4.12 PUBLIC SERVICES AND UTILITIES

The following section provides an analysis of public services, utilities, and service systems for the proposed project. Existing condition information presented in this section is based on coordination with potentially affected utility and public service agencies. Specific references are identified within the subsection for each respective issue. Please refer to Figure 3.9 in Chapter 3.0, Project Description, for the locations of major utilities present within the project limits and immediately adjacent areas. This section addresses the following utility and public service systems (the service provider is noted in parentheses):

- Fire Protection (Orange County Fire Authority [OCFA])
- Law Enforcement (County of Orange Sheriff's Department)
- Public Schools (Capistrano Unified School District [CUSD])
- Public Libraries (Orange County Public Library System)
- Solid Waste (Orange County Waste and Recycling [OCWR])
- Public Transportation (Orange County Transportation Authority [OCTA])
- Telecommunications (AT&T and Cox Communications)
- Water (City of San Clemente, City of San Juan Capistrano and Santa Margarita Water District [SMWD])
- Storm Water (Orange County Flood District and City of San Clemente)
- Electricity (Southern California Edison [SCE] and San Diego Gas and Electric [SDG&E])
- Natural Gas (Southern California Gas Company [SCGC])
- Petroleum Pipelines (Kinder Morgan)

4.12.1 Existing Environmental Setting

4.12.1.1 Fire Protection

OCFA is responsible for reducing loss of life and property from fire, medical, and environmental emergencies. In addition to fire suppression, the OCFA Wildland Fire Prevention unit also oversees the *READY! SET! GO!* Program, a wildfire action plan that includes fire safety measures for the reduction of wildland fire risks through a formalized fuel modification inspection and enforcement program. This unit also monitors wildland and vegetation conditions to identify potential hazards, ensuring that communities in the wildland urban interface areas are better protected from the risk of wildland fire.

OCFA works in conjunction with city and county Planning, Public Works, and Building Departments to ensure that all new structures are constructed in compliance with local and State building and fire codes, including the provision of adequate emergency access and on-site fire protection measures. OCFA currently employs 1,160 full-time employees to provide 24-hour protection and response to the County's residents and visitors. OCFA is divided into four sections: Planning & Development Services, Safety & Environmental Services, Pre-fire Management, and Investigation Services.

The OCFA Hazardous Material Services (HMS) section handles incidents associated with hazardous materials. OCFA's goal is to protect the public health and the environment throughout its jurisdictions from accidental releases and improper handling, storage, transportation, and disposal of hazardous materials through coordinated efforts of regulation, management, emergency response, enforcement, and site mitigation oversight.

Fire Station No. 59 serves and would continue to serve the areas surrounding the existing and proposed La Pata Avenue/Avenida La Pata roadway. This station is located at 48 Avenida La Pata and is owned by the City of San Clemente. This station is staffed by three captains, three engineers, and six firefighters for each shift. Equipment at this station includes one paramedic assessment unit fire engine. The objective of OCFA is to respond to 80 percent of emergency calls within 5 minutes. The 5 minutes includes 30 seconds of dispatch time, 60 seconds to dress in protective gear, and 3.5 minutes travel time.[1]

4.12.1.2 Law Enforcement

The Orange County Sheriff's Department provides law enforcement services for the City of San Clemente and unincorporated areas of Orange County (County). The San Clemente Police Station is located at 100 Avenida Presidio in the City of San Clemente. The San Clemente police branch of the Orange County Sheriff's Department employs 44 sworn officers and 13 staff members to provide services that include patrol, investigations, traffic enforcement, community support, drug education, parking control, and crime prevention.

With a population of approximately 68,316 residents, there is currently a ratio of 1.5 officers per 1,000 residents in the City of San Clemente. In 2009, 24 emergency calls on average were received per month, with an average response time of 6 minutes. In addition, a total of 6,253 calls were received in 2009, consisting of 282 emergency calls and 5,971 nonemergency calls; the average police response time for nonemergency calls was 14 minutes.[2]

4.12.1.3 Public Schools

CUSD services seven cities and a portion of the unincorporated area of Orange County, an area of 195,000 square miles. CUSD provides educational services to the Cities of San Clemente, Dana Point, San Juan Capistrano, Laguna Niguel, Aliso Viejo, Mission Viejo, and Rancho Santa Margarita, and the communities of Las Flores, Coto de Caza, Dove Canyon, Ladera Ranch, and Wagon Wheel. CUSD has 54 public schools, including 36 elementary schools, 7 high schools, 2 Kindergarten through 8th grade schools, and 11 middle schools. Only one school, San Juan Hills High School is located immediately adjacent to the project limits, in the north segment, west of the existing La Pata Avenue. However, three schools are located within 1 mile of the project limits. These schools include Bernice Ayer Middle School (located approximately 0.73 mile northeast of the project limits), Truman Benedict Elementary School (located approximately 0.79 mile northeast of the project

1 Orange County Fire Authority. Speed Bump Installation, Pacifica Avenue and Avenida Calidad. January 3, 2001.

2 Personal communication with Leslie Mowers, City of San Clemente Police Services, April 13, 2010.

limits), and Vista Del Mar Elementary and Middle School (located approximately 0.54 mile northwest of the project limits).

