

CHAPTER 6: CONSERVATION PLANNING PROCESS

Chapter 6 discusses the process leading to the identification, evaluation, and selection of Programmatic and Habitat Reserve Alternatives for the Southern NCCP/MSAA/HCP. This Chapter describes the actions taken by Participating Landowners, Local Jurisdictions, Wildlife Agencies and other interests to protect open space and habitat areas and formulate both Programmatic and Habitat Reserve Alternatives. This Chapter addresses actions taken over several decades preceding initiation of the NCCP/MSAA/HCP and those actions that were a part of the NCCP/MSAA/HCP planning process.

SECTION 6.1 ORGANIZATION OF THIS CHAPTER

The planning process and actions described in *Chapter 6* provide the foundation for the proposed Conservation Strategy discussed in *Chapter 10*, and the overall evaluation of Programmatic and Habitat Reserve Alternatives provided in *Chapter 9* of this draft NCCP/MSAA/HCP. The Chapter is organized as follows:

- *Section 6.2* provides a summary of the overall habitat/species impacts and the protection and restoration benefits related to the actions occurring prior to completion of this NCCP/MSAA/HCP;
- Completion of a comprehensive biologic, hydrologic and geomorphic resources inventory and database is discussed in *Section 6.3*;
- The coordinated planning process for the Southern NCCP Subregion is described in *Section 6.4*;
- Formulation of the state and federal guidelines and tenets that were applied during the creation of the Draft Southern Planning Guidelines and draft Watershed Planning Principles contained in *Chapters 4* and *5* are briefly discussed in *Section 6.5*;
- *Section 6.6* describes the public participation program, including public workshops;
- *Section 6.7* identifies and evaluates 17 Habitat Reserve Alternatives that were developed by the NCCP Working Group and County based on application of the Draft Southern Planning Guidelines and Draft Watershed Planning Principles set forth in *Chapters 4* and *5* of this NCCP/MSAA/HCP (*Figures 120-M* through *133-M*); and
- Finally, *Section 6.8* addresses the relationship between this NCCP/MSAA/HCP and current and future critical habitat designations involving proposed Covered Species.

SECTION 6.2 SUMMARY OF PRE-NCCP/MSAA/HCP HABITAT PROTECTION COMMITMENTS WITHIN THE PLANNING AREA

Based on the more detailed information presented in *Appendix L (Open Space and Habitat Protection Preceding Final Action on the Southern NCCP/MSAA/HCP)*, this section summarizes the overall open space, habitat and species impacts and protection actions taken prior to action on this NCCP/MSAA/HCP. *Figure 6-M* provides an overview of all of these prior open space/habitat protection actions. These actions are further identified based on whether they preceded the initiation of the NCCP Program in 1993, as follows:

- Open space commitments that were made by Participating Landowners and local jurisdictions prior to the 1993 Southern Subregion Planning Agreement (*Figure 6-M*); and
- Wildlife Agency regulatory actions (including 4(d) permits and Section 7 consultations) that occurred subsequent to and in accordance with the 1993 Southern Subregion Planning Agreement, and prior to preparation and distribution of this draft NCCP/MSAA/HCP (*Figure 114-M*).

Appendix E applies the information in the NCCP/MSAA/HCP GIS database and specific 4(d) permit/Section 7 consultation documents to identify impacts and protection relating to proposed Conserved Vegetation Communities, proposed Covered Species and wildlife corridors and habitat linkages (see also *Figure 115-M*). These prior actions, on a cumulative basis, conserved approximately 29,970 acres, including significant areas of high quality habitat, and protected gnatcatcher and other species dispersal opportunities in the San Juan Creek and San Mateo Creek watersheds, and in the San Clemente Hydrologic Unit (see *Figure 6-M*). A summary of wide-ranging benefits provided by these prior open space protection and regulatory actions is discussed in the following sections.

6.2.1 Habitat Protection and Connectivity for Wildlife Movement

With regard to assembling a future NCCP/MSAA/HCP Habitat Reserve, prior actions by participating landowners and local jurisdictions, working with state and federal agencies, have contributed significantly to habitat protection and wildlife movement connectivity in the following portions of the planning area. *Figure 115-M* presents an overlay of the Habitat Linkages/Wildlife Corridors map on areas protected prior to the preparation of the draft NCCP/MSAA/HCP:

- Arroyo Trabuco has been protected from the area to the west of Ladera Ranch all the way to the Cleveland National Forest (CNF), protecting an *important population* in a *key location* of least Bell's vireo and an *important population* of gnatcatchers. The Arroyo

Trabuco also provides habitat for a variety of raptors and other sensitive species such as coastal cactus wren, yellow warbler, yellow-breasted chat, orange-throated whiptail, arroyo chub, Cooper's hawk and white-tailed kite. Very significantly, wildlife movement connectivity from the planning area into the CNF has been assured.

- A significant portion of the *major population* of gnatcatchers in upper Chiquita Canyon and on Chiquita Ridge has been protected. Connectivity between these populations and the *important population in a key location* around Coto de Caza into the NAS Starr Ranch Audubon Sanctuary has been provided for through conservation easements (see *Figure 116-M*).
- Major riparian habitat containing *key locations* of least Bell's vireo and willow flycatcher has been protected and expanded through GERA (see *Figure 116-M*). Together with the protected Arroyo Trabuco populations, both *key locations* of the least Bell's vireo in the planning area and the only *key location* of willow flycatcher have been protected.
- Actions leading to the creation of NAS Starr Ranch Sanctuary and Caspers Wilderness Park (both north and east of San Juan Creek) have created a very large block of protected habitat that links directly with the CNF (and with the San Mateo Wilderness, *Figure 117-M*). This area encompasses all of the *important population in a key location* of arroyo toads within Bell Canyon and almost all of the *major population in a key location* of arroyo toads in San Juan Creek (*i.e.*, all but the 1,600 feet of the *key location* extending downstream of the confluence of Bell Canyon with San Juan Creek). Important sources of coarse sediments essential to arroyo toad habitat emanating from Bell Canyon and Lucas Canyon have been protected (see *Figure 116-M*). These areas also contain the easternmost locations of gnatcatchers found within the planning area.
- The Donna O'Neill Land Conservancy contains important habitat resources, including several sensitive plant species (*e.g.*, a portion of a *major population/key location* of many-stemmed dudleya), protects a portion of the watershed of Cristianitos Creek and assures an important connectivity function for gnatcatcher movement between populations to the south outside of the planning area and the *key location* of gnatcatchers in upper Cristianitos Canyon.
- Important natural areas providing habitat "stepping stones" have been protected for gnatcatchers west, south and north of the Donna O'Neill Land Conservancy and provide connectivity to the *major population* of gnatcatchers in Chiquita Canyon/Chiquadora Ridge.

6.2.2 Protection for Listed Species

As indicated in the above section and in *Figure 116-M*, significant populations of listed species have been protected through prior actions, including:

- Overall, about 384 California gnatcatcher locations out of 737 locations within the planning area have been protected.
- Overall, 25 least Bell's vireo nesting sites out of 60 sites within the planning area have been protected.
- Overall, six southwestern willow flycatcher nesting sites out of seven sites within the planning area have been protected
- Overall, two of five vernal pool complexes supporting San Diego fairy shrimp have been protected.
- Overall, one of three vernal pool complexes supporting Riverside fairy shrimp has been protected.
- Substantial populations of non-listed planning species have also been protected.

6.2.3 Conservation Planning Opportunities

Prior actions by Participating Landowners and local jurisdictions have also created significant additional conservation planning opportunities for consideration in the review of Habitat Reserve Alternatives:

- The protection of Arroyo Trabuco, Saddle Creek, and a portion of the Saddleback Meadows site create opportunities for wildlife movement connectivity through the FTSPA to the CNF and Central Subarea Reserve component of the Central/Coastal Subregion NCCP/HCP Habitat Reserve System.
- With the protection of the upper and western portions of Chiquita Canyon, opportunities have been created for the long-term protection of Chiquita Creek.
- Substantial portions of the *major population* in a *key location* of gnatcatchers within Chiquita Canyon/Gobernadora/Chiquadora Ridge have already been protected (*i.e.*, 196 of 404 locations), creating opportunities for achieving a high level of protection for the overall *major population*.
- The creation of General Thomas F. Riley Wilderness Park provides an opportunity for linking gnatcatcher populations protected in the upper Chiquita Conservation Area with the portion of the *major population* found on Chiquadora Ridge.

- The protection of the large block of natural lands providing habitat within the NAS Starr Ranch Sanctuary and Caspers Wilderness Park creates an opportunity for linking the Gobernadora Creek area to habitat supporting gnatcatchers in the Chiquita sub-basin and to expansive blocks of habitat along San Juan Creek.
- The creation of GERA provides nesting for several listed and unlisted species, opportunities for further riparian habitat restoration within the Gobernadora Creek area and the need for managing water flows affecting existing and future wetlands/riparian habitat resources.
- The protection of sources of coarse sediment in Bell Canyon and Lucas Canyon, combined with protection provided by the CNF, is complemented by protection of important sources of coarse sediment in Verdugo Canyon so that arroyo toad habitat can be maintained.
- With the protection of the *key location* of the vast majority of the important and *major population* of arroyo toads in Bell Canyon, previous County efforts at giant reed eradication in areas upstream of RMV properties create an opportunity for continuing with a comprehensive giant reed eradication program in downstream areas in order to maintain and help restore habitat for arroyo toads, least Bell's vireo and other aquatic species within San Juan Creek.
- The creation of the Donna O'Neill Land Conservancy assured contiguous habitat linkage for dispersing gnatcatchers with the *important population* in a *key location* of gnatcatchers in upper Cristianitos Canyon and for extending watershed protection further into the headwaters of Cristianitos Creek.
- The protection of gnatcatcher "stepping stones" providing connectivity within the San Clemente Hydrologic Unit in existing conservation easements and open space designations by the cities of San Juan Capistrano and San Clemente provides important supplemental connectivity serving the proposed Habitat Reserve.
- Long-term habitat funding requirements established through Talega and Coto de Caza 4(d) permits help create a funding base for the implementation of the Habitat Reserve Management Program (HRMP) for the Habitat Reserve.

6.2.4 Non-NCCP Federal Actions Contributing to Conservation Planning Options

In addition to those actions taken by Participating Landowners and local jurisdictions, actions involving the creation of the CNF by the U.S. Department of Agriculture and the San Mateo Wilderness Area also contribute to conservation planning options and considerations. The CNF was created via several federal actions that culminated in 1908. Within the Southern Subregion, the CNF covers approximately 40,000 acres within the subregion, including the upper portions of the San Juan Creek Watershed. Significant sources of coarse sediments important to the

functioning of the San Juan Creek habitat system (e.g., important to arroyo toad habitat) are found within the CNF. Although elevations in the CNF are too high for gnatcatcher populations, ranging from 1,500 feet to more than 5,000 feet, the northern portion of the CNF provides important connectivity functions linking the Southern Subregion with the Central and Coastal NCCP Subregion and the Western Riverside County MSHCP for a variety of wildlife such as the mountain lion. Overall, the CNF provides a large block of contiguous natural lands extending from central Orange County through Southern Subregion into Camp Pendleton.

Outside the study area this block of natural lands extends to Interstate 15 in north San Diego County and connects with the San Mateo Wilderness (*Figure 117-M*). The San Mateo Wilderness covers about 39,700 acres and extends eastward into Riverside County and encompasses portions of the upper San Mateo Creek watershed including Devil Canyon. Federal Wilderness designations are extremely restrictive and allow only passive recreation and day use.

SECTION 6.3 CREATION OF A GEOGRAPHIC INFORMATION SYSTEM AND COMPLETION OF THE COMPREHENSIVE RESOURCE INVENTORY DATABASE

Prior to initiating the Southern NCCP/MSAA/HCP in 1993, the County had already taken the first steps toward developing a GIS database. The GIS database was designed to cover the entire County and to provide a habitat-based resource management system to assist the County in addressing questions related to potential development impacts on wildlife and natural habitats. The GIS maps cover a broad range of environmental characteristics influencing wildlife protection and management, including: natural vegetation communities; proposed Covered Species, planning species and other sensitive species; soils; topography; geomorphic and hydrologic features; and general plan land use designations. During the course of the preparation of the NCCP/MSAA/HCP, the GIS database has been expanded to include data and analyses prepared by the USACE (planning level delineation of wetlands and a functional assessment of hydrologic integrity within the SAMP study area), the Transportation Corridor Agencies SOCTIIP data (species and vegetation community surveys), a project-level wetland delineation within proposed development areas and other species/habitat survey information prepared by Participating Landowners. This information, in the form of composite maps and tabular presentations, is discussed in *Chapter 3* (Existing Setting) and has been fully considered during preparation of the NCCP/MSAA/HCP.

