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1

Introduction

CEQA and the Purpose of an EIR 1.1

Introduction

The City of Costa Mesa (Lead Agency) has completed a series of amendments to all elements of its General Plan, with the exception of the Housing Element. The amendments are intended to refine policies regarding long-term growth in the community and to ensure that the General Plan reflects current State law. The project, referred to as the “General Plan Amendments,” is the subject of this Environmental Impact Report (EIR).

The adoption and implementation of the General Plan Amendments is defined as a “project” and is subject to review under the California Environmental Quality Act (CEQA) 1970 (Public Resources Code, Section 21000 et seq.), and the State CEQA Guidelines (California Code of Regulations, title 14, Section 15000 et seq.). Accordingly, the City has prepared this EIR to assess the long-range and cumulative environmental consequences that could result from adoption and implementation of the proposed General Plan Amendments, including any amendments to land use regulatory documents used to implement the General Plan. This EIR has been prepared in accordance with the CEQA Statutes and Guidelines and with the City of Costa Mesa’s local rules and procedures for implementing CEQA. This document has been prepared by professional planning consultants under contract to the City of Costa Mesa.

The City of Costa Mesa is the Lead Agency for the preparation of this EIR, as defined by CEQA (Public Resources Code, Section 21067, as amended) because the City has primary discretionary authority with respect to adoption, amendment, and implementation of the proposed General Plan. The content of this document reflects the independent judgment of the City.

The body of State law known as “CEQA” was originally enacted in 1970 and has been amended since. The legislative intent of these regulations is established in Section 21000 of the California Public Resources Code, as follows:

“The Legislature finds and declares as follows:

- (A) The maintenance of a quality environment for the people of this state now and in the future is a matter of statewide concern.
- (B) It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man.
- (C) There is a need to understand the relationship between the maintenance of high-quality ecological systems and the general welfare of the people of the state, including their enjoyment of the natural resources of the state.
- (D) The capacity of the environment is limited, and it is the intent of the Legislature that the government of the State take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached.
- (E) Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- (F) The interrelationship of policies and practices in the management of natural resources and waste disposal requires systematic and concerted efforts by public and private interests to enhance environmental quality and to control environmental pollution.
- (G) It is the intent of the Legislature that all agencies of the state government which regulate activities of private individuals, corporations, and public agencies which are found to affect the quality of the environment, shall regulate

such activities so that major consideration is given to preventing environmental damage, while providing a decent home and satisfying living environment for every Californian.

The Legislature further finds and declares that it is the policy of the State to:

- H) Develop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the State.
- I) Take all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic, and historic environmental qualities, and freedom from excessive noise.
- J) Prevent the elimination of fish or wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities and examples of the major periods of California history.
- K) Ensure that the long-term protection of the environment, consistent with the provision of a decent home and suitable living environment for every Californian, shall be the guiding criterion in public decisions.
- L) Create and maintain conditions under which man and nature can exist in productive harmony to fulfill the social and economic requirements of present and future generations.
- M) Require governmental agencies at all levels to develop standards and procedures necessary to protect environmental quality.
- N) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment."

A concise statement of legislative policy, with respect to public agency consideration of projects for some form of approval, is found in Section 21002, quoted below.

"The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects, and that the procedures required by this division are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects. The Legislature further finds and declares that in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

Purpose and Scope

The Costa Mesa General Plan is a long-range planning program that guides the orderly growth and development of the Costa Mesa planning area, which is defined as all properties within the Costa Mesa corporate limits and properties within the City's sphere of influence. The General Plan communicates the City's vision of its future and establishes a policy framework to govern decision-making concerning the physical development of the community, including assurances that the community at large will be supported by an adequate range of public services and infrastructure systems. The General Plan Amendments analyzed in this EIR have been tailored to address revised land use policy direction for defined "focus areas," to update maps and policies to reflect current State law, and to reflect the City's current vision regarding circulation and mobility improvements.

The General Plan Amendments would not authorize any specific development project, other form of land use approval, or any specific public facilities or capital facilities expenditures or improvements. As such, a Program EIR is the appropriate type of document to identify the geographic extent of sensitive resources and hazards, along with existing and planned services and infrastructure support systems that occur in the planning area. Further, the Program EIR is described in Section 15168 of the State CEQA Guidelines as the appropriate analytical framework to assess the cumulative environmental effects of the full plan in a first tier level of analysis, to identify broad concerns and sets of impacts, and to define/develop regulatory standards and programmatic procedures that reduce impacts and help achieve environmental goals and objectives.

Later activities proposed pursuant to the goals and policies of the amended General Plan will be reviewed in light of this EIR and may focus on those site-specific and localized environmental issues that could not be examined in sufficient detail as part of this EIR. As with all projects proposed in the City, projects contained in specific focus areas where land use changes are proposed will be subject to CEQA review, as required by State law, at such time the City receives a permit application for the project. At that time, the CEQA analysis would specifically address impacts of the project on traffic; the ability of service providers to serve the project; consistency with General Plan policies; consistency with building and engineering regulations of the City; site-specific biological, cultural resource, and visual effects; impacts on on-site and off-site drainage, among other analyses.

