



**DRAFT  
ENVIRONMENTAL IMPACT REPORT  
VOLUME I**

**NEWPORT BANNING RANCH PROJECT  
CITY OF NEWPORT BEACH**

**STATE CLEARINGHOUSE NO. 2009031061**

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# VOLUME I

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## **SECTION 1.0 EXECUTIVE SUMMARY**

### **1.1 INTRODUCTION**

The environmental impact report (EIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potential significant adverse impacts; and (3) identify and evaluate reasonable alternatives to the proposed project. In accordance with Section 15161 of the State CEQA Guidelines (Title 14 of the *California Code of Regulations [CCR]*), this is a Project EIR that addresses the potential environmental impacts associated with the proposed Project, known as “Newport Banning Ranch”.

### **1.2 PROJECT LOCATION**

The Newport Banning Ranch Project site (Project site) encompasses approximately 401 acres. Approximately 40 acres of the Project site are located in the incorporated boundary of the City of Newport Beach (City), and approximately 361 acres are in unincorporated Orange County (County) within the City’s Sphere of Influence, as determined by the Local Agency Formation Commission (LAFCO) of Orange County. The entire Project site is within the boundary of the Coastal Zone, as established by the California Coastal Act.

The Project site is generally bound on the north by the County of Orange Talbert Nature Preserve/Regional Park in the City of Costa Mesa and residential development in the City of Newport Beach; on the south by West Coast Highway and residential development in the City of Newport Beach; on the east by residential, light industrial, institutional, and office development in the Cities of Costa Mesa and Newport Beach; and on the west by the U.S. Army Corps of Engineers (USACE) restored salt marsh basin and the Santa Ana River. The City of Huntington Beach is west of the Santa Ana River. At its nearest point, the Project site is less than 0.25 mile inland from the Pacific Ocean. Because the property is an active oilfield, there is no public access to the Project site. Exhibit 3-1, Regional Location, and Exhibit 3-2, Local Vicinity, in Section 3.0, Project Description, depict the Project site in a regional and local context, respectively.

### **1.3 PROJECT DESCRIPTION SUMMARY**

The proposed Project would allow for the development of the site with residential, commercial, resort inn, and park and recreational uses, and would provide open space uses that would permit the designation of oil use retention and consolidation on a portion of the open space area of the Project site. A detailed Project Description is provided in Section 3.0 of this EIR. The proposed Project includes infrastructure to support the proposed land uses, including public parks and open space to serve future Project residents and the community at large.

Table 1-1 provides a summary of the proposed land uses. The 401-acre Project site is proposed for development with 1,375 residential dwelling units (du); 75,000 square feet (sf) of commercial uses, and a 75-room resort inn. Approximately 51.4 gross acres are proposed for active and passive park uses including a 26.8-gross-acre public Community Park. Approximately 252.3 gross acres (approximately 63 percent) of the 401-acre site are proposed for natural resources protection in the form of open space. Of the 252.3 gross acres, approximately

16.5 gross acres would be used for interim oil operations. Upon the future cessation of oil operations, these oil consolidation sites would be abandoned and remediated, and the consolidation sites would be restored as open space. The proposed Project includes the development of a vehicular and a non-vehicular circulation system for automobiles, bicycles, and pedestrians, including a proposed pedestrian and bicycle bridge from the Project site across West Coast Highway. A summary of the significant environmental impacts associated with the Project, as well as a summary of the Mitigation Program—which includes Project Design Features (PDFs), Standard Conditions and Requirements (SCs) and Mitigation Measures (MMs)—are provided in Section 1.7.

**TABLE 1-1  
NEWPORT BANNING RANCH PROJECT  
PROPOSED LAND USE SUMMARY**

Land Use	Gross Acres <sup>a</sup>	Net Acres <sup>b</sup>	Planned Dwelling Units	Maximum Square Feet <sup>c</sup>	Maximum Resort Inn Rooms
Open Space	252.3	244.0	—	—	—
Public Parks/Recreation	51.4	42.1	—	—	—
Visitor-Serving Resort/Residential	11.3	10.6	87	—	75
Residential	65.2	47.8	558	—	—
Mixed-Use/Residential	20.9	18.3	730	75,000	—
<b>Total</b>	<b>401.1</b>	<b>362.8</b>	<b>1,375</b>	<b>75,000</b>	<b>75</b>
<sup>a</sup> Gross acres are measured to centerlines of adjacent arterial and collector road rights-of-way where such roads are shown on Project plans and include right-of-way reservations for future roads. <sup>b</sup> Net acres exclude arterial and collector road rights-of-way and the 19 <sup>th</sup> Street right-of-way reservation where such roads are shown on Project plans. Net acres include local roads and alleys. Net acres are computed to 10 decimal places then rounded to the nearest 0.10 of an acre. <sup>c</sup> This category refers to commercial uses that will be included in a mixed-use area. Source: FORMA 2011.					

The *City of Newport Beach General Plan (General Plan)* was adopted by the City Council on July 25, 2006, and approved by the voters on November 6, 2006. The General Plan (1) establishes criteria and standards for land use development and (2) provides policy and land use guidance for the City and its Sphere of Influence. A majority of the Project site is located in the unincorporated Orange County area within the City's Sphere of Influence with a County General Plan designation of "Open Space". As a part of the Project, the unincorporated area within the City's Sphere of Influence is proposed to be annexed to the City.

The Project site has a Newport Beach General Plan land use designation of OS (RV), Open Space/Residential Village. The OS(RV) land use designation establishes a Primary Use of Open Space and an Alternative Use of Residential Village for the Project site, as described below:

**Primary Use:** Open Space, including significant active community parklands that serve adjoining residential neighborhoods if the site is acquired through public funding.

**Alternative Use:** If not acquired for open space within a time period and pursuant to terms agreed to by the City and property owner, the site may be developed as a residential village containing a mix of housing types, limited supporting retail, visitor accommodations, school, and active community

parklands, with a majority of the property preserved as open space. The property owner may pursue entitlement and permits for a residential village during the time allowed for acquisition as open space.

The *City of Newport Beach General Plan's* Land Use Element prioritizes the retention of the Project site for open space. As described in the General Plan, the open space acquisition option could include consolidation of oilfield operations; restoration of wetlands; and the provision of nature education and interpretative facilities and an active park containing playfields and other facilities to serve residents of adjoining neighborhoods.

The General Plan also specifies that, if the property is not acquired for open space within a time period and pursuant to terms agreed to by both the City and property owner, the Project site could be developed as a Residential Village (RV) containing a mix of housing types, limited supporting retail, visitor accommodations, a school, and active community parklands with a majority of the property preserved as open space. The General Plan identifies the maximum intensity of development allowed on the property to include up to 1,375 du, 75,000 sf of retail commercial uses oriented to serve the needs of local and nearby residents, and 75 hotel rooms in a small boutique hotel or other type of overnight visitor accommodation.

Under both the Primary Use and Alternative Use, roadways would be constructed through the Project site. Both the Master Plan of Streets and Highways in the *City of Newport Beach General Plan's* Circulation Element and the Orange County Master Plan of Arterial Highways (MPAH) depict roadways through the Project site. Roadways to be constructed as part of the proposed Project include: (a) Bluff Road, a north-south, four-lane divided road extending from West Coast Highway to 15<sup>th</sup> Street; (b) North Bluff Road, which would transition from a four-lane divided road to a two-lane undivided road extending between 15<sup>th</sup> Street and 19<sup>th</sup> Street; (c) an extension of 15<sup>th</sup> Street, a four-lane divided road, from its existing western terminus at the boundary of the Project site and connecting with North Bluff Road; (d) the extension of 16<sup>th</sup> Street, a two-lane collector roadway, from its existing terminus at the Project site's eastern boundary to North Bluff Road; and (e) the extension of 17<sup>th</sup> Street, a four-lane divided primary roadway from its existing terminus at the Project site's eastern boundary and connecting with North Bluff Road.

As proposed, the Project requires an amendment to the General Plan Circulation Element to delete a second road connection to West Coast Highway through the Project site from 15<sup>th</sup> Street. The traffic analysis done for the Project demonstrates that this roadway is not needed to serve the traffic demand associated with the proposed Project and subregional development. Therefore, construction of this second road to West Coast Highway has not been identified as a component of the Project. For further discussion of the travel demand, please see Section 4.9, Transportation and Circulation.

An amendment to the Orange County MPAH is also required to delete a second connection to West Coast Highway and to redesignate North Bluff Road. The Orange County MPAH designates North Bluff Road as a Primary (four-lane divided) to 17<sup>th</sup> Street and a Major (six-lane divided) between 17<sup>th</sup> Street and 19<sup>th</sup> Street. An amendment to the Orange County MPAH is required to change the designation from a Major to a Secondary (four-lane undivided) between 17<sup>th</sup> Street and 19<sup>th</sup> Street.

Half-width roadway improvements on North Bluff Road north of 16<sup>th</sup> Street for approximately 800 feet are proposed on property owned by the Newport-Mesa Unified School District (School District). The construction of this segment of North Bluff Road would require acquisition by

Newport Banning Ranch, LLC (Applicant) or the authorization for use of right-of-way from the School District.

A Zone Change is being requested to pre-zone the portion of the Project site located within the City's Sphere of Influence as Planned Community 57 (PC-57), and to amend the boundaries of PC-25 (located within the City) to remove that portion of the Project site currently located within PC-25 and change the zoning for this area to PC-57. The boundaries of PC-25 would be revised to include only the remaining properties owned by the School District and the City. A Zoning Code Amendment is proposed to adopt the "Newport Banning Ranch Planned Community" (NBR-PC).

The NBR-PC would serve as the zoning regulations for PC-57, including both the portion of the Project site located within the City of Newport Beach and the portion of the Project site located within the County of Orange, but within the City's Sphere of Influence. Following annexation of the areas located within the Sphere of Influence, the NBR-PC would become effective. The NBR-PC establishes allowable land uses within each land use district; development regulations for each land use district; general development regulations applicable to all development within the Project site; and procedures for implementing and administering the NBR-PC.

The proposed Project includes a request for approval of the Newport Banning Ranch Master Development Plan (Master Development Plan). Approval of the Master Development Plan implements the NBR-PC zoning requirements for the Project site by establishing design criteria for each proposed land use and providing a sufficient level of detail, as determined by the City, to guide the review of subsequent development approvals. The Master Development Plan contains Project development plans and preliminary layouts for streets and lotting, pedestrian and vehicular accessways, open spaces, parks, and other site features for the Project site area. City approval of the Master Development Plan is required for Project implementation.

The Applicant is also requesting the approval of Tentative Tract Map (TTM) No. 17308, which (1) establishes lots for public dedication or conveyance; (2) easements for trails and public utilities; (3) lots for residential development and conveyance to homebuyers; and (4) lots for financing and conveyance that may be either developed on a residential condominium basis or which can be further subdivided for purposes of development and conveyance to homebuyers. Approval of TTM No. 17308 would permit grading, site remediation, habitat restoration, construction of drainage and water quality improvements, backbone infrastructure, and dry and wet utilities throughout the Project site. Development of all other proposed facilities and land uses would require recordation of a final tract map.

A Pre-Annexation and Development Agreement between the Applicant and the City would also be processed concurrent with other approvals associated with this Project.

Project implementation requires multiple approvals, permits, and/or actions as listed below. These approvals are addressed in greater detail in Section 3.0, Project Description.

### **Federal**

- **USACE:** Section 404 permit for impacts to areas determined to be "Waters of the U.S."
- **U.S. Fish and Wildlife Service:** Section 7 Consultation for potential impacts to federally listed species.

