvine.org.

Sincerely,



David R. Law, AICP
Senior Planner

cc: Bill Jacobs, Principal Planner
Karen Urman, Senior Transportation Analyst
Thomas Perez, Senior Civil Engineer
Tran Tran, Associate Engineer

Response to Letter D: City of Irvine

- 1 Thank you for your comment regarding access road engineering and the use of the City's Transportation Design Procedures (TDP). TDPs assist with the design and engineering review of transportation-related features of development projects in the city of Irvine. TDPs discuss specific design features such as turn lane pocket lengths, lane widths, driveway lengths, etc. The FMPs do not provide detailed engineering for proposed projects on the campuses; rather, the documents provide conceptual locations which would require increased specification to implement. Similarly, the Draft EIR is a program-level document and does not incorporate detailed project engineering. Where appropriate, TDPs for access points will be addressed when project-level analysis occurs.
- 2 Thank you for your comment regarding the new unsignalized, right-in/right-out campus access point from Irvine Center Drive. The proposed entry is conceptually planned at a distance of approximately 500 feet from the existing, signalized Irvine Center Drive entry. As noted in Response 1, above, detailed engineering has not yet occurred for this planned access point. Consultation with the City will occur as project-level analysis is initiated on this project.
- 3 Thank you for your comment regarding evaluation of the new Barranca Parkway access point. This additional access point would alleviate traffic at the other, existing campus access intersections. Without the Barranca Parkway access, college traffic is distributed to one less driveway resulting in higher college-related volumes at the other access points. Therefore, assuming this access drive is delayed allows for a more conservative assessment of higher traffic levels at the other access points.

It is noted that the January 2012 Barranca Parkway Access Study is not directly comparable to the Draft EIR Traffic Study as the Barranca Parkway study did not analyze a short-term 2015 condition; only the buildout year of 2030 was evaluated. If a 2015 analysis had been conducted, it would show fewer trips on campus and on surrounding roads than in 2030. No significant road improvements are expected on surrounding roads in 2030, but trips will increase on campus and on surrounding roads. Despite the steady increase in trips through 2030, the absence of the access road until 2030 does not create any significant impacts.

- 4 Thank you for your comment regarding project trip generation estimates. The trip generation of 500 AM, 450 PM and 5,130 ADT are the increases due to the proposed project based on the Irvine Transportation Analysis Model (ITAM). The existing volumes presented in the Barranca Parkway Access Study are based on counts. The future volumes were derived by applying the percentage due to increased enrollment (per the Facilities Master Plan update) to the existing counts. Therefore, the studies are analyzing distinct sets of information. Both studies are considered accurate. Further, it is noted that neither of the studies (including the one with higher traffic volumes) indicates significant impacts at project entries.
- 5 Thank you for your comment regarding intersections impacted by the project. The study area boundary is defined to be where the project impact drops below significance based on the ICU analysis (made deficient by project or project contributing 0.02 or more in ICU).
- 6 Please see Response 1, above.
- 7 Please see Response 1, above.

- 8 Thank you for your comment. The commenter notes that the traffic section of the Draft EIR (Section 3.2) does not direct readers to the appendix containing the traffic study. Such a reference is provided in the first paragraph on Page 3.2-1. No revision of the Draft EIR is required.
- 9 Please see Response 1, above.
- 10 Please see Response 3, above.
- 11 Please see Response 4, above.

Letter E: City of Mission Viejo



City of Mission Viejo

Community Development Department

Frank Ury
Mayor
Rhonda Reardon
Mayor Pro Tem
Trish Kelley
Council Member
Dave Leckness
Council Member
Cathy Schlicht
Council Member

May 15, 2012

Debra Fitzsimons, Vice Chancellor
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692
(949) 582-4663

RE: Draft Environmental Impact Report for the South Orange County Community College District 2011 Facilities Master Plans

Dear Ms. Fitzsimons:

1 Thank you for the opportunity to review and comment on the above referenced EIR. The City of Mission Viejo commends the *South Orange County Community College District* for preparing the 2011 Facilities Master Plan and for providing us opportunity to review and comment. Staff has reviewed the document and provides comments in the attached memorandum.

Please feel from to call me at (949) 470-3024, or the City's Traffic Engineer, Philip Nitollama, directly at (949) 470-3068 in the event you would like clarification or to discuss traffic-related comments further.

