#### 2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (CEQA) requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority prior to taking action on those projects. This Draft Environmental Impact Report (DEIR) has been prepared to satisfy CEQA, as set forth in the California Public Resources Code, Division 13, Section 21000, et seq., and the State CEQA Guidelines (CEQA Guidelines), Title 14 of the California Code of Regulations, Chapter 3, Section 15000 et seq. An Environmental Impact Report (EIR) is the public document designed to provide decision makers and the public with an analysis of the environmental effects of a proposed project, to indicate possible ways to reduce or avoid environmental damage, and to identify alternatives to a project. An EIR must also disclose significant environmental impacts that cannot be avoided; growth-inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects.

Because approval of the Irvine Business Complex Vision Plan and Overlay Zoning Code (proposed project) is a discretionary action by a public agency, the City of Irvine, as the first public agency to act on the project, becomes the lead agency for the proposed project. Pursuant to CEQA Section 21067, the lead agency means "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment." As the CEQA lead agency, the City of Irvine has the responsibility for determining the method of CEQA compliance, preparing and certifying the EIR that describes potential environmental impacts of the proposed project, providing a Statement of Overriding Considerations for all environmental impacts that cannot be mitigated to a less than significant level, and adopting a Mitigation Monitoring and Reporting Plan to ensure that all required mitigation measures are implemented during the course of the project.



The overall purpose of this DEIR is to inform the lead agency, responsible agencies, decision makers, and the general public of the environmental effects of the development and operation of the proposed project. This DEIR addresses the potential environmental effects of the project, including effects that may be significant and adverse, evaluates a number of alternatives to the project, and identifies mitigation measures to reduce or avoid significant adverse effects.

The intent of the DEIR is to provide sufficient information on the potential environmental impacts of the proposed project to allow the City of Irvine to make an informed decision regarding approval of the project. Specific discretionary actions to be reviewed by the City and potential project permits and approvals required from other regulatory agencies are described in Section 3.3.3, Subsequent Development Pursuant to the Proposed Project and Section 3.4, Intended Uses of the EIR.

This DEIR has been prepared in accordance with the requirements of the:

- CEOA
- State CEQA Guidelines
- City of Irvine CEQA Guidelines

#### 2.2 NOTICE OF PREPARATION AND INITIAL STUDY

The City of Irvine determined that an EIR would be required for this project and issued a Notice of Preparation (NOP) and Initial Study on January 8, 2007, to the State Clearinghouse, responsible agencies, and interested parties (See Appendix A). Comments received during the January 8, 2007, through February 22, 2007, NOP review period are also contained in Appendix A. The project description was subsequently revised to reduce the number of dwelling units and

project details were refined. A new NOP was circulated between September 19, 2008, and October 20, 2008 (see Appendix B). Comments to the 2008 NOP are also contained in Appendix B.

The NOP process helps determine the scope of the environmental issues to be addressed in the DEIR. Based on this process and the Initial Study for the proposed project, certain environmental categories were identified as having the potential to result in significant impacts. Issues considered Potentially Significant are addressed in this DEIR. Issues identified as Less Than Significant or No Impact are not addressed beyond the discussion contained in the Initial Study. Refer to the Initial Study in Appendix A and B for a discussion of how these initial determinations were made.

A total of 38 agencies/interested parties responded to the 2007 NOP. Copies of the written comments received during the public review period are in Appendix A. Copies of the written comments received during the second (2008) public review period, are in Appendix B. This DEIR has taken into consideration all the comments received from the various agencies in response to both NOPs, as well as the comments received during public scoping meetings, as outlined in Section 2.2.1.

Table 2-1 summarizes the issues identified by the commenting agencies, along with a reference to the section(s) of this DEIR where the issues are addressed.

