



**Appendix 13.4**  
**Recirculated Notice of Preparation Comment**  
**Letters**

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**Gregory D. McClure**

10646 La Perla Avenue · Fountain Valley, CA 92708 · 714-963-8176 · Email: Greg.McClure@yahoo.com

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August 30, 2011

Mr. Andrew Perea  
Planning/Building Manager  
City of Fountain Valley  
Planning Department  
10200 Slater Avenue  
Fountain Valley, CA 92708

RECEIVED  
SEP 06 2011  
PLANNING

Dear Mr. Perea

After reviewing the proposed redevelopment of the Hyundai Motor America North Campus Project on August 24, 2011, I am concerned about issues that relate to the neighborhood and the development since the height and proposed scale of the building and site will dramatically change the adjoining residential neighborhood.

1. In the prior proposed development plan a traffic signal was to be located at Los Vasos and Talbert to allow a left turn into the Hyundai campus and exit onto westbound Talbert from the campus. In the proposed new development plan this traffic signal has been relocated to approximately midway between Los Vasos and Ward on Talbert. This location will put the traffic signal essentially in my backyard along with several other neighbors whose homes on La Perla Avenue back up against Talbert. This location is unacceptable in that not only will the traffic signal create an eyesore from these properties, but will add light spillage into the homes and onto the property from the traffic signals. Additionally, its location is so close to the current signal at Talbert Street and Ward that it will slow the traffic along Talbert and back up the westbound traffic from Ward into this intersection creating greater safety problems as the traffic from the Hyundai property will not be able to exit westbound onto Talbert (the traffic routinely backs up from the signal at Ward to Las Vasos now). It's prior location at the intersection of Los Vasos Street and Talbert, while certainly not ideal was a better location because the intersection already exists and is much further from Ward Street. This will not jeopardize the safety those trying to exit from the Hyundai property and will not be obtrusive to the residential neighbors.
2. The new proposed design now adds a large "Hyundai" sign facing Talbert Avenue and the adjoining residential neighborhood. The current "Hyundai" sign facing Talbert Avenue creates light spillage into my home and property and it is located on the building at the second story. The new proposed sign is to be located at the top of the sixth floor and will create even more light spillage and visible light into all of the adjoining neighbors. This is unacceptable unless this sign can be a non-lighted sign. I would propose a low, lighted monument sign identifying the site which can be viewed by those arriving to the location after dark instead of the large building signage which will be broadcast obtrusively to the entire residential neighborhood. A lighted building sign could be located on the freeway side of the building away from the residential neighborhood.

3. Currently there is significant light spillage from the Hyundai Campus site into the adjoining residential neighborhood from parking lot lighting located on the building and in the parking lot from light standards and the Hyundai building sign. I would like to see the light spillage eliminated with the new campus such that all lighting be contained only on the campus and not allowed to spill into the adjacent neighborhood across Talbert Avenue. Also, the lighting should be designed such that the source of the lights is not visible to the adjacent neighborhood as is currently the case. Any lighted signage should be designed so that the sign and light are not visible to the residential neighborhood as noted in item number two above.
4. Currently in the median of Talbert Avenue is landscaping including mature trees which help screen the vision of the Hyundai building and site. I would like to see the landscaping and mature trees remain and also be increased to reduce the visibility of the propose structure and site. Since the height of the building proposed is to be over three times higher, the median landscaping is critical to screening the structure and lights from the building to the adjoining residential neighborhood. In the proposed relocation of the traffic signal to the an area between Los Vasos Street and Ward Street, this landscaping would be eliminated creating an open corridor from the new building, signage and parking lot lighting directly into the adjoining neighborhood. This open corridor needs to be eliminated by leaving the landscaping in the median on Talbert Avenue.
5. Since the proposed plans eliminate the landscaping along the north side of the Hyundai site adjacent to Talbert Avenue, I believe significant attention should be paid not only the size of the proposed landscaping but also to the density. The size of the proposed landscape should be significant to help screen the site from the residential neighborhood at installation, not in ten years from installation. The same holds true with the landscape density and the selection of the trees along Talbert Avenue. This should be significant so as to provide a privacy screen from the adjoining neighborhood at the time of installation, not in the next five to ten years.

Please give me a call to discuss any of these issues in further detail as all of these items are significantly important to the neighborhood.