I thank you in advance for your consideration of the City's comments.

Sincerely,

Charles E. Wilson, AICP
Director of Community of Community Development

cc: Dennis Wilberg, City Manager
Keith Rattay, Assistant City Manager
Mark Chagnon, Director of Public Works
Philip Nitollama, Traffic Engineer
Elaine Lister, Planning Manager

200 Civic Center • Mission Viejo, California 92691
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949/470-3053
FAX 949/951-6176



City of Mission Viejo

Memorandum

Date: May 11, 2012

To: Elaine Lister, Senior Planner

From: Philip Nitollama, Traffic Engineer

Subject: **South Orange County Community College District (SOCCCD) Master Plan for Saddleback College Campus and Irvine Valley College Campus Traffic Study**

Thank you for the opportunity to review and comment on the SOCCCD Master Plan Saddleback College Campus. After reviewing all submitted items, Staff has the following comments:

- 1) The City of Mission Viejo submitted NOP comments dated July 22, 2011 (attached). Staff would like to re-submit the attached NOP comments so that the DEIR can address these comments. The following concerns were not addressed in the DEIR:

- | | |
|---|---|
| 2 | <ul style="list-style-type: none">- The traffic analysis shall be expanded to include a mid-day peak period for all study area intersection since the college, Mission Viejo Hospital and the Shops at Mission Viejo generate a significant amount of traffic during the mid-day peak period (11AM to 1PM hours of the day). |
| 3 | <ul style="list-style-type: none">- The traffic study shall include a Synchro analysis that determines the queue lengths and stacking capacities at the four closely spaced intersections on Avery Parkway between Camino Capistrano to Marguerite Parkway. The ICU analysis alone does not adequately evaluate the spacing issues along this portion of Avery Parkway. The queuing analysis shall evaluate the operational impacts at the turn lanes of the intersections. |
| 4 | <ul style="list-style-type: none">- The project needs to provide near term mitigation for its impacts. A "fair share" contribution is not an acceptable mitigation since the City does not have a project impact fee program. The Traffic Study shall provide specific recommendations on intersection improvements that will mitigate any project impacted intersections for all traffic scenarios. |
| 5 | <p>2) The traffic study indicates that there is a significant 23.1 percent project only impact at the intersection of Marguerite Parkway and Avery Parkway. The proposed mitigation measure is a fair share contribution of 23.1 percent towards the future intersection improvements at the intersection. OCTA is currently conducting an I-5 Freeway / Avery Interchange Feasibility Study that will improve the interchange to accommodate future</p> |

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growth in the area. Based on information from OCTA, the proposed improvements are completely (100 percent) funded by Measure M2 Funds. So, the project's fair share contribution is unacceptable as the future improvements are already funded. Thus, the project's fair share contribution shall be utilized for other mitigation measures, perhaps operational improvements.

6

The biggest concern is if the future improvements at Marguerite and Avery can accommodate the project's additional traffic. Was the Saddleback Facilities Master Plan (FMP) included in the traffic model forecast? If not, please coordinate with OCTA staff to include the additional project's traffic and evaluate any additional infrastructure improvements. The Traffic Study shall indicate if the Saddleback Facilities Master Plan (FMP) was included in the traffic modeling forecasts for the following OCTA studies:

- The I-5 Project Approval / Environmental Document (PA/ED) between El Toro Road and SR-73
- The I-5 / Avery Interchange Feasibility Study (which determines the ultimate design of the intersection).

7

The I-5 Freeway and Avery Interchange Feasibility Study (Final Report released in June 2011) recommends moving forward with three feasible alternative concepts (with two concepts that address the project objective by improving the traffic operations). The City of Mission Viejo thus recommends that the DEIR and draft traffic study be revised to include a summary discussion and analysis of the three feasible alternative concepts to determine that acceptable level of service standards are satisfied with the construction of either one of the proposed concepts.

8

- 3) The traffic study indicates that there is a significant 6.3 percent project only impact at the intersection of Marguerite Parkway and Crown Valley Parkway. This intersection is completely built out to its designated Master Plan of Arterial Highway (MPAH) designation. Dual lefts and exclusive right turn lanes are already constructed for each approach of the intersection. There aren't any planned future improvements for this intersection. How will the project's traffic impacts mitigate this intersection's operations to an acceptable level of service? The project is solely responsible for constructing any improvements deemed necessary to improve the intersections level of service to acceptable standards. Again, the project needs to provide near term mitigation for its impacts. A "fair-share" contribution is not an acceptable mitigation since the City does not have a project impact fee program.