4.12.1.4 Public Libraries

The Orange County Public Library system consists of 33 branches, including one library branch outlet located in the Orangewood Children's Home, to serve the County's 33 cities and unincorporated areas. The closest library to the project limits is the San Clemente Library, located at 242 Avenida Del Mar in the City of San Clemente. The San Clemente Library is open from 10:00 a.m. to 9:00 p.m. Monday through Thursday, 10:00 p.m. to 5:00 p.m. Friday and Saturday, and 12:00 p.m. to 5:00 p.m. on Sundays.

4.12.1.5 Public Transportation

OCTA currently maintains four bus routes that service the City of San Clemente: Routes 1, 91, 191, and 193. Route 193 is the closest operating route to the project limits. Route 193 services areas west of La Pata Avenue, along the streets of Camino De Los Mares, Camino Vera Cruz, and Avenida Pico. Decisions regarding the expansion of OCTA services consider several factors, including customer demand and available budget. Other key factors that may warrant expanding service include above-standard load capacities (i.e., customers being passed by at bus stops), additional trips required along bus routes to meet customer demand, and service areas showing a lack of service. Route performance is measured using a boarding per revenue-vehicle-hour ratio. An optimal route performance ratio is 20 boardings per revenue-vehicle-hour. As soon as the ratio approaches this criterion, plans for service expansion are considered. At this time, bus routes serving the project site are considered adequate to meet current demand.

4.12.1.6 Solid Waste

The majority of solid waste generated in the City of San Clemente and unincorporated areas within Orange County that surround the project limits is disposed of at one of the three County landfills operated by OCWR. OCWR administers the countywide Integrated Waste Management Plan. OCWR owns and operates 3 active Class III landfills and 4 household hazardous waste collection centers, and monitors 12 closed landfills. Class III landfills accept all types of nonhazardous municipal solid waste for disposal; however, no hazardous or liquid waste can be accepted. Household hazardous waste is accepted at designated collection centers and then disposed off site at a State-designated hazardous waste landfill facility.

The Prima Deshecha Landfill is the closest OCWR landfill to the proposed project site (within the project limits) and will continue to provide waste disposal for the areas surrounding the proposed project once the improved La Pata Avenue and Camino Del Rio extension are operational. The Landfill is a 1,530-acre site owned and operated by OCWR. The Landfill is located within three jurisdictions: unincorporated Orange County (827 acres), the City of San Juan Capistrano (570 acres), and the City of San Clemente (133 acres). Landfill access is provided via Interstate 5 (I-5) to Ortega Highway (State Route 74 [SR-74]) and La Pata Avenue. A Household Hazardous Waste Collection Center (HHWCC) is located on the east side of La Pata Avenue, near the Prima Deshecha Landfill entrance. This HHWCC serves as a facility where household hazardous waste can be dropped off and

properly stored until such items can be hauled off site for disposal. The Landfill serves an estimated population of 400,000 people who reside in the Cities of Laguna Niguel, Aliso Viejo, Mission Viejo, Rancho Santa Margarita, San Juan Capistrano, San Clemente, Dana Point, and unincorporated areas of Orange County.

On January 1, 2010, in an effort to streamline waste diversion efforts into the new Department of Resources and Recycling, CalRecycle replaced the California Integrated Waste Management Board [CIWMB]) as the new home of California's recycling and waste reduction efforts. CalRecycle is responsible for the disbursement of grants and loans to help California cities, counties, businesses, and organizations meet the State's waste reduction, reuse, and recycling goals. CalRecycle also provides funds to clean up solid waste disposal sites, develops and promotes alternatives to the illegal disposal of used oil, identifies technical standards and permit requirements for waste tire facilities, and promotes the reuse and recycling of electronic devices.

CalRecycle is responsible for ensuring that State waste management programs are primarily carried out through Local Enforcement Agencies (LEAs). LEAs have the primary responsibility for ensuring the correct operation and closure of solid waste facilities in the State. They also have responsibilities for guaranteeing the proper storage and transportation of solid wastes. The designated LEA for this project is identified as the Orange County Health Care Agency (OCHCA).

There are 699 acres that are permitted for solid waste disposal.[1] The Prima Deshecha Landfill receives a daily average of approximately 4,000 tons per day (tpd) of solid waste, and can accept up to 4,000 tpd of solid waste.[2] As of June 30, 2004, the Landfill had a remaining airspace capacity estimated at 149 million cubic yards (mcy).[3] Site closure is estimated to occur in the year 2067.[4]

The Prima Deshecha Landfill is subject to regular inspections from the State oversight agency (CalRecycle) and the State's LEA, the California Regional Water Quality Control Board (RWQCB), and the South Coast Air Quality Management District (SCAQMD) to ensure compliance with applicable regulations.

4.12.1.7 Water and Wastewater

Water service within the area adjacent to the project limits is provided by SMWD and the City of San Juan Capistrano.