The GIS is a key component of the County's NCCP program. During preparation of the Southern NCCP/MSAA/HCP, the GIS was used to: (1) accurately map coastal sage scrub and the other major vegetation communities existing within the subregional planning areas and the County of Orange as a whole; (2) for "interim take" purposes, in some instances identify the relative quality of coastal sage scrub vegetation community based on a "high, intermediate, and low" value hierarchy established by the NCCP Conservation Guidelines and the Special Rule;

and (3) provide a tool to formulate the most effective design for a permanent habitat reserve. The GIS enabled NCCP participants to systematically and graphically analyze the variety of vegetation communities and species characteristics within the study area. It allowed the County and other NCCP participants to evaluate conservation planning Alternatives and to formulate the proposed Conservation Strategy set forth in the NCCP/MSAA/HCP and evaluated in the Joint Programmatic EIR/EIS (Part II). The GIS database is periodically updated and incorporates the latest survey information regarding vegetation mapping as described in *Chapter 3*. As indicated in *Chapter 3*, participants in the Southern NCCP/MSAA/HCP (including Participating Landowners, the County and state and federal agencies) have been compiling a comprehensive resource biologic, hydrologic and geomorphic database for more than 10 years. The compilation and analysis of resource data by Participating Landowners, jurisdictions and agencies has continued in 2004 and 2005 (e.g., wetland delineations and thread-leaved brodiaea pollination studies and refinement of riparian/wetland mapping within proposed development areas) to assure that the best available scientific information was employed during preparation of the Draft Southern NCCP/MSAA/HCP and Draft EIR/EIS.

SECTION 6.4 ESTABLISHMENT OF THE SOUTHERN ORANGE COUNTY COORDINATED PLANNING PROCESS (SOCCPP)

A coordinated planning effort was established among the lead agencies responsible for preparing documents and managing the NCCP/MSAA/HCP, SAMP and County GPA/ZC programs. This coordinated process is known as the Southern Orange County Coordinated Planning Process (coordinated planning process) and it is illustrated in *Figure 118-M*. As discussed below, it involves private landowners, local jurisdictions and state and federal planning and regulatory agencies to provide for coordinated preparation and public review of the Southern NCCP/MSAA/HCP, SAMP and County GPA/ZC. *Figure 118-M* summarizes the planning process, identifying lead agencies, programmatic purposes, environmental documentation, statutory authority and work products related to the SOCCPP.

6.4.1 Overview of the Elements of the Coordinated Planning Process

As briefly described in *Section 1.2.4*, the Southern NCCP/MSAA/HCP is being prepared as part of a coordinated public planning process that includes the preparation of two other major planning and regulatory components within the boundaries of the 132,000-acre Southern NCCP Subregion. In addition to the NCCP/MSAA/HCP, this coordinated public planning process includes: (1) a SAMP covering those portions of the San Juan Creek Watershed and San Mateo Creek Watershed located within the County of Orange (hereafter referred to as the SAMP); and (2) a General Plan Amendment and Zone Change for the 22,815-acre RMV property (hereafter referred to as the GPA/ZC, see *Figure 7-M*).

As in the case of the NCCP/MSAA/HCP, the SAMP is a voluntary process. However, after the NCCP/MSAA/HCP and SAMP are approved and permits are issued, compliance with the terms and conditions of permits issued pursuant to the terms of the two programs is mandatory and will be enforced by the appropriate local, state and federal agencies. The Draft EIS for the SAMP was completed in November, 2005 and distributed for review and comment by the public. The purpose of the SAMP being prepared by the USACE as lead agency is to evaluate the extent and condition of existing aquatic resources within the San Juan Creek and San Mateo Creek watershed Study Area and to provide for an analysis of the direct, indirect, and cumulative impacts to aquatic resources from a reasonable range of development and management alternatives within the SAMP study area. At the end of the SAMP process, aquatic resources will be identified for preservation, enhancement, and restoration, while allowing economic activities and development within the SAMP study area through advanced planning. The permitting of economic activities and development would occur through comprehensive permitting procedures based on the analysis of opportunities for avoidance, minimization, and compensation for impacts to aquatic resources at both the watershed scale and project level. Through the avoidance of priority aquatic resources using local restrictions on undesirable activities and the requirements for compensatory mitigation, the objective of the SAMP is to accommodate conservation efforts within the watershed in a coordinated, comprehensive fashion. A goal of the SAMP process is to facilitate the establishment of Aquatic Resources Conservation Areas (ARCA) and a comprehensive Aquatic Resource Adaptive Management Program (ARAMP) that would be coordinated with this NCCP/MSAA/HCP to provide for the protection and management of aquatic resources and upland natural resources. Approval of the SAMP EIS also would allow for specific actions within the SAMP study area requiring NEPA compliance to tier off the SAMP EIS. To the extent feasible, federal waters, including wetlands, will be avoided and unavoidable impacts will be minimized and fully mitigated permitting procedures resulting from under the SAMP. The SAMP also is designed to enable reasonable economic uses to be permitted within the study area portions of the San Juan Creek and San Mateo Creek watersheds consistent with the requirements of Section 404 of the CWA.

For the reasons outlined below, the County of Orange, Participating Landowners, and the state and federal agencies with primary planning and regulatory responsibility within the Subregion (USFWS, CDFG, and USACE), determined that a coordinated planning process should be pursued that would be most protective over the long term for the sensitive biological and hydrologic resources located within the study area. The need for the coordinated planning process and the relationship between the program components is briefly summarized below. The planning boundaries for the three related public approval processes are identified in *Figure 7-M*.

6.4.2 The Need for a Coordinated Planning and Regulatory Process

The desire of the NCCP/MSAA/HCP Participating Landowners to coordinate the preparation of a SAMP with the NCCP/MSAA/HCP reflected the experiences of the participants over the past several years of NCCP/MSAA/HCP planning.

- First, the proposed coordinated planning approach reflected a desire on the part of the involved public agencies to maximize protection and management of aquatic and upland resources and geomorphic and hydrologic processes by coordinating the preparation, approval and implementation of the two joint state/federal regulatory programs. Such coordination would provide the ability to coordinate the long-term implementation of the NCCP/MSAA/HCP HRMP with the implementation of the SAMP ARAMP in a manner that would enable coordinated and effective long-term management of both upland and aquatic species. The SAMP ARAMP is the functional equivalent of the NCCP/MSAA/HCP. This approach also allowed the County of Orange to incorporate the products of NCCP/MSAA/HCP and SAMP planning into the GPA/ZC for RMV.
- Second, the proposed coordination of these planning/regulatory programs reflected the experience of the private landowner participants involved in earlier NCCP/HCP programs approved in San Diego (Multiple Species Conservation Plan and Multiple Habitat Conservation Plan) and Orange counties (Central/Coastal Subregion NCCP/HCP). These private landowner participants discovered that their ability to implement projects approved for regulatory coverage and provisions under state and federal Incidental Take authorizations issued in conjunction with a final NCCP/HCP was limited if the “Covered Activities” permitted pursuant to the NCCP/HCP were not reviewed in coordination with state/federal agencies responsible for issuing permits for aquatic resource impacts (*i.e.*, USACE 404 permits and CDFG 1600 Streambed Alteration Agreements). Because Covered Activities approved under the NCCP/HCP could not be implemented without the 404/1600 approvals, the ability to assemble the NCCP/HCP Habitat Reserve and implement management measures in a timely manner consistent with the ESAs and the terms of the NCCP/HCP Implementing Agreement (IA) proved difficult.
- Third, the Science Advisors, convened by The Nature Conservancy to provide science guidance for the Southern NCCP/MSAA/HCP, recognized the significant benefits to subregional planning for species and habitats that would accrue if that planning addressed measures to maintain the underlying ecosystems processes and structures. It was determined that such planning would contribute to long-term conditions that would “. . . have a much higher likelihood of sustaining biotic diversity over time . . .” (see Tenet 7, p. 10 of *Appendix B*). Whereas the species and habitat database focus on information that provides “snapshots” of conditions at various time intervals, the underlying ecosystem process information (including hydrologic and geomorphic processes) provides for a better understanding of observed biological functions and the factors that should be

considered as part of a program designed to provide for effective long-term management of those biological resources.

In recognition of these factors, the Participating Landowners and public agencies decided to coordinate the preparation and public approval processes for the NCCP/MSAA/HCP and the SAMP.

6.4.3 Public Planning Objectives

Consultation among the County, Participating Landowners and state and federal agencies generated the following conclusions regarding the desired objectives for the coordinated planning approach:

- First, authorizations for regulatory coverage and provisions and orderly implementation of the NCCP/MSAA/HCP would require coordinated processing of a watershed-level program addressing the protection of aquatic resources that analyzes aquatic functions, values and impacts at the “hydrologic reach” and “sub-basin” levels. This kind of watershed level approach (*i.e.*, one that works at the “reach” and “sub-basin” levels to provide for project level review and approvals) would enable participating public agencies and landowners to obtain necessary permits and agreements for Covered Activities within the NCCP/MSAA/HCP that would affect aquatic resources protected under the Sections 401 and 404 of the CWA.
- Second, the ability to obtain Section 401 water quality approvals and Section 404 permits in a timely manner would require that a GPA/ZC application be filed and processed as part of the coordinated program so that the location, type and intensity of land uses within proposed development areas would be established early enough for analysis as part of the SAMP. Without specific local entitlements, there would be insufficient information upon which to identify potential impacts to aquatic resources and conduct the necessary avoidance, minimization and mitigation/monitoring analyses required by state and federal laws for impacts to wetlands, streams and other waters of the U.S. Additionally, local land use entitlements help identify areas proposed to receive regulatory coverage and provisions under the applicable provisions of FESA and the NCCP Act.
- Third, the County and USFWS would be the lead agencies responsible for preparing the NCCP/MSAA/HCP and the USACE would be the lead agency responsible for preparing the SAMP. This determination is consistent with state and federal requirements.
- Fourth, all agencies responsible for reviewing and approving projects that impact wetlands, streams and other waters of the U.S. within the planning area would be fully involved in the preparation, coordination and review of each component of the coordinated planning process.

- Fifth, timing is critical. Preparation and public approval of the NCCP/MSAA/HCP, SAMP and GPA/ZC would be coordinated to identify and address in a timely and orderly manner the significant issues that also would affect other planning and regulatory programs.
- Finally, the coordinated planning process would allow individual regulatory components to be prepared and approved separately while still enabling applicants and lead agencies, other reviewing agencies and the public to identify and address resource protection, resource management, and cumulative impact issues related to proposed new development in a coordinated fashion.

6.4.4 Sequence of Lead Agency Actions for the NCCP/MSAA/HCP, SAMP and GPA/ZC

The *Coordinated Planning Process Chart (Figure 118-M)* covers all three of the work program components: the NCCP/MSAA/HCP, and SAMP and GPA/ZC. As indicated in *Figure 118-M*, the County Board of Supervisors, acting as a lead agency, is responsible for reviewing and acting on both the GPA/ZC and the NCCP/MSAA/HCP. In fact, the County already has approved a GPA/ZC for the RMV property that addresses the goals and objectives of the Southern NCCP/MSAA/HCP. The next step in the County's share of the coordinated planning process is, in cooperation with the USFWS and CDFG, to complete and publish/distribute the draft NCCP/MSAA/HCP, Program EIR/EIS and IA documents for public review and comment. The County Board of Supervisors will make the decision whether to certify the EIR portion of the joint environmental document and to approve the Southern NCCP/MSAA/HCP at the local government level.

After the County completes its review and actions on the Southern NCCP/MSAA/HCP, the USFWS and CDFG will complete their reviews of the draft NCCP/MSAA/HCP and provide comments and suggested changes to the NCCP/MSAA/HCP to the County. At this time, it appears that the USACE would complete preparation of the draft SAMP within roughly the same timeframe, but prior to completion of the Southern NCCP/MSAA/HCP.

The state and federal agency reviews of the NCCP/MSAA/HCP and SAMP, respectively, would proceed as follows:

- The USFWS and CDFG would decide whether to approve the NCCP/MSAA/HCP and regulatory authorizations. If approved, the USFWS would issue the Record of Decision (ROD) and FESA Section 10 permits for Incidental Take of federally-listed Covered Species and regulatory coverage and provisions for unlisted Covered Species under the HCP component of the NCCP/MSAA/HCP. CDFG would issue its permits for Incidental

Take of state-listed Covered Species, regulatory coverage and provisions for unlisted Covered Species and its Master Streambed Alteration Agreements.

- The USACE would complete preparation of the SAMP and decide whether to approve the permitting procedures and issue final approvals for the San Juan Creek Watershed and San Mateo Creek Watershed SAMP. The USACE would finalize the EIS and issue the ROD and relevant Section 404 permits for activities covered by the SAMP.

The preparation and actions on the NCCP/MSAA/HCP and SAMP would occur in coordinated steps in roughly the same timeframe. It is possible that final actions on the SAMP by the USACE would precede final actions on the NCCP/MSAA/HCP by USFWS and CDFG. Based on potential differences in the final terms of approval for each of these components and the GPA/ZC, there may be a need to reconcile either the SAMP or NCCP/MSAA/HCP, or the GPA/ZC approved by the County in November, 2004. However, the coordinated planning process is intended to limit the scope of such a reconciliation process to a very few manageable issues.