## **State**

- **Regional Water Quality Control Board:** Water Quality Certification under Section 401 of the Federal Clean Water Act; approval related to oil well/facility abandonment and site remediation.
- **California Department of Fish and Game:** Section 1602 Streambed Alteration Agreement.
- **California Coastal Commission:** Master Coastal Development Permit, including approval of the Newport Banning Ranch Master Development Plan and Pre-Annexation and Development Agreement.
- **California Department of Transportation (Caltrans):** Encroachment Permit for activities in Caltrans' rights-of-way, including modification of the reinforced concrete box under West Coast Highway and construction of the pedestrian and bicycle bridge.
- **California Department of Conservation, Division of Oil, Gas and Geothermal Resources:** Site remediation activities.

## **Regional and Special Districts**

- **Local Agency Formation Commission:** Annexation approval.
- **South Coast Air Quality Management District (SCAQMD):** SCAQMD permits for the oilfield soil remediation.

## **County**

- **Orange County Transportation Authority:** Amendment to the Orange County MPAH.
- **Orange County Health Care Agency:** Approval related to oil well/facility abandonment and site remediation.

## **City of Newport Beach**

- Certification of the Final EIR
- General Plan Circulation Amendment
- Zoning Code Amendment
- Zone Change
- Newport Banning Ranch Planned Community Development Plan
- Newport Banning Ranch Master Development Plan
- Tentative Tract Map No. 17308
- Affordable Housing Implementation Plan (AHIP)
- Pre-Annexation and Development Agreement
- Traffic Phasing Ordinance Approval

In addition to the approvals identified above, the Project is subject to other discretionary and ministerial actions by the City as part of Project implementation. Subsequent activities would be

examined in light of the Final Environmental Impact Report (FEIR) to determine whether additional CEQA documentation would be required pursuant to the requirements of Section 21166 of CEQA (*Public Resources Code* §21166) and Sections 15162 and 15168 of the State CEQA Guidelines (14 CCR) for subsequent approvals.

Subsequent City approvals include but are not limited to the following:

- Tentative and Final Tract Maps to further subdivide lots approved as part of the approval of TTM No. 17308;
- Site Development Review Permits;
- Use Permits;
- Model Home Permits;
- Grading Permits;
- Street Improvement and Pedestrian and Bicycle Bridge Plans;
- Storm Drainage, Sewer, Water, and Dry Utility Plans;
- Landscaping and Park Plans;
- Building Permits;
- Encroachment Permits;
- Acquisition of rights of entry easements and rights-of-way for off-site Project improvements, as necessary;
- Construction of Public Facilities.

#### **1.4 PROJECT OBJECTIVES**

The Applicant has identified the following objectives for the proposed Project.

1. Provide a Project that implements the goals and policies that the Newport Beach General Plan has established for the Banning Ranch area.
2. Preservation of a minimum of 50 percent of the Project site as open space without the use of public funds to be used for habitat conservation, interpretive trails, and development of public parks to meet the recreational needs of the community.
3. Development of a residential village of up to 1,375 residential units, offering a variety of housing types in a range of housing prices, including the provision of affordable housing to help meet the City's Regional Housing Needs Assessment (RHNA).
4. Development of up to 75 overnight accommodations in a small resort inn including ancillary facilities and services such as a spa, meeting rooms, shops, bars, and restaurants that would be open to the public.
5. Development of up to 75,000 square feet of retail commercial uses oriented to serve the needs of local residents and visitors utilizing the resort inn and the coastal recreational opportunities provided as part of the Project.

6. Development of a land use plan that (1) provides a comprehensive design for the community that creates cohesive neighborhoods promoting a sense of identity with a simple and understandable pattern of streets, a system of pedestrian walkways and bikeways that connect residential neighborhoods, commercial uses, parks, open space and resort uses; (2) reduces overall vehicle miles travelled; (3) integrates landscaping that is compatible with the surrounding open space/habitat areas and that enhances the pedestrian experience within residential areas; and (4) applies architectural design criteria to orient residential buildings to the streets and walkways in a manner that enhances the streetscape scene.
7. Provide for roadway improvements to improve and enhance regional circulation, minimize impacts of Project development on the existing circulation system, and enhance public access while not developing more roadways than are needed for adequate regional circulation and coastal access.
8. Provide enhanced public access in the Coastal Zone through a system of pedestrian walkways, multi-use trails, and on-street bikeways designed to encourage walking and biking as an alternative to the use of automobiles by providing connectivity among residential, commercial, park, open space, and resort uses within the Project site and to existing adjacent open space, hiking and biking trails, the beach, and the Pacific Ocean.
9. Provide for the consolidation of oil resource extraction and related recovery operations in locations that minimize impacts to sensitive habitat areas and promote compatibility with development of the remainder of the property for residential, resort, commercial, park, and open space uses.
10. Provide for the restoration and permanent preservation of habitat areas through implementation of a Habitat Restoration Plan (HRP) for the habitat conservation, restoration, and mitigation areas ("Habitat Areas") as depicted on the Master Development Plan.
11. Provide for long-term preservation and management of the Habitat Areas through the establishment of a conservation easement or deed restriction and the creation of an endowment or other funding program.
12. Expand public recreational opportunities within the Coastal Zone through development of a public community park and associated parking, and through development of publicly accessible bluff parks, interpretive parks, and trails as part of the Project.
13. Improve the existing arroyo drainage courses located within the Project site to provide for higher quality habitat conditions than exist prior to the time of Project implementation.
14. Implement a Water Quality Management Program within the Project site that will utilize existing natural treatment systems and that will improve the quality of urban runoff from off-site and on-site sources prior to discharging into the Santa Ana River and the Semeniuk Slough.
15. Implement fire protection management solutions designed to protect development areas from fire hazards, to preserve sensitive habitat areas, and to create fire-resistant habitat restoration areas within currently denuded, invasive-species laden, and/or otherwise degraded areas.



16. Provide compatibility between the Project and existing adjacent land uses.

## **1.5 PROJECT ALTERNATIVES**

Section 15126.6(a) of the State CEQA Guidelines requires that “an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives”. Six alternatives were evaluated. These alternatives are summarized below and discussed and depicted graphically in Section 7.0, Alternatives to the Proposed Project, of this EIR. In addition, to the six alternatives that were carried forward for evaluation in this EIR, three alternatives were considered but not carried forward.

The alternatives were developed to avoid or minimize impacts associated with implementation of the proposed Project. Given the nature and scale of the Project, complete avoidance of significant impacts was not feasible for any alternative other than the No Project Alternative. The summaries of each alternative provided in Section 1.5.2, Alternatives Analyzed, identifies the significant unavoidable impacts associated with each alternative. In addition, Table 7-3, Summary of Alternative Impacts Compared to the Proposed Project, in Section 7.0 provides an impact summary for all the alternatives for each threshold.

### **1.5.1 ALTERNATIVES CONSIDERED BUT NOT CARRIED FORWARD**

Various alternatives were evaluated as part of the City of Newport Beach General Plan Update process. Since the City of Newport Beach City Council already took action on the General Plan and provided direction on the development concept for the site, these alternatives were not carried forward. In addition, as part of this EIR process, three alternatives were considered but not carried forward. The rationale for not carrying the three alternatives forward is provided in Section 7.4 and summarized below.

#### **Development of the Project Site Consistent with the County of Orange General Plan and Zoning Designations**

The zoning for the 361 acres of the Project site within the County jurisdiction would allow for development of up to 2,510 multi-family dwelling units, 225 single-family dwelling units, 50,000 sf of general commercial use, 235,600 sf of general office use, and 164,400 sf of industrial uses. Overlay zones, including Oil Production, Sign Restriction, and Floodplain Zone 2 apply to portions of the property. Development of property pursuant to the County zoning would generate approximately 22,075 average daily trips on the circulation network (Newport Beach 2006a, 2006b). This alternative was not retained for detailed evaluation in the EIR because it would not reduce identified impacts of the project and would not achieve several important project objectives.

#### **Alternative Site**

Development of the Project on an alternative site has been reviewed and eliminated from detailed consideration due to the lack of available alternate sites meeting the majority of the objectives established for the proposed Project. Newport Beach is almost fully developed with no other unentitled property that is suitable for supporting a mixed-use project such as Newport Banning Ranch.

## **Construction of General Plan Roads**

Both the City of Newport Beach General Plan Master Plan of Streets and Highways and the Orange County MPAH depict two connections to West Coast Highway through the Project site. One connection is depicted as extending south from 19<sup>th</sup> Street to West Coast Highway and the second roadway would extend from 15<sup>th</sup> Street past Bluff Road and connect with West Coast Highway on the western edge of the Project site. The need for these two primary roads was based on the environmental baseline that the 2006 General Plan Update used, which assumed more intense development on the Project site. Based on the reduced density being proposed, only one roadway is needed to serve the travel demand. This alternative would have had more impacts due to the need for the construction of an additional roadway.

### **1.5.2 ALTERNATIVES ANALYZED**

Alternatives analyzed in this EIR are listed and summarized below.

- **Alternative A:** No Action/No Development Alternative (Continuation of Existing Land Uses).
- **Alternative B:** Newport Beach General Plan/Open Space Designation.
- **Alternative C:** Proposed Project with Bluff Road Extending to 17<sup>th</sup> Street.
- **Alternative D:** Reduced Development and Development Area.
- **Alternative E:** Reduced Development Area.
- **Alternative F:** Increased Open Space/Reduced Development Area.

#### **Alternative A: No Action/No Development Alternative (Continuation of Existing Land Uses)**

Alternative A is the “no project” alternative required by the State CEQA Guidelines Section 15126.6(e) which allows the decisionmakers to compare the potential impacts of the proposed Project with the potential impacts of not approving the proposed Project. Alternative A assumes existing conditions on the Project site and the continuation and possible expansion of oil exploration and oil production operations within the constraints of the Project site’s existing California Coastal Act regulatory exemption for petroleum production. No uses other than oil operations would occur on the Project site. Oil consolidation, clean-up, and remediation would not occur for the foreseeable future, and public access would not be provided. At the eventual cessation of oil production operations, well abandonment and removal of certain surface equipment and pipelines would occur in accordance with applicable State and local regulations. This alternative would not require an amendment to the City of Newport Beach General Plan or Orange County MPAH, a zone change, a Coastal Development Permit, or any of the other actions associated with the Newport Banning Ranch Project. The approximate 361 acres of the 401-acre site within the City’s Sphere of Influence would not be annexed into the City of Newport Beach.

Alternative A would have greater impacts than the proposed Project when evaluating consistency with applicable plans and policies. However, since with this alternative the site would not be annexed into the City of Newport Beach, the City planning programs would not be applicable to the majority of the site. This alternative would not have any impacts that are significant and unavoidable, whereas the proposed project would have significant unavoidable

impacts associated with land use compatibility (due to noise, and night lighting), aesthetics, transportation, air quality, greenhouse gas emissions, and noise.

### **Alternative B: Newport Beach General Plan/Open Space Designation**

The Project site is designated as OS(RV) in the *City of Newport Beach General Plan's* Land Use Element. The OS(RV) land use designation allows for both a Primary Use (Open Space) and an Alternative Use (Residential Village) on the Project site. The Land Use Element prioritizes the retention of the Project site for open space. The Project site would have to be acquired through public or private funding by an entity capable of restoring and maintaining the Project site and with the approval of the property owner(s), including the surface rights owners. As described in the General Plan, the open space acquisition option includes consolidation of oil operations; wetlands restoration; construction of roadways; and provision of nature education, interpretative facilities, and an active park that contains lighted playfields and other facilities.