SMWD is Orange County's second-largest water district, providing water and wastewater treatment services to more than 150,000 residents and businesses in the communities of Mission Viejo, Rancho Santa Margarita, Coto de Caza, Las Flores, Ladera Ranch, and Talega. SMWD is divided into eight improvement districts that encompass approximately 52,000 acres of land. SMWD relies upon other

1 California Department of Resources Recycling and Recovery - California Waste Stream Profiles. Website: http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/default.asp?VW=JSELECT&MTYPE=Landfill, accessed April 15, 2010.
2 Orange County General Plan (2005). Public Services and Facilities Element.
3 Ibid.
4 California Department of Resources Recycling and Recovery - California Waste Stream Profiles. Website: http://www.calrecycle.ca.gov/Profiles/Facility/Landfill/default.asp?VW=JSELECT&MTYPE=Landfill, accessed April 15, 2010.

water sources, such as groundwater reuse and water recycling programs, to supply water to communities within their service area. Nearly all of the SMWD water supply is purchased from the Metropolitan Water District of Southern California (WMD), which delivers water to the region from northern California via State Water Project and from the Colorado River via the Colorado River Aqueduct. Water from both sources is purified and tested at the Diemer Filtration Plant located in Yorba Linda, California, to ensure the water meets federal drinking water standards.[1]

Wastewater service within the areas surrounding the project limits is provided by the South Orange County Wastewater Authority (SOCWA). The mission of SOCWA is to collect, treat, beneficially reuse, and dispose of wastewater in an effective and economical manner that respects the environment, maintains the public's health, and meets or exceeds all local, State and federal regulations to the mutual benefit of SOCWA's 10 member agencies and the general public residing in South Orange County. SOCWA provides, at a minimum, full secondary treatment at all of its regional wastewater facilities, and also has active water recycling, industrial waste (pretreatment), biosolids management, and ocean/shoreline monitoring programs to meet the needs of its members and the requirements of the applicable National Pollutant Discharge Elimination System (NPDES) permits.

SOCWA was created on July 1, 2001, as a Joint Powers Authority with no taxing authority. SOCWA is the legal successor to the Aliso Water Management Agency (AWMA) (1972), South East Regional Reclamation Authority (SERRA) (1970), and South Orange County Reclamation Authority (SOCRA) (1991). SOCWA is responsible for the planning, acquisition, construction, maintenance, repair, management, operation, and control of facilities for the collection, transmission, treatment and disposal of wastewater; the reclamation and use of wastewater for beneficial purposes; and the production, transmission, storage, and distribution of nondomestic water.

Water services are also provided by the City of San Juan Capistrano. The City of San Juan Capistrano, through its Utilities Department, operates and maintains a water system that provides service to just over 11,200 connections serving approximately 38,000 customers in the City of San Juan Capistrano and a small portion of the City of Dana Point. In addition, water services are also provided by SMWD.[2]

SMWD is Orange County's second-largest water district, providing water and wastewater treatment services to more than 150,000 residents and businesses in Mission Viejo, Rancho Santa Margarita, Coto de Caza, Las Flores, Ladera Ranch, and Talega.

SMWD is divided into eight improvement districts that encompass approximately 52,000 acres of land. Improvement districts function as operating units of SMWD, and each improvement district's facilities is funded with its own bonds. These districts also allow SMWD to meet the diverse needs of specific service areas, factoring in land use, topography, ownership lines, water supply, and wastewater treatment needs.

1 http://www.smwd.com/index-2.htm (accessed October 11, 2010)
2 http://www.sanjuancapistrano.org/index.aspx?page=1294 (accessed October 11, 2010)

4.12.1.8 Electricity

SDG&E operates an electric transmission corridor within the project limits. This 150–foot-wide easement currently maintains a single-wood pole system that is constructed to accommodate 69 kilovolts (kV) but currently only holds a single 12 kV circuit; a wood H-frame pole system supporting a single 138 kV circuit; and a steel lattice tower system carrying two 138 kV circuits. This transmission corridor functions as the primary SDG&E service route in Orange County.

Along the west edge of existing La Pata Avenue, SDG&E owns and maintains a 12 kV distribution circuit that is fed from infrastructure along SR-74 and serves the Prima Deshecha Landfill operations, the San Juan Hills High School, and the approved new residential development of Whispering Hills at Vista Montaña. This system is connected by utility poles just outside the existing right-of-way from Sta. 252+00 to Sta. 193+70 (located in the north segment of the proposed project). The existing SDG&E line then transitions to an underground system that feeds into Vista Montaña and continues underground south to Sta. 173+40 (located in the north segment of the proposed project), where it re-emerges aboveground onto utility poles. This aboveground system continues south along the edge of La Pata Avenue to the Landfill entrance area where it branches in several directions to provide electricity for Landfill operations. This circuit terminates within the Landfill property.

SCE operates an electric transmission corridor with an easement width of 200 feet. This corridor is parallel and contiguous with the SDG&E transmission corridor. Within the easement, SCE currently maintains two 220 kV circuits (San Onofre-Santiago No. 1 and San Onofre-Santiago No. 2) on one aboveground steel lattice tower system and two additional 220 kV circuits (Chino-San Onofre and San Onofre-Serrano) on a parallel steel lattice tower system. This corridor is SCE's only link to the San Onofre Nuclear Generating Station (SONGS).