As explained in *Chapter 1* and notwithstanding the coordinated planning process the NCCP/MSAA/HCP Conservation Strategy described above, it is important to note that in the event that Wildlife Agency approval for one or more of the three elements of the NCCP/MSAA/HCP is not obtained concurrent with other approvals for the other components, approval of any of the components of the coordinated planning process may be individually approved because each component is formulated as a stand alone component that meets the requirements of its respective statutes/regulations. *Chapter 13 (Section 13.1)* and *Chapter 14* provide statutory/regulatory consistency analyses that provide the basis for separate approvals and consistency determinations for any one of the three components of the overall NCCP/MSAA/HCP should the need arise.

6.4.5 Key Product/Decision Milestones and Linkages

While all of the work products and actions under the proposed work program are being coordinated, the sequencing and timing of certain work products and decisions are particularly important to the successful completion of the overall coordinated process. These critical products and milestones, presented in the order of occurrence, include the following:

- Identification of a *Consistent Set of GPA/ZC, NCCP/MSAA/HCP and SAMP Alternatives*. Three separate environmental documents either have been or would be prepared for the NCCP/MSAA/HCP (a joint EIR/EIS), SAMP (an EIS) and GPA/ZC (an EIR). Identification of project Alternatives under each component of the program has been and would continue to be coordinated. No component of the coordinated process would limit the range of Alternatives being considered for any of the other process components or the

selection of any particular Alternative. In other words, the range of Alternatives selected for any one process would not limit the range of Alternatives for the other two processes.

- Selection of a Proposed Project and a *Reasonable Range of Alternatives for Each Component of the Coordinated Planning Process*. Based on the analyses of the initial set of project Alternatives, in relation to the Project Purposes and relevant regulations and guidelines for each component, a proposed project/plan would be selected for each of the three components. In the case of the NCCP/MSAA/HCP and each of the other major planning program components, the “Proposed Project” selected for environmental review (see *Chapter 10* of this NCCP/MSAA/HCP for a description of the proposed Conservation Strategy, including the proposed Habitat Reserve) would be based on or related to (in the case of GPA/ZC) the NCCP/MSAA/HCP. The identification of a “range of alternatives” selected for review under each of the components of the coordinated planning process could involve one or more of the 17 Alternatives identified and considered by the GPA/ZC, NCCP/MSAA/HCP and SAMP programs. These Alternatives would become the basis for preparing the environmental documents and it is essential that the selection of a “proposed project” or “projects” and range of Alternatives for each component recognize the relationship between that Alternative and a “Proposed Project” and Alternatives selected for consideration for the two other components. The intent is to identify Alternatives that would be compatible with each other and that would facilitate achieving programmatic goals and objectives for each of the three coordinated project components: the NCCP/MSAA/HCP, SAMP and GPA/ZC.
- *Coordinated Preparation and Public Review of Draft Environmental Documents*. At the time of public review of this draft NCCP/MSAA/HCP and draft Joint EIR/EIS for the NCCP/MSAA/HCP, the draft SAMP EIS also has been completed and reviewed by the public. To assure the overall completeness and consistency of the environmental documents, during their preparation care was taken to assure that the same overall databases were shared by the respective lead agencies for each of the three planning processes, and that the range of Alternatives selected for consideration was consistent. In this way, the analysis of avoidance, minimization and mitigation, management and monitoring issues was effectively coordinated.

Each of these planning processes has its own set of goals and requirements, but coordinated planning is designed to assure that the 17 Alternatives can be assessed in terms of the goals and objectives of each of the three programs. For each planning process, any proposed projects or actions must be accompanied by a range of reasonable Alternatives adequate to meet the requirements of FESA, the NCCP Act, Section 1600 *et seq.* of the Fish and Game Code, NEPA and CEQA, as applicable. Some of the proposed Alternatives were developed prior to the completion of the Draft Southern Planning Guidelines (see *Chapter 4*) and Draft Watershed Planning Principles (see *Chapter 5*). The Draft Southern Planning Guidelines and Watershed

Planning Principles refine the general planning tenets. Given their importance to conservation planning programs, the Draft Southern Planning Guidelines in *Chapter 4* and the Draft Watershed Planning Principles in *Chapter 5* will be used to evaluate each of the Alternatives as part of the NCCP/MSAA/HCP and SAMP programs to determine their compatibility (see *Chapter 8*). These draft Guidelines/Principles already were applied during the preparation, review and approval by the County of the GPA/ZC.

It also should be noted that the documents being circulated for public review would include a draft Implementation Agreement (IA) for the NCCP/MSAA/HCP and proposed permitting procedures for the SAMP. The final IA will specify all terms and conditions of activities permitted under the NCCP/MSAA/HCP plan, including the legal, administrative and funding mechanisms necessary to assure effective long-term implementation of the approved NCCP/MSAA/HCP. By signing this agreement, CDFG and the USFWS will formally acknowledge approval of the Southern Subregion NCCP/MSAA/HCP and determine that it: **(1)** meets the requirements of a Natural Community Conservation Plan under the NCCP Act of 1991, Sections 1600 *et seq.* of the state Fish and Game Code and a federal Habitat Conservation Plan under Section 10(a)(1)(B) of FESA; and **(2)** is adequate to provide for regulatory coverage and provisions under the state NCCP Act and Fish and Game Code for the 32 Covered Species and CDFG Jurisdictional Areas and federal regulatory coverage and provisions for the 32 proposed Covered Species. Regulatory coverage and provisions for the Covered Species would include species presently listed and those that might be listed in the future at either the state and/or federal levels.

SECTION 6.5 FORMULATION AND APPLICATION OF RESERVE DESIGN TENETS, GUIDELINES AND PRINCIPLES

Early in the state's NCCP process, the CDFG established a State Scientific Review Panel (SRP) to prepare "NCCP Conservation Guidelines" and formulate a set of seven (7) "tenets of reserve design" to guide the preparation of NCCPs within the five-county southern California planning area (see *Figure 1-M*). In a similar fashion, the USACE and the CDFG formulated a set of eight (8) "SAMP Tenets" to help guide the preparation of an aquatics systems reserve program (referred to as the ARAMP). *Chapters 4* and *5* of this document contain, respectively, the Draft Southern Planning Guidelines and Draft Watershed Planning Principles that have been prepared by the NCCP/SAMP "Working Group" (formed pursuant to the provisions of the NCCP Planning Agreement) for the planning area. The Draft Southern Planning Guidelines and Draft Watershed Planning Principles represent refinements to the broader "tenets of reserve design" and SAMP Tenets that reflect the specific biologic, hydrologic and geomorphic conditions encountered within the planning area. As explained in *Chapters 4* and *5*, these draft Guidelines and Principles were prepared to provide guidance during the identification and evaluation of habitat Reserve Alternatives and they contain both broad planning principles applicable to the overall planning area and specific "Planning Considerations" and "Planning Recommendations"

applicable to particular “sub-basin” planning units within much of the overall planning area (Figure 24-M).

The sub-basin planning unit was selected because it reflects a hydrologic unit corresponding to each of the distinctive drainage systems within the planning area. However, it recognizes that species and vegetation community planning considerations will, in many cases, extend into adjoining sub-basins. It is also important to understand that the Draft Southern Planning Guidelines and Draft Watershed Planning Principles will not always treat the same biologic and hydrologic resources in the same manner. Use of common sub-basin planning units, however, enables program participants and the public to identify and address those instances where the different approaches and priorities inherent in the NCCP/MSAA/HCP and SAMP programs create the need for reconciliation of differing protection and management recommendations.

The Draft Southern Planning Guidelines and Draft Watershed Planning Principles are considered “works in progress” by the NCCP/SAMP working group based on review of the available databases and major reports. As the public participation and review process for the NCCP and SAMP components of the coordinated planning process continues, and as new information becomes available, the specific language in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles will be subject to review and potentially further modification as part of the final NCCP/MSAA/HCP.

SECTION 6.6 THE PUBLIC PARTICIPATION PROCESS

A key feature of the coordinated planning process is the public consultation that occurred during the formulation and review of the Southern NCCP/MSAA/HCP. The three lead agencies (*i.e.*, the County of Orange, CDFG and USFWS) initiated a series of joint “Public Workshops” to address the preparation and review of the GPA/ZC, NCCP/MSAA/HCP and SAMP. The Public Workshops preceded and contributed information important to the completion of the “Draft” NCCP/MSAA/HCP, EIR/EIS and IA. Beginning in December, 2001, and continuing through release of the draft NCCP/MSAA/HCP. Six public workshops were held. Public attendance at these meetings ranged from 250 to about 500 persons. These workshops were intended to provide a collaborative and consultative public forum to discuss NCCP/MSAA/HCP and SAMP planning issues. The Public Workshops were conducted to:

- Explain the coordinated approach for processing the NCCP/MSAA/HCP and SAMP;
- Identify key planning issues that needed to be addressed and assure that the full range of public policy and planning issues were addressed;
- Discuss NCCP/MSAA/HCP and SAMP reserve design tenets and principles;
- Identify and consider alternative conservation designs;

- Discuss adaptive management and species conservation issues and methodologies; and
- Obtain public comments and suggestions prior to preparation of draft documents.

In support of the Public Workshops, The Nature Conservancy convened an “Ad Hoc” group designed to involve representatives of the involved agencies, environmental groups and local landowners in constructive dialogue within a smaller setting that could focus on NCCP/MSAA/HCP and SAMP issues. The Ad Hoc group met as needed to discuss significant NCCP/MSAA/HCP and SAMP planning issues and to provide comments to the agencies as they prepared agendas and discussion topics for the Public Workshops. These meetings were designed to increase the quantity and quality of information exchange among the lead agencies, participating landowners and public by informing the Ad Hoc participants, thereby enabling them to convey issues and information to their respective organizations/constituents and discuss issues in advance of the public workshops. These meetings also were designed to make the Public Workshops more effective by providing a forum for discussions of significant issues with informed public interests prior to the public workshops.

Finally, County Supervisor Tom Wilson, whose Fifth District includes the RMV property, initiated another element to support the coordinated participation process by involving interested citizens in planning related to the GPA/ZC for the RMV property: the South County Review and Evaluation (SCORE) program. The overall goal of the SCORE program was to establish positive and constructive communications among all potentially interested parties including members of the RMV staff, Orange County staff and appointed officials, representatives of all the neighboring jurisdictions, representatives of specific community interest groups, and members of the public at large.

Supervisor Wilson convened two SCORE task forces to review RMV development issues, one to address land use and one to address urban runoff. Each task force was given a scope for review (the charge) and a set of ground rules for operation. The task forces produced two joint reports containing commentary based on their review of certain preliminary reserve design concepts, and a list of potential solutions to address urban runoff issues. These reports were presented to the Orange County Planning Commission on October 23, 2002.

SECTION 6.7 IDENTIFICATION AND EVALUATION OF ALTERNATIVES

Alternatives considered in conjunction with the preparation of the Conservation Strategy for the Southern NCCP/MSAA/HCP reflect both legal mandates derived from the relevant statutes and the Project Purposes set forth in *Chapter 2*. State and federal laws require that a “reasonable range of project Alternatives” be prepared as part of the public environmental review process for projects requiring a state EIR and/or a federal EIS. To assure that a “reasonable range” of Alternatives was identified for the NCCP/MSAA/HCP, SAMP and GPA/ZC components of the

SOCCPP, 13 conceptual Habitat Reserve Alternatives were prepared for public review and discussion as part of the coordinated planning process (Programmatic Alternatives A-1 through A-5 and Habitat Reserve Alternatives B-1 through B-8, *Figures 122-M* through *129-M*). These Alternatives provided for a range in both the configuration and amount of protected open space and development areas. These Alternatives were reviewed in several public workshops and were posted on the County's SOCCPP web site to provide opportunities for the broadest public review and comment.

Subsequent to the discussion of the 13 Habitat Reserve Alternatives noted above, four additional Alternatives were developed: one by the NCCP/SAMP Working Group (Alternative B-9), two by the County of Orange (Alternatives B-10 and B-11), and one by RMV (Alternative B-12). These additional Habitat Reserve Alternatives are shown in *Figures 130-M* through *133-M*. Alternative B-9 was developed by the Working Group specifically to respond to the Draft Southern Planning Guidelines and Draft Watershed Planning Principles. Alternative B-9 would require acquisition of open space by public or non-profit sources over and above RMV's proposed phased dedication of open space in order to be implemented. Alternative B-12 responded to the ongoing discussions with the Wildlife Agencies relating to their Habitat Reserve design concerns with the B-9 Alternative. It also responded to parallel discussions and subsequent negotiations involving RMV landowners and public interest organizations that focused on Habitat Reserve design issues. These landowner/public interest group negotiations culminated in a Settlement Agreement entered into on August 16, 2005 between RMV landowners, the County and the following resource organizations: Sierra Club; Endangered Habitats League; Natural Resources Defense Council, Inc.; Sea and Sage Audubon Society; and Laguna Greenbelt, Inc. (hereafter referred as the Settlement Agreement). The resulting Settlement Agreement achieved the goal of arriving at a Habitat Reserve Alternative that would not require acquisition funding in order to be fully assembled.