Alternative B would include park and open space uses, including an approximately 31.3-gross-acre community park in the central portion of the site. Alternative B also assumes consolidation of the oilfields, remediation of the property, and restoration of habitat including wetlands. Additionally, the following roadways would be constructed consistent with the *City of Newport Beach General Plan's* Circulation Element: (1) a north-south road with a southern terminus at West Coast Highway and extending to a northern terminus at 19<sup>th</sup> Street (Bluff Road and North Bluff Road); (2) the extension of 15<sup>th</sup> Street from its existing terminus to Bluff Road within the Project site; (3) the extension of 16<sup>th</sup> Street from its existing terminus to Bluff Road within the Project site; and (4) the extension of 17<sup>th</sup> Street from its existing terminus to Bluff Road within the Project site. As with the proposed Project, Alternative B also assumes the deletion of the future extension of a second road through the Project site and its connection to West Coast Highway; this action would require the approval of a General Plan Amendment to the City's Circulation Element and an amendment to the Orange County MPAH. Consistent with the roadway assumptions for the proposed Project, North Bluff Road (extending from 17<sup>th</sup> Street to 19<sup>th</sup> Street) would transition from a four-lane divided to a two-lane undivided road to 19<sup>th</sup> Street.

In addition to, or included in, the costs associated with site acquisition, funds would be required to initiate the consolidation of oil operations and to address oilfield abandonment and clean-up of the Project site. Additional funding would be required to implement restoration and long-term management of sensitive habitats and to construct public infrastructure; park and open space uses; and roadways. As with the proposed Project, a Coastal Development Permit would be required to initiate restoration activities and to allow for the future construction of permitted land uses and roadways through the Project site.

Alternative B would eliminate significant and unavoidable impacts associated with traffic, air quality, greenhouse gases, and certain noise impacts when compared to the proposed Project; however, there would still be impacts that could not be reduced to a level considered less than significant. The following areas would have significant, unavoidable impacts:

- There would be land use incompatibility with respect to night illumination associated with the Community Park and long-term noise impacts on those Newport Crest residences immediately contiguous to the Project site. In addition, there would be a potential long-range noise impacts for residents on 17<sup>th</sup> Street west of Monrovia Avenue. For noise, though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels and if the City of Costa Mesa does not implement the recommended measure of resurfacing the street with rubberized asphalt (Threshold 4.1-1).

- Alternative B would introduce nighttime lighting into a currently unlit area. The Community Park is anticipated to have night lighting of active sports fields, which could result in light spillover onto adjacent properties. The night lighting impacts are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan project (Threshold 4.2-3).
- Construction of the roadways and park would cause a substantial temporary increase in noise levels at residences and schools within 500 feet of the roadway and park construction because of existing relatively low ambient noise levels. Due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities, the temporary noise increases would be significant and unavoidable (Threshold 4.12-2).

This alternative is deemed to be potentially feasible. The financial feasibility of this alternative is dependent upon the ability of a responsible party to obtain sufficient funds to acquire the site and fund clean-up, restoration, and long-term maintenance of the site. Therefore, the ultimate determination of feasibility is a consideration for decision makers.

### **Alternative C: Proposed Project with Bluff Road Extending to 17<sup>th</sup> Street**

Alternative C assumes the same land uses and same development plan as the proposed Newport Banning Ranch Project and would require the same approvals from local and regional agencies. The *City of Newport Beach General Plan's* Circulation Element and the Orange County MPAH depict a north-south roadway connection from West Coast Highway to 19<sup>th</sup> Street through the Project site. Alternative C would provide the development of a north-south connection (North Bluff Road/Bluff Road) from West Coast Highway only to 17<sup>th</sup> Street. As with the proposed Project, Alternative C assumes an amendment to the Circulation Element to delete a second road through the Project site and its connection to West Coast Highway. An amendment to the Orange County MPAH is required for this deletion as well as to downgrade North Bluff Road from a Major to a Primary. Alternative C is proposed to minimize significant impacts to sensitive habitat areas and landform alteration associated with the extension of North Bluff Road from just north of 17<sup>th</sup> Street to 19<sup>th</sup> Street.

The following is a summary of the significant, unavoidable impacts associated with Alternative C:

- There would be land use incompatibility with respect to night illumination associated with the Community Park and long-term noise impacts on those Newport Crest residences immediately contiguous to the Project site. In addition, there would be a potential long-range noise impacts for residents on 17<sup>th</sup> Street west of Monrovia Avenue. For noise, though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels and if the City of Costa Mesa does not implement the recommended measure of resurfacing the street with rubberized asphalt (Threshold 4.1-1).
- Alternative C would include a "dark sky" lighting regulations in the NBR-PC that would apply to businesses (e.g., resort inn and neighborhood commercial uses) and

Homeowners Association-owned and operated land uses within 100 feet of the Open Space Preserve. However, Alternative C would introduce nighttime lighting into a currently unlit area. The Community Park is anticipated to have night lighting of active sports fields, which could result in light spillover onto adjacent properties. The night lighting impacts are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan project (Threshold 4.2-3).

- Alternative C would have impacts on intersections in the City of Costa Mesa. Implementation of MM 4.9-2 would mitigate the impacts to a level considered less than significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, if the Applicant is unable to reach an agreement with the City of Costa Mesa that would ensure that Project impacts occurring in Costa Mesa would be mitigated concurrent with or preceding the impact, for purposes of this EIR, the impacts to be mitigated by the improvements would remain significant and unavoidable. Pursuant to Threshold 4.9-2, the following impacts were identified with the various traffic scenarios evaluated:
  - *Existing Plus Alternative C*: Alternative C would significantly impact four intersections in Costa Mesa, whereas the proposed Project would significantly impact three intersections in Costa Mesa.
  - *Year 2016 With Alternative C Transportation Phasing Ordinance (TPO)*. Alternative C would significantly impact five intersections, compared to seven for the proposed Project.
  - *Year 2016 Cumulative With Alternative C*. Alternative C would significantly impact six intersections; the proposed Project would significantly impact seven intersections.
  - *General Plan Buildout with Alternative C*. Alternative C would significantly impact four intersections compared to the proposed Project would significantly impact two intersections.
- Without mitigation, regional (mass) emissions of nitrogen oxides (NO<sub>x</sub>) are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to a less than significant level, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable impact (Threshold 4.10-2).
- Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Alternative C development continues beyond 2020, emissions of volatile organic compounds (VOC) and carbon monoxide (CO) would exceed the significance thresholds, principally due to vehicle operations. Therefore, the impacts remain significant and unavoidable (Threshold 4.10-2).
- Alternative C would have cumulatively considerable contributions to regional pollutant concentrations of ozone (O<sub>3</sub>) (Threshold 4.10-3).
- Alternative C would emit quantities of greenhouse gases (GHGs) that would exceed the City's 6,000 metric tons of carbon dioxide equivalent per year (MTCO<sub>2</sub>e/yr) significance

threshold. Development associated with Alternative C would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).

- For the *Existing Plus Project, 2016 with Project, and General Plan Buildout* scenarios, the increased traffic volumes on 17<sup>th</sup> Street west of Monrovia Avenue would expose sensitive receptors to noise level increases in excess of the City of Newport Beach's standards for changes to the ambient noise levels. At buildout, noise levels would also exceed significance thresholds in the City of Costa Mesa. MM 4.12-5 requires the Applicant to provide funds to the City of Costa Mesa to resurface the street with rubberized asphalt; however, the City of Newport Beach has no ability to ensuring that the mitigation would be implemented. Therefore, the forecasted impact to residents of 17<sup>th</sup> Street west of Monrovia is considered significant and unavoidable (Threshold 4.12-2).
- For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition of Alternative C. MM 4.12-6 would reduce impacts to levels within the "Clearly Compatible" or "Normally Compatible" classifications but would remain above the 5 dBA significance criterion in the General Plan. MM 4.12-7 would provide interior noise attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be significant and unavoidable (Thresholds 4.12-4).
- Use of construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise-sensitive receptors in the vicinity of the Project. Due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities, the temporary noise increases would be significant and unavoidable (Threshold 4.12-2).

#### **Alternative D: Reduced Development and Development Area**

Alternative D assumes both a reduction in the amount of development that would occur on the Project site and a reduction in the acreage associated with that development. The roadway system would be the same as that included in the proposed Project. When compared to the proposed Project, Alternative D would allow for up to 1,200 du (compared to 1,375 du), 60,000 sf of neighborhood commercial uses (compared to 75,000 sf); 15,000 sf of visitor-serving commercial uses (compared to a 75-room resort inn); approximately 39.1 acres of parks including a 24.8-gross-acre Community Park (compared to approximately 51.4 total acres of parklands associated with the proposed Project). Alternative D does not include a Nature Center or interpretive trails. Open space uses would increase from 251.7 gross acres to 269.1 gross acres. The development area (residential, commercial, and visitor-serving uses) would decrease from 98 gross acres to 92.9 gross acres. This alternative does not assume a pedestrian and bicycle bridge spanning West Coast Highway. Alternative D would require the same discretionary actions as noted for the proposed Project. Alternative D is proposed to reduce impacts associated with the intensity of development (e.g., vehicle trips, vehicle miles travelled, noise and air quality impacts) and the footprint of development (e.g., biological resources).

This Alternative does not eliminate any of the significant impacts of the proposed project, but would substantially lessen the impacts because Alternative D would have a smaller footprint (approximately 11 percent less acres of developed with urban uses and parkland), involve less grading, and have less development (no resort inn and a reduction of approximately 13 percent in the number of units). Construction air emissions would remain significant and unavoidable,

but would be lessened. The following is a summary of the significant, unavoidable impacts associated with Alternative D:

- There would be land use incompatibility with respect to night illumination associated with the Community Park and long-term noise impacts on those Newport Crest residences immediately contiguous to the Project site. In addition, there would be a potential long-range noise impacts for residents on 17<sup>th</sup> Street west of Monrovia Avenue. For noise, though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels and if the City of Costa Mesa does not implement the recommended measure of resurfacing the street with rubberized asphalt (Threshold 4.1-1).
- Alternative D would include a “dark sky” lighting regulations in the NBR-PC that would apply to businesses (e.g., visitor-serving commercial and neighborhood commercial uses) and Homeowners Association-owned and operated land uses within 100 feet of the Open Space Preserve. However, Alternative D would introduce nighttime lighting into a currently unlit area. The Community Park is anticipated to have night lighting of active sports fields, which could result in light spillover onto adjacent properties. The night lighting impacts are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City Council approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan project (Threshold 4.2-3).
- When compared to the proposed Project, Alternative D would have a reduction of average daily trips (ADT) and PM peak hour trips, but an increase in AM peak hour trips. Based on the lower volume of ADT and PM peak hour volumes, Alternative D would not create additional roadway or intersection deficiencies. Both Alternative D and the proposed Project would be expected to result in a significant impact at one intersection in the City of Newport Beach and seven intersections in the City of Costa Mesa. Impacts to the intersection of Newport Boulevard at West Coast Highway in the City of Newport Beach can be mitigated to a level considered less than significant. Alternative D would impact the following Costa Mesa intersections: Newport Boulevard at 19<sup>th</sup> Street, Newport Boulevard at Harbor Boulevard, Newport Boulevard at 18<sup>th</sup> Street/Rochester, Newport Boulevard at 17<sup>th</sup> Street, Monrovia at 19<sup>th</sup> Street, Pomona Avenue at 17<sup>th</sup> Street, and Superior Avenue at 17<sup>th</sup> Street. Implementation of MM 4.9-2 would mitigate the impact to a level considered less than significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, if the Applicant is unable to reach an agreement with the City of Costa Mesa that would ensure that Alternative D impacts occurring in Costa Mesa would be mitigated concurrent with or preceding the impact, for purposes of this EIR, the impacts to be would remain significant and unavoidable (Threshold 4.9-2).
- Alternative D would have construction-related air quality impacts. During grading, large and fine particulate matter (PM10 and PM2.5, respectively) concentrations may exceed the SCAQMD CEQA significance thresholds at the property lines, but would not be likely to exceed ambient air quality standards (Threshold 4.10-2).
- Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as

development continues beyond 2020, emissions of VOCs, CO, and PM10 would exceed the significance thresholds, principally due to vehicle operations (Threshold 4.10-2).