9

- 4) The project shall apply Transportation Demand Management (TDM) Strategies to minimize the projects impacts on the surrounding infrastructure. The City of Mission Viejo's transportation infrastructure is already built out to its full capacities; thus, the only mitigation measures shall include:

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- Reducing the overall trip generation of the project to minimize if not eliminate the project's impact to the study area intersections to a level of insignificance

- Restrict the project's trip generation demands to off-peak hours only and thereby reducing (if not eliminating) the project's impact to the study area intersection.

10

5) The traffic study does not illustrate Medical Center Road between Crown Valley Parkway and Marguerite Parkway. This is a significant four-lane arterial roadway and provides a direct signalized access to the project. The City of Mission Viejo asks that the traffic study be revised to incorporate this roadway segment on all exhibits, analysis, and discussion for all traffic condition scenarios.

11

6) In Figure 2-3, the exhibit indicates a 3 percent internal trip capture and a 13 percent adjacent use for trip generation. These assumptions were not discussed in the report. Please revise the study to discuss these assumptions and an explanation on how these values were determined.

12

7) The Traffic Study shall include the existing AM and PM peak hour intersection turning movement counts which were utilized in the analysis. What year was the traffic counts collected? Were there any adjustments made to the existing traffic counts?

13

8) In regards to the future traffic analysis scenarios (2016 and 2030), the Traffic Study shall discuss its assumption regarding the following future planned developments and future planned infrastructure improvements:

- Mission Viejo Hospital Master Plan (full Build-Out)

- Andalucia (future residential development at Oso / Montanoso by Watermarke)

- Kaleidoscope Mall Traffic Study (future LA Fitness site by Crown Valley Parkway and Kaleidoscope)

- Camino Capistrano Bridge Overpass Connection to Cabot Road

- Metrolink Service Expansion Program (MSEP)

- SR-241 FTC Extension

These future developments and infrastructure improvements have the potential to significantly affect the outcome of the traffic impact study. Please provide clear and concise explanation of the assumptions which were utilized for the future 2016 and 2030 build-out traffic scenarios.

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9) The City of Mission Viejo recently completed its General Plan Circulation Element Update in February 2012. The future general plan build-out traffic analysis conditions are mostly consistent for both traffic studies with the exception of the following intersection which are anticipated to be operating at unacceptable levels of service without any mitigation:

- Felipe Road and Oso Parkway
- I-5 NB Ramps and Oso Parkway
- I-5 NB Ramps and Avery Parkway

These three intersections were found to be operating at unacceptable levels of service for the future build-out conditions for in the General Plan Circulation Element Update. The subject traffic study illustrates these intersections as operating at acceptable levels of service during the same time frame. Please include a discussion in the traffic study that identifies these discrepancies and provide an explanation for its inconsistency.

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City of Mission Viejo

Memorandum

Date: July 22, 2011

To: Elaine Lister, Planning Department

From: Philip Nitollama, Traffic Engineer

Subject: **CEQA NOP for a draft Program EIR for the SOCCCD Saddleback College 2011 Facilities Master Plan**

In review of the CEQA NOP of a draft Program EIR for the SOCCCD Saddleback College 2011 Facilities Master Plans, the transportation issues were identified:

- 1) The project needs to provide a traffic impact report for intersections assigned up to 1% impact for any locations within the City of Mission Viejo. The study should assume the traffic generated by the approved Lexus Dealership master plan and any other known and approved projects. The traditional am and pm peak-periods need to be expanded to include a mid-day peak period since the college has traffic-generating classes that have start and dismissal times throughout the day.

It should be noted that the project needs to provide near-term mitigation of its impacts. A "fair-share" contribution is not an acceptable mitigation if the improvements are not built by the time the new college buildings are occupied.

The phasing of improvements should be identified for each incremental Development Horizon Master Plan – 2016 (5 year), 2021 (10 year) and 2031 (20 year).