Alternative B-10 was presented as the County's "environmental constraints" alternative. It was formulated by the County of Orange in significant part to provide a non-acquisition alternative to the B-9 Alternative, with the goal of addressing housing needs and other related project objectives, while being responsive to the sub-basin recommendations contained in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles. Alternative B-10 joined Alternatives B-4, B-5, B-6, B-7 and B-9 as Habitat Reserve Alternatives designed to achieve both housing goals and habitat protection goals and objectives.

Alternative B-11 represented the County's alternative that would focus on achieving SCAG housing projections for southern Orange County. Achieving this projection (about 19,200 dwelling units) versus the 14,000 dwellings provided for by Alternatives B-4, B-5, B-6, B-7 and B-9 and the 14,450 dwellings provided for by Alternative B-10, results in a larger total development footprint and higher residential density within proposed development areas.

After consideration and continued evaluation of all the comments, testimony and information available, particularly information received during the GPA/ZC evaluation process, the County concluded that an alternative combining some elements of the proposed Ranch Plan (Alternative B-4) with Alternative B-10 should be selected as the County Preferred Alternative for the GPA/ZC. This additional alternative, considered a variation of Alternative B-10, is referred to as the B-10 Modified Alternative (hereinafter referred to as the B-10M Alternative) and it was selected by the County staff as the GPA/ZC Preferred Alternative. RMV, as the landowner and initiator of the GPA/ZC request, agreed to support the B-10M Alternative. The Planning Commission and Board of Supervisors approved the B-10M Alternative in their actions on the RMV GPA/ZC. The B-10M Alternative is very similar to the B-10 Alternative, but it reduces the total dwellings from 14,450 to 14,000 dwellings and incorporates other adjustments to the location of proposed urban uses as explained in *Section 6.7.3*. As a result of the County's approval of B-10M, this Alternative replaces the County's original B-10 Alternative in the remainder of this NCCP/MSAA/HCP. Accordingly, the B-10M is referred to as the Ranch Plan and Alternative B-4 and the original Alternative B-10 will no longer receive consideration or be evaluated as part of this NCCP/MSAA/HCP.

Alternative B-12 is the most recent Habitat Reserve Alternative. The B-12 Alternative represents an effort by RMV to address the Habitat Reserve design issues (see *Chapter 9*) that continued to be raised by the Wildlife Agencies and representatives of involved public interest organizations (*e.g.*, the desire to provide for the preservation of both the middle Chiquita Sub-basin and a substantial portion of the San Mateo Creek Watershed). The B-12 Alternative was formulated specifically to address these collective Habitat Reserve design concerns and it provides the basis for the Settlement Agreement entered into by RMV, the County and public interest groups (Sierra Club, Endangered Habitats League, Sea and Sage Audubon and NRDC). Significantly, the B-12 Alternative also is formulated to provide for creation of the permanent Habitat Reserve that could be fully assembled based on the phased dedication of open space by RMV. Accordingly, the B-12 Alternative eliminates the need to deal with the uncertainty relating to the future availability of public funding adequate to fully assembly a future Habitat Reserve. Prior to formulating the Settlement Agreement and Alternative B-12, all Alternatives except for Alternatives B-10M and B11 would have required public funding to acquire portions of the RMV property designated for inclusion as part of a future Habitat Reserve.

The 22,815-acre RMV property represents the vast majority of undeveloped private lands within the Subregion. For this reason, the Habitat Reserve Alternatives discussed in this Chapter and in *Chapters 8 and 9* differ only with respect to designation of proposed open space and development within the RMV ownership. Open space and development designations throughout the remainder of the Subregion (the non-RMV lands) are identified as already protected open space, or as presently designated on existing General Plans and zoning (*e.g.*, the Foothill-Trabuco Specific Plan) and thus are the same for all of the Habitat Reserve Alternatives

presented and analyzed. These already-protected open space areas are discussed briefly in *Section 6.2* and in more detail in *Appendix L*,

As discussed more fully in *Chapter 9*, the Alternatives considered were divided into two groups:

- five (5) Programmatic Alternatives that reflect the legal mandates of relevant statutes (Alternatives A-1 through A-5); and
- twelve (12) Habitat Reserve Alternatives designed specifically to address the programmatic goals of the NCCP/MSAA/HCP and SAMP and the Purposes set forth in *Chapter 2* of this document (Alternatives B-1 through B-12).

The five Programmatic Alternatives (A-1 through A-5) represent “required” Alternatives under state/federal law but they may or may not contribute to achieving the goals of the NCCP/MSAA/HCP or SAMP programs. In contrast, the 12 Habitat Reserve Alternatives (B-1 through B-12) are specifically intended to address the goals of the NCCP/MSAA/HCP and SAMP and purposes set forth in *Chapter 2*. The B-9 Alternative was formulated specifically to respond to the considerations and recommendations set forth in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles. As noted above, the B-10M applies a conservation strategy that is similar to the B-9 Alternative and thus is also responsive to the Draft Southern Planning Guidelines and Draft Watershed Planning Principles. All of the Habitat Reserve Alternatives were designed to reflect distinctly different conservation approaches in terms of the amount and location of new development versus the amount and configuration of protected open space.

As noted above, each of the Alternatives assumes existing General Plan open space and zoning outside the RMV property; therefore, the differences between the Alternatives are limited to the differing size and configuration of the open space designations on the RMV property. Further, it was noted, as part of the public workshop discussions and on the County website (<http://pdsd.oc.ca.gov/soccpp/index.htm>), that additional conservation recommendations might be proposed for the non-RMV portion of the planning area and that refinements to existing Alternatives (including preparation of new Alternatives) could occur as a result of continuing evaluation of environmental information or public comment. *Chapters 8* and *9* address the statutory framework for the environmental analysis and contain the detailed analyses for each of those Alternatives selected for full review and analysis in accordance with CEQA and NEPA requirements. As part of this analysis, the ability of each of these Alternatives to enable the NCCP/MSAA/HCP to meet FESA and NCCP Act requirements, as well as Sections 1600 *et seq.* of the Fish and Game Code, is evaluated. Accordingly, *Chapter 8* identifies potential refinements to some of the conceptual Alternatives involving three more recently formulated (Alternatives B-9, B-10M and B-11) that were selected for continuing analysis. These potential refinements focused on modifications that could bring about consistency with sub-basin

guidelines and principles for a particular alternative and culminated in the formulation of Alternative B-12. The sub-basin consistency determinations in *Chapter 8* should be consulted for further discussion on this topic.

Section 6.7.1 describes the different circulation assumptions and scenarios incorporated into the analyses of Alternatives (*i.e.*, arterial systems, conditions with and without SOCTIIP). *Section 6.7.2* discusses the Programmatic Alternatives that do not address the goals and objectives of the NCCP/MSAA/HCP and SAMP programs but must be considered as alternative project strategies under CEQA, NEPA and FESA. *Section 6.7.3* discusses each of the Habitat Reserve Alternatives that are designed to address the goals and objectives of the NCCP/MSAA/HCP and SAMP. Prior to public review of the draft NCCP/MSAA/HCP, all of these Alternatives were discussed at the public workshops and published on the County web site prior to final action on the NCCP/MSAA/HCP. *Section 6.7.4* explains the rationale for each Alternative that has been accepted or rejected for further consideration under this NCCP/MSAA/HCP.

6.7.1 Circulation System Assumptions and Alternative Scenarios

Implementation of those Alternatives that provide for development (Alternatives A-2, A-3, A-4, A-5 and all ‘B’ Alternatives) will require a supporting road circulation system. For the Programmatic ‘A’ Alternatives, the only alternative for which a circulation system was developed is A-5. Upgrades in the form of paved surfaces to the existing Ranch road network were assumed to be sufficient to support the level of development provided by the A-5 Alternative. No supporting circulation system was developed for the other ‘A’ Alternatives due to the lack of specificity regarding the location and extent of development.

The following describes the circulation system assumptions for each of the ‘B’ Habitat Reserve Alternatives. Certain circulation facilities are common to all ‘B’ Alternatives. The following are additions to or revisions to Master Plan of Arterial Highway (MPAH) facilities common to all ‘B’ Alternatives (see *Figure 119-M*):

- ***Cow Camp Road.*** This is an addition to the County of Orange Master Plan of Arterial Highways (MPAH) of a new east-west arterial highway on the north side of San Juan Creek. Cow Camp Road would be constructed as a major arterial between Antonio Parkway and SR-241, and as a primary arterial between SR-241 and Ortega Highway in a “with SOCTIIP” scenario. In a “without SOCTIIP” scenario, Cow Camp Road would be constructed as a major arterial between Antonio Parkway and “F” Street and as a primary arterial between “F” Street and Ortega Highway.
- ***Cristianitos Road.*** The existing Cristianitos Road between Avenida Pico and the development area in Trampas Canyon would remain a private ranch road. From the proposed PA 5 Trampas Canyon development area to the proposed development area in

the Gobernadora sub-basin, a new north-south primary arterial highway would cross San Juan Creek and Cow Camp Road, and connect to the proposed SR-241, in a “with SOCTIIP” and Oso Parkway in a “without SOCTIIP” scenario.

- ***Avenida Talega.*** An MPAH reclassification of the segment of roadway in unincorporated Orange County from a secondary arterial highway to a collector road (with and without SOCTIIP alternatives).
- ***Avenda La Pata/Antonio Parkway.*** Existing Avenida La Pata/Antonio Parkway would be widened from the northerly limit of the RMV planning area, north of Ortega Highway, to the southerly limit of the RMV planning area boundary. Also, the road would also be extended further to the south beyond the RMV planning area to Avenida Pico outside of the Subarea 1.
- ***Ortega Highway (SR-74).*** Existing Ortega Highway would be widened from east of the intersection with Avenida La Pata to the westerly RMV planning area boundary. The typical section within this reach will consist of four through lanes, median with paved shoulders and landscaped area, and parkway in various widths on each side of the roadway to accommodate minimum area for a soft shoulder and surface drainage catchment. The roadway will transition to the existing two-lane section just east the Antonio / La Pata intersection. The San Juan Creek Bridge will be widened by constructing a new separate structure north of the existing structure to accommodate two westbound through lanes. Also, the widening would extend further west into the City of San Juan Capistrano. In total Ortega Highway will be widen to four through lanes from east of Calle Entradero through the Antonio / La Pata intersection. RMV Covered Activities only extends to the improvements within the RMV boundary.

In addition to arterial highway improvements, certain local circulation facilities would be necessary including, but not limited to:

- ***Gobernadora Road.*** The roadway would be improved to either a four-lane secondary or modified collector to provide internal circulation to development in Gobernadora sub-basin.
- ***Center Gobernadora Road.*** The roadway would be improved to a two-lane collector road to provide internal circulation to development in Gobernadora sub-basin.
- ***Trampas Canyon Road.*** The two-lane collector road with a right-of-way reserve would be improved to four lanes to provide internal circulation for development in Trampas sub-basin.

Development in the Verdugo sub-basin under the RMV proposed Covered Activities would be accessed via collector roads internal to the development area from Cow Camp Road and Ortega Highway.

For those Alternatives which provide for development within the Chiquita sub-basin (Alternatives B-5, B-9, B-10M, B-11 and B-12; *Figures 126-M, 130-M, 131-M, 132-M and 133-M*, respectively), Chiquita Canyon Road, a north-south collector road is proposed to extend from Cow Camp Road and connect to Tesoro Creek Road, in a “with SOCTIIP” scenario, or connect to Cristianitos Road/”F” Street in a “without SOCTIIP” scenario.

For those Alternatives which provide for development within the Verdugo and/or Gabino sub-basins (B-4, B-5, B-6, B-9, B-10M, B-11 and B-12; *Figures 125-M, 126-M, 127-M, 130-M, 131-M, 132-M and 133-M*, respectively), Verdugo Road, a rural collector with variances for existing geometry and constraints is proposed to provide access to development in Verdugo and Gabino canyons. Alternatives B-4 and B-10M also provide for estate development in Gabino Canyon. These estates would be accessed primarily from Verdugo Road, with access to individual estate lots from existing Ranch roads. A secondary all-weather wildfire evacuation road might be required for the limited development proposed in upper Gabino under the B-6 and potentially B-10M Alternatives. Should such a facility be required, the existing Ranch access road from upper Gabino to existing Cristianitos Road could serve as an evacuation route.