- Alternative D would have a significant cumulative air quality impact because its contribution to regional pollutant concentrations would be cumulatively considerable (Threshold 4.10-3).
- Alternative D would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative D would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).
- The increased traffic volumes on 17<sup>th</sup> Street west of Monrovia Avenue would expose sensitive receptors to noise levels in excess of the City of Newport Beach's standards for changes to the ambient noise levels. At buildout, noise levels would also exceed significance thresholds in the City of Costa Mesa (Threshold 4.12-2).
- For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition. MM 4.12-6 would reduce impacts to levels within the "Clearly Compatible" or "Normally Compatible" classifications but would remain above the 5 dBA significance criterion in the General Plan. MM 4.12-7 would provide interior noise attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be significant and unavoidable (Threshold 4.12-4).
- Use of construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise-sensitive receptors in the vicinity of the Project. Due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities, the temporary noise increases would be significant and unavoidable (Threshold 4.12-2).

### **Alternative E: Reduced Development Area**

Alternative E assumes the same number of residential units (1,375 du) as proposed by the Project within a reduced footprint. The development area (residential, commercial, and visitor-serving uses) would decrease from 98 gross acres to 92.9 gross acres. Residential units would be provided at a higher density and on smaller lots than assumed for the proposed Project. The same roadway system is proposed. As with Alternative D, this alternative does not include a Nature Center or interpretive trails; it provides 60,000 sf of neighborhood commercial uses (compared to 75,000 sf); provides 15,000 sf of visitor-serving commercial uses instead of the resort inn; and provides approximately 39.1 acres of parks, including a 24.8-gross-acre Community Park (compared to approximately 51.4 total acres of parklands with the Project).<sup>1</sup> This alternative does not assume a pedestrian and bicycle bridge spanning West Coast Highway. Alternative E would require the same discretionary actions as noted for the proposed Project.

Although with Alternative E there would be incremental reduction in impacts due to the reduction in development and the area being developed, this alternative would not eliminate any of the unavoidable significant impacts identified with the proposed Project. This Alternative would

<sup>1</sup> Alternative E assumes compliance with the Park Dedications and Fees section (Chapter 19.52) of the Newport Beach Municipal Code, which would require approximately 15 acres of parkland based on 5 acres of park per 1,000 persons; the City assumes 2.19 persons per dwelling unit.



increase the overall VMT; therefore, there would be slightly greater long-term air emissions, noise, and traffic. The following significant unavoidable impacts would occur with Alternative E:

- There would be land use incompatibility with respect to night illumination associated with the Community Park and long-term noise impacts on those Newport Crest residences immediately contiguous to the Project site. In addition, there would be a potential long-range noise impacts for residents on 17<sup>th</sup> Street west of Monrovia Avenue. For noise, though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels and if the City of Costa Mesa does not implement the recommended measure of resurfacing the street with rubberized asphalt (Threshold 4.1-1).
- Alternative E would include a “dark sky” lighting regulations in the NBR-PC that would apply to businesses (e.g., visitor-serving commercial and neighborhood commercial uses) and Homeowners Association-owned and operated land uses within 100 feet of the Open Space Preserve. However, Alternative E would introduce nighttime lighting into a currently unlit area. The Community Park is anticipated to have night lighting of active sports fields, which could result in light spillover onto adjacent properties. The night lighting impacts are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan project (Threshold 4.2-3).
- Alternative E is expected to have an increase in ADT and peak hour traffic volumes when compared to the proposed Project. However, this increase in peak hour volumes is not anticipated to cause any of the intersections operating at an acceptable level of service with the Project to operate at an unacceptable level of service this alternative. Both Alternative E and the proposed Project would be expected to result in deficiencies at the intersection of Newport Boulevard at West Coast Highway in the City Newport Beach which can be mitigated to a level considered less than significant. Both Alternative E and the proposed Project would be expected to significantly impact seven intersections in Costa Mesa: Newport Boulevard at 19<sup>th</sup> Street, Newport Boulevard at Harbor Boulevard, Newport Boulevard at 18<sup>th</sup> Street/Rochester, Newport Boulevard at 17<sup>th</sup> Street, Monrovia at 19<sup>th</sup> Street, Pomona Avenue at 17<sup>th</sup> Street, and Superior Avenue at 17<sup>th</sup> Street. Implementation of MM 4.9-2 would mitigate the impacts to a level considered less than significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, if the Applicant is unable to reach an agreement with the City of Costa Mesa that would ensure that Alternative E impacts occurring in Costa Mesa would be mitigated concurrent with or preceding the impact, for purposes of this EIR, the impacts to be mitigated by the improvements would remain significant and unavoidable (Threshold 4.9-2).
- Without mitigation, regional (mass) emissions of NO<sub>x</sub> are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable impact (Threshold 4.10-2).
- Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Project

development continues beyond 2020, emissions of volatile organic compounds (VOCs) and carbon monoxide (CO) would exceed the significance thresholds, principally due to vehicle operations. Therefore, the impacts remain significant and unavoidable (Threshold 4.10-2).

- Alternative E would have cumulatively considerable contributions to regional pollutant concentrations of O<sub>3</sub> (Threshold 4.10-3).
- Alternative E would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative E would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).
- For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition. MM 4.12-6 would reduce impacts to levels within the "Clearly Compatible" or "Normally Compatible" classifications but would remain above the 5 dBA significance criterion in the General Plan. MM 4.12-7 would provide interior noise attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be significant and unavoidable (Threshold 4.12-2).
- The increased traffic volumes on 17<sup>th</sup> Street west of Monrovia Avenue would expose sensitive receptors to noise levels in excess of the City of Costa Mesa's standards. MM 4.12-5 requires the Applicant to provide funds to the City of Costa Mesa to resurface the street with rubberized asphalt; however, the City of Newport Beach has no ability to assure that the mitigation would be implemented. Therefore, the forecasted impact to residents of 17<sup>th</sup> Street west of Monrovia is considered significant and unavoidable (Threshold 4.12-4).
- Use of construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise-sensitive receptors in the Project vicinity. The temporary noise increases would be significant and unavoidable due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities (Threshold 4.12-2).

### **Alternative F: Increased Open Space/Reduced Development Area**

Alternative F assumes the same number of residential units (1,375 du) as proposed by the Project within a reduced footprint. The development area (residential and commercial) would decrease from 97.4 gross acres to 84.0 gross acres. This alternative does not include a resort inn or visitor-serving commercial uses. Residential units would be provided at a higher density and on smaller lots than assumed for the proposed Project. The same roadway system is proposed. Open space uses would increase from 252.3 gross acres to 282.4 gross acres. This alternative does not include a Nature Center or interpretive trails; it provides 60,000 sf of neighborhood commercial uses (compared to 75,000 sf); and includes approximately 34.7 acres of parks, including a 21.8-gross-acre Community Park (compared to approximately 51.4 total acres of parklands).<sup>2</sup> This alternative does not assume a pedestrian and bicycle bridge spanning West Coast Highway. Alternative F would require the same discretionary actions as noted for the proposed Project.

<sup>2</sup> Alternative F assumes compliance with Park Dedications and Fees section of the Municipal Code, Chapter 19.52 which would require approximately 15 acres of parkland based on 5 acres of park per 1,000 persons; the City assumes 2.19 persons per dwelling unit.

The following is a summary of the significant, unavoidable impacts associated with Alternative F:

- There would be land use incompatibility with respect to night illumination associated with the Community Park and long-term noise impacts on those Newport Crest residences immediately contiguous to the Project site. In addition, there would be a potential long-range noise impacts for residents on 17<sup>th</sup> Street west of Monrovia Avenue. For noise, though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels and if the City of Costa Mesa does not implement the recommended measure of resurfacing the street with rubberized asphalt (Threshold 4.1-1).
- Alternative F would include a “dark sky” lighting regulations in the NBR-PC that would apply to businesses (e.g., neighborhood commercial uses) and Homeowners Association-owned and operated land uses within 100 feet of the Open Space Preserve. However, Alternative F would introduce nighttime lighting into a currently unlit area. The Community Park is anticipated to have night lighting of active sports fields, which could result in light spillover onto adjacent properties. The night lighting impacts are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations, which notes that there are specific economic, social, and other public benefits that outweigh the significant and unavoidable impacts associated with the General Plan project (Threshold 4.2-3).
- Alternative F would be projected to result in a decrease in ADT and peak hour traffic volumes when compared to the proposed Project. This decrease in peak hour volumes would not cause any of the intersections operating at an acceptable level of service with the Project to operate at an unacceptable level of service. Both Alternative F and the proposed Project would be expected to result in deficiencies at the intersection of Newport Boulevard at West Coast Highway in the City of Newport Beach which can be mitigated to a level considered less than significant. Alternative F and the proposed Project would significantly impact seven intersections in Costa Mesa: Newport Boulevard at 19<sup>th</sup> Street, Newport Boulevard at Harbor Boulevard, Newport Boulevard at 18<sup>th</sup> Street/Rochester, Newport Boulevard at 17<sup>th</sup> Street, Monrovia at 19<sup>th</sup> Street, Pomona Avenue at 17<sup>th</sup> Street, and Superior Avenue at 17<sup>th</sup> Street. Implementation of MM 4.9-2 would mitigate the impact to a level considered less than significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, if the Applicant is unable to reach an agreement with the City of Costa Mesa that would ensure that Alternative F impacts occurring in Costa Mesa would be mitigated concurrent with or preceding the impact, for purposes of this EIR, the impacts to be mitigated by the improvements would remain significant and unavoidable (Threshold 4.9-2).
- Without mitigation, regional (mass) emissions of NO<sub>x</sub> are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable (Threshold 4.10-2).
- Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as

development continues beyond 2020, emissions of VOCs and CO would exceed the significance thresholds, principally due to vehicle operations (Threshold 4.10-2).

- Alternative F would have a cumulatively considerable contribution to regional pollutant concentrations of O<sub>3</sub> (Threshold 4.10-3).
- Alternative F would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative F would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).
- The increased traffic volumes on 17<sup>th</sup> Street west of Monrovia Avenue would expose sensitive receptors to noise levels in excess of the City of Newport Beach's standards for changes to the ambient noise levels. At buildout, noise levels would also exceed significance thresholds in the City of Costa Mesa. MM 4.12-5 requires the Applicant to provide funds to the City of Costa Mesa to resurface the street with rubberized asphalt; however, the City of Newport Beach has no ability to ensuring that the mitigation would be implemented. Therefore, the forecasted impact to residents of 17<sup>th</sup> Street west of Monrovia is considered significant and unavoidable (Threshold 4.12-2).
- For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition. MM 4.12-6 would reduce impacts to levels within the "Clearly Compatible" or "Normally Compatible" classifications but would remain above the 5 dBA significance criterion in the General Plan. MM 4.12-7 would provide interior noise attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be significant and unavoidable (Threshold 4.12-4).
- Use of construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise-sensitive receptors in the vicinity of the Project. Due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities, the temporary noise increases would be significant and unavoidable (Threshold 4.12-2).