Table 2-1		
Commenting Agency/Person	NOP Written Comment Summary  Comment Summary	Issue Addressed In:
2007 NOP		
Airport Land Use Commission for Orange County (1/23/06)	Consistency with Airport Environs Land Use Plan for John Wayne Airport (JWA)	Sections 5.6, Hazards and Hazardous Materials, and 5.8, Land Use and Planning
Airport Land Use Commission for Orange County (1/1/07)	Potential noise impacts due to JWA. Height limitations, obstruction lighting and marking, and other issues related to proximity to JWA.	Sections 5.6, Hazards and Hazardous Materials, and 5.9, Noise.
Besser, Sandy (1/16/07)	Disapproves of the name of project.	Not applicable.
Bingham McCutchen LLP / Allergen (1/27/07)	Concerns about industrial adjacency and the compatibility of residential and industrial uses, traffic, air quality, utilities and services, recreation and parks, and biological resources, as well as economic impacts.	Sections 5.2, Air Quality, 5.3, Biological Resources, 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.11, Public Services, 5.12, Recreation, 5.13, Transportation and Traffic, and 5.14, Utilities and Service Systems.
Bryan Industrial Properties (1/23/07)	Traffic, cost of services to the city, and economic impacts.	Section 5.13, <i>Transportation and Traffic.</i>

Table 2-1			
Commenting Agency/Person	NOP Written Comment Summary  Comment Summary	Issue Addressed In:	
Cox, Castle & Nicholson LLP (1/22/07)	Protecting industrial uses, creating buffer zones between residential and industrial areas. Concern over traffic and name of project. Opposes the Creekwalk.	Sections 5.1, Aesthetics, 5.8, Land Use and Planning, and 5.13, Transportation and Traffic.	
Department of Toxic Substances Control (1/6/07)	Potential hazardous materials at site.	Section 5.6, Hazards and Hazardous Materials.	
Department of Transportation: District 12 (1/6/07)	Potential traffic impacts on area roadways.	Section 5.13, Transportation and Traffic.	
Department of Transportation: Division of Aeronautics(1/5/07)	Potential noise and hazard impacts related to JWA.	Sections 5.6, Hazards and Hazardous Materials, and 5.9, Noise.	
DiMento, Joseph F.C. (2/1/07)	Project's consistency with Irvine General Plan.	Section 5.8, Land Use and Planning.	
Gordon, Pamela Bettencourt (2/8/07)	Concern over aesthetics.	Section 5.1, Aesthetics.	
Governor's Office of Planning and Research: State Clearinghouse and Planning Unit (1/8/07)	Notice of Preparation announcement.	Not applicable.	
Industrial Environmental Association (1/31/07)	Concern over converting industrial lands to residential.	Section 5.8, Land Use and Planning.	
Industrial Environmental Association (1/27/07)	Potential economic impacts.	Not applicable.	
Intelenet (1/26/07)	Surrounding area may contain hazardous materials. Potential impact on traffic. Potential economic impact.	Sections 5.6, Hazards and Hazardous Materials, and 5.13, Transportation and Traffic.	
Intelenet (1/28/07)	Request that City not proceed with pending projects until the EIR is complete, and request that City evaluate the number of residents per unit in EIR.	Sections 5.10, Population and Housing, and 5.11, Public Services.	
Irvine Ranch Water District (1/20/07)	Request that conceptual location for community park be removed from corner of Michelson Drive and Carlson Avenue.	Not applicable.	
Irvine Ranch Water District (1/22/07)	Water Supply Assessment in progress.	Section 5.14, Utilities and Service Systems.	
Irvine Unified School District: Construction and Facilities (1/22/07)	Impact of population growth related to project on schools in Irvine Unified School District.	Section 5.11, Public Services.	
Law Offices of Robert C. Hawkins (1/21/07)	Suggests that a program EIR be prepared for project. Asks that the possibility of the IBC Vision Plan being incorporated into the General Plan be analyzed as a project alternative. Suggests that the DEIR should discuss aesthetics, air quality, geology, hazards and hazardous materials, hydrology, land use, noise, public services, transportation and traffic, services and utilities, and cumulative impacts.	Sections 5.1, Aesthetics, 5.2, Air Quality, 5.5, Geology and Soils, 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.11, Public Services, 5.12, Recreation, 5.13, Transportation and Traffic, and 5.14, Utilities and Service Systems.	



