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February 3, 2014

SENT VIA EMAIL AND U.S. MAIL

Orange County Public Works/Orange County Planning
Attn: Kevin Canning, Contract Planner
300 N. Flower
P.O. Box 4048
Santa Ana, CA 92702-4048

Re: Esperanza Hills Project – Draft Environmental Impact Report, EIR No. 616
Comments on DEIR Recreation Section 5.13 (and Fire Protection/ Emergency Evacuation)

Dear Mr. Canning:

This firm represents Protect Our Homes and Hills, an unincorporated citizens group consisting of residents and taxpayers in the City of Yorba Linda. We submit this comment letter on the deficiencies in the Draft Environmental Impact Report (“DEIR”) prepared for the Esperanza Hills sub-division (“Esperanza Hills”). The DEIR fails to comply with the California Environmental Quality Act. Public Resources Code section 21000, et seq. (“CEQA”). Specifically, the DEIR fails to adequately analyze the potential of the sub-division to cause increased use and wear and tear on local parks and other recreation facilities outside of the proposed project area.

Additionally, parks and open spaces within the proposed sub-division should be evaluated and designed for us as buffer zones providing protection from wildfires.

- I. **The proposed sub-division would significantly impact local recreational facilities and programs.**

In recognition of the probable annexation of the proposed project into the City of

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Yorba Linda, the DEIR references the City's Recreation Resources Element of its General Plan. Significantly, the City is nearing finalization of a major study and update of its Parks and Recreation Master Plan which provides substantial relevant information to assist in review of the DEIR. A copy of the Draft Report can be found at <http://ylonline.org/questys.cmx.webclient/File.ashx?id=651554&v=1&x=pdf>.

The updated report and master plan was based on input from the Yorba Linda community, parks and recreation staff and organized sports groups within the community. It's clear that youth and adult sports programs are a vital part of the Yorba Linda lifestyle. Based on standards from the National Recreation and Parks Guidelines for California cities with populations of 50,000 – 100,000, Yorba Linda currently needs more adult softball fields, medium and large soccer fields, a football field, outdoor basketball courts, pools, tennis courts, and outdoor volleyball courts. Based on the number of participants in sports – versus general population numbers – Yorba Linda needs at least 10 additional lighted multipurpose sports fields to meet the current high demands of the various youth and adult sports leagues. See Draft Report at pages 3-48, and 3-54 – 3-56.

The study/draft plan confirms a goal of 975 acres of total combined parkland for the City based on a recommendation of 15 acres per 1000 residents and specifically 1 acre of minipark/ greenbelt, 2 acres of neighborhood park, 2 acres of community park (5 acres of more) and 10 acres of regional park (40 acres or more) per 1000 residents. Current deficits are offset by joint-use agreements the local school district, but the draft plan proposes acquisition of additional parkland to meet the current needs of the residents of Yorba Linda. See Draft Report at pages 6-5 – 6-14.

Given the existing shortage of parks and recreational facilities in Yorba Linda, the additional use of those facilities by residents of the proposed Esperanza Hills project would clearly have a significant impact. The DEIR acknowledges that the proposed project provides no playing fields for organized sports yet concludes without any analysis or foundation that, "The Proposed Project could **minimally** increase the use of existing neighborhood or regional parks..." See DEIR at page 5-542, section 5.13.6. All of the facts support a conclusion directly opposed to the DEIR assertions.

It is unrealistic to assume that the residents of Esperanza Hills would not participate in the many recreation opportunities available in Yorba Linda – in fact, parents may be attracted to the proposed sub-division because of the educational and recreational opportunities

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available to families in the area. Given the size of the 11 various youth sports leagues

surveyed as part of the master plan project (ranging from 129 lacrosse players to 412 softball players to 2610 soccer players) the number of additional players from 320 large homes in the proposed sub-division could be very significant and result in deterioration of the condition of already crowded parks.

Furthermore, the DEIR premises the number of persons per household for Esperanza Hills on the County population factor of 3.2 persons per household. See DEIR, page 5-517. It then uses that figure to project that 1000 people will occupy the 320 units proposed for the project. The proposed sub-division, however, by admission in the DEIR contemplates "larger homes on large lots". See DEIR, page 5-490.