### **Environmentally Superior Alternative**

CEQA requires the identification of an environmentally superior alternative. Section 15126.6(e)(2) of the State CEQA Guidelines states that if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on the evaluation contained in this EIR, Alternative B—General Plan Open Space Designation—would be the environmentally superior alternative because it provides for restoration of the Project site and maintains the greatest amount of open space. While this alternative would have greater impacts than the No Project Alternative in the near-term, the long-term benefits associated with site restoration would be environmentally superior to maintaining the site as an oilfield.

Although Alternative B is the environmentally superior alternative, there are significant challenges affecting its feasibility. Additionally, Alternative B does not meet a number of the project objectives. Therefore, an environmentally superior *development* alternative is also being identified. Alternative F would provide development that is generally consistent with the General Plan Residential Village designation and would be able to meet almost of the project objectives. Although this Alternative does not eliminate any of the significant impacts of the Project, it does substantially lessen the impacts by reducing the amount of land that would be subject to

development, and increasing the amount of undeveloped open space by almost 30 acres, it provides greater protection of the environment. This alternative provides greater protection of the environment by reducing the area of non-open spaces uses by approximately 20 percent.

## **1.6 SUMMARY OF PROJECT ENVIRONMENTAL IMPACTS AND MITIGATION PROGRAM**

### **1.6.1 SUMMARY OF EFFECTS WITH NO IMPACT**

Throughout preparation of the EIR, the City of Newport Beach Environmental Checklist was used to determine the impact categories to evaluate the potentially significant environmental effects of the proposed Project. The following includes a discussion of the impact categories where the proposed Project would have “no impact” and a summary discussion of why this determination was reached. There is no further evaluation of these Environmental Checklist questions in the EIR.

#### **Agriculture and Forest Resources**

The Project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the Project site is covered by a Williamson Act Contract. Additionally, the Project site does not include forest resources, including timberlands, and is not zoned for agriculture. For these reasons, no significant impacts would occur and these topics are not addressed in the EIR.

#### **Aesthetics and Visual Resources**

The State CEQA Guidelines ask for an evaluation of the following: “Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?”

The Project area is not adjacent to, nor can it be viewed from a designated State scenic highway. For this reason, no impact would occur and this topic is not addressed in the EIR.

#### **Geology and Soils**

The State CEQA Guidelines ask for an evaluation of the following: “Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?”

The proposed Project would not use septic systems or alternative waste water disposal systems. For this reason, no impact would occur and this topic is not addressed in the EIR.

#### **Hazards and Hazardous Materials**

The State CEQA Guidelines ask for an evaluation of the following: “For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?” The Newport Banning Ranch Project site is not located within an adopted Airport Land Use Plan. The nearest airport/airstrip is the John Wayne Airport, which is located approximately four miles northeast of the Project site.

The State CEQA Guidelines ask for an evaluation of the following: “For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?” A discussion of this topic is not necessary because there is no private airstrip in proximity to the Project site.

For these reasons, no impacts would occur and these topics are not addressed in the EIR.

### **Population, Housing, and Employment**

The State CEQA Guidelines asks for an evaluation of the following two issues: (1) “Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?” and (2) “Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?”

There are no existing residential units on the Project site. The Project proposes the development of up to 1,375 du on the Project site. Therefore, the Project would not displace existing residential units or residents and the Project would not necessitate the need for replacement housing. For these reasons, this topic is not addressed in the EIR.

## **1.6.2 SUMMARY OF SIGNIFICANT UNAVOIDABLE IMPACTS**

An impact that remains significant after including all feasible mitigation measures is considered a significant and unavoidable impact. The impacts discussed below have been identified as significant and unavoidable for the Project.

### **Land Use and Related Planning Programs**

- There would be land use incompatibility with respect to long-term noise and night illumination predominately from the Community Park on those Newport Crest residences immediately contiguous to the Project site. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations which notes that there are specific economic, social, and other public benefits that outweigh the significant unavoidable impacts associated with the General Plan project. Though mitigation is proposed, noise impacts would remain significant if the residents of Newport Crest elect not to implement the mitigation measures to reduce the increased interior noise levels (Threshold 4.1-1).

### **Aesthetic and Visual Resources**

- The proposed Project would include “dark sky” lighting concept for development areas adjacent to the Open Space Preserve. However, the Project would introduce nighttime lighting into a currently unlit area. The Project would result in night lighting impacts that are considered significant and unavoidable. The City of Newport Beach General Plan Final EIR found that the introduction of new sources of lighting associated with development of the site would be considered significant and unavoidable. In certifying the General Plan Final EIR and approving the General Plan project, the City approved a Statement of Overriding Considerations which notes that there are specific economic, social, and other public benefits which outweigh the significant unavoidable impacts associated with the General Plan project (Threshold 4.2-3).

## **Transportation and Traffic**

- The Project would have impacts on intersections in the City of Costa Mesa. Implementation of MM 4.9-2 would mitigate the Project's impact to a level considered less than significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, if the Applicant is unable to reach an agreement with the City of Costa Mesa that would ensure that Project impacts occurring in Costa Mesa would be mitigated concurrent with or preceding the impact, for purposes of this EIR, the impacts to be mitigated by the improvements would remain significant and unavoidable (Threshold 4.9-2). The following impacts were identified with the various traffic scenarios evaluated:
  - *Existing Plus Project Scenario* – Intersections identified as deficient are (1) Newport Boulevard at Harbor Boulevard; (2) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street; and (3) Superior Ave/17<sup>th</sup> Street. (This scenario assumes all development occurs at once, which is not an accurate reflection the timing for development of the proposed Project.)
  - *Year 2016 With Project Transportation Phasing Ordinance (TPO) Analysis* – Intersections identified as deficient are (1) Monrovia Avenue and 19<sup>th</sup> Street; (2) Newport Boulevard and 19<sup>th</sup> Street; (3) Newport Boulevard and Harbor Boulevard; (4) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street; (5) Pomona Avenue and 17<sup>th</sup> Street; (6) Newport Boulevard at 17<sup>th</sup> Street; and (7) Superior Avenue and 17<sup>th</sup> Street.
  - *Year 2016 With Phase 1 Project TPO Analysis* – Intersections identified as deficient are (1) Newport Boulevard and Harbor Boulevard and (2) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street.
  - *Year 2016 Cumulative With Project* – Intersections identified as deficient are (1) Monrovia Avenue and 19<sup>th</sup> Street; (2) Newport Boulevard and 19<sup>th</sup> Street; (3) Newport Boulevard and Harbor Boulevard; (4) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street; (5) Pomona Avenue and 17<sup>th</sup> Street; (6) Newport Boulevard at 17<sup>th</sup> Street<sup>3</sup>; and (7) Superior Avenue and 17<sup>th</sup> Street.
  - *Year 2016 Cumulative With Phase 1 Project* – Intersections identified as deficient are (1) Newport Boulevard at Harbor Boulevard and (2) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street.
  - *General Plan Buildout with Project* – Intersections identified as deficient are (1) Newport Boulevard at Harbor Boulevard and (2) Newport Boulevard at 18<sup>th</sup> Street/Rochester Street.

## **Air Quality**

- Without mitigation, regional (mass) emissions of NO<sub>x</sub> are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable (Threshold 4.10-2).

<sup>3</sup> The Newport Boulevard and 17<sup>th</sup> Street intersection has a Project-related impact using the Highway Capacity Manual (Caltrans methodology), as well as an impact using the Intersection Capacity Utilization methodology.

- Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Project development continues beyond 2020, emissions of VOC and CO would exceed the significance thresholds, principally due to vehicle operations. Therefore, the impacts remain significant and unavoidable (Threshold 4.10-2).
- The Project would have cumulatively considerable contributions to regional pollutant concentrations of O<sub>3</sub> (Threshold 4.10-3).

### **Greenhouse Gas Emissions**

- The Project would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. The Project would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).

### **Noise**

- The increased traffic volumes on 17<sup>th</sup> Street west of Monrovia Avenue in Costa Mesa would expose sensitive receptors to noise levels that would exceed City of Costa Mesa significance thresholds. MM 4.12-5 requires the Applicant to provide funds to the City of Costa Mesa to resurface the street with rubberized asphalt; however, the City of Newport Beach has no ability to assure that the mitigation would be implemented. Therefore, the forecasted impact to residents of 17<sup>th</sup> Street west of Monrovia Avenue is considered significant and unavoidable (Thresholds 4.12-1 and 4.12-2).
- For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition. MM 4.12-6 would reduce impacts to levels within the "Clearly Compatible" or "Normally Compatible" classifications but would remain above the 5 dBA significance criterion in the General Plan. MM 4.12-7 would provide interior noise attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be significant and unavoidable (Thresholds 4.12-1 and 4.12-4).
- Use of construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise-sensitive receptors in the vicinity of the Project. The temporary noise increases would be significant and unavoidable due to the low existing ambient noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities (Threshold 4.12-2).

### **1.6.3 IMPACTS AND MITIGATION PROGRAM SUMMARY**

Table 1-2 presents a brief summary of the potential environmental effects of the proposed Project, the Mitigation Program recommended to ensure that Project impacts are mitigated to the extent feasible, and the expected status of effects following the implementation of the Mitigation Program. The Mitigation Program is comprised of PDFs, SCs, and MMs. The Mitigation Program will serve to preclude, reduce, and/or fully mitigate potential environmental impacts. The more detailed evaluation of these issues, as well as the full text of the Mitigation Program, is presented in EIR Sections 4.1 through 4.15.

Given the length of the measures in the Mitigation Program, most measures are only briefly summarized in the table. Each measure is identified by a number that can be used to reference



the full text of the measure in the applicable EIR Section. Where a measure applies to more than one topic, it is presented (either summarized or full text) in the primary section to which it applies. For example, MM 4.10-9 in Section 4.10, Air Quality, requires that facilities that support bicycle usage be provided. This measure is also applicable to Section 4.8, Recreation and Trails. The measure is cross-referenced as being applicable to Recreation and Trails, but in Table 1-2, is only summarized under Air Quality. The mitigation measures identify who is responsible, when the action would be implemented, and who would be the approving authority. The Mitigation Monitoring and Reporting Program would be developed using the full text of the Mitigation Program.