Sincerely,



Greg McClure

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**NATIVE AMERICAN HERITAGE COMMISSION**

915 CAPITOL MALL, ROOM 364  
SACRAMENTO, CA 95814  
(916) 653-6251  
Fax (916) 657-5390  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
ds\_nahc@pacbell.net



September 19, 2011

RECEIVED  
SEP 22 2011  
PLANNING

Mr. Andrew Perea, Planner  
**City of Fountain Valley**  
10200 Slater Avenue  
Fountain Valley, CA 92708

Re: SCH#2011041002; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR), for the "Hyundai Motor American North American Corporate Campus Project;" located in the City of Fountain Valley; Orange County, California.

Dear Mr. Perea:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3<sup>rd</sup> 604). The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: **Native American cultural resources were not identified** within one-half mile of some of the 'area of potential effect (APE) based on the USGS coordinates provided. Note: the absence of recorded Native American cultural resources does not preclude their existence. This area is known to the NAHC as being very culturally sensitive.

The NAHC "Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r ).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway.

Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

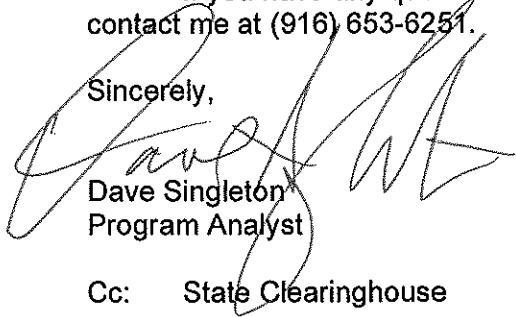
Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254( r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

A handwritten signature in black ink, appearing to read "Dave Singleton", written over the typed name and title.

Dave Singleton  
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

**Native American Contacts**  
Orange County  
September 19, 2011

Ti'At Society/Inter-Tribal Council of Pimu  
Cindi M. Alvitre, Chairwoman-Manisar  
3098 Mace Avenue, Aapt. D Gabrielino  
Costa Mesa, CA 92626  
calvitre@yahoo.com  
(714) 504-2468 Cell

Juaneno Band of Mission Indians Acjachemen Nation  
David Belardes, Chairperson  
32161 Avenida Los Amigos Juaneno  
San Juan Capistrano CA 92675  
**(949) 493-4933 - home**  
chiefdavidbelardes@yahoo.  
com  
(949) 293-8522

Tongva Ancestral Territorial Tribal Nation  
John Tommy Rosas, Tribal Admin.  
Private Address Gabrielino Tongva  
**tattnlaw@gmail.com**  
310-570-6567

Gabrielino/Tongva San Gabriel Band of Mission  
Anthony Morales, Chairperson  
PO Box 693 Gabrielino Tongva  
San Gabriel, CA 91778  
GTTribalcouncil@aol.com  
(626) 286-1632  
(626) 286-1758 - Home  
(626) 286-1262 -FAX

Gabrielino Tongva Nation  
Sam Dunlap, Chairperson  
P.O. Box 86908 Gabrielino Tongva  
Los Angeles, CA 90086  
**samdunlap@earthlink.net**

(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation  
Anthony Rivera, Chairman  
31411-A La Matanza Street Juaneno  
San Juan Capistrano CA 92675-2674  
arivera@juaneno.com  
(949) 488-3484  
(949) 488-3294 - FAX  
(530) 354-5876 - cell

Gabrielino Tongva Indians of California Tribal Council  
Robert F. Dorame, Tribal Chair/Cultural Resources  
P.O. Box 490 Gabrielino Tongva  
Bellflower, CA 90707  
**gtongva@verizon.net**  
562-761-6417 - voice  
562-761-6417- fax

Juaneno Band of Mission Indians  
Alfred Cruz, Cultural Resources Coordinator  
P.O. Box 25628 Juaneno  
Santa Ana, CA 92799  
**alfredgcruz@sbcglobal.net**  
714-998-0721  
714-998-0721 - FAX  
714-321-1944 - cell

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011041002; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR for the Hyundai Motor America North American Corporate Campus; located in the City of Fountain Valley; Orange County, California.

