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County Sued After Okaying Trabuco Housing Tract in Very High Fire Risk Area

Santa Ana, CA – Public interest citizens groups have sued the County of Orange and its Board of Supervisors today over a controversial, urban-style 181-unit housing tract, Saddleback Meadows, on 222 hillside acres, designated a Very High Fire Hazard Severity Zone in rural Trabuco Canyon near historic Cook's Corner. The project site is governed by the Foothill/Trabuco Specific Plan (FTSP), a land-use plan approved by County supervisors in 1991, that requires new development to maintain the rural character and scenic landforms of the area and provide a buffer between urban development and the Cleveland National Forest. Over seven million cubic yards of earth movement will be needed to carve the 181 lots out of the rugged hillside terrain. A known wildlife corridor runs through the site, connecting two regional parks—O'Neill and Whiting Ranch—and is used by local mountain lions, now listed as threatened.

Saddleback Canyons Conservancy and Rural Canyons Conservation Fund filed suit in Orange County Superior Court after County supervisors denied their appeal of the County Planning Commission's January approval of a Use Permit—a key entitlement needed to move the project forward.

The complaint, filed today, says the County violated the California Environmental Quality Act (CEQA) by relying on an outdated environmental impact report (EIR) that ignores significant changes that have occurred in the local environment since 2002 when the County certified the EIR, including increased wildfire frequency and intensity, and the recent state listing of the mountain lion as a threatened species. The suit also says that the 2002 EIR and two subsequent EIR addenda quietly approved by the County failed to analyze how the project will impact emergency evacuation times for both new and existing residents who will share an evacuation route. Nor was there any mention or impact analysis of a massive one-million-gallon water tank to be constructed at an unknown offsite location as part of the project.

The complaint further alleges that the project's average lot size for the market-rate housing—6,062 square feet—is less than the 20,000 square feet that the FTSP and the County's own Zoning Code require to preserve the area's rural character.

The suit also complains of an unfair hearing of their appeal because County Supervisor Donald Wagner, in whose third district Saddleback Meadows is located, indicated before the hearing that he supported the project and would vote to deny the appeal, and, during the hearing, made a long presentation to his fellow supervisors advocating for the project.

The complaint requests a court order directing the County to vacate its approval of the Use Permit and to comply with CEQA, the FTSP, and the Zoning Code in any further actions on the project. Saddleback Canyons Conservancy and Rural Canyons Conservation Fund are represented by Shute, Mihaly & Weinberger LLP, a public interest law firm that focuses on environmental and government law.

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