Table 2-1				
NOP Written Comment Summary  Commenting Agency/Person Comment Summary Issue Addressed In:				
McGuire Woods LLP (1/22/07)	Potential air quality, geology, hazardous materials, noise, population, and traffic impacts.	Sections 5.2, Air Quality, 5.5, Geology and Soils, 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, and 5.13, Transportation and Traffic.		
Native American Heritage Commission (1/11/07)	Potential cultural resources impacts related to the project.	Section 5.4, Cultural Resources.		
Orange County Clerk-Recorder (1/24/07)	Statement that NOP was posted for 30 days.	Not applicable.		
Orange County Fire Authority (1/21/07)	Potential hazards and traffic flow mitigations.	Sections 5.6, Hazards and Hazardous Materials, and 5.13, Transportation and Traffic.		
Remy, Thomas, Moose and Manley, LLP (1/21/07)	Recreation, transportation/traffic, and cumulative impacts. Also discusses population and housing, land use and planning, geology and soils, biological resources, air quality, and aesthetics.	Sections 5.2, Air Quality, 5.3, Biological Resources, 5.5 Geology and Soils, 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.12, Recreation, and 5.13, Transportation and Traffic.		
Rus, Miliband & Smith (1/23/07)	"Bosa II asserts that its entitlements and other rights under the Development Agreement as to its Project will not be impacted or affected in any manner by the IBC Vision Plan and the EIR."	Not applicable.		
Sapetto Government Solutions, Inc. (1/27/07)	Potentially hazardous materials in the area. Concerns relating to libraries, pedestrian bridges, and land use compatibility. Requests that EIR include analysis of cost, and compare with surrounding cities.	Sections 5.1, Aesthetics, 5.7, Hazards and Hazardous Materials, 5.8, Land Use and Planning, and 5.11, Public Services		
Sapetto Government Solutions, Inc. (1/28/07)	Request that EIR consider a charter school in the IBC.	Section 5.11, Public Services.		
South Coast Air Quality Management District	Potential air quality impacts.	Section 5.2, Air Quality.		
Southern California Association of Governments (1/21/07)	Consistency with regional comprehensive plan and guide policies, air quality, open space and conservation, water quality, and regional transportation.	Sections 5.2 Air Quality, 5.7, Hydrology and Water Quality, 5.8, Land Use and Planning, 5.12, Recreation, and 5.13, Transportation and Traffic.		
The Gas Company (1/24/07)	Gas service to the project.	Section 5.14, <i>Utilities and Service</i> Systems.		
The Salter Group (1/1/07)	Potential economic and fiscal impacts.	Not applicable.		
The Salter Group (1/27/07)	Protect existing job base, examine economic and fiscal impacts. Asks that mitigation programs for traffic be funded by the development, asks that residential projects are delayed until the EIR is completed.	Sections 5.10, Population and Housing, and 5.32, Transportation and Traffic.		
Transportation Corridor Agencies (1/23/07)	No comments at this time.	Not applicable.		
Tustin Unified School District (1/22/07)	Impact of population growth related to project on schools in Tustin Unified School District.	Section 5.11, Public Services.		