4.12.1.9 Natural Gas

Natural gas resources are drawn upon at naturally occurring reservoirs primarily located outside of the State and delivered via high-pressure transmission lines. California has three primary regional access points where interstate pipelines deliver natural gas into the State. Gas destined for Southern California is accessed at a series of market hubs, with interconnections to purveyors such as SCGC. As the gas is transported to its destination, the pressure is maintained with the assistance of compressors. The gas is received at a storage field (i.e., underground storage tanks [USTs]) and redistributed through another series of transmission lines. SCGC owns and maintains an 8-inch gas line along La Pata Avenue. This system is fed from SR-74 and serves the San Juan Hills High School as well as the approved new residential development of Whispering Hills off of Vista Montaña. This natural gas line terminates roughly 290 feet south of Vista Montaña and is located under the existing pavement of La Pata Avenue, approximately 32 feet from the western right-of-way.

4.12.1.10 Petroleum Pipelines

Kinder Morgan owns and maintains a 16-inch-high pressure petroleum pipeline that crosses La Pata Avenue in a 20-inch casing at Sta. 214+90 (located in the north segment of the proposed project). This system is located along a dirt road parallel and west of La Pata Avenue. The pipeline system continues to the east after crossing La Pata Avenue.

4.12.1.11 Telecommunications

AT&T owns and maintains communication system poles along La Pata Avenue. This system is similar to the SDG&E system in that it is located on the SDG&E distribution system along the west edge of La Pata Avenue. This telecommunications system serves the Prima Deshecha Landfill, San Juan Hills High School, and the approved new residential development of Whispering Hills at Vista Montaña.

Cox Communications also owns and maintains a telecommunications system along existing La Pata Avenue. This system is similar to the AT&T system in that it originates near SR-74 and is also located on the same poles as the SDG&E system along the west edge of La Pata Avenue. The Cox Communications telecommunications system serves San Juan Hills High School and the approved new residential development of Whispering Hills at Vista Montaña.

4.12.1.12 Landfill Gas Pipelines

NEO Prima Deshecha, LLC, operates a landfill gas line that transmits methane and other landfill gasses from the active landfill on Prima Deshecha Landfill to a gas-to-energy power plant and flare station. This landfill gas pipeline crosses the proposed roadway alignment near Sta. 160+50 west of the Household Hazardous Waste Center, as shown on Figure 3.9, Chapter 3, Project Description. Current grading plans do not indicate that this line will be disturbed. However, if this determination changes during final design, the location of the line will be confirmed by potholing prior to commencement of grading. In addition, if relocation of this pipeline is necessary, the landfill gas line will be relocated prior to excavation activities to ensure continuous availability.

4.12.2 Regulatory Setting

4.12.2.1 Federal Policies and Regulations

There are no federal policies or regulations applicable to public services, utilities, and service systems for the proposed project.

4.12.2.2 State Regulations

California Integrated Waste Management Act of 1989. The California Integrated Waste Management Act of 1989 (Public Resources Code [PRC] Division 30), enacted through Assembly Bill (AB) 939 and modified by subsequent legislation, required all California cities and counties to implement programs to reduce, recycle, and compost at least 50 percent of wastes by 2000 (PRC Section 41780). The State determines compliance with this mandate to "divert" 50 percent of generated waste (which includes both disposed and diverted waste) through a complex formula. This formula requires cities and counties to conduct empirical studies to establish a "base year" waste generation rate against which future diversion is measured. The actual determination of the diversion rate in subsequent years is arrived at through deduction, not direction measurement. Instead of counting the amount of material recycled and composted, the city or county tracks the amount of material disposed at landfills then subtracts the disposed amount from the base year amount. The difference is assumed to be diverted (PRC 41780.2).

Senate Bill 1374. Senate Bill (SB) 1374 (added by Statutes in 2002, Chapter 501, and which amended Sections 41821 and 41850 and added Section 42912 to the California Public Resources Code) requires that the annual report submitted to CalRecycle include a summary of the progress made in diversion of construction and demolition waste materials. In addition, SB 1374 requires that CalRecycle adopt a model ordinance suitable for adoption by any local agency to require 50 to 75 percent diversion of construction and demolition waste materials from landfills by March 1, 2004. Local jurisdictions are not required to adopt their own construction and demolition ordinances, nor are they required to adopt the CalRecycle model by default. However, adoption of such an ordinance may be considered by CalRecycle when determining whether to impose a fine on a jurisdiction that has failed to implement its Source Reduction and Recycling Element (SRRE).

The City of San Clemente passed a Construction and Demolition Recycling Ordinance, Number 1286, in 2003. Title 8, Health and Safety, Chapter 8.69 of the City's Municipal Code applies to projects when: (1) the scope of the project is 250 square feet or greater, (2) the valuation of the project is $10,000 or greater, or (3) the project is a re-roofing project that requires the tear-off of the existing roof. It also applies to all city construction, demolition, and renovation projects regardless of the project size. Permit applicants must complete and submit a Waste Management Plan (WMP) and pay a security deposit, which is determined by the size and type of the project. If applicants choose to use the city's franchise waste hauler's drop-off boxes for all waste and recycling, they are then exempt from the WMP and security deposit. Within 60 days after completion of any project covered under the ordinance, an applicant must submit receipts demonstrating they diverted 50 percent of the waste to recover their security deposits. In addition, the city may require administrative penalties for noncompliance.