The advantages of a Program EIR include consideration of effects and alternatives that cannot practically be reviewed at the project-level, consideration of cumulative impacts that may not be apparent on a project-by-project basis, the ability to enact citywide mitigation measures, and a subsequent reduction in paperwork.

Organization of the Program EIR

The Draft EIR is divided into two volumes. Volume 1 contains the primary analysis of potential environmental impacts discussed in the following nine sections:

Section 1.0 Introduction

Section 2.0 Executive Summary

A brief project description and summarizes project impacts and mitigation measures

Section 3.0 Project Description

Provides detailed description of the proposed Project

Section 4.0 Environmental Impact Analysis

Considers project impacts and identifies mitigation measures designed to reduce significant impacts

Section 5.0 Alternatives

Provides an analysis of alternatives to the proposed project

Section 6.0 Analysis of Long-Term Effects

Provides an analysis of cumulative impacts, growth-inducing impacts, and significant irreversible environmental impacts

Section 7.0 Effects Found not to Be Significant

Identifies areas of no significant impact

Section 8.0 Preparation Team

Lists the preparers of this analysis

Section 9.0 Organizations and Persons Consulted

Contains reference information on people and organizations consulted during the preparation of the EIR

Volume 2 includes the EIR appendices, including documentation of the scoping process and Notice of Preparation (NOP). The appendices include:

- Appendix A: Notice of Preparation
- Appendix B: NOP Distribution List, Comment Letters, and Scoping Meeting Notes
- Appendix C: List of General Plan Element Goals and Objectives
- Appendix D: Air Quality and Climate Change Report
- Appendix E: Noise Study
- Appendix F: Traffic Impact Analysis

In compliance with Public Resources Code Section 21081.6, a mitigation monitoring reporting program (MMRP) will be prepared as a separately bound document that will be adopted in conjunction with the certification of the Final EIR. The MMRP, responses to public comments, any revisions to the Draft EIR, and findings will be identified as Volume 3.

Approach to EIR Analysis

The approach to the analysis presented in this EIR is programmatic in nature given the broad scope of the General Plan Amendments. Each environmental issue is analyzed in the same manner, starting with a discussion of the existing environmental setting, including physical conditions and pertinent planning and regulatory framework. Thresholds of significance are then defined and are used to measure the proposed General Plan Amendments potential impact to the environment. Thresholds of significance are based on a broad list of questions and impact topics set forth in Appendix G of the State CEQA Guidelines. The impact analysis section examines the broad, long-term environmental effects resulting from implementation of the goals and policies contained in each of the amended General Plan elements. The presence of sensitive environmental resources, hazards in specific areas, and the broad implications of the General Plan Amendments throughout the planning area are considered in the determination of impact significance. If the analysis indicates that a significant impact could occur, even with the benefits of any proposed planning policies, mitigation measures are provided.

In conjunction with the Final EIR, a Mitigation Monitoring and Reporting Program (MMRP) will be prepared for adoption that identifies a responsible party, a timeline for implementation, and a monitoring frequency for any incorporated mitigation measures. The MMRP provides a mechanism for ensuring that potentially significant impacts resulting from long-term implementation of the General Plan Amendments are avoided or reduced to the extent feasible.

For each environmental issue area examined in Section 4.0, the discussion concludes with a statement regarding the level of impact significance remaining after imposition of any required mitigation measures.

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Scoping and Public Review 1.3

Notice of Preparation

To define the scope of the investigation of the Program EIR, the City of Costa Mesa distributed a Notice of Preparation (NOP) (Appendix A) to city, county, and state agencies; other public agencies; and interested private organizations and individuals. The NOP review period ran from November 17, 2015 through December 17, 2015. The purpose of the NOP was to identify agency and public concerns regarding potential impacts of the proposed project, and to request suggestions concerning ways to avoid significant impacts (State CEQA Guidelines, Section 15082).

Copies of written comments received during the 30-day public review period for the NOP are included in Appendix B of this EIR. On November 30, 2015, the City also conducted a scoping meeting to solicit oral comments on the NOP. Comments were received from approximately eight people during the meeting. Additional scoping comments were also received by other jurisdictions and agencies during the 30-day public review period. The scoping comments addressed in this Program EIR are summarized in Table 1.1 (Summary of Scoping Comments).