**TABLE 1-2  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.1 – LAND USE AND RELATED PLANNING PROGRAMS</b>			
<p><b>Threshold 4.1-1:</b> Would the project physically divide an established community?</p>	<p>The proposed Project would not physically divide an established community. No impact would occur. <b>No Impact</b></p> <p>There would be land use incompatibility with respect to long-term noise and night illumination from the Community Park on those Newport Crest residences immediately contiguous to the Project site. <b>Significant Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p> <p>Significant, Unavoidable Impact</p>
<p><b>Threshold 4.1-2:</b> Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The Project is consistent with applicable land use policies. The proposed Project is consistent with the City's General Plan land use designation on the site of Residential Village. The Project proposes amendments to the City of Newport Beach Circulation Element Master Plan of Streets and Highways and the Orange County MPAH to modify the roadway system through the Project site; this is addressed in detail in Section 4.9, Transportation and Circulation. These modifications would not impact existing or proposed land use. The Project also proposes zoning modifications that would serve to provide a single Planned Community zoning document for the Project site. <b>No Impact</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.1-1</b> The Project permits a maximum of 1,375 residential dwelling units and a variety of residential housing types to provide opportunities for a range of lifestyles.</p> <p><b>PDF 4.1-2</b> The Master Development Plan designates areas for a diverse public park system to include active, passive, and interpretive recreation opportunities.</p> <p><b>PDF 4.1-3</b> The Master Development Plan designates more than 240 gross acres of the Project site as open space, habitat restoration areas, and habitat preservation areas. The area designated for interim use as oil and gas production sites will revert to open space land use at the end of the oilfield's economic life.</p> <p><b>PDF 4.1-4</b> The Master Development Plan provides for a public Bluff Park as a visual and passive recreational amenity, trail corridor, and a transition between open space and development.</p> <p><b>PDF 4.1-5</b> Proposed uses adjacent to existing Newport Beach and Costa Mesa residential neighborhoods are limited to either parks or open space to provide a visual buffer between that community and Project development areas.</p>	<p>No Impact</p>

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.1-1</b> The Project would be required to implement all applicable provisions of the Newport Beach General Plan; Newport Banning Ranch Planned Community Development Plan; all requirements and enactments of federal, State, and local agency authorities; as well as the requirements of any other governmental entities.</p>	
<b>SECTION 4.2 – AESTHETICS AND VISUAL RESOURCES</b>			
<p><b>Threshold 4.2-1:</b> Would the project have a substantial adverse effect on a scenic vista?</p> <p><b>Threshold 4.2-2:</b> Would the project substantially degrade the existing visual character or quality of the site and its surroundings?</p>	<p>The City does not have any designated scenic vistas and West Coast Highway is not a State- or locally-designated scenic highway. <b>No Impact</b></p> <p>Development of the proposed Project would alter existing views of the Project site; however, due to extensive site planning, buffers, landscaping and architectural guidelines, the proposed project would not result in a significant topographical or aesthetic impact. The Project would create public views from the Project site of on-site and off-site scenic resources including the Pacific Ocean that are not currently available because of the property's existing oilfield operations. This is considered a beneficial impact. <b>Less Than Significant Impact.</b></p>	<p><b>Project Design Features</b></p> <p>PDF 4.1-4 from Section 4.1, Land Use, is applicable.</p> <p>PDF 4.6-4 from Section 4.6, Biological Resources, is applicable.</p> <p><b>PDF 4.2-1</b> Contour grading will be used to minimize impacts to existing public view points from West Coast Highway.</p> <p><b>PDF 4.2-2</b> Habitable structures will be set back at least 60 feet from the tops of bluff edges.</p> <p><b>PDF 4.2-3</b> Landscaping will be provided around the perimeter of buildings that are proposed adjacent to Open Space Preserve areas to provide a transition.</p> <p><b>PDF 4.2-4</b> Architectural guidelines included in the Master Development Plan provide for a range of housing types and architectural styles and ensure designs that are sensitive to the natural resources and compatible with the character of Newport Beach communities within the Coastal Zone.</p>	<p>No Impact</p> <p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.2-3:</b> Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</p>	<p>The proposed Project would include a “dark sky” lighting concept for development areas adjacent to the Open Space Preserve. However, the Project would introduce nighttime lighting into a currently unlit area. Consistent with the findings of the General Plan EIR, increased lighting on the Project site is considered a <b>Significant, Unavoidable Impact</b></p>	<p><b>Project Design Features</b> PDF 4.6-3 from Section 4.6, Biological Resources, is applicable.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.2-1</b> Lighting within the development shall be directed and shielded so that light is directed away from the Open Space Preserve. Final lighting orientation and design shall be to the satisfaction of the Community Development Director or designee. Prior to final inspection, a photometric field inspection of the approved lighting system will be performed. Deviations and/or violations from the approved plan shall be corrected prior to issuance of certificate of occupancy for the Project.</p> <p><b>MM 4.2-2</b> The lighting plan for the Community Park shall be directed and shielded so that light is directed away from the Open Space Preserve and no skyward-casting lighting shall be used. Final lighting orientation and design shall be to the satisfaction of the Community Development Director or designee. Prior to final inspection, a photometric field inspection of the approved lighting system will be performed. Deviations and/or violations from the approved plan shall be corrected prior to the final inspection for the Project.</p>	<p>Significant, Unavoidable Impact</p>
<p><b>Threshold 4.2-4:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The project is consistent with applicable goals and policies designed to protect aesthetic and visual resources. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.3 – GEOLOGY AND SOILS</b>			
<p><b>Threshold 4.3-1:</b> Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death from rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?</p> <p><b>Threshold 4.3-2:</b> Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?</p>	<p>The Project site is in a seismically active area with faults within the proposed development area that could not be proven to be inactive. Habitable structures on the Project site near these faults are subject to fault setback zones and seismic design parameters that would appropriately address seismic building standards. Impacts associated with surface fault rupture and seismic shaking would be mitigated to a level considered less than significant with the incorporation of fault setback zones (which may be refined after additional trenching data becomes available). <b>Potentially Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.3-1</b> Habitable buildings will be set back a minimum of 60 feet from the tops of bluff edges and will not be constructed within identified fault setback zones.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.3-1</b> Prior to the issuance of any grading permits, the City of Newport Beach shall review the grading plan for conformance with the grading shown on the approved tentative map. The grading plans shall be accompanied by geological and soils engineering reports and shall incorporate all information as required by the City.</p> <p><b>SC 4.3-2</b> Prior to the recordation of a subdivision map or prior to the issuance of any grading permit, the Applicant shall record a Letter of Consent from any affected property owners where encroachment permits are required.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.3-1</b> The Applicant shall submit to the City of Newport Beach Community Development Department, Building Division Manager a site-specific, design-level geotechnical investigation prepared by a registered geotechnical engineer. The investigation shall comply with all applicable State and local code requirements.</p> <p><b>MM 4.3-2</b> Prior to the approval of any applicable final tract map, the Applicant shall have completed by a qualified geologist, additional geotechnical trenching and field investigations and shall provide a supplemental geotechnical report to confirm the adequacy of Project development fault setback limits.</p> <p><b>MM 4.3-3</b> Prior to the approval of any applicable final tract map, development setbacks from the Upland fault segments, revised as necessary based upon the findings of additional trenching investigations, shall be incorporated into the Project consistent with requirements set forth in the California Building</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		Code and the <i>City of Newport Beach General Plan</i> . Prior to the preparation of final Project plans and specifications, additional trenching shall be conducted within the 1,300-foot gap between the 2 parts of the existing Fault Setback Zone.	
<p><b>Threshold 4.3-3:</b> Would the project expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death from seismic-related ground failure, including liquefaction?</p> <p><b>Threshold 4.3-4:</b> Would the project expose people or structures to potential substantial adverse effects including the risk of loss, injury, or death from landslides?</p> <p><b>Threshold 4.3-6:</b> Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?</p>	<p>Two fault segments on the Project site have not been confirmed as inactive, and development setbacks have been incorporated into the Project. The fault setback zones would reduce the risk of surface fault rupture. Based on the GMU 2010 Report, strengthened building foundations and structural design would accommodate strong seismic shaking on the Project site, and habitable structures would be restricted to the Upland area, avoiding soils that may liquefy or undergo lateral spreading. Where necessary, corrective grading would ensure all structures are placed on competent foundation materials. <b>Potentially Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p>PDF 4.3-1 is applicable.</p> <p><b>Standard Conditions and Requirements</b></p> <p>SC 4.3-1 is applicable.</p> <p><b>Mitigation Measures</b></p> <p>MMs 4.3-1 through 4.3-3 are applicable.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.3-5:</b> Would the project result in substantial soil erosion or the loss of topsoil?</p>	<p>Grading activities would increase the potential for soil erosion and loss of top soil. Best Management Practices (BMPs) would minimize this impact both during construction and long-term. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.3-2</b> Drainage devices will be constructed along slopes adjacent to the development edge to eliminate surface flow over bluffs to the extent feasible. Landscape and irrigation plans will be designed to minimize irrigation near natural areas/slopes.</p> <p><b>PDF 4.3-3</b> Eroded portions of bluff slopes will be repaired and stabilized. Bluff areas devoid of vegetation after repair and stabilization efforts will be planted with native vegetation that does not require permanent irrigation.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>Threshold 4.3-7:</b> Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	On-site soils have a low to medium expansion potential. <b>Potentially Significant Impact</b>	<b>Standard Conditions and Requirements</b> SCs 4.3-1 through 4.3-2 are applicable. <b>Mitigation Measures</b> MMs 4.3-1 through 4.3-3 are applicable.	Less Than Significant Impact
<b>Threshold 4.3-8:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would be consistent with the intent of the soils and geology-related goals and policies of the City of Newport Beach General Plan and the California Coastal Act. <b>No Impact</b>	No mitigation is required.	No Impact
<b>SECTION 4.4 – HYDROLOGY AND WATER QUALITY</b>			
<p><b>Threshold 4.4-1:</b> Would the project violate any water quality standards or waste discharge requirements?</p> <p><b>Threshold 4.4-6:</b> Would the project otherwise substantially degrade water quality?</p> <p><b>Threshold 4.4-11:</b> Would the project result in significant alteration of receiving water quality during or following construction?</p> <p><b>Threshold 4.4-12:</b> Would the project result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, or storage, delivery</p>	Construction and operation of the proposed Project would have the potential to adversely impact water quality in downstream receiving waters through discharge of runoff that contains various pollutants of concern. However, the Project incorporates detailed low impact development (LID) features into internal site design and transitional areas for sediment, source, and treatment control. Additional site-design, structural, source-control, and treatment-control BMPs would be incorporated into the Project to supplement LID features, ensuring compliance with the Project Water Quality Management Plan and National Pollutant Discharge Elimination System (NPDES) permit. The Project has demonstrated on-site ability to treat all	<p><b>Project Design Features</b></p> <p><b>PDF 4.4-1</b> Two water quality basins will be constructed to treat off-site urban runoff from Costa Mesa and Newport Beach, and from Project runoff that drains into the Lowland Area.</p> <p><b>PDF 4.4-2</b> A water quality basin and a diffuser basin located within the Open Space Preserve will provide for storm water control, energy dissipation, and natural water quality treatment.</p> <p><b>PDF 4.4-3</b> Public arterials and some collector roadways within the Project site will be designed with “Green Street” and other LID features. Landscaping along the street edges will be selectively used to treat storm water runoff from the streets and adjacent development areas.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.4-1</b> All landscape materials and irrigation systems shall be maintained in accordance with the approved Landscape Plan.</p> <p><b>SC 4.4-2</b> The development shall be kept free of litter and graffiti. The owner or operator shall provide for removal of trash,</p>	Less Than Significant Impact