Assembly Bill 1881. Assembly Bill 1881[1] (AB 1881) (added by Statutes in 2006, Chapter 559), also known as the Water Conservation in Landscaping Act, requires the Department of Water Resources to draft a model local water efficient landscape ordinance that each local agency may adopt. The bill requires that a local agency, not later than January 1, 2010, adopt the updated model ordinance or other efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance.

The County of Orange has adopted an ordinance regarding landscape irrigation known as the Landscape Irrigation Code, Ordinance No. 09-010 (adopted December 15, 2009).[2] The Orange County Board of Supervisors adopted an ordinance that was at least as effective in conserving water as the State's Updated Model. The purpose of the ordinance is to provide water conservation for landscape projects for the appropriate use of, and grouping of, plants that are well adapted to a particular site, climate, soil, or topographic conditions and to establish a program that includes the

[1] Assembly Bill 1881 added Section 1358.8 to the California Civil Code; repealed and added Article 10.8 (commencing with Section 65591) of Title 7, Division 1, Chapter 3 of the California Government Code and added Section 25401.9 to the California Public Resources Code; and added Article 4.5 (commencing with Section 535) to Division 1, Chapter 8 of the California Water Code, relating to water conservation.

[2] The County of Orange Ordinance No. 09-010 amended Sections 7-9-132.2, 7-9-77.8, 7-9-78.8, and 3-13-7 and added Section 7-9-133 of the codified ordinances of the County of Orange regarding landscape irrigation.

maximum amount of water to be applied through the irrigation system based on climate, landscape size, irrigation efficiency, and plant needs.

Assembly Bill 75. AB 75, passed in 1999, took effect on January 1, 2000. This bill added new provisions to the PRC, mandating that State agencies develop and implement an Integrated Waste Management Plan (IWMP). AB 75 also mandated that community service districts providing solid waste services report disposal and diversion information to the city, county, or regional agency in which the community service district is located.

Public Schools. California Code of Regulations (CCR) Section 17620 authorizes school districts to levy a fee, charge, dedication, or other requirements against any construction of new residential, commercial, and industrial uses in their boundaries for the purpose of funding the construction of new schools or school facilities. The maximum fee amount that school districts can assess is limited by statutes provided in CCR Section 65995. Level 1 fee maximums are $2.14 per square foot for residential development and $0.34 per square foot for commercial and industrial development. The California Department of Education (DOE) permits local school districts to increase these fees, subject to DOE review, and with approval of a nexus study from the school district that demonstrates that costs incurred by the school district for the provision of school facilities and services are higher than Level 1 funding provides. In such an instance, a nexus must be demonstrated in the study between the increase proposed by the local school district and the actual cost of provision of school facilities and service. It should be noted that the project does not include construction of new residences or businesses.

4.12.2.3 Local Plans and Regulations

Prima Deshecha Landfill General Development Plan. Adopted in November 2001, the Prima Deshecha Landfill General Development Plan (GDP) utilizes a five-zone concept to guide planning decisions at the Landfill site and to manage Landfill operations. Zone 1 is the area of current landfill operation; Zone 2 represents the recreational trail area around the perimeter of the site; Zone 3 is an area of designated open space; Zone 4 represents the area where future landfilling operations will occur once Zone 1 has been closed (estimated around the year 2019); and Zone 5 is the Master Plan of Arterial Highways (MPAH) alignment of the La Pata Avenue extension through the center of the Landfill. The designated use after closure of Zones 1 and 4 is a regional park.

The Prima Deshecha Landfill GDP identifies multiple uses for the Landfill site, including solid waste management, regional park and recreational development, and circulation and transportation linkages. Accordingly, the Prima Deshecha Landfill GDP considers three primary components of development of the Landfill: a Landfill Element, a Recreation Element, and a Circulation Element. The three elements are considered together in the Prima Deshecha Landfill GDP to ensure compatibility of the existing, interim, and ultimate uses on the Landfill site. The Circulation Element includes the planned extension of La Pata Avenue through the Landfill.

County of Orange General Plan. Conservation goals and policies are included in the Resources Element of the County of Orange General Plan (December 2008). The following goals and policies are applicable to the proposed project:

- **Energy Resources Component Goal 3:** Maximize the conservation of energy resources in all future land use and transportation planning decisions.

Please see Appendix N of this EIR for a summary of the project's General Plan consistency pursuant to California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations (CCR) Section 15125(d).

4.12.3 Methodology

Respective providers of utilities that will be disturbed or relocated as part of the proposed project were contacted by the County and asked to provide feedback and cooperation based on the constraints or impacts to their services during construction and future roadway operation.

4.12.4 Thresholds of Significance

The following criteria are based on Appendix G of the CEQA Guidelines and the County of Orange *Local CEQA Procedures Manual* (2000). The effects of the proposed project on public services, utilities, and service systems may be considered to be significant if the proposed project would:

Threshold 4.12.1: Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

i) Fire protection?
ii) Police protection?
iii) Schools?
iv) Parks?
v) Other public facilities?

Threshold 4.12.2: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

Threshold 4.12.3: Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts.

Threshold 4.12.4: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Threshold 4.12.5: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.