6.7.2 Programmatic Alternatives Considered that Must Be Addressed Under Existing State/Federal Laws and that Are Not Based on NCCP/MSAA/HCP and SAMP Goals

Five Programmatic Alternatives (Alternatives A-1 through A-5, *Table 6-1 – Programmatic Project Alternatives Considered*) are identified and included for consideration under the Draft Southern NCCP/MSAA/HCP. These five Alternatives, with designated open space shown in referenced figures as appropriate, are being considered because they represent alternatives that must be addressed under current state and federal environmental laws/regulations.

**TABLE 6-1
PROGRAMMATIC PROJECT ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
Alternative A-1: (Figure 120-M)	Without a NCCP/MSAA/HCP or SAMP, a “No Action” alternative would assume existing conditions on RMV and continued use of RMV property for existing agricultural, livestock, resource extraction, and lease activities. No residential or other urban uses would be proposed.	<ul style="list-style-type: none"> • Required to be considered as the “No Action” and/or “No Development/Existing Conditions” project Alternatives under NEPA. • Existing grazing, dry farming, orchard and other agricultural activities would continue on RMV. • The extent (acreage) and intensity of these agricultural activities would be subject to market conditions and overall Ranch management. • It is not possible to quantify the extent/intensity of future agricultural at this time. • Resource extraction activities would continue within areas currently zoned for such activities. • The extent and intensity of extraction activities would be limited to existing activities. • Existing leases (e.g., Northrop Grumman) would continue. • Future open space would be limited to the regional parks, non-profit lands and conservation easement open space already set aside in the subregion.
Alternative A-2:	Without a NCCP/MSAA/HCP or SAMP, permit large-lot residential development and resource extraction activities in conformance with the zoning code as it existed before the 2004 GPA/ZC (1 dwelling unit per 4 acres).	<ul style="list-style-type: none"> • Required to be considered as a “No Project” Alternative based on “Existing Zoning” under CEQA. • About 3,265 residential parcels, each containing a minimum of 4 acres, in areas accessible by existing Ranch roads would be created (note: under current zoning that allows 1 dwelling per 4 acres, more than 5,000 lots could be created). • The 3,265 lots would result in about 19,800 acres (87 percent) of RMV being subdivided under this Alternative. • Resource extraction and related uses would be allowed to continue within 1,620 acres designated areas consistent with existing zoning (i.e., in the Trampas Canyon). • Existing uses in the Northrop Grumman area would continue under the terms of existing leases and approvals. • About 75 percent of RMV property would be in open space (not dedicated), most of it consisting of small estate lot parcels owned by individual homeowners. • Dedicated open space in the subregion would include the regional parks, non-profit lands and conservation easement open space already set aside and future open space dedicated to offset impacts from projects outside of the RMV boundary. • Although some blocks of contiguous open space could be assembled, most open space would occur within individual parcels and it is unlikely that these small parcels could be effectively linked or managed as a Habitat Reserve. • The following existing uses could continue and potentially expand consistent with existing zoning until such time that these areas are subdivided for residential purposes as described above: <ul style="list-style-type: none"> ○ Existing leases ○ Existing grazing, dry farming, orchard and other agricultural activities
Alternative A-3	Without a NCCP/MSAA/HCP and SAMP, address the need for new housing within the planning area based on the County’s OCP 2000 housing projections by providing for	<ul style="list-style-type: none"> • Required under CEQA to be considered as a “No Project” Alternative that addresses regional housing and employment goals. • The focus of this alternative is on the provision of new housing consistent with long-term development/housing

**TABLE 6-1
PROGRAMMATIC PROJECT ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
	20,000 new dwellings within the RMV portion of the subregion.	<ul style="list-style-type: none"> • need projections provided by SCAG and the County of Orange. • The location, acreage, density and community design of new residential units and associated uses were not determined.¹ • An undetermined amount of open space within RMV would be provided depending upon the acreage needed to construct a range of housing types totaling 20,000 units. • Dedicated open space in the subregion would include the regional parks, non-profit lands and conservation easement open space already set aside and future open space dedicated to offset impacts from projects outside of the RMV boundary. • The ability to provide for a Habitat Reserve and management program is currently unknown and will require further planning.
Alternative A-4	Without a NCCP/MSAA/HCP or SAMP, proceed with incremental project by project review of new development proposals within RMV property	<ul style="list-style-type: none"> • Required to be addressed as a “No Project” Alternative under CEQA to reflect RMV’s ability to proceed with development under existing regulatory requirements (e.g., Section 10 and 7 of the FESA, individual USACE 404 permits, CDFG 2081 and 1601 permits) on a project-by-project basis without an NCCP/MSAA/HCP or SAMP. • RMV would process sequential and incremental applications for individual projects within RMV property over a period that could range from 15 to 30 years. • The amount of future development and open space set asides cannot be determined at this time. • Future development would be subject to incremental project-by-project application of state and federal regulatory program requirements and would be required to minimize impacts on threatened and endangered species at the project level. • Future regulatory decisions would not be based on NCCP/MSAA/HCP or SAMP subregional or landscape-level guidelines and planning principles. • Open space provided within RMV property would be designated incrementally over 15 to 30 years as part of agency actions on each separate project. • Dedicated open space in the subregion would include the regional parks, non-profit lands and conservation easement open space already set aside and future open space dedicated to offset impacts from projects outside of the RMV boundary. • It would likely be difficult to assure provision for open space in a configuration that could be managed as a functional Habitat Reserve. • Funding for management of open space would be dependent on the sequential and incremental permitting process.
Alternative A-5: (Figure 121-M)	Obviate the need for a NCCP/MSAA/HCP or SAMP by avoiding: (1) Take of state and federal threatened and endangered species; (2) federally-regulated waters of the U.S, including wetlands; and (3) state-regulated wetlands and streams	<ul style="list-style-type: none"> • Required under FESA, the 4(d) Special Rule for the coastal California gnatcatcher, USACE 404 regulations and NEPA to assess the feasibility of project Alternatives that would not result in Take of listed species or impacts to state and federal waters and aquatic resources. • About 14,820 acres (65 percent) of RMV would be in some form of open space, but the ability to manage the open space effectively as a Habitat Reserve has not been determined. • About 8,000 acres (35 percent) of RMV could potentially be developed under this Alternative. • New development would be limited to those portions of RMV property that are not occupied by state- or federally-listed species.

¹ Subsequent to the identification of Alternative A-3 the County of Orange developed an alternative based on OCP-2000, the B-11 Alternative. A-3 was effectively replaced by Alternative B-11.

**TABLE 6-1
PROGRAMMATIC PROJECT ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
		<ul style="list-style-type: none"> • New development would avoid impacts to wetlands regulated under state and federal laws/regulations. • Non-wetland waters of the U.S. regulated by the USACE under Section 404 and non-wetland jurisdictional areas regulated by the state under sections 1601/1603 would be avoided. • The ability to avoid temporary impacts to wetlands and impacts to all ephemeral drainages and non-wetland waters regulated by state/federal agencies would need to be confirmed on a site specific basis as development occurred within RMV. • In most areas of RMV access to residential and other uses would be limited to use of the existing Ranch road network (<i>i.e.</i>, the existing dirt/gravel roads) with surfacing limited to existing road widths. • Dedicated open space in the subregion would include the regional parks, non-profit lands and conservation easement open space already set aside and future open space dedicated to offset impacts from projects outside of the RMV boundary.

6.7.3 Habitat Reserve Alternatives Intended to Address NCCP/MSAA/HCP and SAMP Goals

a. Range of Habitat Reserve Alternatives Identified and Considered

In addition to the five Programmatic Alternatives, a total of twelve Habitat Reserve Alternatives are identified, along with specific open space configurations, for consideration as part of the draft NCCP/MSAA/HCP (*Table 6-2 – Habitat Reserve Alternatives Considered*). These twelve alternative reserve designs represent different potential strategies intended to address the goals and objectives of the NCCP/MSAA/HCP and SAMP. The Alternatives addressed the goals and objectives of the NCCP/MSAA/HCP and the recommendations contained in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles to varying degrees.

b. Refinement of the Habitat Reserve Design

Habitat Reserve Alternatives B-1 through B-8 were formulated prior to completion of the Draft Southern Planning Guidelines and Draft Watershed Planning Principles. In contrast, Habitat Reserve Alternatives B-9, B10M, and B-12 (*Figures 130-M, 131-M and 133-M*, respectively), were formulated following completion of the sub-basin-level Draft Southern Planning Guidelines and Draft Watershed Planning Principles and the watershed scale SAMP Tenets. Alternative B-12 (*Figure 133-M*) was the last Habitat Reserve formulated prior to completion of the draft NCCP/MSAA/HCP and it represents a refinement of the other Alternatives, particularly the B-10M Alternative approved by the County as part of the November 2004 RMV GPA/ZC. Alternative B-12 development and open space configurations reflect comments on the previous Alternatives by Wildlife Agencies, USACE, the County and representatives of the environmental community. In particular, Alternative B-12 reflects the Settlement Agreement signed by RMV, the County and the environmental organizations identified earlier in this Chapter. The selection of Alternatives is discussed more fully in the following *Section 6.7.4*.

6.7.4 Selection of Alternatives for Evaluation in the Joint EIR/EIS - Summary of Alternatives Reviewed and Rejected

The prior section in this Chapter described the 5 Programmatic and 12 Habitat Reserve Alternatives that were identified and evaluated by Participating Landowners, agencies and jurisdictions, and discussed with the public via workshops and Ad Hoc Group meetings. As noted, these Alternatives also were published on the County website. This section discusses the rationale for selecting several of those Alternatives for continuing evaluation in *Chapters 8 and 9* and for rejecting other Alternatives.

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
Alternative B-1: (Figure 122-M)	Maximize open space protection within RMV Property and Restore Areas Degraded by Past Use	<ul style="list-style-type: none"> • Provide for designation of approximately 21,930 acres (96 percent) of RMV property as permanent open space. • Result in a total of 51,485 acres of open space within the Subregion (56 percent) including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Locate potential development on about 880 acres (4 percent) of RMV in the following areas: <ul style="list-style-type: none"> ○ on both sides of Ortega Highway adjacent to the City of San Juan Capistrano; and ○ along the western edge of RMV adjacent to the City of San Juan Capistrano • Maximize contiguous open space in both the San Juan Creek and San Mateo Creek watersheds by limiting new development to the extreme western edge of the RMV property. • Restore disturbed/degraded acres in the Talega sub-basin (Northrop Grumman lease), Trampas sub-basin (silica mining area), and Gobernadora sub-basin (Color Spot Nursery area) and two other sites adjacent to Ortega Highway through public and non-profit funding. • Remove existing roads, power lines and light sources within the open space area as feasible. • Provide for acquisition and management of designated open space through public and non-profit funding approaches. • The amount of dedication area versus acquisition area has not been defined. • A voluntary sale by RMV for purpose of open space acquisition would be required.
Alternative B-2: (Figure 123-M)	Allow new development in disturbed and other areas in the San Juan Creek Watershed and avoid new development within Chiquita Canyon and the San Mateo Creek Watershed	<ul style="list-style-type: none"> • Provide for designation of approximately 18,960 acres (83 percent) of RMV property as permanent open space. • Result in a total of 48,515 acres of open space within the Subregion (53 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Locate potential development on about 3,860 acres (17 percent) of RMV in the following areas: <ul style="list-style-type: none"> ○ 900 acres of potential development located on both sides of Ortega Highway adjacent to the City of San Juan Capistrano; and ○ 3,000 additional acres located adjacent to the City of San Juan Capistrano, the existing silica mining site (Trampas Canyon), existing nursery and ranching facilities immediately north of San Juan Creek, and an extension of the Coto de Caza area. • Avoid creating physical barriers to species movements, particularly in the San Mateo Creek Watershed. • Maintain the potential for species re-introduction and habitat enhancement and restoration. • Provide for acquisition and management through dedications, and public and non-profit organization funding of acquisitions and management. • The amount of dedication area versus acquisition area has not been defined. • A voluntary sale by RMV for purpose of open space acquisition would be required.
Alternative B-3: (Figure 124-M)	Provide significant economic development (<i>i.e.</i> , new housing, commercial and employment uses) while limiting new development within the San Mateo Watershed to Cristianitos Canyon and avoiding new development north of the proposed extension of Crown Valley Parkway in Chiquita Canyon.	<ul style="list-style-type: none"> • Provide for designation of approximately 16,390 acres (72 percent) of RMV property as permanent open space. • Result in a total of 45,945 acres of open space within the Subregion (50 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Permit about 6,430 (28 percent) acres of new development within RMV in the San Juan and San Mateo watersheds in the following areas: <ul style="list-style-type: none"> ○ The area on both sides of Ortega Highway immediately east of the existing residential uses in the City of San Juan Capistrano; ○ That portion of Chiquita Canyon south of the proposed extension of Crown Valley Parkway; ○ In the Gobernadora area north of San Juan Creek; ○ In Trampas Canyon and Central San Juan sub-basin; and