- 2) Both Interstate-5 interchanges at Avery Parkway and Crown Valley Parkway need to be reviewed at an operational level of impact using the Highway Capacity Manual and / or Synchro to assess the combined impacts at the ramps and the adjacent intersections. Their unique condition of closely spaced intersection and lack of capacity to manage queues needs to be properly evaluated beyond the normal Intersection Capacity Utilization (ICU) analysis.
- 3) Roadway infrastructure improvements (i.e. college drive road, parking lots, parking structure, bus facility improvements, etc) shall be constructed prior to the construction of any proposed building structures (i.e. new science buildings, new gate building, etc) in order to accommodate any new traffic generated by the buildings.

Of particular concern is the primary access to the south at the signalized intersection of Avery Parkway and La Plata. The College Drive roadway segment just east of the

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intersection of La Plata & College Drive only has one ingress lane. Traffic congestion at this location has been observed and causes vehicular queues to back up to the intersection of Avery Parkway and La Plata during peak hours. The addition of ingress lanes shall be evaluated and implemented if necessary.

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Response to Letter E: City of Mission Viejo

- 1 Thank you for your review of the project. This is an informational comment and no response is required.
- 2 Thank you for your comment. As part of the analysis of traffic impacts, the project's traffic engineer reviewed morning, mid-day, and evening intersection count volumes. These volume counts confirm the morning and evening peak travel levels are higher than mid-day, despite the factors noted in the City's comment letter related to college, hospital, and shopping center traffic patterns. The worst-case scenario as it pertains to CEQA analysis requires the use of peak conditions of the adjacent street, 7:00-9:00 AM and 4:00-6:00 PM, when traffic conditions are heaviest. No revision to the Traffic Study or Draft EIR analysis of traffic is required.
- 3 Thank you for your comment regarding operational issues on Avery Parkway. The Traffic Study assessed traffic operations in support of a program-level EIR. At such time when a project-level study is carried out, operational issues such as stacking/queuing will be evaluated. As shown in Table 3-1 of the Traffic Study, the intersection of Marguerite Parkway/Avery Parkway (the busiest intersection on the Avery Parkway corridor) currently operates at an LOS C during peak hours. This is considered an acceptable LOS for this intersection, based on City standards. Because a high percentage of project trips use the I-5/Avery Parkway interchange, the projected LOS at this interchange was evaluated using the Highway Capacity Manual/Synchro method in addition to the Intersection Capacity Utilization method. This analysis was included in Draft EIR Section 3.2.5.3, with greater detail in Section 6.0 of the Traffic Study. This analysis determined that significant impacts along Avery Parkway would only be evident at the intersection with Marguerite Parkway at peak hours in 2030. Mitigation Measure TRA-1 ameliorates this impact, although it is expected to remain cumulatively considerable.
- 4 Thank you for your comment regarding the provision of near-term mitigation for impacts. The traffic study established that no significant impacts would occur in the near-term condition (year 2015 analysis). Impacts are only present in the buildout year (year 2030), so improvements would be needed at that time and not in the near term. In addition, it is noted that the intersections that are impacted would be deficient in the buildout year without the project, and the project would only contribute to these projected significant impacts. The projected contribution to the traffic increase at impacted intersections resulting from implementation of the FMPs is 6.3 percent at Marguerite Parkway/Crown Valley Parkway and 23.1 percent at Marguerite Parkway/Avery Parkway.
- 5 Thank you for your comment regarding the mitigation of traffic impacts. The comment correctly notes that a 23.1 percent share of the traffic increase at the Marguerite Parkway/Avery Parkway intersection is attributed to the project. Because this intersection is projected to operate at below an acceptable Level of Service without implementation of the FMPs, the additional traffic associated with the FMPs adds to what would be an existing, cumulatively considerable impact in the year 2030.

Improvements recommended by OCTA for the I-5 Freeway/Avery Interchange Feasibility Study would include operational improvements to adjacent roadways, including Avery Parkway. Among others, this Interchange Feasibility Study defined congestion on local streets, the close spacing of intersections on Avery Parkway, and high turning movements at

the Avery Parkway/Marguerite Parkway intersection as problems facing the I-5/Avery Parkway intersection.