Threshold 4.12.6: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Threshold 4.12.7: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

Threshold 4.12.8: Comply with federal, State, and local statutes and regulations related to solid waste.

4.12.5 Impacts and Mitigation

4.12.5.1 Less than Significant

Threshold 4.12.2: Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Construction and Operation. As stated previously, the proposed project is limited to roadway improvements and is not considered to be growth inducing. Because the project does not include land development and will not increase wastewater treatment loads, the proposed project would not exceed RWQCB wastewater treatment requirements. In addition, the maximum number of dwelling units permitted in the developments of Forster Ranch, Talega, Whispering Hills, and Rancho Mission Viejo was established in conjunction with specific plans anticipating the construction of the La Pata Avenue Gap Closure and Camino Del Rio Extension project. The environmental impacts of those developments, including wastewater, were analyzed at the time each development was approved, and all development that is yet to be built will comply with new regulations requiring on-site retention. *Therefore, no impacts are anticipated during the construction of the proposed project or during operation of the proposed roadway after the completion of the proposed project, and no mitigation is required.*

Threshold 4.12.3: Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?

Threshold 4.12.5: Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Threshold 4.12.6: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Construction and Operation. The proposed project is limited to roadway improvements and is not considered to be growth inducing. Because the project is not introducing additional development adjacent to the project area, the project would not require or result in the construction of new water or wastewater treatment or collection facilities, require the expansion of existing facilities, or contribute to the need for additional wastewater treatment capacity. The proposed project would require limited quantities of water for dust control during construction and for the establishment of native plants on

slopes. No new, ongoing water demand would be generated by the proposed roadway improvements. Therefore, the project would not cause the need for the expansion of water supply facilities or require additional entitlements and resources. *Therefore, no impacts are anticipated during the construction of the proposed project or during operation after the completion of the proposed project, and no mitigation is required.*

Threshold 4.12.4: Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Construction. Construction storm water impacts would be less than significant with compliance with existing plans, programs, and regulations as described in Section 4.11 of this EIR. Construction of off-site storm drain facilities for construction flows is not required.

Operation. As stated previously in Section 4.11, Water Quality, a comprehensive surface drainage/storm drain system has been developed to collect and convey runoff on the project site into the existing and planned City and County storm drain system. Storm water runoff from the proposed roadway would be collected and conveyed by reinforced concrete pipes and interceptor drains. Three extended detention basins are proposed to reduce flows to existing conditions. These three extended detention basins may be substituted with biofiltration best management practices (BMPs) and would also serve as water quality BMPs. Although the proposed storm drain system would be extended to accommodate runoff from future land uses in the tributary watershed after the completion of the proposed project, the improvements to the storm drain system are minimal. Construction of storm drain facilities beyond those included in the project would not be required. *Therefore impacts to storm water facilities are considered less than significant, and no additional mitigation measures are required.*

Threshold 4.12.7: Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Construction and Operation. A small portion of the alignment of the proposed La Pata Avenue extension overlays Waste Management Unit (WMU) 2 at the north end of the Prima Deshecha Landfill. A deviation from Orange County standards to allow a maximum grade of 7 percent has been approved for a distance of approximately 15 feet (from Sta. 144+76.92 to Sta. 144+92.06). The 7 percent grade is required to raise the elevation of the roadway above the closed landfill disposal area, thereby avoiding impacts to solid waste material and associated leachate. The proposed project would not result in additional solid waste generation during construction because all existing roadway material and soils excavated on site will be reused on site. The proposed project will implement roadway improvements and does not include the development of land uses that would generate solid waste. *Therefore, no significant impacts to landfills with insufficient permitted capacities would result, and no mitigation is required.*

Threshold 4.12.8: Comply with federal, State, and local statutes and regulations related to solid waste?

Construction. SB 1374 (added by Statutes in 2002, Chapter 501, and which amended Sections 41821 and 41850 and added Section 42912 to the California Public Resources Code) requires the source reduction and recycling of demolition waste materials. In an effort to comply with SB 1374, the proposed project will minimize additional solid waste generation during construction by reusing all materials excavated for the project on site. Therefore, construction of the proposed project would not result in additional solid waste generation and would be in compliance with additional federal, State, and local statutes and regulations (such as the California Integrated Waste Management Act of 1989 and AB 75 as discussed under Section 4.12.2, Regulatory Setting) related to solid waste during construction activities. *Therefore, less than significant impacts are anticipated, and no mitigation is required.*

Operation. Operation of the roadway facilities would not generate solid waste and therefore would not conflict with federal, State, and local statutes and regulations related to solid waste. *No impacts would result, and no mitigation measures are required.*

4.12.5.2 Potentially Significant

Threshold 4.12.1: **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

i) Fire protection?
ii) Police protection?
iii) Schools?
iv) Parks?
v) Other public facilities?

Construction. The proposed project is limited to roadway improvements and is not introducing additional development adjacent to the project area. Therefore, the project would not result in increased demand for energy transmission and would not result in substantial adverse physical impacts associated with the provision of new energy transmission facilities. However, implementation of the proposed project will require the relocation of several SCE and SDG&E transmission lines, two water pipelines, and a Kinder Morgan petroleum pipeline. Please refer to Figure 3.10 in Chapter 3.0, Project Description, for the proposed utility relocations.