**Table 1-1
Summary of Scoping Comments**

Commenting Entity	Summary of Comment	Section in EIR where Addressed
Agencies		
Mesa Water District	Water supply; infrastructure; water conservation and irrigation; water pressure; and facilities access	Public Services and Utilities
Orange County Public Works	Flooding and drainage issues	Hydrology and Water Quality
Orange County Sanitation District	Upgrade sewer maps; conduct modeling	Public Services
South Coast Air Quality Management District	Air quality analysis requirements	Air Quality
State of California – Department of Transportation, District 12	Information to include in traffic analysis	Traffic and Transportation
State of California - Department of General Services	Open space issue	NA
State of California, Governor's Office of Planning and Research - State Clearinghouse and Planning Unit	NA	NA
State of California Natural Resources Agency - Department of Fish and Wildlife	Impacts on Fairview and Talbert Parks; monitoring and adaptive mgt. at FP; reference fire management plan for HCP reserved; form letter on what to include in EIR analysis	Biological Resources; Recreation
Organizations		
Building Industry Association of Southern California, Orange County Chapter	BIA supports the General Plan Amendments	NA
Costa Mesa Affordable Housing Coalition	Concerned about loss of low income housing due to Harbor Blvd. and Newport Blvd. overlays; this will increase homelessness; massive displacement of lower income motel residents; questions to answer in housing section	Population and Housing
The Kennedy Commission	More affordable housing for low income working households	Population and Housing

**Table 1-1
Summary of Scoping Comments**

Commenting Entity	Summary of Comment	Section in EIR where Addressed
Individuals		
Comments common to several individuals. Where common comment is used the summary is referred to as "common comments"	GPA's do not express desires of citizens; no multi-family housing which causes gridlock; consider lower density alternatives; no overlays; more parkland on Westside; additional parkland; increase minimum development setbacks ; impacts on schools and medical facilities; impacts on public safety facilities; preserve historical artifacts in Fairview Park; Shade and shadow analysis; lots of traffic requests also.	Aesthetics Air Quality Cultural Resources Land Use and Planning Population and Housing Public Services and Utilities Recreation Traffic and Transportation Alternatives
Cathleen Boyd	Common comments	As above
Frank and Susan Calabretta	Common comments	As above
Pilar Chandler	Common comments	As above
Joseph Cook	Common comments	As above
Bonnie Copeland	Common comment	As above
Cynthia Corely	Common comments	As above
Mrs. Drain	Common comments	As above
Eleanor Egan	Common comments	As above
Tamar Goldman (2 letters)	Common comments	As above
Frank Hanrahan	Common comments	As above
Kim Hendricks	Wants to see more open space in the City and should meet goal of 2.46 acres per 1,000 residents	Recreation
Wendy Leece	Concerned about reduction of safety staff with new development; fire, police, medical; worried about ability to leave in event of disaster or emergency due to increased traffic; impacts of the development of Banning Ranch in Newport Beach on Costa Mesa	Hazards and Hazardous Materials Public Services and Utilities Traffic and Transportation
Robin Leffler	Common comments	As above
Judy Lindsay	Common comments	As above
Florence N. Martin	Common comments	As above
Bill McCarty	Common comments	As above
Cynthia McDonald	Wants a cohesive plan for City; setbacks important; incentivize and retain businesses; more transit hubs in north; concerned about noise and air quality impacts; retain coastal feel and breeze; traffic impacts, parks, and cultural resources are of concern	Air Quality Cultural Resources Land Use and Planning Noise Recreation Traffic and Transportation
Mary Menninger	Common comments	As above
Elizabeth Parker	Common comments	As above
Joanne Perler	Common comments	As above
Alan Remington	Common comments, plus worried about the City increasing population density in the middle of a drought	As above
Patrick Riley	Common comments	As above
Corrine Stover	Wants more time to study impacts of general plan; no comments related to EIR analysis	NA
Ralph Taboada	Common comments	As above

Notice of Completion

Pursuant to Section 15085 of the State CEQA Guidelines, a Notice of Completion (NOC) was filed with the State Office of Planning and Research (OPR) on March 4, 2016, and the DEIR will be circulated for public and agency review for a period of 45 days. A copy of the DEIR will be posted at the Costa Mesa Library and at City Hall. Copies of the DEIR will be sent to responsible agencies, local agencies, and concerned agencies and individuals, as requested. Public hearings will be held in conjunction with the review of the project.

Response to Comments on DEIR

Comments from all agencies and individuals are invited regarding the information contained in the Draft Program EIR. Such comments should explain any perceived deficiencies in the assessment of impacts, provide the information that is purportedly lacking in the Draft Program EIR or indicate where the information may be found. All comments on the Draft Program EIR are to be submitted to:

Claire Flynn, Assistant Development Services Director
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

Following a 45-day period of circulation and review of the Draft Program EIR, all comments and the City's responses to the comments will be incorporated into a Final Program EIR prior to certification of the document by the City of Costa Mesa.

Availability of EIR Materials

All materials related to the Preparation of this Program EIR are available for public review. To request an appointment to review these materials, please contact:

Claire Flynn, Assistant Development Services Director
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

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Citation 1.4

Preparation of this Program EIR and the General Plan Amendments rely on information from many sources, including the appendix materials previously listed and numerous other references. Pursuant to Section 15148 of the State CEQA Guidelines, citations from the appendix materials and other sources are provided throughout the EIR. Citations are provided in parentheses when used. References cited are located at the end of each environmental impact section. (Sections 4.1 through 4.12).

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