An alternatives analysis conducted prior to preparation of the Feasibility Study evaluated several possible build options for improvements to the I-5 Freeway/Avery Parkway interchange. Two build options (in addition to the mandatory no-build option) were selected for more comprehensive evaluation in the Feasibility Study. Key features of these options, as they impact Avery Parkway, are described below:

1. *Improved Diamond Interchange.* This option would widen Avery Parkway to three lanes in each direction with dual left-turn lanes serving freeway onramps. At Avery Parkway/Marguerite Parkway, an eastbound to southbound right-turn lane, a southbound to westbound right-turn lane, and a second northbound to westbound left-turn lane would be added.
2. *Northbound Diamond/Southbound Hook Ramps Interchange.* This option would widen Avery Parkway to three lanes in each direction with dual left-turn lanes serving the northbound freeway onramp. At Avery Parkway/Marguerite Parkway, an eastbound to southbound right-turn lane, a southbound to westbound right-turn lane, and a second northbound to westbound left-turn lane would be added. The segment of Camino Capistrano between Avery Parkway and the proposed southbound hook ramps would also be widened to accommodate the additional traffic volumes associated with the ramps.

While detailed environmental evaluation and traffic studies resulting from the proposed OCTA improvements at this intersection has not yet occurred, there are two possible outcomes to the proposed construction:

1. The improvements may enhance the Level of Service at the intersection to an acceptable level at buildout of the FMPs (year 2030). In this case, there would no longer be a cumulatively considerable impact and no mitigation by the SOCCCD would be required.
2. The improvements may be inadequate to enhance the Level of Service at the intersection to an acceptable level at buildout of the FMPs. In this case, Mitigation Measure TRA-1 in the Draft EIR would apply and the SOCCCD would pay fair-share costs associated with further mitigations at the intersection.

Coordination between the SOCCCD, OCTA, Caltrans, and the City of Mission Viejo is necessary to establish the scope of any potential improvements. Since only 23.1 percent of the traffic increase at the subject intersection can be attributed to implementation of the FMPs, it is not the sole responsibility of the SOCCCD to plan, fund, and construct such improvements. Further, as stated in *CEQA Guidelines* Section 15126.4(a)(5),

If the lead agency determines that a mitigation measure cannot be legally imposed, the measure need not be proposed or analyzed. Instead, the EIR may simply reference that fact and briefly explain the reasons underlying the lead agency's determination.

Mitigation at this intersection cannot be implemented independently by SOCCCD, as it is located beyond the campus' boundary and is not under the control or jurisdiction of the District. Therefore, the Draft EIR appropriately excludes detailed discussion of any mitigation

measure to be implemented by the SOCCCD which would require specific changes to this intersection.

- 6 Thank you for your comment regarding the inclusion of the FMP in the traffic model forecast. The I-5/Avery Parkway Interchange Feasibility Study, which is the more current and detailed of the OCTA studies for the area, includes the FMP in its background conditions. The earlier I-5 Project Approval/Environmental Document did not include the FMP. No revision to the Traffic Study or Draft EIR is required. Please see Response 5 for additional discussion regarding proposed improvements at I-5/Avery Parkway.
- 7 Thank you for your comment regarding the I-5/Avery Parkway Interchange Feasibility Study. Please refer to Response 5, above, for a summary of the major elements (as they relate to Avery Parkway) of the two proposed build options for the interchange improvement project. OCTA has indicated that, for both build options, “a preliminary traffic operations analysis [...] shows improved levels of service at the intersections” (I-5/Avery Parkway Feasibility Study: Alternative Concepts Summary. Technical Memorandum prepared for OCTA, March 2011). More detailed evaluations of these proposals are ongoing by OCTA.
- 8 Thank you for your comment regarding impacts to the Marguerite Parkway/Crown Valley Parkway intersection. The comment correctly notes that a 6.3 percent share of the traffic increase at the Marguerite Parkway/Avery Parkway intersection is attributed to the project. Because this intersection is projected to operate at below an acceptable Level of Service without implementation of the FMPs, the additional traffic associated with the FMPs adds to what would be an existing, cumulatively considerable impact in the year 2030. For this reason, Mitigation Measure TRA-1 includes a fair-share contribution by the SOCCCD to improvements at this intersection. Coordination between the SOCCCD, OCTA, and the City of Mission Viejo is necessary to establish the scope of any potential improvements. Since only 6.3 percent of the traffic increase at the subject intersection can be attributed to implementation of the FMPs, it is not the sole responsibility of the SOCCCD to plan, fund, and construct such improvements. Like the Marguerite Parkway/Avery Parkway intersection, mitigation at the Marguerite Parkway/Crown Valley Parkway intersection cannot be independently conducted by the SOCCCD (see further discussion under Response 5).

