

2. Introduction

2.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The California Environmental Quality Act (“CEQA”), Public Resources Code sections 21000 *et seq.*, 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 Supplemental Environmental Impact Report (“DSEIR”) has been prepared to satisfy CEQA and the State CEQA Guidelines (“CEQA Guidelines”), Title 14 of the California Code of Regulations, Chapter 3, Section 15000 *et seq.*, and the Irvine Unified School District (“District” or “IUSD”) CEQA Procedures. An Environmental Impact Report (“EIR”) is a public informational 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 significant effects, and to describe reasonable 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 probable future projects.

Approval of the proposed high school project—the Proposed Project—requires discretionary actions by one or more public agencies. The District is 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 lead agency, the District has the responsibility for, among other things, preparing and certifying a Supplemental Environmental Impact Report (“SEIR”) that analyzes the potential environmental impacts of the Proposed Project, as compared to the 2011 Approved Project; identifying feasible mitigation measures that could avoid or minimize the Proposed Project’s significant environmental impacts; describing and analyzing feasible alternatives to the Proposed Project; adopting findings with regard each significant effect of the Proposed Project; providing a Statement of Overriding Considerations for all environmental impacts of the Proposed Project that cannot be mitigated to a less than significant level; and adopting a Mitigation Monitoring and Reporting Program to ensure that all required mitigation measures are implemented during the lifetime of the Proposed Project.

2.1.1 CEQA Baseline: 2011 Approved Project and Certified EIR

In 2003, the City of Irvine certified the Final Program Environmental Impact Report for the Orange County Great Park (“OCGP”), SCH No. 2002101020, dated May 2003 (“2003 OCGP EIR”), which analyzed the environmental effects of the development of 3,625 residential units and 6,585,594 million square feet of non-residential development (including Great Park and other non-Great Park Neighborhood uses) on a portion of the former Marine Corps Air Station (“MCAS”) El Toro site. Subsequently, the City prepared, and the City Council of the City of Irvine approved, seven addenda to the 2003 OCGP EIR (“Addenda”), which analyzed revisions made to the project that was analyzed in the 2003 OCGP EIR.

In September 2011, the City Council certified a Supplemental EIR (“2011 OCGP SEIR”), which analyzed a total of 4,894 dwelling units and 6,585,594 square feet of non-residential uses (including Great Park uses and other non-Great Park Neighborhood uses) on a portion of the former MCAS El Toro site. The City Council thereafter approved an eighth Addendum in October 2011.

2. Introduction

The actions analyzed in the 2003 OCGP EIR, the eight Addenda, and the 2011 Supplemental EIR are referred to in this DSEIR as the “2011 Approved Project,” and the 2003 OCGP EIR, the eight Addenda, and the 2011 SEIR are referred to together as the “Certified EIR.” Although the Certified EIR included educational land uses, it did not specifically include a high school within the project boundaries. Subsequent to approval of the Certified EIR, the developer and IUSD entered into a mitigation agreement specifying the current project site location for development of a high school. Therefore, the District has determined that preparation of an SEIR to the Certified EIR is required.

CEQA dictates when a supplemental or subsequent EIR is required for changes made to a project previously analyzed under CEQA. Once a project has been approved based on a CEQA analysis contained in an EIR or a negative declaration, and the EIR or negative declaration is no longer subject to challenge, CEQA Section 21166 provides that “no subsequent or supplemental environmental impact report shall be required by the lead agency or any responsible agency” unless one of three circumstances apply: (1) substantial changes to the approved project will require major revisions to the certified EIR, (2) substantial changes occur with respect to the circumstances under which the approved project is being undertaken will require major revisions to the certified EIR, or (3) new information becomes available that was not known and could not have been known at the time the EIR for the approved project was certified.

The overall purpose of this DSEIR is to inform the District’s Board of Education and the general public whether the proposed high school project, as compared to the Certified EIR, would result in any new significant impacts or an increase in the severity of significant impacts previously identified for the 2011 Approved Project. The DSEIR focuses on the unique characteristics of a comprehensive high school not addressed in the Certified EIR as discussed in Section 3.3.1 of this DSEIR. Therefore, the 2011 Approved Project is the “baseline” for the analysis in this DSEIR and was used in preparing the Initial Study for the Proposed Project, to evaluate the potential incremental impact of the Proposed Project. A summary of the Certified EIR is provided in Section 3.3.1 of this DSEIR and is incorporated by reference in this DSEIR.