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
		<ul style="list-style-type: none"> ○ In the Cristianitos sub-basin, inland of the City of San Clemente. • Future development would not be allowed in: <ul style="list-style-type: none"> ○ That portion of Chiquita Canyon north of the proposed Crown Valley Parkway extension; or ○ Verdugo, upper and middle Gabino, La Paz and Talega sub-basins. • Provide for a wide east-west habitat movement corridor within the Chiquita Canyon sub-basin linking natural areas in Trabuco, Chiquita and Gobernadora canyons. • Retain connections between existing large blocks of open space in the CNF and Caspers Wilderness Park and the San Mateo Creek Watershed by limiting new development to the Cristianitos Canyon area. • Maintain an open space buffer between the City of San Juan Capistrano and future Ranch development south of Ortega Highway. • Maximize connectivity between the RMV portion of San Mateo Creek watershed and Camp Pendleton. • The amount of dedication area versus acquisition area has not been defined. • A voluntary sale by RMV for purpose of open space acquisition would be required.
<p>Alternative B-4: (Figure 125-M)</p>	<p>Implement the GPA/ZC Application filed by RMV</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 15,120 acres (66 percent) of RMV property as permanent open space. • Result in a total of 44,675 acres of open space within the Subregion (49 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • The permanent open space would include a proposed regional park along San Juan Creek that would extend the entire width of the RMV portion of the NCCP/MSAA/HCP planning area. • New development including residential, commercial and active recreation uses would be allowed on about 7,690 acres (34 percent) of RMV property in the following areas: <ul style="list-style-type: none"> ○ The area on both sides of Ortega Highway immediately east of the existing residential uses in the City of San Juan Capistrano; ○ In Chiquita Canyon; ○ In the Gobernadora area north of San Juan Creek; ○ In Trampas Canyon; ○ In the upper Gabino Canyon area (O'Neill Ranch); ○ In the Cristianitos Canyon area; and ○ In Talega and lower Gabino (Northrop Grumman lease area). • The 15,120-acre open space would be permanently set aside at no cost to the public as part of a phased dedication program keyed to implementation of the GPA/ZC.
<p>Alternative B-5: (Figure 126-M)</p>	<p>Avoid new development within the San Mateo Creek Watershed and locate all new development within the San Juan Creek Watershed.</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 15,650 acres (69 percent) of RMV property as permanent open space. • Result in a total of 45,205 acres of open space within the Subregion (49 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • A large block of habitat, totaling about 11,200 acres, would be retained in the southeastern portion of RMV. • A total of 7,170 acres of new development (31 percent of RMV) and a further TBD acres outside the FTSPA and Ranch area would be permitted within the San Juan Creek watershed. • Future development would occur primarily in the Chiquita, Gobernadora, Central San Juan, Verdugo and Trampas sub-basins. • Additional development would be permitted on both sides of Ortega Highway in the western portion of RMV and along the south side of the highway in the eastern portions of RMV.

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
		<ul style="list-style-type: none"> • No future development would be permitted within the San Mateo Creek Watershed, thus avoiding fragmentation and retaining all existing wildlife habitat blocks, linkages and movement corridors in this watershed. • Existing leases and continued ranching/farming activities would be permitted in the Verdugo Creek sub-basin and San Mateo Creek Watershed.
<p>Alternative B-6: (Figure 127-M)</p>	<p>Avoid future development within Chiquita Canyon and Verdugo Canyon, concentrate new development in areas in the San Juan Creek Watershed, and limit new development in the San Mateo Creek Watershed to areas already disturbed by past uses.</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 16,070 acres (70 percent) of RMV property as permanent open space. • Result in a total of 45,625 acres of open space within the Subregion (50 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • A large block totaling about 9,950 acres of relatively unfragmented habitat would be retained in the southeastern portion of RMV. • About 6,740 acres of new development (29 percent of RMV) would be permitted in both the San Juan Creek and San Mateo Creek watersheds on RMV lands in the following areas: <ul style="list-style-type: none"> ○ On both sides of Ortega Highway adjacent to the City of San Juan Capistrano; ○ In the Gobernadora sub-basin; ○ In the Trampas and Central San Juan sub-basins; ○ Along the south side of San Juan Creek, east of Trampas Creek; ○ In and adjacent to the disturbed areas of upper Gabino sub-basin; ○ In and adjacent to the disturbed areas in Cristianitos and lower Gabino sub-basins; and ○ In and adjacent to the disturbed areas in Talega sub-basin (Northrop Grumman lease area). • An additional 106 acres of new development would be permitted outside RMV and the FTSPA. • Within the San Juan Creek Watershed no new development would be permitted in either the Chiquita sub-basin east of Chiquita Ridge, in the Verdugo sub-basin or around Radio Tower Road. • Except for future potential arterial roads, impacts to the major gnatcatcher population in/adjacent to Chiquita Canyon would be avoided. • East-west habitat movement corridors within the Chiquita sub-basin would be protected to link Trabuco, Chiquita and Gobernadora canyons.
<p>Alternative B-7: (Figure 128-M)</p>	<p>Provide for a limited new development footprint in Chiquita Canyon and, within the San Mateo Creek Watershed, limit new development to the disturbed areas of the Talega/lower Gabino area and Cristianitos while avoiding upper Gabino and Verdugo and La Paz canyons.</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 15,780 acres (69 percent) of RMV property as permanent open space. • Result in a total of 45,335 acres of open space within the Subregion (50 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Future development would be located on about 7,030 acres of RMV (31 percent) as follows: <ul style="list-style-type: none"> ○ Future development within the Chiquita sub-basin and adjacent ridgelines would be focused on the ridgelines south of the "Narrows" and north of San Juan Creek, away from the riparian and slope wetlands, and minimize impacts to alluvial side canyons and gnatcatcher sites; ○ North of San Juan Creek, new development would be directed to the Ortega Gateway area, Gobernadora sub-basin, and Trampas and Central San Juan sub-basins; and ○ Within the San Mateo Creek Watershed, future development would be permitted only on/or adjacent to the already-disturbed portions of the Cristianitos and Talega/lower Gabino sub-basins. • No development would be permitted in the upper and middle Gabino or Verdugo and La Paz sub-basins to protect headwater areas and maintain connectivity between Camp Pendleton and Caspers Wilderness Park and the CNF.

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
<p>Alternative B-8 (Figure 129-M)</p>	<p>Allow new development in the western portion of RMV adjacent to Ortega Highway, in and around the existing silica mining area in Trampas Canyon, in and adjacent to the existing nursery, ranching and sand/gravel mining operations in the Gobernadora area, and avoid new development within Chiquita Canyon and the San Mateo Creek Watershed</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 19,130 acres (84 percent) of RMV property as permanent open space. • Result in a total of 48,685 acres of open space within the Subregion (53 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Locate potential development on about 3,680 acres (16 percent) of RMV and a further 106 acres in the remainder of the subregion outside the FTSPA and RMV property. • Direct potential new Ranch development to areas already disturbed and away from intact native communities as follows: <ul style="list-style-type: none"> ○ About 540 acres of potential development located on both sides of Ortega Highway adjacent to the City of San Juan Capistrano; ○ 1,190 acres located on and adjacent to the existing silica mining site (Trampas sub-basin); and ○ 1,950 acres in and around the existing nursery and ranching facilities in the Gobernadora sub-basin north of San Juan Creek. • A large block of habitat totaling about 12,950 acres of unfragmented habitat would be retained in the southeastern portion of RMV. • Avoid creating physical barriers to species movements. • Maintain the potential for species re-introduction and habitat enhancement and restoration. • Provide for acquisition and management of open space through dedications, and public and non-profit organization funding of acquisitions and management.
<p>Alternative B-9 (Figure 130-M)</p>	<p>Alternative B-9 was prepared after completion of the draft NCCP Southern Planning Guidelines and Draft Watershed Planning Principles and is specifically designed to address the Guidelines and Principles in addition to the overall goals and objectives of the NCCP/MSAA/HCP and SAMP Programs. Alternative B-9 focuses on protecting resources associated with the Chiquita sub-basin by: (1) protecting and Chiquita Canyon above the treatment plant and west of Chiquita Creek; and (2) the San Mateo Creek Watershed by concentrating development in and near areas with existing development and through the acquisition of upper Cristianitos Canyon and Gabino Canyon. This Alternative also concentrates development in the San Juan Creek Watershed in areas with lower resource values while</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 16,170 acres (71 percent) of RMV property as permanent open space. • Result in a total of 46,725 acres of open space within the Subregion (50 percent), including designated Supplemental Open Space but excluding the 40,000 acres of open space within the CNF boundary. • Create a large habitat block of approximately 23,300 acres in the eastern portion of the subregion that includes: <ul style="list-style-type: none"> ○ previously protected open space in Caspers Wilderness Park ○ NAS Starr Ranch Sanctuary ○ RMV open space in the Verdugo Canyon and Trampas Canyon sub-basin in the San Juan Creek Watershed; and ○ The Donna O'Neill Conservancy and other portions of the San Mateo Creek Watershed outside Talega Canyon. • Locate potential development on about 6,640 acres (29 percent of RMV), primarily in the San Juan Creek Watershed: <ul style="list-style-type: none"> ○ Lands located in the southwest corner of the RMV property adjacent to the intersection of Antonio Parkway and Highway 74 (Ortega Highway) (on about 540 acres); ○ The portion of the lower Chiquita sub-basin (on about 615 acres); ○ A portion of the Gobernadora sub-basin (on about 2,042 acres), ○ Trampas Canyon portion of the Central San Juan Creek sub-basin (on about 1,191 acres); and ○ The East Ortega portions of the Central San Juan Creek and Verdugo sub-basins (on about 1,251 acres). • Limit new development in the San Mateo Creek Watershed to the southernmost RMV portion of the watershed (943 acres), in and around the Northrop Grumman industrial facilities. • Maintain the functions of the underlying natural processes in the subregion (particularly fire, hydrologic and geomorphic processes).

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
	<p>continuing to protect high resource value areas such as Verdugo Canyon.</p>	<ul style="list-style-type: none"> • Protect the identified primary habitat linkages and wildlife movement corridors within the RMV property. • Protect identified major and <i>important populations</i> of planning species in <i>key locations</i>. • Maintain the potential for species translocation and introductions and habitat enhancement and restoration. • Assure acquisition and management of open space through dedications, and public and non-profit funding of acquisitions and management. • An additional 106 acres in scattered landholdings in the remainder of the subregion outside the FTSPA and RMV property has been identified by the County as potentially available for development.
<p>Alternative B-10M (Figure 131-M)</p>	<p>The County's approved GPA/ZC Alternative combines some elements of the B-4 Alternative with the B-10 Alternative formulated by the County of Orange. The B-10M Alternative is designed specifically to provide for a non-acquisition alternative to the B-9 Alternative, which would require significant public or non-profit acquisition funding in order to be implemented. This Alternative would address housing needs and other related project objectives while being responsive to the sub-basin recommendations contained in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 15,140 acres (66 percent) of RMV property as permanent open space. • Result in a total of 45,695 acres of open space within the Subregion (49 percent), including designated Supplemental Open Space Result, but excluding the 40,000 acres of open space within the CNF boundary. • Locate potential future development on about 7,680 acres (34 percent) of RMV, as follows: <ul style="list-style-type: none"> ○ The area on both sides of Ortega Highway immediately east of the existing residential uses in the City of San Juan Capistrano (PA 1); ○ In Chiquita Canyon (PA 2); ○ In the Gobernadora area north of San Juan Creek (PA 3); ○ In Trampas Canyon (PA 5); ○ In the upper Gabino Canyon area (O'Neill Ranch, PA 9); ○ In the Cristianitos Canyon area (PA 7); and ○ In Talega and lower Gabino (Northrop Grumman lease area, PA 8). • Provide for a Planning Reserve designation in three areas where conditions of approval and mitigation requirements would be applied only when applications for subsequent development entitlements are received as follows: <ul style="list-style-type: none"> ○ Chiquita Canyon (PA 2, Planning Reserve A): (1) 5 years after approval of the Ranch Plan GPA/ZC, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first; ○ Cristianitos Canyon (PA 7, Planning Reserve B): (1) 5 years following approval of RMV Plan GPA/ZC, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first; and ○ Northrop Grumman (PA 8, Planning Reserve C): (1) upon termination of the Northrop Grumman lease, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first. • Create a single, large habitat block of about 21,870 acres that connects previously protected open space in Caspers Wilderness Park and Starr Ranch with RMV open space in Verdugo Canyon and the RMV and Donna O'Neill Conservancy portions of the San Mateo Creek Watershed. • Create three additional substantial blocks of connected habitat, including a 3,230-acre block encompassing the upper Chiquita Conservancy, Thomas F. Riley Wilderness Park, Sulphur Canyon and a portion of Chiquadora Ridge; a 4,250-acre block encompassing Chiquita Ridge north of San Juan Creek and the Radio Tower Road mesa area south of the creek; and an 1,900-acre block encompassing Arroyo Trabuco.