	Table 2-1 NOP Written Comment Summary	
Commenting Agency/Person	Comment Summary	Issue Addressed In:
University of California, Irvine (1/22/07)	EIR should consider university development described in UCI's Long Range Development Plan, including effect on traffic.	Section 5.13, Transportation and Traffic.
Verizon Wireless	Concern over converting industrial lands to residential.	Sections 5.6, Hazards and Hazardous Materials, and 5.8, Land Use and Planning.
Whitlock & Weinberger Transportation, Inc (1/20/07)	Critique of traffic study.	Section 5.13, Transportation and Traffic.
2008 NOP		
Airport Land Use Commission for Orange County	Building height and noise impacts and other issues related to proximity to JWA. Consistency with Airport Environs Land Use Plan for JWA.	Sections 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, and 5.9 Noise.
City of Costa Mesa	No comments at this time.	Not applicable
City of Santa Ana	Concern with available water supply and traffic impacts.	Sections 5.13, Transportation and Traffic, and 5.14, Utilities and Service Systems.
Department of Transportation: District 12	Concerns with the potential to significantly impact state facilities. Requests that a traffic impact study be prepared to analyze the project's impacts on Interstate 405, State Route 55, State Route 73, and State Route 261.	Section 5.13, Transportation and Traffic.
Department of Toxic Substances Control	Concerns with hazardous waste.	Section 5.6, Hazards and Hazardou Materials
Department of Transportation: Division of Aeronautics	Concerns with Airport-related noise, safety, and land use should be addressed in the EIR.	Sections 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, and 5.9 Noise.
Governor's Office of Planning and Research: State Clearinghouse and Planning Unit	Notice of Preparation announcement.	Not applicable.
Irvine Ranch Water District	The conceptual location for a community park must be fully described and analyzed in the EIR. Need to discuss the impact of hydrology and water quality on the San Joaquin Marsh. The SAMP must be updated as specific projects become known.	Sections 5.7, Hydrology and Water Quality, 5.12 5.14, Utilities and Service Systems, and 5.14 5.12, Recreation
John Wayne Airport	More specific language with respect to height restrictions to be included in the EIR. Recommends that the Overlay District Zoning Code and the EIR include an exhibit showing noise contours in relation to the Overlay District.	Sections 5.6, Hazards and Hazardous Materials, 5.8, Land Use and Planning, and 5.9, Noise.
Law Offices of Robert C. Hawkins	Claims that the EIR must use as a baseline the conditions that existed in the IBC immediately after the approval of the 1992 IBC Program EIR. Believes that the project conflicts with the General Plan. Concerned with aesthetics, air quality, geology, hazards and hazardous materials, hydrology, land use, noise, public services, transportation and traffic, and Mandatory Findings of Significance.	Sections 5.1, Aesthetics, 5.2, Air Quality, 5.5, Geology and Soils, 5.6 Hazards and Hazardous Materials, 5.7, Hydrology and Water Quality, 5.8, Land Use and Planning, 5.9, Noise, 5.11, Public Services, 5.12, Recreation, and 5.13, Transportational Traffic.
Orange County Fire Authority	Requested that the mitigation measures included in the letter be placed on each independent project in the IBC Overlay.	Section 5.11, Public Services.
Orange County Public Works	Concerns regarding water quality, off-road trails and bikeways, transportation/traffic.	Section 5.7, Hydrology and Water Quality, 5.12, Recreation, and 5.13, Transportation and Traffic.



