

## **CHAPTER 1.0 INTRODUCTION**

This program environmental impact report (Program EIR) is a first-tier evaluation of the environmental effects associated with the adoption and implementation of the updated Orange General Plan by the City of Orange. The City completed a Public Review Draft General Plan in January 2009. The adoption and implementation of a General Plan constitutes a project for the purposes of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

### **1.1 LEGAL REQUIREMENTS**

This Program EIR has been prepared in accordance with the CEQA (Public Resources Code Section 21000 et seq.), and the Guidelines for Implementation of CEQA published by the Resources Agency of the State of California (California Administrative Code Section 15000 et seq.) and the City of Orange's Local CEQA Guidelines (2006).

The report was prepared by professional environmental consultants under contract to the City of Orange. The City of Orange is the lead agency for the preparation of this EIR, as defined by CEQA (Public Resources Code Section 21067 as amended), and the content of the document reflects the independent judgment of the City.

### **1.2 THE PROGRAM EIR**

This Program EIR is intended to provide information to public agencies, the general public, and decision makers regarding potential environmental impacts related to adoption and implementation of the updated Orange General Plan. The purpose of an EIR, under the provisions of CEQA, is "to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided" (Public Resources Code Section 21002.1[a]).

According to CEQA Guidelines (Section 15168), the approach of a Program EIR is appropriate for evaluating a series of actions that can be characterized as one large project, are related geographically, and are logical parts in the chain of contemplated actions in connection with issuance of rules, regulations, or plans. The Program EIR allows for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on separate individual

actions, and ensures consideration of cumulative impacts that might be slighted on a case-by-case basis.

This Program EIR provides a first-tier analysis of the environmental effects of the updated Orange General Plan. Section 15152 of the CEQA Guidelines indicates that tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration related to a specific development proposal. Subsequent activities in accordance with the updated Orange General Plan must be examined in light of this Program EIR to determine whether an additional environmental document must be prepared. If a subsequent project or later activity would have effects that were not examined in this Program EIR, or were not examined at an appropriate level of detail to be used for the later activity, an initial study (IS) would need to be prepared, leading to a negative declaration or an EIR. If the City finds that pursuant to Section 15152 of the CEQA Guidelines, no new effects could occur or new mitigation measures would be required on a subsequent project, the City can approve the activity as being within the scope of the project covered by this Program EIR, and no new environmental documentation would be required.

This EIR serves as an information document for use by public agencies, the general public, and decision makers. This EIR is not a City of Orange policy document; it does, however, discuss the impacts of development pursuant to the General Plan and related components, and analyzes project alternatives. This Program EIR will be used by the City of Orange Planning Commission and City Council in assessing impacts of the proposed project prior to adoption of the updated General Plan.

### **1.3 BACKGROUND**

To define the scope of the investigation of the Program EIR, the City of Orange distributed a Notice of Preparation (NOP) and IS on March 24, 2006, to city, county, and state agencies; other public agencies; and interested private organizations and individuals. The purpose of the NOP was to identify agency and public concerns regarding potential impacts of the proposed project. The purpose of the IS was to focus the preparation of the EIR, if required, on effects determined to be significant. The IS determined that the preparation of an EIR was required for the proposed project. The IS also determined that no impacts would occur to mineral resources. Therefore, mineral resources are not discussed in the EIR. Additionally, the IS found that the project would result in less than significant or no impacts for certain aspects of other major issue areas, including the following: Agricultural Resources, Air Quality, Biological Resources, Hazards and

Hazardous Materials, Land Use and Planning, Noise, Population and Housing, and Transportation/Traffic. The IS in Appendix A of this EIR details the potential impacts of the project by issue area and the findings of significance. Issue areas with no impacts or impacts determined to be less than significant receive limited discussion in the EIR.

Comment letters on the NOP and IS were received from the following:

California Department of Conservation  
East Orange County Water District  
State of California, Public Utilities Commission  
South Coast Air Quality Management District  
Local Agency Formation Commission  
Orange County Sanitation District  
Metropolitan Water District of Southern California  
California Department of Transportation, District 12  
Southern California Association of Governments  
Irvine Ranch Water District  
Kennedy Commission  
City of Irvine  
City of Tustin  
Red Oak Investments  
Lois E. Barke  
Jim Owens

[Letter received from Transportation Corridor Agencies but no comments]

[Letter received from Orange Barrio Historical Society but no comments relevant to General Plan]

Written comments received during the 30-day public review period for the NOP and IS are included in Appendix A of this EIR. These comments were considered in the preparation of the Draft EIR. Technical documents prepared for the project are also included in Appendices B through E. These documents were used as reference material in the analysis of environmental impacts.

## **1.4 AVAILABILITY OF DRAFT EIR**

This Draft Program EIR is available for public inspection at the Planning Counter of the City of Orange Community Development Department and City Clerk's Office, 300 East Chapman Avenue in Orange; and the following Orange libraries: Orange Public Library & History Center located at 407 E. Chapman Avenue; El Modena Branch at 380 S. Hewes Street; and Taft Branch at 740 N. Taft Avenue. Documents may be reviewed during regular business hours, as well as on the City's website at [www.cityoforange.org](http://www.cityoforange.org).