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p>areas, loading docks or other outdoor work areas?</p> <p><b>Threshold 4.4-13:</b> Would the project result in the potential for discharge of storm water to affect the beneficial uses of the receiving waters?</p>	<p>runoff treatment volumes that would be generated from the Project site in addition to runoff entering the site from upstream developed areas within Costa Mesa in compliance with regulatory standards. <b>Less Than Significant Impact</b></p>	<p>litter, and graffiti from the premises and on abutting sidewalks.</p> <p><b>SC 4.4-3</b> Prior to the issuance of grading permits, a Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) to comply with the General Permit for Construction Activities shall be prepared.</p> <p><b>SC 4.4-4</b> Prior to issuance of grading permits, the Project Applicant shall prepare and submit a Water Quality Management Plan (WQMP) for the Project. The WQMP shall include appropriate BMPs to ensure Project runoff is adequately treated.</p> <p><b>SC 4.4-5</b> A list of “good housekeeping” practices shall be incorporated into the long-term post-construction operation of the site to minimize the likelihood that pollutants could impair water quality. The WQMP shall list and describe all structural and non-structural BMPs.</p>	
<p><b>Threshold 4.4-2:</b> Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p>	<p>Local groundwater is not suitable for use as drinking water; therefore, there would be no Project impact to groundwater table due to drawdown. Groundwater recharge does occur at the Project site and would decrease under Project conditions due to a reduction in pervious surface area. Infiltration BMPs would be incorporated into site design to ensure that site runoff continues to infiltrate to the maximum extent practicable. <b>Less than Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p>PDF 4.4-3 is applicable.</p> <p><b>PDF 4.4-6</b> BMPs for erosion control, sediment control, wind erosion control, storm water and non-storm water management, and waste management/pollution control will be implemented to ensure that potential effects on local site hydrology, runoff, and water quality remain in compliance with all required permits, City policies, and the Project’s WQMP, and SWPPP.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.4-3:</b> Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?</p>	<p>Hydrologic modeling of the Northern and Southern Arroyos confirms that both channels would remain stable under proposed Project conditions. Standard construction practices would reduce erosion potential. <b>Less than Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p>PDFs 4.4-1 and PDF 4.4-2 are applicable.</p> <p><b>PDF 4.4-5</b> The Master Development Plan requires development of a drainage plan to ensure that runoff systems from the Project site to West Coast Highway and the Semeniuk Slough will be stabilized and maintained through the Project’s drainage system.</p>	<p>Less Than Significant Impact</p>



**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p><b>Threshold 4.4-15:</b> Would the project create significant increases in erosion of the Project site or surrounding areas?</p>		<p><b>Standard Conditions and Requirements</b> SCs 4.4-3 through 4.4-5 are applicable.</p>	
<p><b>Threshold 4.4-4:</b> Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner in which would result in flooding on- or off-site?</p> <p><b>Threshold 4.4-14:</b> Would the project create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?</p>	<p>The Project-induced increase in impervious surfaces would result in an increase in peak flow runoff and runoff volumes from the site. Project drainage area modifications would be incorporated into a Runoff Management Plan to ensure that peak flow rates and volumes would not result in adverse flooding impacts to downstream systems. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b> PDF 4.4-1, PDF 4.4-2, PDF 4.4-5, and PDF 4.4-6 are applicable. <b>PDF 4.4-4</b> The Master Development Plan requires that arroyos be planted with native riparian vegetation as part of the restoration effort to minimize potential erosion and to enhance the water-cleansing function. <b>Standard Conditions and Requirements</b> SC 4.4-4 is applicable.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.4-5:</b> Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?</p>	<p>Proposed Project modifications in Project drainage patterns and Project drainage features would reduce flow rates through the middle and lower sections of the Caltrans reinforced concrete box from existing conditions. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b> PDF 4.4-1 through PDF 4.4-3 are applicable. <b>Standard Conditions and Requirements</b> SCs 4.4-2 through 4.4-5 are applicable.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.4-7:</b> Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?</p> <p><b>Threshold 4.4-8:</b> Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?</p>	<p>Proposed Project housing would be located on the Upland at elevations well outside the 100-year floodplain. No structures would be built within the Lowland between sea level and 10 feet above mean sea level. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<b>Threshold 4.4-9:</b> Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	The Project is not located in a dam inundation area. The proposed development would be located on the Upland above the 100-year flood elevation. <b>Less Than Significant Impact</b>	No mitigation is required.	Less Than Significant Impact
<b>Threshold 4.4-10:</b> Would the project be subject to inundation by seiche, tsunami, or mudflow?	Inundation of the Project site by seiche or mudflow is not anticipated as there are no standing water bodies or high slopes in the Upland. Inundation by tsunami is not likely because of Project site elevations and the City's existing Emergency Management Plan. <b>Less than Significant Impact</b>	No mitigation is required.	Less Than Significant Impact
<b>Threshold 4.4-16:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would be consistent with the intent of the hydrology- and water quality-related goals and policies of the <i>City of Newport Beach General Plan</i> . <b>No Impact</b>	No mitigation is required.	No Impact
<b>SECTION 4.5 – HAZARDS AND HAZARDOUS MATERIALS</b>			
<p><b>Threshold 4.5-1:</b> Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p><b>Threshold 4.5-2:</b> Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into</p>	Disturbance of potential hazardous materials associated with pass oil extraction activities and from demolition of existing structures located onsite has been identified as a potential impact. <b>Potentially Significant Impact</b>	<p><b>Project Design Features</b> PDF 4.4-6 from Section 4.4, Hydrology and Water Quality is applicable.</p> <p><b>Standard Conditions and Requirements</b> <b>SC 4.5-1</b> Prior to demolition, testing for all structures for presence of asbestos and/or lead based paint (LBP) shall be completed. All applicable requirements associated with asbestos-removal and LBP removal shall be implemented.</p> <p><b>Mitigation Measures</b> <b>MM 4.5-1</b> A comprehensive final Remedial Action Program</p>	Less Than Significant Impact

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
the environment?		(final RAP) shall be submitted to and approved by the Regional Water Quality Control Board (RWQCB) and/or the Orange County Health Care Agency (OCHCA) and initiated for the oilfield clean-up and remediation prior to the issuance of the first City-issued permit.	
<b>Threshold 4.5-3:</b> Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	There would be a less than significant impact to the existing schools within ¼-mile of the Project site and/or from off-site haul routes during on-site remedial activities and proposed Project construction. There would be no impact to existing schools within ¼-mile of the Project site from proposed Project operations as continued oil operations are proposed to be limited to two consolidated oil facilities located along the southwestern portion of the Project site. <b>Less Than Significant Impact</b>	<b>Project Design Features</b> <b>PDF 4.5-1</b> Oil operations will be consolidated into two areas within the Open Space Preserve designated as "Interim Oil Facilities. This use will ultimately revert to an Open Space land use at the end of the oilfield's useful life. <b>Standard Conditions and Requirements</b> <b>SC 4.5-2</b> Any hazardous contaminated soils or other hazardous materials removed from the Project site shall be transported only by a Licensed Hazardous Waste Hauler to approved hazardous materials disposal site, who shall be in compliance with all applicable State and federal requirements.	Less Than Significant Impact
<b>Threshold 4.5-4:</b> Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	The Project site is not identified on the Cortese List which is compiled pursuant to Government Code Section 65962.5. <b>No Impact</b>	No mitigation is required.	No Impact
<b>Threshold 4.5-5:</b> Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with any goals or policies of the <i>City of Newport Beach General Plan</i> or the Coastal Act related to hazards and hazardous materials. <b>No Impact</b>	No mitigation is required.	No Impact

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.6 – BIOLOGICAL RESOURCES</b>			
<p><b>Threshold 4.6-1:</b> Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p>The Project would have direct and indirect impacts on habitat that supports special status species. The following is a summary of total acres of habitat affected by the project:</p> <ul style="list-style-type: none"> <li>• Coastal sage scrub and disturbed coastal sage scrub—23.11 acres</li> <li>• Grassland and ruderal—100.13 acres</li> <li>• Grassland depression features—0.14 acre</li> <li>• Marsh--2.45 acres</li> <li>• Riparian and disturbed riparian—12.93 acres</li> </ul> <p><b>Potentially Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.6-1</b> The Master Development Plan designates a minimum of 220 gross acres of the Project site as wetland restoration/water quality areas, habitat conservation, and restoration mitigation areas.</p> <p><b>PDF 4.6-2</b> The Master Development Plan includes a Habitat Restoration Plan (HRP) for the habitat areas. The HRP includes provisions for the preservation and long-term maintenance of existing sensitive habitat and habitat created and restored by the Project.</p> <p><b>PDF 4.6-3</b> The habitat areas to be restored as project design features will be subject to the same five-year Maintenance and Monitoring Program implemented for areas restored as mitigation.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.6-1</b> Impacts on <b>coastal sage scrub</b> vegetation shall be mitigated on the Project site through the restoration of southern coastal bluff scrub and California sagebrush scrub. Coastal sage scrub restoration and preservation on site would total 80.05 acres.</p> <p><b>MM 4.6-2</b> Impacts on non-native <b>grassland</b> and ruderal vegetation shall be mitigated through restoration and preservation. The grassland restoration and preservation would total 70.34 acres.</p> <p><b>MM 4.6-3</b> Impacts to <b>grassland depression feature and fairy shrimp habitat</b> shall be mitigated through restoration and preservation on site. The Project shall provide 3.58-acre area of restoration in the vernal pool area. The Applicant shall be required to plan, implement, monitor, and maintain a vernal pool preservation/restoration program for the Project.</p> <p><b>MM 4.6-4</b> Impacts to <b>marshes</b> shall be mitigated through</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>restoration and preservation on site, for a total of 12.25 acres of restoration and preservation. The Applicant shall be required to plan, implement, monitor, and maintain a marsh/meadow preservation/restoration program for the Project.</p> <p><b>MM 4.6-5</b> For <b>jurisdictional resources/riparian habitat</b>, the Applicant shall be obligated to implement/comply with the mitigation measures required by the resource agencies (USACE, CDFG, RWQCB, and CCC) regarding impacts on their respective jurisdictions. Jurisdictional areas shall be restored on the Project site or immediately off site. Though the requirements of the permit will apply, the restoration requirement is expected to be 15.77 acres. The measure also requires construction minimization measures, mitigation performance criteria and long-term monitoring requirements for the restoration and preservation program.</p> <p><b>MM 4.6-6 Migratory Bird Treaty Act.</b> No vegetation removal shall occur between February 15 and September 15 unless a qualified Biologist, surveys the Project's impact area prior to disturbance to confirm the absence of active nests. If an active nest is discovered, disturbance within a particular buffer shall be prohibited until nesting is complete.</p> <p><b>MM 4.6-7 Special Status Plant Species.</b> The Applicant shall be required to plan, implement, monitor, and maintain a southern tarplant restoration program for the Project consistent with the most current technical standards/knowledge regarding southern tarplant restoration.</p> <p><b>MM 4.6-8</b> A focused survey shall be conducted for <b>light-footed clapper rail, western snowy plover, and Belding's savannah sparrow</b> in the spring prior to the proposed impact to determine if these species nest on or immediately adjacent to the Project site. If any of these species are observed, the Applicant shall obtain approvals from the resource agencies (i.e., the USFWS, the CDFG, and the California Coastal Commission) prior to any activity that disturbs marsh or mudflat habitat. If any of these species would be impacted, mitigation for impacts on these species shall include replacement of marsh and mudflat</p>	