Table 2-1		
Commenting Agency/Person	NOP Written Comment Summary  Comment Summary	Issue Addressed In:
Remy, Thomas, Moose, and Manley, LLP	EIR must analyze the direct and cumulative impacts of the project. Requests that the DEIR describes the entire Vision Plan Project. Strongly encourage the City to conduct a thorough analysis of the TDR program and analyze traffic impacts. The EIR must analyze the Vision's Plan's impacts to recreation, biological resources, hazardous materials, growth inducing impacts, and alternatives to the proposed Vision Plan.	Sections 5.1, Aesthetics, 5.2, Air Quality, 5.3, Biology, 5.5, Geology and Soils, 5.6, Hazards and Hazardous Materials, 5.7, Hydrology and Water Quality, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.11, Public Services, 5.12, Recreation, and 5.13, Transportation and Traffic; Chapters 7 and 10.
Santa Ana Unified School District	Concerned with direct and indirect impacts on the school district and the community. Anticipates two to three school sites at expected development levels.	Section 5.11, Public Services.
Sapetto Group, Inc./Eric Rubery	Concerns with the project description and questions regarding the "IBC Land Use Distribution Projections." Concerns with the proposed new infrastructure regarding the cost and maintenance.	Chapter 3, Project Description, and Section 5.1, Aesthetics.
Sapetto Group, Inc./Pamela Sapetto	Requests notification of any meetings, public hearings, project materials, and a copy of the EIR upon completion. Concerns with the proposed new infrastructure regarding the cost and maintenance. Request that the EIR identify the change in Park Standards and how they are implemented. Also, requests that the EIR will address any environmental impacts of the individual projects.	Chapter 3, Project Description; Sections 5.1, Aesthetics, and 5.12, Recreation.
Sheppard Mullin Richter & Hampton LLP	Believes the project description, environmental setting, and existing baseline are unclear and requests they be amplified and clarified. Concerned with air quality, biology, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, recreation, transportation and traffic, and utilities and service systems.	Chapters 3, Project Description, and 4, Environmental Setting; Sections 5.2, Air Quality, 5.6, Hazards and Hazardous Materials, 5.7, Hydrology and Water Quality, 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.11, Public Services, 5.12, Recreation, 5.13, Transportation and Traffic, and 5.14, Utilities and Service Systems.
Smith Engineering and Management	Concerned with the scope of work and methodology.	Section 5.13, Transportation and Traffic.
South Coast Air Quality Management District	Requests a copy of the EIR upon completion.  Potential air quality impacts related to the project.	Section 5.2, Air Quality.
Southern California Gas Company	Gas service to the project can be provided from an existing gas main.	Section 5.11, Public Services.
Transportation Corridor Agencies	No comments at this time; a copy of the EIR has been requested.	Not applicable
University of California, Irvine	Analysis of impacts should include existing and future North Campus development. EIR should provide further information regarding the design and location of the proposed Creekwalk and the environmental impacts.	Sections 5.1, Aesthetics, 5.10, Population and Housing, and 5.12, Recreation.

Table 2-1 NOP Written Comment Summary		
Commenting Agency/Person	Comment Summary	Issue Addressed In:
US Fish and Wildlife Service	Analysis of impacts should include a quantitative and qualitative assessment of biological resources and habitat types; detailed discussion of the impacts to the wetlands; and any endangered species in the project vicinity.	Section 5.3, Biological Resources.
William Treseau	Analyze project impacts on parks, schools, emergency services, soils and groundwater, and hazardous materials. Suggests more analysis and comparison to the 1992 IBC EIR.	Sections 5.5, Geology and Soils, 5.6, Hazards and Hazardous Materials, 5.7, Hydrology and Water Quality, 5.10, Population and Housing, 5.11, Public Services, and 5.12, Recreation.

## 2.3 DEIR SCOPING MEETINGS

The City of Irvine held three public scoping meetings for the DEIR:

- Planning Commission February 1, 2007
- Community Services Commission February 21, 2007
- City Council February 27, 2007

Table 2-2 summarizes the issues identified during these meetings, along with a reference to the section(s) of this DEIR where the issues are addressed.



A.C.	Table 2-2	
Commenter	OP Public Meeting Comment Summary  Comment Summary	Issue Addressed In:
Planning Commission: February 1, 2007		
Rich Salter, representing MPC Industries, Royalty Carpets, Parker Hannifin, Allergan, and Deft	Businesses in the IBC request a full traffic study with good mitigation measures, especially roadway improvements funded only by the new residential projects; existing businesses should not be held responsible for the new roadway improvements. Most roadways and intersections in the IBC are already at capacity. Businesses want a traffic study with realistic estimates of internal trip capture; want real numbers of how many residents of the IBC work in the IBC.	Sections 5.8, Land Use and Planning, 5.9, Noise, 5.12, Recreation, and 5.13, Transportation and Traffic
	A 1,000-foot nonresidential buffer is needed, as there is a concern with the presence of 24/7 residents. Concerned that there is no requirement for dedication of open space in exchange for residential; there is a need for a community level park for new residential; EIR should address this; in-lieu fees good up to a point, but there is a need for more open space land.	