It is recognized that this intersection is built-out to its Master Plan of Arterial Highways (MPAH) designation. Therefore, despite the presence of Mitigation Measure TRA-1, it is not expected that design changes would be implemented to improve operations at this intersection to an acceptable level of service.

CEQA Section 21100(b)(2)(A) requires that an EIR identify any significant environmental effects that cannot be avoided. As stated in Section 3.2.7 of the Draft EIR, the cumulative impacts to this intersection are considered significant and unavoidable. Due to this significant and unavoidable environmental effect, certification of the Final EIR would require the adoption of a Statement of Overriding Considerations, indicating that the South Orange County Community College District is aware of the significant environmental consequences and believes that the benefits of approving the FMPs outweighs their unavoidable significant environmental impacts.

- 9 Thank you for your comment regarding the application of Transportation Demand Management (TDM) strategies. The college is pursuing various TDM strategies to reduce traffic impacts. Examples of these strategies include:
 - Providing a growing number of online courses.

- Providing a staggered course schedule throughout the day to limit the number of courses occurring during peak traffic periods.
- Facilitating public bus service to the Saddleback College campus through on-campus bus stops.
- Providing on-campus sale of bus passes and encouraging the sale of these passes to students as an alternative to driving a single-occupancy vehicles.
- Encouraging the preservation of bus routes which connect to the nearby Metrolink station.
- Providing various services (such as a child development center, reprographics services, cafeteria, bookstore, etc.) on-campus to reduce the need for off-campus travel.

Although these measures are employed at Saddleback College, the impacts of continuing and expanding such efforts cannot be accurately quantified. The Draft EIR does not assume such efforts, even if expanded, would adequately change traffic levels to reduce the significant impacts identified at the intersections of Marguerite Parkway with Avery Parkway and Crown Valley Parkway. Sub-standard Levels of Service are projected in the year 2030 regardless of FMP implementation. Even if TDM measures are highly successful, it is highly unlikely such efforts would reduce to zero the project's contributions to the cumulatively considerable impact at the affected intersections. Thus, even with continued and expanded use of TDMs, the project's cumulative impacts would continue to be significant.

- 10 Thank you for your comment regarding Medical Center Road. The Mission Viejo General Plan Circulation Element depicts this roadway as a collector street. Most of the road's length is two lanes, with four lanes present only at its intersection with Marguerite Parkway. Medical Center Road intersections at Crown Valley Parkway and at Marguerite Parkway are included in the Traffic Study. As shown in Tables 4-1 and 5-1 in Appendix B of the Draft EIR, these intersections are forecast to operate at acceptable levels of service with implementation of the FMPs in both the near-term (2015) and long-term (2030) condition. The ADT volumes on Medical Center Road have been added to applicable graphics in the Traffic Study. Please see Section 1.3 (Revisions to the Draft EIR), above, for the revised graphics.
- 11 Thank you for your comment regarding assumptions in the report for internal trip capture and adjacent uses. As stated on in Section 2.3 of the Traffic Study, trip distribution assumptions are from the traffic model (the South County Sub-Area Model), which is based on the County model and derived from regional statistics.
- 12 Thank you for your comment regarding traffic counts. To be consistent with current project work carried out in the area, traffic counts presented in the project Traffic Study were taken from recent documents such as the La Pata Avenue Gap Closure and Camino Del Rio Extension Traffic Study (2010) and Laguna Niguel Gateway Specific Plan Update Traffic Study (2011) as well as new (2011) counts for each college access point along Marguerite Parkway and all Avery Parkway locations in the study area. No adjustments were made to the new counts.
- 13 Thank you for your comment regarding specific developments anticipated to be constructed during the buildout timeframe of the FMPs. Below is detail of the assumptions used in assessing 2016 and 2030 conditions:

1. Mission Viejo Hospital Master Plan – Assumed in all time frames.

2. Andalucia – Not assumed but data in the report shows that levels of service along Oso Parkway are adequate (LOS D or better) and that capacity is available to accommodate this project. In addition, no project impacts are shown along Oso Parkway.
 3. Kaleidoscope Mall Traffic Study – Assumed trips for health club in 2030. Although the model does not assume operation of the health club by 2016, 2016 conditions indicate that adequate capacity is available with no Level of Service poorer than LOS D along Crown Valley Parkway intersections (it is noted that LOS E is considered acceptable along this roadway).
 4. Camino Capistrano Bridge Overpass Connection to Cabot Road – Not assumed but the level of service at Cabot Road intersection at Oso Parkway would improve, because the overpass connection would provide an alternative route for vehicles via Camino Capistrano thereby relieving Cabot Road.
 5. Metrolink Service Expansion Program – Assumed in 2030. An increase in trips (interpolated from existing and future data) has been assumed for this program in 2016.
 6. SR-241 FTC Extension – Assumed fully built to I-5 in 2030.
- 14 Thank you for your comment regarding the Mission Viejo General Plan Circulation Element, which is currently under revision. The review of the FMPs was initiated before the City's General Plan Circulation Element update traffic forecasts were available. The basis for the Traffic Study analysis is described in detail in Section 1.2 of the Traffic Study (Appendix B of the Draft EIR). More specifically, existing traffic conditions were based on observed traffic counts (see Response 12, above) and future traffic conditions were based on the South County Sub-Area Model (SCSAM). Two traffic models can be inherently different due to inputs and derivation.
- The SCSAM has been used for a number of transportation planning applications in South Orange County. This is the primary reason this model was used for the Saddleback College analysis; SCSAM allows the Saddleback College analysis to be consistent with other recently approved documents such as the La Pata Avenue Gap Closure and Camino Del Rio Extension Traffic Study and the Laguna Niguel Gateway Specific Plan Update Traffic Study. The EIR for the Laguna Niguel Gateway project, using the SCSAM for traffic analysis, was certified in November 2011. Barring any fundamental differences such as intersection lane geometrics, other contributing factors to the varying results could largely be due to which “parent” traffic model the SCSAM and Mission Viejo models are derived from and the land use inputs used in the model. The SCSAM uses OCTAM 3.1 and OCP-2000 data and General Plan land uses for cities that have a General Plan land use database within the model area.
- 15 Thank you for resubmitting your NOP comments. All of the topics discussed in the NOP comment letter were responded to in Section 3.2 (Traffic and Circulation) of the Draft EIR, with additional detail provided in the Traffic Study (Appendix B of the Draft EIR). Additional clarification on these issues is provided in Responses 2, 3, and 4, above.

Letter F: City of Santa Ana

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April 30, 2012

Dr. Debra Fitzsimons, Vice Chancellor
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692
DFITZSIMONS@socccd.edu

RE: 2011 Facilities Master Plans for Saddleback College & Irvine Valley College

Dear Ms. Fitzsimons:

1

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the 2011 Facilities Master Plans for Saddleback College and Irvine Valley College project. The City of Santa Ana has no comments at this time.

We look forward to the review of the Response to Comments. If you have any questions or need additional information, please contact me at (714) 647- 5842.

Sincerely,

A handwritten signature in black ink, appearing to read "Hally Sob", with a long, sweeping horizontal line extending to the right.

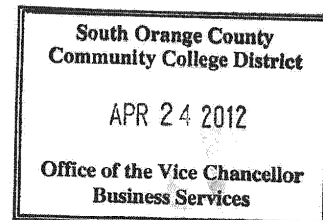
Hally Soboleske
Associate Planner

HS:

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c: Sergio Klotz, Principal Planner

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Response to Letter F: City of Santa Ana

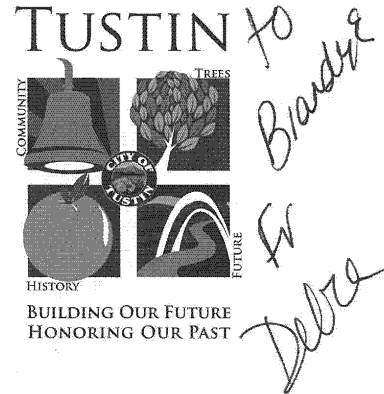
- 1 Thank you for your review of the project. The letter does not provide any specific comments requiring a response.