2.1.2 Alternative Baseline : 2012 Modified Project and 2012 DSSEIR

As stated in the above section, this DSEIR is required to evaluate the Proposed Project compared to the Certified EIR. However, in 2012, subsequent to approval of the Certified EIR, the City of Irvine prepared a Draft Second Supplemental Environmental Impact Report for the Heritage Fields 2012 General Plan Amendment and Zone Change Project at the MCAS El Toro site (2012 DSSEIR) that modified the 2011 Approved Project, including an addition of a 2,600-student high school at the project site location. The actions analyzed in the 2012 DSSEIR are referred to as the 2012 Modified Project and summarized in Section 3.3.2, *Pending Environmental Documentation*. Because the 2012 DSSEIR is a pending environmental document that has not been certified by the City Council, actions and environmental impacts discussed in the 2012 OCGP DSSEIR have been separated out in this DSEIR. However, because it is a pending environmental document and is reasonable to assume that it could be approved in the near future, an alternate baseline condition under the 2012 DSSEIR has been included in the DSEIR. Although the 2012 Modified Project included a 2,600-student high school at the project location, it was not reviewed at a project-level since a site plan did not exist and specific on-site uses had not been determined, as discussed in Section 3.3.2 of the DSEIR.

As stated in Section 15121(a) of the CEQA Guidelines, the DSEIR is an "informational document" intended to inform public agency decision makers, including the lead agency and other public agencies with discretionary authority over aspects of the Proposed Project, the general public, the local community,

2. Introduction

and other organizations, entities, and interested persons of the scope of the Proposed Project, the significant environmental effects of the Proposed Project, feasible measures to avoid or minimize the significant effects, and a reasonable range of feasible alternatives to the Proposed Project that would avoid or minimize the significant effects. The District must consider the information in this DSEIR and make certain findings with respect to each significant effect identified. The District will use the information in the DSEIR, along with other information received and/or developed during the public review process for the DSEIR, to determine whether to approve, modify, or not approve the Proposed Project or an alternative, and if approval is granted, to specify applicable and enforceable environmental mitigation measures as part of the Proposed Project approvals. Specific discretionary actions to be reviewed by the Board of Education and potential project permits and approvals required from other regulatory agencies for the Proposed Project are described in Section 3.3.3, *Description of the Proposed Project*, and Section 3.4, *Intended Uses of the DSEIR*, of this DSEIR.

This DSEIR, which has been prepared at the direction and under the supervision of the District, has been prepared in accordance with the requirements of:

- CEQA California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code Section 21000 et seq.)
- State Guidelines for the Implementation of the CEQA of 1970 (herein referenced as CEQA Guidelines), as amended (California Code of Regulations Sections 15000 et seq.)
- California Education Code (Sections 17210, 17212, 17213, and 17215)
- California Code of Regulations, Title 5 (Section 14010 et seq.)

2.2 NOTICE OF PREPARATION AND INITIAL STUDY

The District determined that a Supplemental EIR would be required for the Proposed Project and issued a Notice of Preparation (“NOP”) and Initial Study on May 1, 2013, to the State Clearinghouse, responsible agencies, and interested parties (see Appendix A). A total of four agencies/interested parties responded to the NOP. Comments received during the NOP review period, which occurred between May 1, 2013, and May 30, 2013, are contained in Appendix B of this DSEIR. This DSEIR has taken into consideration all the comments received in response to the NOP. No scoping meeting was held for the Proposed Project.

The NOP process was used to determine the scope of the environmental issues to be addressed in this DSEIR. Based on the NOP and the Initial Study for the Proposed Project, certain environmental categories were identified as having the potential for significant environmental impacts over and above those found for the 2011 Approved Project. These environmental categories also included issues that are not anticipated to result in environmental impacts over and above those analyzed in the Certified EIR, but that warranted further description and potential modification to the applicable mitigation measures. Issues identified as Potentially Significant in the Initial Study for the Proposed Project are addressed in detail in this DSEIR. Issues identified as Less Than Significant or No Impact in the Initial Study are summarized in Chapter 8, *Impacts Found Not to be Significant*. Refer to the Initial Study in Appendix A to this DSEIR for a discussion of how these initial determinations were made.

Table 2-1 summarizes the comments received from the commenting agencies during the NOP process, along with a reference to the section(s) of this DSEIR where the issues are addressed.