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
<p>Alternative B-11 (Figure 132-M)</p>	<p>Provide for a similar amount of housing as assumed in the County OCP-2000M (19,200 dwellings), including 6,000 senior units, while maintaining an open space system protecting the mainstem creeks in both the San Juan Creek and San Mateo Creek watersheds.</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 14,190 acres (62 percent) of RMV property as permanent open space. • Result in a total of 43,745 acres of open space within the Subregion (48 percent), not including the 40,000 acres of open space within the CNF boundary. • Locate potential development on about 8,620 acres (38 percent) of RMV as follows: <ul style="list-style-type: none"> ○ The area on both sides of Ortega Highway immediately east of the existing residential uses in the City of San Juan Capistrano (PA 1); ○ In Chiquita Canyon (PA 2); ○ In the Gobernadora area north of San Juan Creek (PA 3); ○ In Trampas Canyon (PA 5); ○ In the Cristianitos Canyon area (PA 7); and ○ In Talega and lower Gabino (Northrop Grumman lease area, PA 8). • An additional 106 acres of new development would be permitted outside RMV and the FTSPA. • Provide for a Planning Reserve designation in three areas where conditions of approval and mitigation requirements would be applied only when applications for subsequent development entitlements are received: <ul style="list-style-type: none"> ○ Chiquita Canyon (PA 2, Planning Reserve A): (1) 5 years after approval of the Ranch Plan GPA/ZC, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first; ○ Cristianitos Canyon (PA 7, Planning Reserve B): (1) 5 years following approval of RMV Plan GPA/ZC, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first; and ○ Northrop Grumman (PA 8, Planning Reserve C): (1) upon termination of the Northrop Grumman lease, (2) NTP2 (Notice to proceed phase 2) by TCA for SR 241 (FTC-South) based on a Record of Decision, or (3) until alternate access is available, whichever occurs first. • Create a single, large habitat block of about 21,870 acres that connects previously protected open space in Caspers Wilderness Park and Starr Ranch with RMV open space in Verdugo Canyon and the RMV and Donna O'Neill Conservancy. • Create three additional substantial blocks of connected habitat, including a 3,230-acre block encompassing the upper Chiquita Conservancy, Thomas F. Riley Regional Park, Sulphur Canyon and a portion of Chiquadora Ridge; a 4,250-acre block encompassing Chiquita Ridge north of San Juan Creek and the Radio Tower Road mesa area south of the creek; and an 1,900-acre block encompassing Arroyo Trabuco. • Assemble designated open space through phased dedications.
<p>Alternative B-12 (Figure 133-M)</p>	<p>Address the primary Wildlife Agency and public interest organization concerns regarding the Habitat Reserve Design remaining after the review of previous Habitat Reserve alternatives</p>	<ul style="list-style-type: none"> • Provide for designation of approximately 16,536 acres (73 percent) of RMV property as permanent open space. • Result in a total of 46,090 acres of open space within the Subregion (about 50 percent), not including the 40,000 acres of open space within the CNF boundary. • Locate potential development on about 6,279 acres (27 percent, including orchards and the PA 4 reservoir) of RMV as follows: <ul style="list-style-type: none"> ○ The area on both sides of Ortega Highway immediately east of the existing residential uses in the City of San Juan Capistrano (PA 1);

**TABLE 6-2
HABITAT RESERVE ALTERNATIVES CONSIDERED**

Alternative	Purpose	Features
		<ul style="list-style-type: none"> ○ In Chiquita Canyon (PA 2) immediately adjacent to Tesoro High School in middle Chiquita Canyon and in lower Chiquita Canyon south of the SMWD waste treatment plant and immediately north of the SMWD facility; ○ In the Gobernadora area north of San Juan Creek (PA 3); ○ In Trampas Canyon (PA 5); ○ Orchards and a relocated Ranch Headquarters in Cristianitos Meadows and Canyon (PA 6 and 7); and ○ In Talega and lower Gabino in the vicinity of the existing Northrop Grumman facilities (PA 8). ● Create a single, large habitat block of about 23,200 acres that connects previously protected open space in Caspers Wilderness Park and Starr Ranch with RMV open space in Verdugo Canyon and the RMV and Donna O'Neill Conservancy. ● Create two additional substantial blocks of connected habitat, including about 7,300 acres encompassing the Radio Tower Road mesa area south of the creek, Chiquita Ridge north of San Juan Creek, middle Chiquita Canyon, the upper Chiquita Conservancy, Thomas F. Riley Regional Park, Sulphur Canyon, a portion of Chiquadora Ridge and lands on both sides of Gobernadora Creek; and an 1,900-acre block encompassing Arroyo Trabuco and extending north to the Cleveland National Forest. ● Assemble designated open space through phased dedications. <p>An additional 106 acres of new development would be permitted outside RMV and the FTSPA.</p>

The selection of Alternatives carried forward for further review is based on: (1) legal mandates for the ‘A’ Alternatives; and (2) for the ‘B’ Alternatives, the extent to which each of the Alternatives address the Project Purposes identified in *Chapter 2* and the Draft Southern Planning Guidelines (*Chapter 4*, including the Species Accounts for planning species that are presented in *Appendix E*), and Draft Watershed Planning Principles (*Chapter 5*). The selection of Alternatives carried forward for further consideration also reflects a review of the cumulative databases and studies (including biologic, hydrologic and geomorphic data and studies), relevant state and local laws, regulations and guidelines, public testimony, and the characteristics of the respective Alternatives.

Based on these factors, two Programmatic Alternatives (A-4 and A-5), with refinements reviewed below, and three Habitat Reserve Alternatives (B-8, B-10M and B-12) are analyzed in *Chapters 8* and *9*. It was determined by the Working Group that these Alternatives represent a reasonable range of NCCP/MSAA/HCP and SAMP Alternatives in accordance with state and federal laws.

a. Programmatic Alternatives Selected for Continuing Analysis

The following Programmatic Alternatives were selected for continuing analysis in the NCCP/MSAA/HCP and SAMP documents.

1. Alternative A-4

This Alternative was selected for continuing review but refined in *Chapter 9* to become two separate “No Project” Alternatives. The decision to evaluate two (2) No Project Alternatives in *Chapter 9* recognizes the ability of RMV as the principal landowner within the subregion to proceed with incremental, project-by-project review for HCPs under two options: (1) proceeding with the preparation of incremental project HCPs without preparing a SAMP; and (2) preparing individual project HCPs but also continuing to prepare a SAMP. Either of these refined “No Project” alternative also has the potential to be economically viable and address the requirements of the state/federal ESAs and the CWA. Therefore, the refined versions of Alternative A-4 were selected for analysis in *Chapter 9*.

2. Alternative A-5 (Figure 121-M)

The federal ESA requires project proponents to consider an alternative that would not involve Take of listed species. Similarly, the CWA requires applicants to consider a project alternative that would not result in the fill of wetlands. Therefore, *Chapter 9* includes a detailed assessment of a refined version of the No Take/Avoidance Alternative A-5.

b. Habitat Reserve Alternatives Selected for Continuing Analysis

Three Habitat Reserve Alternatives were identified to receive continuing evaluation in the joint EIR/EIS for the NCCP/MSAA/HCP program: Alternatives B-8, B-10M and B-12. These Alternatives are considered sufficiently diverse to represent a reasonable range of Alternatives in terms of the size, location and configuration of proposed reserve designs and allowable future development. These Alternatives also are being evaluated for economic and environmental feasibility as part of the Joint EIR/EIS.

To be selected for continuing evaluation, a Habitat Reserve Alternative should be capable of addressing the major goals of the NCCP/MSAA/HCP and represent, in combination with other Alternatives selected for continuing evaluation:

- a range of future development opportunities;
- distinctly different approaches to addressing the protection of the San Mateo Creek and San Juan Creek watersheds and permitting or limiting future development within these watersheds; and
- different approaches that can be evaluated to determine their relative ability to address the long-term protection of both upland biological resources and aquatic/hydrologic resources, respectively under the NCCP/MSAA/HCP program.

The reasons for selecting each of the three Habitat Reserve Alternatives for continuing evaluation are explained below:

1. Alternative B-8 (*Figure 129-M*)

Reasons for Selection:

- No future development would be permitted within the Chiquita sub-basin east of Chiquita Ridge.
- Focuses on protecting the biologic, aquatic and hydrologic resources of the mostly undeveloped San Mateo Creek Watershed by prohibiting future development in that portion of the San Mateo Creek Watershed located within the planning area.
- Avoids fragmentation of existing habitat in the San Mateo Creek Watershed and protects all existing wildlife movement corridors and habitat linkages.
- About 3,680 acres of future development would be permitted within the San Juan Creek Watershed, outside the Chiquita sub-basin.

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- About 19,130 acres of RMV open space would be included in about 48,685 acres of subregional open space outside the CNF.
 - Allows potential for partial dedication and partial acquisition of RMV lands for open space.
 - Due to the scale of the Habitat Reserve under this Alternative, B-8 represents a major acquisition alternative and would require extensive acquisitions.

2. Alternative B-10M (*Figure 131-M*)

Reasons for Selection:

- Alternative B-10M was formulated to be responsive to the sub-basin recommendations contained in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles, particularly for the Chiquita, Cristianitos and Gabino sub-basins. In formulating the B-10M Alternative, the County used the same basic approach as the B-9 Alternative, but attempted to provide for more balanced development/protection that would allow the B-10M Habitat Reserve to be assembled solely through phased development dedications. This approach would address the uncertainties in the B-9 Alternative regarding reliance on public or non-profit acquisition funding for a significant portion of the proposed open space, including uncertainties relating to the availability of acquisition funds and the need to reach agreement on an acquisition with RMV.
- This Alternative differs from the B-4 Alternative in that it significantly reduces development in the San Mateo Creek Watershed (limits residential to ten 2-acre estate lots in upper Gabino Canyon), no commercial development in upper Gabino Canyon, limits residential/commercial development in the Cristianitos sub-basin to 473 acres) and re-configures and reduces residential/commercial development in Talega Canyon (Planning Area 8), while substantially increasing development in the East Ortega (Planning Area 4) portion of the San Juan Creek Watershed.
- Designation of Cristianitos Canyon, middle Chiquita and the Northrop Grumman leasehold areas as Planning Reserves provides for future approval of the precise location and boundaries of permitted development and future review to assure consistency with the Draft Southern Planning Guidelines and Draft Watershed Planning Principles.
- Future development would require resolution of specified infrastructure and circulation issues (*e.g.*, resolution of the SOCTIIP alignment).
- This alternative could be implemented without requiring public or other sources of funding to acquire proposed open space and Habitat Reserve acreage.

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- This alternative could be considered a Conservation option to the B-9 Alternative, subject to Wildlife Agency review and approval, if state, federal or non-profit funding is not available and adequate for future acquisition(s) of designated Habitat Reserve lands.

3. Alternative B-12 (*Figure 133-M*)

Reasons for Selection:

- Alternative B-12 was formulated to be responsive to the sub-basin recommendations contained in the Draft Southern Planning Guidelines and Draft Watershed Planning Principles, particularly for the more biologically-sensitive Chiquita, Cristianitos, Gabino and Talega sub-basins.
- Future development would require resolution of specified infrastructure and circulation issues (*e.g.*, resolution of the SOCTIIP alignment).
- This Alternative incorporates several specific Habitat Reserve design characteristics favored by the Wildlife Agencies and environmental organizations
 - The middle Chiquita sub-basin between the SMWD waste treatment plant and residential development immediately proposed south of Tesoro High School is retained in open space;
 - The open space corridor along San Juan Creek that separates Planning Areas 3 and 4 is widened to a minimum of 400 meters;
 - New residential and reservoir development in Planning Area 4 would be limited to 725 acres (550 acres of residential/commercial and 175 acres for a reservoir).
 - Residential/commercial development previously proposed for Planning Areas 6 and 7 is eliminated and new development would be restricted to up to 50 acres of new citrus orchard and 25 acres for a re-located Ranch Headquarters; and
 - New residential and commercial development in Planning Area 8 would be limited to 500 acres.
- All of the 16,536 acres proposed to be included in the Habitat Reserve would be dedicated at no cost by RMV as part of a Phased-Dedication Program, thus assuring the ability of the entire Habitat Reserve to be assembled without relying on public funding.
- RMV has indicated that the combination of proposed development and phased dedications of lands to the future Habitat Reserve at no cost to the public would be feasible and acceptable.