	Table 2-2	
Commenter	NOP Public Meeting Comment Summary  Comment Summary	Issue Addressed In:
Aaron Harp, Assistant City Attorney for Newport Beach	The full traffic study should be comprehensive and analyze the impacts of existing deficiencies as well as the TDRs that have taken place to date. It should also analyze impacts of trip distributions since residential trip distribution is very different than office/industrial. Additionally, there needs to be an accurate description of the existing traffic, the TDR process, and trip budgets. The Vision Plan should be reviewed in all impact categories, not just the two identified in the NOP.  EIR should describe the current setting, ultimate number of units, and cumulative impacts of all existing and pending projects and the projects in the region	Chapter 3, Project Description; Sections 5.10, Population and Housing, 5.12, Recreation, and 5.13, Transportation and Traffic.
Karen Blakensee, Pacific Planning Consultants, representing RHC Communities	There should be a substantial reduction of the speed limits and landscaped medians and parks. Does not feel that there needs to be an additional creek walk on the west side- better to just enhance current trail	Chapter 3, Project Description; Sections 5.8, Land Use and Planning, 5.10, Population and Housing, 5.12, Recreation, and 5.13, Transportation and Traffic.
John Toner, representing Verizon	A Verizon site is on Main Street in the IBC. Generator and air conditioner run all the time and generate noise within the existing parameters for industrial; residential standards are significantly lower than the industrial. EIR should mitigate the negative impact of residential adjacent to industrial. Concerned that existing businesses will be forced out by the new residential.	Chapter 3, Project Description; Sections 5.8, Land Use and Planning, 5.9, Noise, 5.10, Population and Housing, 5.12, Recreation, and 5.13, Transportation and Traffic.
Monica Burke, representing Intelenet	Intelenet has a regional data center on Von Karman. They have noisy operations, especially with the emergency generators and air conditioning systems, and are concerned about allowing adjacent residential.	Chapter 3, Project Description; Sections 5.8, Land Use and Planning, 5.10, Population and Housing, 5.12, Recreation, and 5.13, Transportation and Traffic.
Robert Hawkins, representing Deft	Concerned about allowing residential adjacent to industrial areas. Stated that the IBC does not have existing caps according to the 1992 IBC EIR, and the new cap comes from the trip budget in the 1992 EIR; the new EIR needs to address the 1992 EIR	Chapter 3, Project Description; Sections 5.8, Land Use and Planning, and 5.13, Transportation and Traffic.

Table 2-2 NOP Public Meeting Comment Summary			
Commenter	Comment Summary	Issue Addressed In:	
Community Services Commission: Febru	ary 21, 2007		
Maryann Desmond, co-owner of Deft	EIR needs to include a long-term analysis of water supply. Would like to see a 1,000-foot buffer between the industrial use and residential.	Sections 5.6, Hazards and Hazardous Materials, 5.7, Hydrology and Water Quality.	
Rich Salter, representing Deft, Allergan, Royalty Carpets, Parker Hannifin, and MPC Industries	EIR needs to analyze the park need and include review of public services including parks, schools, and libraries.	Sections 5.11, Public Services, and 5.12, Recreation.	
Maryam Khosravani, Commissioner	Concerns with the park space and supply for the IBC and the City.	Section 5.12, Recreation.	
J. Luong, Commissioner	Concerned that there is insufficient land for a park in the IBC. EIR needs to address the adequacy of the water supply in the IBC.	Sections 5.12, Recreation, and 5.14, Utilities and Service Systems	
City Council- February 27, 2007			
Pamela Gordon, Irvine resident	Wants the project to be called Jamboree Village.	Not applicable.	
Laura Dietz	EIR needs to consider height restrictions for the skyline, a comprehensive traffic study, and a full spectrum review of the project.	Sections 5.8, Land Use and Planning, and 5.13, Transportation and Traffic.	
Scott Reekstin, Senior Planner for the City of Tustin	EIR needs to identify traffic impacts, impacts to the existing land use, and impacts on the park and recreation needs.	Sections 5.8, Land Use and Planning, 5.12, Recreation, and 5.13, Transportation and Traffic.	
Monica Burick, general counsel for Intelenet	Concerned with the pending residential project on Von Karman, impacts on the Intelenet facility.	Chapter 3, <i>Project Description</i> , and all of Chapter 5, <i>Environmental Analysis</i> .	
William Desmond, co-owner of Deft	EIR should evaluate the risk of impacts from JWA to the residential uses. Concerned that OCFA will not have high enough ladders for high rise condominiums.	Sections 5.6, Hazards and Hazardous Materials, 5.9, Noise, and 5.11, Public Services.	
David Hunt, counsel for Allergan	Projects should be delayed until the EIR is complete.	Chapters 3, Project Description, and 4, Environmental Setting.	
Tom Boylan	Needs to be a clear definition of compatible uses and there needs to be a 1,000-foot buffer.	Sections 5.8, Land Use and Planning, and 5.6, Hazards and Hazardous Materials.	
Maryann Desmond, co-owner of Deft	Wants a 1,000-foot buffer between industrial and residential uses. Projects should be delayed until the EIR is complete.	Chapters 3, Project Description, and 4, Environmental Setting, Section 5.6, Hazards and Hazardous Materials.	
Balco Mahrer	Concerned with hazardous materials impacting the residents. Wants a 1,000-buffer between industrial and residential use.	Section 5.6, Hazards and Hazardous Materials.	
Rich Salter, representing Deft, Allergan, MPC, Royalty Carpets, Parker Hannifin	EIR should address the economic impact of this project.	Not applicable.	
Robert Hawkins, representing Deft	Projects should be delayed until the EIR is complete. Concerned with residents adjacent to hazardous, carcinogenic materials.	Section 5.6, Hazards and Hazardous Materials.	