The following SDG&E facilities will be relocated. Relocation of these facilities may also necessitate modification to existing utility access roads and pole and/or structure pads. All necessary improvements are included within the project disturbance limits for the proposed project.

- The single-wood pole system near Sta. 90+25 (located in the south segment of the proposed project) at Pole No. 327390 that currently holds a single 12 kV circuit will be relocated in-line approximately 75 feet to the south.

- The wood H-frame pole system holding a single circuit of 138 kV near Sta. 90+60 (located in the south segment of the proposed project) at Pole No. 221648, which is located west of Sta. 94+00 (also located in the south segment of the proposed project), will be relocated in-line. Pole No. 221648 will move approximately 50 feet to the south. Pole No. 221649, which is located just north of Sta. 95+00, will move approximately 100 feet north.
- The SDG&E steel lattice tower system holding two 138 kV circuits near Sta. 92+60 (located in the south segment of the proposed project) will be in relocated in-line approximately 200 feet to the south. A new steel lattice tower at approximately Sta. 98+50 (also located in the south segment of the proposed project) may be constructed to accommodate the increased span between the new structure and the existing structure to the north.
- The poles at Sta. 230+10 and Sta. 227+50 (near the northern terminus of the proposed project) will be moved approximately 3 feet to the west behind the future curb line. The pole at Sta. 205+00 (located in the north segment of the proposed project) will require a minor relocation of 1 to 2 feet so that the new pole position will have a minimum setback of 18 inches behind the curb. The pole at Sta. 202+00 (also located in the north segment of the proposed project) is sufficiently behind the future curb but is in an area of 1.5 to 2 feet of cut and will need to be adjusted to grade to accommodate this cut.
- The poles at Sta. 175+00 and Sta. 172+80 (both located in the north segment of the proposed project) will be relocated approximately 3 feet to a position a minimum of 18 inches behind the new curb line.
- The pole at Sta. 170+40 (located in the north segment of the proposed project) will not conflict with the proposed project, but the stub-and-anchor pole supporting this pole will be in conflict with the road widening. Therefore, the pole at Sta. 170+40 will be moved east of the new eastern curb line.
- The pole at Sta. 168+00 (located in the north segment of the proposed project) is in an area with approximately 3 feet of cut, which will require either a new pole or an adjustment of the existing pole to grade.
- Three poles in the area between Sta. 163+00 and Sta. 162+20 (both located near the northern entrance to the Prima Deshecha Landfill), two on the east side of the road and one on the west side of the road, will be replaced as part of the project. The pole at 163+30 provides both an aerial and underground 12 kV feed to the Landfill. The southern pole brings co-generated power from the Landfill back into the SDG&E system. The existing pole on the west side of La Pata Avenue at Sta. 163+30 will be replaced with a taller pole to allow for conductor clearance over the proposed project's Landfill Overcrossing bridge just north of that location. The two existing poles on the east side of La Pata Avenue are expected to be relocated just east of their existing location at the top of the new slope.

The proposed project also includes placement of new 12 kV SDG&E underground distribution facilities within the roadways right-of-way or in La Pata Avenue from Calle Saluda to Camino Del Rio. Although, SCE facilities will not require relocations as a result of the proposed project, minor access road changes will be necessary to accommodate the new right-of-way.

As occupiers of a joint pole position on the SDG&E's poles, AT&T and Cox Communications will relocate their cable to the new pole positions. In addition, Cox Communications will extend their

existing underground facilities on La Pata Avenue from Vista Montaña to Calle Saluda. It is expected that Cox Communications will place this facility within the roadways right-of-way underneath the sidewalk, where sidewalk is available, and under pavement where no sidewalk is present.

The existing SCGC gas line is not expected to be in conflict with project-proposed grading and improvements. However, SCGC may elect to relocate their existing system back into an under-pavement alignment in the area from Sta. 220+00 to Sta. 208+00 (both located in the north segment of the proposed project). If SCGC elects to relocate their system, all work will occur within the area of the existing or proposed road improvements. In addition, SCGC may extend their existing 8-inch gas line under La Pata Avenue from Vista Montaña to Calle Saluda. It is expected that SCGC will place this facility under pavement and at least 5 feet from any parallel utility trench.

One 24-inch water pipeline operated by the City of San Juan Capistrano and one 6-inch pipeline owned and operated by SMWD will be in conflict with the grading for the roadway near the entrance to Prima Deshecha Landfill at Sta. 166+80, as shown on Figure 3.9, Chapter 3, Project Description. These water lines, one measuring 24 inches and the other measuring 6 inches, are located beneath the existing La Pata Avenue roadway. Grading plans indicate that the roadway profile will be lowered in the area near the entrance of the Prima Deshecha Landfill, which will require the relocation of these water pipelines during grading activities.

The Kinder Morgan petroleum pipeline will be in conflict with the grading for improvements on the east side of existing La Pata Avenue at Sta. 214+90 (located in the north segment of the proposed project). The existing pipe is located approximately 4 feet below ground surface along the hill on the east side of existing La Pata Avenue. This pipeline will be relocated to avoid grading conflict. A new pipe will be placed approximately 80 feet south of the existing location, and a new steel casing will be required across the total width of La Pata Avenue.