Under the B-12 Alternative, due to the longer term timeframe for development planning in Planning Areas 4 and 8, it is not possible at this time to identify the precise location and configuration of new development within each Planning Area. The amount of future development acreage actually allowed under the B-12 Alternative in Planning Areas 4, 6 and 7 and 8 is considerably smaller than the size of the respective “impact areas” represented by the planning areas. To allow for the flexibility of siting and configuring new development areas within these Planning Areas, the impact/consistency analyses in this Chapter and in *Chapters 8* and *13* intentionally overstate the potential impact of future development by assuming that the entirety of Planning Areas 4, 6, 7 and 8 are developed in order to allow for a current review of any impacts that could result from ultimate development. The total “impact areas” under the B-12 analysis, including the overstated impacts within these four Planning Areas would be 7,788 acres; however, actual development impacts would be significantly less. For instance, under the B-12 Alternative, only 550 acres of development and 175 acres of reservoir would be permitted within the 1,127-acre Planning Area 4 and only 500 acres of development would be permitted in the 1,349-acre Planning Area 8. Similarly, only a total of 50 acres of new orchards would be permitted in the combined 431 acres in Planning Areas 6 and 7. Thus, while the impact/consistency analyses for all Planning Areas under the B-12 Alternative would address a total 7,788 acres, only 6,103 acres of new development would actually occur. See also *Chapter 8* for a discussion of the “overstated” impact analysis.

c. Programmatic Alternatives Not Receiving Additional Evaluation

The NCCP/MSAA/HCP joint EIR/EIS and SAMP EIS provide evaluations of each of the following programmatic Alternatives and explain why they were not selected for continuing evaluation. This discussion briefly summarizes the Alternatives evaluations set forth in the joint EIR/EIS documents. As explained under each alternative, the following Programmatic Alternatives (A-1, A-2 and A-3) were rejected for one or more of the following reasons.

1. Alternative A-1: No Action Alternative (*Figure 120-M*)

The “No Action Alternative assumes existing conditions on RMV and no NCCP/MSAA/HCP or SAMP. Future uses on RMV property would be limited to continued agricultural, livestock, resource extraction, and existing lease activities. Because the A-1 Alternative would not preserve any portion of the 22,815-acre Ranch property as permanent open space or address other NCCP/MSAA/HCP purposes, and because it would not provide for future residential, commercial/industrial, or recreational uses, the A-1 Alternative would not address any of the project purposes set forth in *Chapter 2*. Therefore, Alternative A-1 was eliminated from further evaluation under the NCCP/MSAA/HCP and SAMP.

2. Alternative A-2: No Project/Pre-2004 Zoning

This Alternative assumes that there would not be a NCCP/MSAA/HCP or SAMP. The A-2 Alternative would permit about 3,265 large-lot residences based on A-1 zoning (General Agricultural - 1 dwelling unit per 4 acres) and result in about 19,820 acres of RMV being subdivided for residential purposes. It also would permit resource extraction activities and the uses on the Northrop Grumman leasehold in conformance with the existing zoning code. Although some blocks of contiguous open space could be assembled, most open space would occur within individual parcels and it is unlikely that these small parcels could be effectively linked or managed as a Habitat Reserve. Upon approval of the RMV General Plan Amendment and Zone Change this Alternative became moot, as the zoning on RMV lands was changed from A-1 (General Agricultural) to Planned Community. The B-10M Alternative represents current zoning on RMV lands and is being carried forward for further review. Alternative A-2 is therefore moot and is not being carried forward for further review.

3. Alternative A-3: No Project/Housing & Employment

Alternative A-3 also is a “No Project” Alternative under CEQA that assumes that no NCCP/MSAA/HCP or SAMP would be prepared. The purpose of this Alternative would be to address the need for new housing within the planning area based on the County’s OCP 2000 housing projections by providing for approximately 20,000 new dwellings allocated to Traffic Analysis Zones per OCP-2000. Subsequent to identification of this alternative as a Programmatic Alternative, the County of Orange determined that a Habitat Reserve Alternative based on the OCP-2000 should be developed. As a result of this determination, the County of Orange developed the B-11 Alternative. Consequently, Programmatic Alternative A-3 was effectively replaced by Habitat Reserve Alternative B-11, which is being carried forward for further consideration. Accordingly, this Alternative was eliminated from further consideration.

d. Habitat Reserve Alternatives Not Receiving Additional Evaluation

The accompanying NCCP/MSAA/HCP joint EIR/EIS provides detailed evaluations of each of the following Alternatives and explains why they were not selected for continuing evaluation. This discussion briefly summarizes the alternatives evaluations set forth in the joint EIR/EIS document. As explained under each Alternative, nine of the 12 Habitat Reserve Alternatives, including Alternatives B-1 through B-7, B-9 and B-11, were rejected for one or more of the following reasons:

- The individual Alternative did not address or was inconsistent with many/most of the NCCP/MSAA/HCP program purposes and objectives (*e.g.*, provide effective conservation of wildlife while allowing appropriate economic development and growth);

- The Alternative provided for less protection of biotic and abiotic resources than other Alternatives chosen for continuing evaluation; or
- The Alternative was duplicative in many respects to one or more of the Alternatives chosen for continuing evaluation.

1. Alternative B-1 (*Figure 122-M*)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- It would address the basic resource protection goals of the NCCP/MSAA/HCP and SAMP programs but it would not address other basic NCCP/MSAA/HCP goals, including provision for a “reasonable” level of compatible future development that would address housing and employment needs of the people of the region;
- Because it involves the acquisition of virtually the entire RMV property and there would be no need/incentive for landowners and local governments to create a Habitat Reserve and implement an adaptive management program designed to address NCCP/MSAA/HCP goals, this alternative would constitute a “No-NCCP/MSAA/HCP Project”;
- RMV, owner of about 21,930 acres targeted for protection, has categorically declared that it would not be willing to sell RMV lands identified for inclusion in the subregional open space proposed under this alternative; and
- State and federal agency policy is to pursue acquisition only from willing sellers.

2. Alternative B-2 (*Figure 123-M*)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- The Alternative includes development in portions of the RMV property (*i.e.*, the slopes adjacent to San Juan Capistrano) that present severe landslide and other geotechnical issues that bring into question the feasibility of developing the areas; and
- The Alternative is in many respects duplicative of Alternative B-8. B-8 was selected for continuing evaluation by the Working Group because it provided for a similar level of economic development (*i.e.*, 3,860 acres versus 3,680 acres) while being more protective of sensitive biological, aquatic and hydrologic resources and avoiding areas with questionable geotechnical conditions.

3. Alternative B-3 (Figure 124-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- The Alternative is largely duplicative of the B-10M Alternative; and
- The Alternative does not represent significantly different approaches to protecting sensitive biological, aquatic and hydrologic resources when compared to the three Alternatives selected for continuing evaluation.

4. Alternative B-4 (Figure 125-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- The B-4 Alternative originally was prepared and submitted to the County by RMV as its proposed project. Upon approval of the GPA/ZC for the RMV property in November, 2004, the landowner agreed with the County that the B-10M Alternative would become the “Ranch Plan”;
- The B-4 Alternative is largely duplicative of the B-10M Alternative; and
- The B-4 Alternative is less protective of biotic and abiotic resources than the B-12 Alternative which is considered practicable by the County and RMV and continues to receive consideration.

5. Alternative B-5 (Figure 126-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- Proposed development is inconsistent with the Draft Southern Planning Guidelines, particularly with respect to
 - Development proposed for both the east and west sides of Chiquita Creek within the Chiquita Sub-basin with the resulting impacts to a substantial of documented gnatcatcher sites within the *major population* in a *key location* of coastal California gnatcatchers would threaten the ability to obtain regulatory coverage and provisions for the gnatcatcher;
 - Development impacts to arroyo toad, least Bell’s vireo and Riverside/San Diego fairy shrimp habitat in San Juan Creek Watershed; and

- Development impacts on wildlife connectivity in the San Juan Creek Watershed.
- Alternative B-5 protection of vegetation communities and species in the San Mateo Creek Watershed is the same as protection provided under the B-8 Alternative and similar to that provided under the B-12 Alternative, both of which continue to receive consideration as part of the NCCP/MSAA/HCP; and
- The overall protected open space provided for under the B-5 Alternative would be significantly less than either the B-8 or B-12 Alternatives, both of which would continue to receive consideration as part of the NCCP/MSAA/HCP.

6. Alternative B-6 (Figure 127-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- Proposed development is inconsistent with the Draft Southern Planning Guidelines with respect to habitat supporting
 - A major population/key location of thread-leaved brodiaea in Planning Area 7;
 - Riverside and San Diego fairy shrimp in Planning Area 5, Radio Tower Road;
 - The combined impacts to wildlife movement resulting from proposed development in Planning Areas 4 and 5 along San Juan Creek corridor and in terms of maintaining a functional linkage between the Creek and the San Mateo Creek Watershed.
- The extensive development within Planning Areas 7, 8 and 9 in the San Mateo Creek Watershed results in greater fragmentation is less protective of that watershed than other Alternatives continuing to receive consideration; and
- The location and scale of open space protection and reserve design is similar to that provided for by the B-8 Alternative for the Chiquita sub-basin and the new development that would be permitted within the San Mateo Creek Watershed is similar to that provided for under the B-10M Alternative, both of which continue to receive consideration.

7. Alternative B-7 (Figure 128-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- The Alternative is largely duplicative of the B-10M Alternative; and
- The Alternative does not represent significantly different approaches to protecting sensitive biological, aquatic and hydrologic resources when compared to the three Alternatives selected for continuing evaluation.

8. Alternative B-9 (Figure 130-M)

- This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program because the B-9 Alternative is very similar to the B-12 Alternative but provides slightly less protection of biotic and abiotic resources in both the San Juan Creek and San Mateo Creek watersheds and the B-12 Alternative continues to receive consideration.

9. Alternative B-11 (Figure 132-M)

This Alternative was eliminated from future consideration under the NCCP/MSAA/HCP program for the following reasons:

- This Alternative is largely duplicative of Alternative B-10M, which continues to receive consideration under the NCCP/MSAA/HCP; and
- The B-11 Alternatives is less protective of biotic and abiotic resources than the B-10M with more open space fragmentation than the B-8, B-10M and B-12 Alternatives that are continuing to receive consideration.

SECTION 6.8 CONSIDERATION OF RELATED SPECIES CRITICAL HABITAT DETERMINATIONS

The USFWS is under court order to undertake a new set of designations of critical habitat for the coastal California gnatcatcher and San Diego fairy shrimp within Subarea 1 of the Southern NCCP/MSAA/HCP. With regard to federally listed species and other species ultimately designated as proposed Covered Species in the final Southern NCCP/MSAA/HCP, a main purpose of the final Conservation Strategy that would be implemented under the Southern NCCP/MSAA/HCP is to provide for the protection of “those physical and biological features essential to the conservation” of Covered Species in a manner consistent with the definitions set forth in FESA Section 3(5)(A)(i) and (ii).

The Draft Southern NCCP/MSAA/HCP has been formulated to identify *key locations* for listed and other species “that are deemed necessary for the conservation of the species in the subregion” (Chapter 4). These *key location* determinations, as well as specific connectivity,

management and restoration recommendations, are provided for each planning area sub-basin, as well as for the overall planning area. In relation to FESA critical habitat considerations, the Draft Southern NCCP/MSAA/HCP thus provides the opportunity for a more focused analysis of species protection needs than that which can be undertaken on the much larger geographic scale of a critical habitat designation (see discussion in footnote below), including a more detailed analysis of “special management considerations and habitat protection” (FESA Section 3(5)(A)(i)).²

Accordingly, the joint EIR/EIS for the Southern NCCP/MSAA/HCP, in addition to addressing the requirements of FESA Section 10 and the NCCP Act, evaluates the extent to which the proposed Conservation Strategy (including Habitat Reserve Alternatives) provides protection for occupied habitat of federally-listed species “on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection; and” unoccupied habitat that is “essential for the conservation of the species” (FESA Section 3(5)(A)(i) and (ii)).

To the extent that the final Conservation Strategy fully addresses the provisions of FESA Section 3(5)(A) and the elements of the Conservation Strategy differ from the existing and proposed critical habitat designation for the federally-listed species listed above, USFWS will consider all available information, including information from the final EIR/EIS, in formulating [or “adopting”] the final rule for any proposed critical habitat designation. For all other federally listed species found in the Subregion and other Covered Species for which Species Accounts have been finalized in *Appendix E*, the EIR/EIS for the Southern NCCP/MSAA/HCP will, in addition to addressing the requirements of FESA Section 10 and the NCCP Act, evaluate the extent to which the proposed Conservation Strategy (including Habitat Reserve Alternatives) will provide protection for vegetation communities providing habitat of the species “on which are found those physical or biological features (I) essential to the conservation of the species and (II) which may require special management considerations or protection.”

2 “The HCP development process provides an opportunity for more intensive data collection and analyses regarding the use of particular habitat areas by the gnatcatcher. The process also enables us to conduct detailed evaluations of the importance of such lands to the long term survival of the species in the context of constructing a biologically configured system of interlinked habitat blocks. We will provide technical assistance and work closely with applicants throughout the development of future HCPs to identify lands essential for the long-term conservation of the gnatcatcher and appropriate management for those lands. By definition, if the gnatcatcher is a covered species under future HCPs, the plans should provide for the long-term conservation of the species” (Federal Register 65, 10/24/00, 63693).