Letter G: City of Tustin

Community Development Department

May 16, 2012

Dr. Debra Fitzsimmons, Vice Chancellor
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692



SUBJECT: REVIEW OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT SADDLEBACK COLLEGE AND IRVINE VALLEY COLLEGE 2011 FACILITIES MASTER PLANS

Dear Ms. Fitzsimmons:

Thank you for the opportunity to provide comments on the Draft Environmental Impact Report (DEIR) for the South Orange County Community College District Saddleback College and Irvine Valley College 2011 Facilities Master Plans.

1

The City of Tustin has no substantive comments on the DEIR beyond those previously transmitted to the District on July 27, 2011, as part of the review of the Notice of Preparation for the DEIR. Editorial comments include the addition of the Irvine Ranch Water District (IRWD) to the list of Agencies in Table ES-1 and Table 2-3. Permitting actions/approvals include issuance of Encroachment Permits for any work related to connections to domestic water, reclaimed water, and/or sewer facilities owned and operated by IRWD.

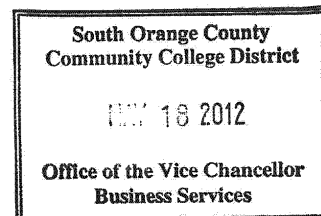
The City of Tustin appreciates the opportunity to provide comments on this project. I would appreciate receiving a copy of the Final EIR when it becomes available.

If you have any questions regarding the City's comments, please call Scott Reekstin, Senior Planner, at (714) 573-3016.

Sincerely,

Elizabeth A. Binsack
Community Development Director

cc: Christine Shingleton
Doug Stack
Dana Kasdan
Doug Anderson
Dana Ogdon
Terry Lutz
Scott Reekstin



SR:environmental\SOCCCD Facilities Master Plans DEIR Comment Letter.doc

300 Centennial Way, Tustin, CA 92780 • P: (714) 573-3100 • F: (714) 573-3113 • www.tustinca.org

Response to Letter G: City of Tustin

- 1 Thank you for your comment. The commenter notes that no additional substantive comments are submitted beyond those provided in the previously-submitted NOP comment letter. All comments submitted during the NOP commenting stage were considered in the preparation of the EIR, as described in Table ES-3 (Summary of NOP/Initial Study Comments) of the Draft EIR.

The EIR has been modified to indicate the potential need for encroachment permits from local water districts. Please refer to Section 1.3 (Revisions to the Draft EIR), above, for the modified text.

Letter H: Orange County Transportation Authority



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May 31, 2012

Dr. Debra Fitzsimons
Vice Chancellor
South Orange County Community College District
28000 Marguerite Parkway
Mission Viejo, CA 92692

Subject: Notice of Availability of a Draft Environmental Impact Report for the South Orange County Community College District 2011 Facilities Master Plans

Dear Dr. Fitzsimons:

The Orange County Transportation Authority (OCTA) has completed its review of the above referenced document. The following comments are provided for your consideration:

- On Page 3.2-4, under section 3.2.1.4 "Alternative Transportation & Pedestrian Connections," please include:
 - Route 82 (Foothill Ranch to Laguna Niguel) to the list of bus routes serving Saddleback College campus. Please note that Route 82 also connects Saddleback College campus to the Laguna Niguel/ Mission Viejo Station.
 - Route 167 (Anaheim to Irvine) as one of the OCTA bus routes that serve the Irvine Valley College (IVC) campus. Effective October 2012, OCTA will be extending Route 70, which will connect the IVC campus to both the Tustin Station and Irvine Station.
 - OCTA bus routes serving the Advanced Technology Education Park, which include Route 71 (Yorba Linda to Balboa) and Route 472 (Tustin Station to Irvine Business Complex/University of California, Irvine). Metrolink commuter rail service is provided from the Tustin Station, two miles east of the campus. Route 472 connects the campus to the Tustin Station.

If you have any questions or comments, please contact Gary Hewitt, Section Manager-Transit and Non-Motorized Planning, at (714) 560-5715 or ghewitt@octa.net.

Sincerely,

Charlie Larwood
Manager, Transportation Planning

GH:js

c: Gary Hewitt, OCTA

Orange County Transportation Authority
550 South Main Street / P.O. Box 14184 / Orange / California 92863-1584 / (714) 560-OCTA (6282)

Response to Letter H: Orange County Transportation Authority

- 1 Thank you for your comment updating information related to bus routes in the Draft EIR. The EIR has been modified to reflect this information. Please refer to Section 1.3 (Revisions to the Draft EIR), above, for the modified text.