## **1.5 COMMENTS REQUESTED**

Comments from agencies and individuals are invited regarding the information contained in the Draft Program EIR. Where possible, those responding should endeavor to provide the information they feel is lacking in the Draft Program EIR, or should indicate where the information may be found. All comments on the Draft Program EIR should be sent to the following City of Orange contact:

Anna Pehoushek, Principal Planner  
City of Orange, Planning Division  
300 East Chapman Avenue  
Orange, CA 92866-1591

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 Orange.

## **1.6 STRUCTURE OF THIS EIR**

This EIR is organized into nine chapters. Chapter 1.0 is this Introduction. The Executive Summary, provided in Chapter 2.0, includes a brief project description and summarizes project impacts and mitigation measures. Chapter 3.0 provides a detailed description of the proposed General Plan. The general environmental setting is provided in Chapter 4.0. Chapter 5.0 analyzes project impacts and identifies mitigation measures designed to reduce significant impacts. Chapter 6.0 provides an analysis of alternatives to the proposed project. An analysis of cumulative impacts, growth inducing impacts, significant irreversible environmental impacts, and areas of no significant impact is provided in Chapter 7.0. Chapter 8.0 contains reference information. Chapter 9.0 provides a list of acronyms and abbreviations used in this EIR.

The appendices consist of the NOP and IS, and public comments received in response to the NOP and IS (Appendix A) and technical documents (Appendices B through E) included as supporting information to the EIR. In compliance with Public Resources Section 21081.6, a mitigation monitoring and reporting program will be prepared as a separately bound document that will be adopted in conjunction with the certification of the Final Program EIR and project approval.

## **1.7 GENERAL APPROACH TO EIR ANALYSIS**

As discussed above, the approach to the analysis presented in this EIR is programmatic in nature. Program EIRs are intended to provide an overall analysis of a program (e.g., the proposed General Plan) with the knowledge that the City must undertake additional, site-specific analyses of potential environmental effects as site-specific actions to implement the program are proposed. The level of detail contained in this EIR reflects the level of detail contained in the proposed General Plan. This EIR therefore provides a broad overview of potential impacts from the eventual buildout of Orange as envisioned in the proposed General Plan.

Each environmental issue is analyzed in the same manner starting with a discussion of the existing environmental setting. Thresholds of significance are then defined and used to measure the project's potential impact in the environmental impact section. If the proposed project would result in a significant impact for a particular environmental issue, mitigation measures are included within the discussion. For the proposed project, the majority of the mitigation measures are derived from the Implementation Programs in the Implementation Plan for the General Plan. Each Implementation Program is a procedure, program, or technique that requires City action, either alone or in collaboration with non-City organizations or state and federal agencies. Some of the Implementation Programs are processes or procedures the City currently administers on a day-to-day basis (such as development project review), while others identify new programs or projects. By identifying a responsible party and a timeline for implementation, the Implementation Plan provides a mechanism for ensuring that potential impacts resulting from the proposed project are reduced below a level of significance. It should be noted that not all Implementation Programs will serve as mitigation in this EIR. Moreover, additional mitigation measures are proposed for some environmental issues in addition to those mitigation measures derived from the Implementation Plan. Lastly, the analysis will include a discussion on the level of significance of each environmental impact after proposed mitigation measures are incorporated. Chapter 5.0 includes a complete discussion of the approach to the analysis contained in this EIR.

## **1.8 INTENDED USES OF THE PROGRAM EIR**

The Program EIR serves as the basis for environmental review and impact mitigation for adoption and implementation of the updated Orange General Plan. The City will review subsequent projects for consistency with the Program EIR and prepare appropriate environmental documentation pursuant to CEQA provisions for Program EIRs and subsequent projects. Subsequent projects under the Program EIR may include the following implementation activities:

- Updating and adopting the Zoning Ordinance;
- Rezoning of properties consistent with the adopted General Plan;
- Approval of Specific Plans;
- Approval of development plans, including tentative maps, variances, conditional use permits, and other land use permits;
- Approval of redevelopment plans;
- Approval of development agreements;
- Approval of facility and service master plans and financing plans;
- Approval and funding of public improvement projects;
- Approval of resource management plans;
- Issuance of municipal bonds;
- Issuance of permits and other approvals necessary for implementation of the updated General Plan;
- Acquisition of property; and
- Issuance of permits and other approvals necessary for public and private development projects.

The following lead, responsible, and trustee agencies may use this Program EIR in the adoption of the updated General Plan and approval of subsequent implementation activities. These agencies may include but are not limited to the following:

- City of Orange (lead agency)
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers
- California Department of Fish and Game
- California Department of Conservation
- California Department of Housing and Community Development

- California Department of Transportation
- State Water Resources Control Board
- Southern California Association of Governments
- South Coast Air Quality Management District
- County of Orange
- Metropolitan Water District of Southern California
- Regional Water Quality Control Board
- Orange County Sanitation District
- Orange Unified School District
- Orange County Water District
- Irvine Ranch Water District
- Golden State Water Company
- Serrano Water District
- East Orange County Water District
- Orange County Transportation Authority
- Southern California Edison
- Southern California Gas Company

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