## 2.4 SCOPE OF THIS DEIR

Based upon the Initial Study and Environmental Checklist Form, the City of Irvine staff determined that a DEIR should be prepared for the proposed project. The scope of the DEIR was determined based upon the City's Initial Study,



comments received in response to the NOP, as noted in Section 2.2, and comments received at the scoping meetings conducted by the City, as outlined in Section 2.2.1. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the DEIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce these impacts to levels of insignificance or eliminate the impacts altogether.

The information contained in the project description (Chapter 3) establishes the basis for analyzing project-related environmental impacts. However, further environmental review by the City may be required on a project-by-project basis as more detailed information and plans are submitted.

#### 2.4.1 Impacts Considered Less Than Significant

Two environmental impact categories as not being significantly affected by, or affecting the proposed IBC Vision Plan and Overlay Zoning Code and therefore are not discussed in detail in this DEIR:

- Agricultural Resources
- Mineral Resources

## 2.4.2 Potentially Significant Adverse Impacts

Fifteen environmental factors would have potentially significant impacts if the proposed project is implemented:

- Aesthetics
- Air Quality
- Biological Resources<sup>1</sup>
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Global Climate Change

### 2.4.3 Unavoidable Significant Adverse Impacts

This DEIR identifies four significant and unavoidable adverse impacts, as defined by CEQA, that would result from implementation of the proposed project. Unavoidable adverse impacts may be considered significant on a project-specific basis, cumulatively significant, and/or potentially significant. Potentially significant impacts are those that fall within the responsibility of another agency and implementation of the mitigation measures cannot feasibly be assured by the City. If the City, as the Lead Agency, determines that unavoidable significant adverse impacts would result from the project, it must prepare a Statement of Overriding Considerations before it can approve the project. A Statement of Overriding Considerations states that the decision-making body has balanced the benefits of the proposed project against its unavoidable significant environmental effects and has determined that the benefits of the project outweigh the adverse effects and, therefore, the adverse effects are considered to be acceptable. The impacts that were found in the DEIR to be significant and unavoidable are under:

<sup>&</sup>lt;sup>1</sup> Biological Resources was originally eliminated based on the conclusions in the NOP/Initial Study. However, based on responses to the NOP, it was determined that an analysis of potential biological impacts should be included in the EIR.

- Air Quality
- Land Use and Planning
- Noise
- Transportation and Traffic

#### 2.5 INCORPORATION BY REFERENCE

The following documents are incorporated by reference in this DEIR, consistent with Section 15150 of the State CEQA Guidelines, and are available for review at the City of Irvine Community Development Department.