## Native American Contacts

Orange County  
September 19, 2011

Juaneno Band of Mission Indians  
Adolph 'Bud' Sepulveda, Vice Chairperson  
P.O. Box 25828 Juaneno  
Santa Ana , CA 92799  
**bssepul@yahoo.net**  
714-838-3270  
714-914-1812 - CELL  
bsepul@yahoo.net

Juaneño Band of Mission Indians  
Sonia Johnston, Tribal Chairperson  
P.O. Box 25628 Juaneno  
Santa Ana , CA 92799  
sonia.johnston@sbcglobal.  
net  
(714) 323-8312

Juaneno Band of Mission Indians  
Anita Espinoza  
1740 Concerto Drive Juaneno  
Anaheim , CA 92807  
neta777@sbcglobal.net  
(714) 779-8832

United Coalition to Protect Panhe (UCPP)  
Rebecca Robles  
119 Avenida San Fernando Juaneno  
San Clemente CA 92672  
rebrobles1@gmail.com  
(949) 573-3138

Gabrielino-Tongva Tribe  
Bernie Acuna  
1875 Century Pk East #1500 Gabrielino  
Los Angeles , CA 90067  
(619) 294-6660-work  
(310) 428-5690 - cell  
(310) 587-0170 - FAX  
bacuna1@gabrieinotribe.org

Juaneno Band of Mission Indians Acjachemen Nation  
Joyce Perry; Representing Tribal Chairperson  
4955 Paseo Segovia Juaneno  
Irvine , CA 92612  
949-293-8522

Gabrielino-Tongva Tribe  
Linda Candelaria, Chairwoman  
1875 Century Park East, Suite 1500  
Los Angeles , CA 90067 Gabrielino  
lcandelaria1@gabrielinoTribe.org  
626-676-1184- cell  
(310) 587-0170 - FAX  
760-904-6533-home

Gabrieleno Band of Mission Indians  
Andrew Salas, Chairperson  
P.O. Box 393 Gabirelino Tongva  
Covina , CA 91723  
(626) 926-4131  
gabrielenoindians@yahoo.  
com

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This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2011041002; CEQA Notice of Preparation (NOP) draft Environmental Impact Report (DEIR for the Hyundai Motor America North American Corporate Campus; located in the City of Fountain Valley; Orange County, California.

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L Margaret and Leo LeMieux  
10457 Smoke River Ct.  
Fountain Valley, CA 92708

Sep. 20, 2011

## PLANNING

City of Fountain Valley  
Planning Department  
10200 Slater Avenue  
Fountain Valley, CA 92708

Re.: EIR for Hyundai Corporate Campus Project

Mr. Andrew Perea :

If this project is at all compatible with Environmental Requirements, we give it our wholehearted support.

We believe the nature of this project would be of great benefit to our city and its tax payers, in addition to the local job market.

Margaret Lemieux

Leo Lemieux



# SAKIOKA COMPANY, LLC

September 23, 2011

RECEIVED  
SEP 26 2011  
PLANNING

Mr. Andrew Perea, Planning/Building Director  
City of Fountain Valley  
Planning Department  
10200 Slater Avenue  
Fountain Valley, California 92708

**Re: *Recirculated Notice of Preparation of Draft Environmental Impact Report for Hyundai Motor America North American Corporate Campus Project – 10550 Talbert Avenue***

Dear Mr. Perea,

Thank you for the opportunity to provide comments regarding the preparation of the draft environmental impact report for the proposed Hyundai project (the "Hyundai EIR"). As detailed further below, our request is that the analyses contained in the Hyundai EIR take into consideration the vested rights to complete the Southpark Development Plan, even though portions of that planning area remain unbuilt.

Sakioka Company is the manager of JKS-SF, LLC, a California limited liability company, and JKS-CMFV, LLC, JKS-MMC, LLC and JKS-Corning, LLC, each a Delaware limited liability company, as successors-in-interest to Sakioka Farms, a California general partnership (collectively, the "Sakioka Owners"). The Sakioka Owners are collectively the owners of the property bounded by Slater Avenue to the North, South Euclid Street to the West, Talbert Avenue to the South, and Newhope Street and the Santa Ana River to the East (the "Sakioka Site"). The Sakioka Site is located approximately 0.26 miles east of the Proposed Project. The Sakioka Site is part of the Southpark Specific Plan (also known as the "Southpark Development Plan" or "Southpark Plan") adopted on August 18, 1987 by City Council Resolution No. 8169. The Southpark Plan was subsequently amended by Resolution No. 9054 adopted on August 16, 2005, which amendment removed Block D from the Southpark Plan for purposes of implementing future traffic analyses and building area limitations. On August 18, 1987, the City Council adopted its Resolution No. 8167 certifying the Environmental Impact Report prepared in connection with the Southpark Plan (the "Southpark EIR").

As part of the project approvals from the City of Fountain Valley for the Sakioka Site, the Sakioka Owners are party to that certain Development Agreement dated October 25, 1988 and recorded on January 10, 1989 in the Official Records of Orange County as Instrument Number 89-015182, as amended by that certain Amendment to Development Agreement dated October 19, 2004 and recorded in the Official Records as Instrument Number 2004-001009269 (collectively, the "Sakioka Development Agreement"). The Sakioka Development Agreement runs until June 16, 2019.