US Census data from 2010 shows that 37.8 percent of households in Orange County include children under 18 (39.6 percent in Yorba Linda) – predictably many, if not most, of the households in Esperanza Hills' larger homes will include children under 18 or other variations of multi-generational families (adult children living with parents, parents living with adult children, etc.) Madrona is a housing project in nearby Brea which also abuts Chino Hills State Park and proposes lot sizes of 8,960 – 46,042 square feet compared to the Esperanza Hills' proposed lot sizes of 12,044 – 39,354 square feet. That project proposes homes of 3,600 – 4,600 square feet and 4 – 6 bedrooms per house. See Architectural Submittal at <http://www.ci.brea.ca.us/DocumentCenter/View/1049>. Common sense suggests that 1) the homes in Esperanza Hills will be similarly sized and 2) the size and configuration of the homes will support occupancy by more than 3.2 persons per household. Accordingly, to the extent that park land requirements -- and usage estimates -- are premised on persons per dwelling unit, a major upward adjustment of the amount of land required should be made.

II. The DEIR does not propose adequate mitigation.

The Orange County Local Park Code provides that 2.5 acres of land or the proportionate share thereof for each 1000 persons is required. Local Park Code Sec. 7-9-502. With 320 units and a larger than mean household size, the number of acres of parks required should much higher than the 2.7 acres the DEIR identifies as required by the Orange County Local Park Code or even the 4.4 acres under the Yorba Linda General Plan.

Although the proposed sub-division includes 12.18 – 13.16 acres of park and WQMP land, the types of parks proposed and access to them raise serious concerns about whether

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they in any way mitigate the use of area parks and recreation facilities by residents of the proposed project. Of the nine active parks proposed, only two qualify as more than a minipark of up to one acre in area. The two that may qualify as neighborhood parks, Main Entry – Orange Park (1.10 – 2.03 acres) and Avocado Park (2.96 acres) are nothing more than a guardhouse to the project and an avocado orchard with bench seating and trails, located at the far end of the proposed project. See DEIR, pages 5-517 – 5-518, 5-521.

Only four of the proposed parks include any type of play structures; one serves as a dog park, located adjacent to Chino Hills State Park. (The park provides a home for coyotes and bobcats among other species. See California Department of Parks and Recreation at http://www.parks.ca.gov/?page_id=21970 and <http://www.chinohillsstatepark.org/natural-resources/mammals>.) Because the proposed sub-division is a “private gate-guarded community” the only access to any park within its confines for those who do not live in Esperanza Hills is via equestrian, hiking and biking trails. See DEIR, page 5-520. The DEIR assertion that the trails provide a benefit for residents of adjacent existing and planned communities (see DEIR at page 5-541) seems disingenuous.

III. Fire Safety Concerns.

An additional concern regarding the locations of the proposed parks relates to fire safety. Five of the active parks are located within clusters of residences and provide no buffer to advancing fires. Parks can -- and should -- provide valuable buffers from advancing wildfires.

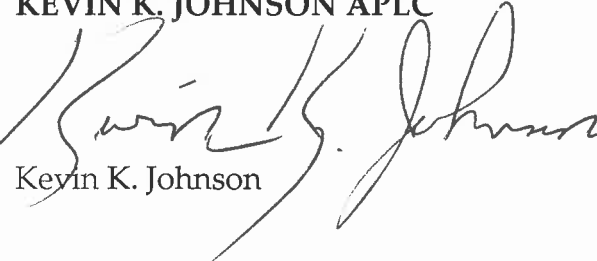
We also note that one of the three designated -- and only large -- emergency staging areas for use by firefighting crews (Park J – WQMP #1) is located directly off of the primary access road for evacuation of the northern half of Planning Area 2 and adjacent to Chino Hills State Park. The safety of both residents attempting evacuation and fire fighters would be jeopardized by the location of that site.

Conclusion:

The DEIR concludes that because Esperanza Hills will include parks and trails in excess of the minimum required by state, county and city requirements, those parks will provide the project’s residents with “ample recreational opportunities on-site” so that the impact on neighboring recreational facilities will be less than significant. See DEIR at p. 5-517, section 5.13.4, paragraph 1. However, the DEIR fails to consider the probable real uses of recreation

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facilities of the members of the households within the project. Its conclusion is both unsubstantiated and unsupported by substantial evidence.

Very truly yours,
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Kevin K. Johnson

cc: Supervisor Todd Spitzer via email