- City of Irvine General Plan (as amended).
- City of Irvine Municipal Code (as amended).
- City of Irvine Zoning Ordinance (as amended).
- City of Irvine CEQA Guidelines (as amended).
- City of Irvine IBC Database (as amended).
- City of Irvine, General Plan Amendment 16 Final EIR, SCH No. 8703111, October 1989.
- City of Irvine, Final Master Environmental Impact Report for the City of Irvine Comprehensive General Plan Update - Phase 2 (15032-GA) and Zoning Ordinance Update-VI (15864-ZC), SCH No. 93111034. October 1989.



- City of Irvine, Final Program EIR for the Irvine Business Complex General Plan Amendment and Rezoning Project, SCH Number 1991011023, October 1992.
- County of Orange, Final EIR/EIS for the County of Orange Central/Coastal NCCP/HCP (Final Program EIR No. 553); SCH Number 93071061.
- Irvine Ranch Water District, Draft Irvine Business Complex Redevelopment Sub-Area Master Plan, 2008.
- Southern California Association of Governments, Regional Comprehensive Plan, 2008.
- South Coast Air Quality Management District, Final 2007 Air Quality Management Plan, 2007.
- South Coast Air Quality Management District, CEQA Air Quality Handbook, 1993.

This DEIR relies upon previously adopted regional and statewide plans and programs, agency standards, and background studies in its analysis, such as the City's General Plan, the Air Quality Management Plan, the CEQA Air Quality Handbook, and the Central/Coastal NCCP/HCP. Whenever existing environmental documentation or previously-prepared documents and studies are used in the preparation of this DEIR, the information is summarized for the convenience of the reader and incorporated by reference. Section 13.0, *References*, provides a complete listing of references utilized in the preparation of this EIR. All of the documents listed in Section 13.0, as well as the aforementioned documents that are incorporated by reference, are available for review at:

City of Irvine Community Development Department One Civic Center Plaza Irvine, CA 92623-9575

Contact: Bill Jacobs, AICP, Principal Planner at (949) 724-6521

#### 2.6 FINAL EIR CERTIFICATION

This DEIR is being circulated for public review for a period of 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown on the title page of this document. Upon completion of the 45-day review period, the City of Irvine will review all written comments received and prepare written responses for each comment. A Final EIR (FEIR) will then be prepared, incorporating all of the comments received, responses to the comments, and any changes to the DEIR that result from the comments received. This FEIR will then be presented to the City of Irvine for potential certification as the environmental document for the project. All persons who commented on the DEIR will be notified of the availability of the FEIR and the date of the public hearing before the City.

The DEIR is available to the general public for review at:

Irvine City Hall Community Development Department One Civic Center Plaza Irvine, CA 92623

University Park Library 4512 Sandburg Way Irvine, CA 92612

Heritage Park Regional Library 14361 Yale Avenue Irvine, CA 92604

Katie Wheeler Library 13109 Old Myford Rd Irvine, CA. 92602

The DEIR will also be posted online on the City of Irvine's Web site, www.cityofirvine.org.

All comments received from agencies and individuals on the Draft EIR will be accepted during the 45- day public review period. All comments on the Draft EIR should be sent to:

Bill Jacobs, AICP City of Irvine Department of Community Development One Civic Center Plaza PO Box 19575 Irvine, California 92623-9575 PHONE: (949) 724-6521 FAX: (949) 724-6440 bjacobs@ci.irvine.ca.us

All responses to comments submitted on the DEIR by agencies will be provided to those agencies at least 10 days prior to final action on the project. The City Council will make findings regarding the extent and nature of the impacts as presented in the FEIR. The FEIR will need to be certified as complete by the City prior to making a decision to approve or deny the project. Public input is encouraged at all public hearings before the City.

#### 2.7 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code 21081 or adopted a Negative Declaration pursuant to Public Resources Code Section 21080(c). Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR or Negative Declaration.

The Mitigation Monitoring Program for the Irvine Business Complex Vision Plan and Overlay Zoning Code will be completed as part of the FEIR and will be completed prior to consideration of the project by the Irvine City Council.



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