Mr. Andrew Perea, Planning/Building Director  
City of Fountain Valley  
September 23, 2011  
Page 2

Section 3(a) of the Sakioka Development Agreement provides the following:

*“Future Environmental Review. City agrees that **for the purpose of environmental review and formulation of environmental mitigation measures with respect to other development projects within the City**, including projects within a redevelopment area, **the City will consider development of the Site covered by this Agreement to be fully developed and built out at the maximum density permitted by the Southpark Plan.** In this way, City and Developer will have assurances that future growth will proceed in an orderly and manageable fashion, and that adequate infrastructure is provided to accommodate eventual development City-wide.” (Emphasis added.)*

In accordance with the Sakioka Development Agreement, the project analyses for the Hyundai project should treat the Southpark project as if it were fully developed, and take into account, without limitation, the maximum trip budget set forth in the project approvals for the Sakioka Site, as well as the utility and sewer capacity that will be required upon full build out of the Sakioka Site, when determining appropriate mitigation as well as the size of the infrastructure that will be required for the Hyundai project.

Please do not hesitate to contact me should you have any further questions.

Best Regards,




George M.K. Sakioka  
Manager  
Sakioka Company, LLC

Cc: Amy R. Forbes, Esq., Gibson Dunn  
Douglas M. Champion, Esq., Gibson Dunn  
Donald Sutro, Southpark Company



1919 S. State College Blvd.  
Anaheim, CA 92806-6114

A  Sempra Energy utility®

September 23, 2011

City of Fountain Valley  
Planning Department  
10200 Slater Ave  
Fountain Valley, CA 92708

Attn: Andrew Perea

**Subject: Environmental Impact Report for Hyundai Motor North American Corporate Campus**

Thank you for providing the opportunity to respond to this E.I.R. Document. We are pleased to inform you that Southern California Gas Company has facilities in the area where the aforementioned project is proposed. Gas service to the project can be provided from an existing gas main located in various locations. The service will be in accordance with the Company's policies and extension rules on file with the California Public Utilities Commission when the contractual arrangements are made.

This letter is not a contractual commitment to serve the proposed project but is only provided as an informational service. The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a public utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affect gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Estimates of gas usage for residential and non-residential projects are developed on an individual basis and are obtained from the Commercial-Industrial/Residential Market Services Staff by calling (800) 427-2000 (Commercial/Industrial Customers) (800) 427-2200 (Residential Customers). We have developed several programs, which are available upon request to provide assistance in selecting the most energy efficient appliances or systems for a particular project. If you desire further information on any of our energy conservation programs, please contact this office for assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Harriel", written over a white background.

Mike Harriel  
Technical Services Supervisor  
Orange Coast Region - Anaheim

MF01s  
eir02.doc

RECEIVED  
SEP 28 2011

PLANNING

MEMO TO CITY OF FOUNTAIN VALLEY

10/17/11

DATE PREPARED

PLANNING DEPT.

10 200 SLATER AVE

FOUNTAIN VALLEY, CA. 92708

ATT: MR. ANDREW PEREA

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NOV 01 2011

PLANNING

I AM TOTALLY APPosed TO THE TRAFFIC SIGNAL  
PLACEMENT ON TALBERT AVE. AT ITS PROPOSED  
LOCATION TO ALLOW ACCESS TO HYUNDAI MOTOR  
FACILITY.

PLACEMENT OF THIS SIGNAL WOULD DIRECTLY  
AFFECT US AS IT WOULD BE A NEVER ENDING  
SOURCE OF UNWANTED LIGHT ENTERING OUR HOME,  
MORE SPECIFICALLY OUR BED ROOM & FAMILY ROOM.  
THIS WOULD TOTALLY DESTROY THE VALUE OF OUR PROPERTY.  
WE HAVE LIVED HERE FOR MORE THAN 35 YEARS.

THE TRAFFIC ON TALBERT OVER THE YEARS HAS  
DRAMATICALLY INCREASED, THIS IS BAD ENOUGH BUT  
THROW A TRAFFIC SIGNAL INTO THE MIX THAT IS TOTALLY  
UNMAINTAINABLE. SO BACK TO THE DRAWING BOARD  
THERE MUST BE A BETTER WAY.

RESPECTFULLY

C. MATTHEW STREY / R LUNDSTROM

10636 LA PERLA AVE

FOUNTAIN VALLEY, CA. 92708

From \_\_\_\_\_