Due to the potential for interruptions to utility service from infrastructure relocation during the construction of the proposed project, the County will work with the designated utility provider to ensure that any planned utility interruptions will occur during times of low demand (i.e., the winter season). Any service disruption would be limited to brief outages for cutover from new to existing circuits. These outages typically occur in the early morning hours, with customers receiving advance notice from the utilities. Mitigation Measure 4.12-1 states that the County and the utility provider will coordinate their efforts to maintain continuous utility service and avoid any interruptions to utility services. In addition, Mitigation Measure 4.12-2 requires that the County ensure that project plans are in place to maintain continuous access to utility infrastructure for utility maintenance and repair during and after construction activities. *With the implementation of Mitigation Measures 4.12-1 and 4.12-2, impacts to energy transmission facilities during the construction of the proposed project are considered less than significant.*

Although the City of San Juan Capistrano and SMWD water pipelines will require relocation during the construction of the proposed project, the relocation of the pipelines would require only one utility interruption with a short duration. *Therefore, impacts associated with the relocation of the City of San Juan Capistrano and SMWD water pipelines would be limited to the time the pipeline is offline during relocation activities and are considered less than significant; therefore, no mitigation measures are required.*

Although the Kinder Morgan petroleum pipeline will require relocation during the construction of the proposed project, the new pipe placed 80 feet south of the existing location would allow for continuous pipeline operations during the construction of the proposed project. *Therefore impacts associated with the relocation of the Kinder Morgan petroleum pipeline would be limited to the time the pipeline is offline during relocation activities and are considered less than significant; therefore, no mitigation measures are required.*

Operation. The proposed project is limited to implementation of long-planned roadway improvements and is not considered to be growth inducing. The project is not introducing additional development that could cause the need for additional governmental facilities such as schools. The project will not introduce additional students and will not trigger the application of school funding. The existing roadway is primarily utilized for landfill access and not for emergency access. In addition, the project does not involve the construction or disturbance of an existing or proposed governmental facility. *Therefore, the proposed project would not cause significant environmental impacts associated with service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, and other public facilities such as libraries or public transportation during the construction of the proposed project.* Please refer to Section 4.9, Hazards and Hazardous Materials, for additional detailed impact analysis regarding fire protection.

After completion of the proposed project, La Pata Avenue/Avenida La Pata emergency vehicles will have improved access to the communities of Talega and Forster Ranch in San Clemente, the City of San Juan Capistrano, and unincorporated areas of Orange County. By providing additional connection in the existing circulation network, emergency response times are expected to improve compared to existing conditions in the project area. In addition, as stated previously, the project would not affect any existing or proposed governmental facility. *Therefore, no significant environmental impacts associated with service ratios, response times, or other performance objectives for fire protection, police protection, schools parks, and other public facilities such as libraries or public transportation would occur after completion of the proposed project.*

Several utility transmission lines are located within the project limits. Therefore, the project would cause a physical alteration or relocation of such facilities as a result of the proposed project. As stated in Mitigation Measure 4.12-2, any existing utility access that will be impacted during the construction of the proposed project will be reestablished after completion of the proposed project. The relocation of electricity transmission infrastructure necessitated by the project has been designed in concert with SDG&E and SCE to ensure that adverse effects to transmission capacity and reliability are avoided. *With the implementation of Mitigation Measure 4.12-2, impacts to electrical transmission facilities after completion of the proposed project are considered less than significant.*

4.12.5.3 Mitigation Measures

4.12-1 **Utility Relocation.** Prior to initiation of grading and throughout construction, the Orange County Director of Public Works will coordinate with utility companies to maintain the provision of services and avoid service interruptions. In the event that an interruption is anticipated and unavoidable, the Orange County Director of Public Works will coordinate with the specified utility to ensure that interruptions in service would occur during periods of low demand (i.e., the winter season).

4.12-2 **Utility Access.** The Orange County Director of Public Works will ensure that project plans provide for access to utility infrastructure for maintenance and repair purposes during and after construction.

4.12.6 Cumulative Impacts

For the analysis of public services and utilities, the study area considered for the cumulative impact of other projects consisted of: (1) the area that could be affected by future proposed project activities, and (2) the areas affected by other projects whose activities could directly or indirectly affect the public services and utilities serving the areas surrounding the proposed project limits.

As stated previously, the proposed project is limited to long-planned roadway improvements to complete the circulation system and is not considered to be growth inducing. Therefore, the project would not require a demand for additional public services or utilities. All impacts to existing electrical utilities and pipelines will occur during construction. In addition, it is anticipated that emergency response time would improve after completion of the La Pata Avenue Gap Closure and Camino Del Rio Extension Project because the roadway that currently dead ends at Prima Deshecha Landfill would serve as a connection to additional streets serving the Cities of San Juan Capistrano and San Clemente, and unincorporated areas of Orange County. Therefore, with the implementation of Mitigation Measures 4.12-1 and 4.12-2, the project would not result in or contribute to a significant cumulative impact to public services or utilities.

4.12.7 Level of Significance after Mitigation

With the implementation of Mitigation Measures 4.12-1 and 4.12-2, the project would not have potentially significant impacts related to public services and utilities.