2. Introduction

*Table 2-1
NOP Written Comment Summary*

<i>Commenting Agency/Person</i>	<i>Comment Summary</i>	<i>Issue Addressed In:</i>
May 1, 2013 NOP		
South Coast Air Quality Management District/Ian MacMillan	Potential air quality impacts	Section 5.2 Air Quality
City of Irvine Community Development/Eric M. Tolles	Potential impacts to air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, and transportation/traffic.	Section 5.2 Air Quality, Section 5.4 Hazards and Hazardous Materials, Section 5.5 Land Use and Planning, Section 5.6 Noise, Section 5.8 Transportation/Traffic, and Chapter 8, Impacts Found Not to be Significant.
County of Orange Health Care Agency, Environmental Health Division/Kathryn Cross	Potential impacts from being in proximity to a former landfill adjacent to the Aqua Chinon Arroyo.	Section 5.4 Hazards and Hazardous Materials, and Chapter 8, Impacts Found Not to be Significant.
Laguna Greenbelt, Inc./Elisabeth M Brown, Ph.D., President	Potential impacts to nearby biological resources.	Section 5.1 Aesthetics, Section 5.2, Air Quality, and Section 5.6 Noise, and Chapter 8, Impacts Found Not to be Significant.

2.3 SCOPE OF THIS DSEIR

As described in Section 1.2.2, *Type and Purpose of This DSEIR*, this DSEIR has been prepared as a supplement to the Certified EIR consistent with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15163. Pursuant to those sections, the DSEIR analyzes the impacts of the Proposed Project as compared to the 2011 Approved Project and the 2012 Modified Project.

Under CEQA Guidelines Sections 15126.2 and 15126.4, the DSEIR must identify any potentially significant adverse impacts of the Proposed Project and recommend mitigation measures that would reduce those impacts to levels of insignificance or eliminate the impacts altogether. This DSEIR identifies potentially significant adverse impacts and mitigation measures for the Proposed Project compared to two baseline scenarios: 1) the 2011 Approved Project, and 2) the 2012 Modified Project. The overall scope of this DSEIR was determined based upon the District's Initial Study; comments received in response to the NOP, as noted in Section 2.2; and the Certified EIR as described in Section 3.3.1, *Previous Environmental Documentation*.

The description of the Proposed Project in the Project Description (Chapter 3 of this DSEIR) establishes the basis for analyzing environmental impacts as compared to the 2011 Approved Project.

2.3.1 Impacts Unchanged or Considered Less Than Significant

All of the potential impacts in eight environmental categories listed in Appendix G of the CEQA Guidelines have been identified as not being significantly affected by the Proposed Project compared to the 2011 Approved Project and therefore are not discussed in detail in this DSEIR. Those environmental categories are:

- Agriculture and Forestry Resources
- Biological Resources*
- Cultural Resources*
- Geology/Soils
- Hydrology and Water Quality*
- Mineral Resources
- Population and Housing
- Recreation

The three environmental categories with an asterisk (*) were shown in the Initial Study as requiring review in this DSEIR. However, after further review of the project and available environmental documentation, it was determined that the previous the Certified EIR adequately addresses the Proposed Project's impacts concerning these topics and no further review is necessary. This is explained further in Section 8.2, *Post Initial Study Assessment*.

2.3.2 Potentially Significant Adverse Impacts

Certain impacts within the following environmental categories could be potentially significant if the Proposed Project is implemented, and therefore those impacts are analyzed in this DSEIR:

- Aesthetics
- Air Quality
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Public Services
- Transportation and Traffic
- Utilities and Service Systems

2.3.3 Unavoidable Significant Adverse Impacts

The Certified EIR for the 2011 Approved Project identified three significant and unavoidable adverse impacts, as defined by CEQA, relating to Air Quality, Population and Housing, and Transportation/Traffic. This DSEIR identifies one of the same significant and unavoidable adverse impacts for the Proposed Project, which remains unchanged from the 2011 Approved Project. The impact found in this DSEIR to be significant and unavoidable is:

- **Air Quality, Impact 5.2-3:** Long-term operation of the Proposed Project would, like the 2011 Approved Project, exceed SCAQMD's emissions thresholds for VOC.

2. Introduction

2.4 INCORPORATION BY REFERENCE

All documents cited or referenced are incorporated into the SEIR in accordance with CEQA Guidelines Sections 15148 and 15150, including but not limited to:

- City of Irvine General Plan (as amended).
- City of Irvine Municipal Code (as amended).
- City of Irvine Zoning Ordinance (as amended).
- City of Irvine, Final Program Environmental Impact Report for the Orange County Great Park, SCH No. 2002101020, May 2003. (2003 OCGP EIR)
- City of Irvine, Final Supplemental Environmental Impact Report for the Great Park Neighborhoods Revision to the Heritage Fields Project at the Former Marine Corps Air Station (MCAS) El Toro Base, SCH No. 2002101020, August 2011.
- Addendum No. 1 to the 2003 OCGP EIR (City of Irvine, Orange County Great Park Redevelopment Plan), May 18, 2006.
- Addendum No. 2 to the 2003 OCGP EIR (City of Irvine, 2006 Lifelong Learning District General Plan Amendment and Zone Change), October 24, 2006.
- Addendum No. 3 to the 2003 OCGP EIR (City of Irvine, Master Subdivision Map VTTM 17008 and Related Approvals), May 17, 2007.
- Addendum No. 4 to the 2003 OCGP EIR (City of Irvine, OCGP Master Plan), August 2, 2007.
- Addendum No. 5 to the 2003 OCGP EIR (City of Irvine, 2008 General Plan Amendment, Zone Change, and Development Agreement), July 22, 2008.
- Addendum No. 6 to the 2003 OCGP EIR (City of Irvine, Amended VTTM 17008 and Related Approvals), October 16, 2008.
- Addendum No. 7 to the 2003 OCGP EIR (City of Irvine, NITM Five Year Review), June 29, 2010.
- Addendum No. 8 to the 2003 OCGP EIR (City of Irvine, OCGP Minor Modification to Master Plan and Park Design Review for Western Sector Park Development Plan), October 20, 2011.
- 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 (as amended).

2. Introduction

In each instance where a document is incorporated by reference for purposes of this DSEIR, the DSEIR shall briefly summarize the incorporated document, or briefly summarize the incorporated data if the document cannot be summarized. In addition, the DSEIR shall explain the relationship between the incorporated part of the referenced document and the DSEIR.

This DSEIR relies upon previously adopted regional and statewide plans and programs, agency standards, and background studies in its analyses, such as the City's General Plan, the South Coast Air Quality Management District's ("SCAQMD") Air Quality Management Plan, the SCAQMD CEQA Air Quality Handbook, and the Central/Coastal Natural Communities Conservation Plan/Habitat Conservation Plan ("NCCP/HCP"). Chapter 13, *Bibliography*, provides a complete list of references utilized in preparing this DSEIR. All of the documents listed in Chapter 13, 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: **Barry Curtis**, Manager of Planning and Development Services at (949) 724-7453

2.5 FINAL EIR CERTIFICATION

Pursuant to CEQA and the CEQA Guidelines, this DSEIR is being circulated for public review for a period of 30 days. Interested agencies and members of the public are invited to provide written comments on the DSEIR. Upon completion of the 30-day review period, the District will review and prepare written responses to each comment as required by CEQA and the CEQA Guidelines. A Final SEIR ("FSEIR") will then be prepared, incorporating all of the comments received, written responses to the timely-received comments, and the DSEIR, along with any changes to the DSEIR that result from the comments received. The FSEIR will then be presented to the District for potential certification as the environmental document for the Proposed Project. All persons who comment on the DSEIR will be notified of the availability of the FSEIR and of the date of the Board of Education public hearings concerning potential certification of the FSEIR.

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

Irvine Unified School District
District Headquarters
5050 Barranca Parkway
Irvine, CA 92604

Irvine Unified School District
Facilities Department
100 Nightmist
Irvine, CA 92618-1702

The DSEIR will also be posted online on the District's Web site, www.iusd.org.

All comments received from agencies and individuals on the DSEIR will be accepted during the 30-day public review period. All comments on the DSEIR should be sent to:

Lorrie Ruiz, Assistant Director of Facilities
Irvine Unified School District
5050 Barranca Parkway
Irvine, CA 92604
Phone: (949) 936-5308
LorrieRuiz@iusd.org

2. Introduction

All agencies that submit comments during the 30-day public review period on the DSEIR will receive written responses to their comments at least 10 days prior to final action on the Proposed Project. If the Board of Education decides to certify the FSEIR, the District will make the necessary findings required by CEQA and the CEQA Guidelines regarding the extent and nature of the impacts as presented in the FSEIR. The FSEIR must be certified by the District prior to making a decision to approve the Proposed Project.

2.6 CEQA FINDINGS FOR PROJECT APPROVAL

CEQA and the CEQA Guidelines require that the environmental impacts of a project be examined before a project is approved. Specifically, CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In addition, for a Supplemental EIR, CEQA Guideline 15163(e) requires:

- (e) When the agency decides whether to approve the project, the decision-making body shall consider the previous EIR as revised by the supplemental EIR. A finding under Section 15091 shall be made for each significant effect shown in the previous EIR as revised.

Concurrent with its final action on the FSSEIR, the City Council will issue findings that comply with the requirements of CEQA Guidelines Sections 15091 and 15163(e), and with Public Resources Code Section 21081.

2.7 MITIGATION MONITORING

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

An updated mitigation monitoring and reporting program will be prepared as part of the FSEIR and will be completed prior to consideration of the Proposed Project by the Board of Education.

2. Introduction

This page intentionally left blank.