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>habitat as described in MM 4.6-4.</p> <p><b>MM 4.6-9</b> Prior to initiation of grading or any activity that involves the removal/disturbance of coastal sage scrub habitat, the Applicant shall obtain a Biological Opinion for the <b>California Gnatcatcher</b> from the USFWS to authorize incidental take.</p> <p><b>MM 4.6-10</b> If it is determined by the City during the final grading plan check that impacts on cactus habitat cannot be avoided, the coastal sage scrub mitigation plan shall incorporate cactus into the planting palette at no less than a 1:1 ratio for impacted cactus areas. Mitigation for impacts on the <b>coastal cactus wren</b> shall include replacement of coastal sage scrub habitat and implementation of Construction Minimization Measures as described in MM 4.6-1.</p> <p><b>MM 4.6-11</b> Prior to initiation of grading or any activity that involves the removal/disturbance of riparian habitat the Applicant shall obtain approvals from the resource agencies (i.e., the USFWS, the CDFG, and the California Coastal Commission). Mitigation for impacts on the <b>least Bell's vireo</b> shall include replacement of riparian and upland scrub and riparian forest habitat and Construction Minimization Measures, as well as any additional provisions imposed by the permitting agencies.</p> <p><b>MM 4.6-12</b> This measure requires avoidance to the maximum extent practicable, of impacts on known <b>burrowing owl</b> burrows and surrounding non-native grasslands and pre-construction surveys for burrowing owl. The measure stipulates requirements if active burrows are observed. The actions differ if they are observed during nesting or non-nesting season. Mitigation for impacts on the burrowing owl also includes restoration of native grassland habitat as described in MM 4.6-2.</p> <p><b>MM 4.6-13 Raptor Nesting.</b> To the maximum extent practicable, habitats that provide potential nest sites for raptors shall be removed from July 1 through January 31. If Project construction activities are initiated during the raptor nesting season, a nesting raptor survey shall be conducted. Any nest found during survey efforts shall be mapped on the construction</p>	

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>plans. If nesting activity is present, the active site shall be protected until nesting activity has ended. During the non-nesting season, proposed work activities can occur only if a qualified Biologist has determined that fledglings have left the nest.</p> <p><b>MM 4.6-14 Invasive Exotic Plant Species.</b> The Applicant shall submit Landscape Plans for review and approval by a qualified Biologist to ensure that no invasive, exotic plant species are used in landscaping adjacent to any open space and that suitable substitutes are provided.</p> <p><b>MM 4.6-15 Human Activity.</b> Prior to issuance of a grading permit, the Project Applicant shall submit a fencing plan to the City of Newport Beach for review to demonstrate that access to the open space within the Lowland shall be limited to designated access points that link to existing trails.</p> <p><b>MM 4.6-16 Urban Wildlands Interface.</b> To educate residents of the responsibilities associated with living at the wildland interface, the Applicant shall develop a wildland interface brochure. The brochure shall be included as part of the purchase/rental/lease agreements for the Project residents.</p>	
<p><b>Threshold 4.6-2:</b> Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<p>Grading activities could impact several sensitive natural communities. <b>Potentially Significant Impact</b></p>	<p><b>Project Design Features</b> PDFs 4.6-1 through 4.6-3 would also be applicable.</p> <p><b>PDF 4.6-4</b> The Master Development Plan requires that street lights be utilized only in key intersections and safety areas. The Planned Community Development Plan requires that a “dark sky” lighting concept be implemented within areas of the Project that adjoin habitat areas. Light fixtures within these areas will be designed for “dark sky” applications and adjusted to direct/reflect light downward and away from adjacent habitat areas.</p> <p><b>Mitigation Measures</b> MM 4.6-1 and MMs 4.6-3 through MM 4.6-5 are applicable.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.6-3:</b> Would the project have a substantial adverse effect on federally protected wetlands as</p>	<p>Grading and oil remediation activities could impact jurisdictional areas as follows (some jurisdictional areas</p>	<p><b>Project Design Features</b> PDFs 4.6-1 through 4.6-4 would also be applicable.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	overlap): USACE—0.32 acres permanent/3.93 acres temporary CDFG—1.87 acres permanent/0.05 acre temporary California Coastal Commission—2.47 acres permanent/6.48 acres temporary <b>Potentially Significant Impact</b>	<b>Mitigation Measures</b> MMs 4.6-3 through 4.6-5 are applicable.	
<b>Threshold 4.6-4:</b> Would the project interfere substantially with the movement of any native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	The permanent loss of open space would reduce wildlife movement corridor habitat available for species. <b>Potentially Significant Impact</b>	<b>Mitigation Measures</b> MMs 4.6-1 through 4.6-5 are applicable.	Less Than Significant Impact
<b>Threshold 4.6-5:</b> Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with the Central/Coastal Subregion NCCP/HCP. The proposed Project would not conflict with any goals or policies of SCAG, the City of Newport Beach General Plan or Local Coastal Plan, or the California Coastal Act. The proposed Project is considered consistent with the applicable goals and policies. <b>No Impact</b>	No mitigation is required.	Less Than Significant Impact



**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.7 – POPULATION, HOUSING, AND EMPLOYMENT</b>			
<p><b>Threshold 4.7-1:</b> Would the project induce substantial population growth in an area, either directly (for example, by proposed new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</p>	<p>While the Project would result in population growth in the area through the construction of new residences and employment opportunities, the Project would not exceed the growth currently projected for the Project site or exceed regional projections. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.7-1</b> The Master Development Plan requires that development of the Project include a range of housing types to meet the housing needs of a variety of economic segments of the community to be designed to appeal to different age groups and lifestyles.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.7-2</b> An Affordable Housing Implementation Plan (AHIP) is required that specifies how the development will meet the City’s affordable housing goal.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.7-2:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would not conflict with any applicable goals or policies of SCAG, the <i>City of Newport Beach General Plan</i>, or the Coastal Act related to population, housing, and employment. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>
<b>SECTION 4.8 – RECREATION AND TRAILS</b>			
<p><b>Threshold 4.8-1:</b> Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?</p> <p><b>Threshold 4.8-2:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered</p>	<p>The proposed Project would increase the demand for park and recreational facilities. The Project includes approximately 51.4 gross acres of parkland, including 26.8 gross acres for a public Community Park, as well as trails through the Project site that connect to the regional trail system. This acreage exceeds local Quimby Act and General Plan parkland requirements. The physical impacts of implementing park and recreational facilities, including the pedestrian and</p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.8-1</b> The Master Development Plan and Tentative Tract Map provide for approximately 51 gross acres of public parkland including a Community Park, 2 bluff parks and 3 interpretive parks. The acres for the public Community Park exceed the City’s Municipal Code requirement for park dedication for the 1,375-unit Project, which is approximately 15 acres.</p> <p><b>PDF 4.8-2</b> The Master Development Plan provides a system of bicycle, pedestrian, and interpretive trails.</p> <p><b>PDF 4.8-3</b> If permitted by all applicable agencies, a pedestrian and bicycle bridge over West Coast Highway will be provided</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks?	bicycle bridge, are evaluated as part of the overall development Project. <b>Less than Significant Impact</b>	from the Project site to a location south of West Coast Highway. <b>Standard Conditions and Requirements</b> <b>SC 4.8-1</b> The Applicant shall comply with the City of Newport Beach Park Dedication and Fees Ordinance.	
<b>Threshold 4.8-3:</b> Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facilities would occur or be accelerated?	The proposed Project would increase the demand for park and recreational facilities; however, since the new recreational facilities provided by the Project exceed City standards, it would prevent the overuse of existing local recreational facilities. <b>Less than Significant Impact</b>	<b>Project Design Features</b> PDF 4.8-1 through 4.8-3 are applicable. <b>Mitigation Measures</b> MM 4.10-9 from Section 4.10, Air Quality, is applicable.	Less Than Significant Impact
<b>Threshold 4.8-4:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with any goals or policies of the City of Newport Beach General Plan or the California Coastal Act related to recreational resources. <b>No Impact</b>	No mitigation is required.	No Impact
<b>SECTION 4.9 – TRANSPORTATION AND CIRCULATION</b>			
<b>Threshold 4.9-1:</b> Would the project cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume-to-capacity ratio on roads, or congestion at intersections)?  <b>Threshold 4.9-2:</b> Would the project conflict with an applicable	Multiple traffic scenarios were evaluated. The following summarizes the significant impacts. Unless mentioned, the impacts are less than significant prior to mitigation:  <i>Existing Plus Project</i> – The Project is forecasted to significantly impact three intersections in Costa Mesa.  <i>Year 2016 With Project Traffic Phasing Ordinance (TPO) Analysis</i> – The Project would significantly impact seven	<b>Project Design Features</b> <b>PDF 4.9-1</b> In addition to mitigating traffic impacts of the Project, the transportation improvements included in the Master Development Plan provide arterial highway capacity needed to address existing demand as well as for planned growth in the region through implementing portions of the City’s General Plan and the County’s Master Plan of Arterial Highways.  <b>PDF 4.9-2</b> The arterial roadway improvements and contributions toward off-site improvements will be provided earlier in the development phasing program than needed to mitigate Project traffic impacts and requires that contributions	For all traffic scenarios, implementation of MM 4.9-1 and MM 4.9-2 would reduce impacts to Less Than Significant. However, the City of Newport Beach cannot impose

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p>congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County congestion management agency for designated roads or highways?</p>	<p>intersections in Costa Mesa.</p> <p><i>Year 2016 With Phase 1 Project TPO Analysis</i> – The Project would significantly impact to two intersections in Costa Mesa.</p> <p><i>Year 2016 Cumulative With Project</i> – The Project would significantly impact seven intersections in Costa Mesa.</p> <p><i>2016 Cumulative With Phase 1 Project</i>– The Project would significantly impact to two intersections in Costa Mesa.</p> <p><i>General Plan Buildout</i> – The Project would significantly impact to two intersections in Costa Mesa.</p>	<p>toward off-site improvements be provided early relative to the development phasing.</p> <p><b>PDF 4.9-3</b> The Master Development Plan includes a new arterial connection between West Coast Highway and 19<sup>th</sup> Street that will provide enhanced access to and from southwest Costa Mesa which will contribute to the mitigation of the impacts of projected regional growth.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.9-2</b> The Applicant shall be responsible for the payment of fair share traffic fees or right-of-way dedication or traffic improvements.</p> <p><b>SC 4.9-3</b> Prior to issuance of any grading permit, the Applicant shall prepare for City of Newport Beach Traffic Engineer review and approval a Construction Area Traffic Management Plan for the Project for the issuance of a Haul Route Permit. The Applicant shall ensure that construction activities requiring more than 16 truck (i.e., multiple axle vehicle) trips per hour on West Coast Highway, such as excavation and concrete pours, shall be prohibited between June 1 and September 1. At all other times, such activities shall be limited to 25 truck (i.e., multiple axle vehicle) trips per hour on West Coast Highway unless otherwise approved by the City of Newport Beach Traffic Engineer. Haul operations shall be monitored by the City of Newport Beach Public Works Department, and additional restrictions may be applied if traffic congestion problems arise. A staging area shall be designated on site for construction equipment and supplies to be stored during construction. No construction vehicles shall be allowed to stage on off-site roads during the grading and construction period.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.9-1</b> This measure identifies the City of Newport Beach transportation improvement program proposed as mitigation for the Project. The Applicant shall be responsible for the construction of the required improvements in lieu of the payment of fees. The improvements shall be completed during the 60</p>	<p>mitigation (MM 4.9-2) on another jurisdiction. Therefore, for purposes of this EIR, the impacts in Costa Mesa are assumed to remain Significant and Unavoidable.</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>months immediately after receipt of all permits.</p> <p><b>MM 4.9-2</b> This measure identifies the City of Costa Mesa transportation improvement program proposed as mitigation for the Project. The Applicant shall be responsible for the payment of fees and/or the construction of the required improvements in lieu of the payment of fees to be negotiated with the City of Costa Mesa. The payment of fees and/or the completion of the improvements shall be completed during the 60 months immediately after the receipt of all permits.</p>	
<p><b>Threshold 4.9-3:</b> Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), or result in inadequate emergency access?</p>	<p>Implementation of the proposed Project would not result in any significant impacts related to circulation or access, and therefore would not significantly impact any emergency response evacuation plans. To facilitate the movement of construction traffic and to minimize potential disruptions, standard conditions and mitigation, would be applicable to the proposed Project. <b>Less Than Significant Impact</b></p>	<p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.9-1</b> Sight distance at the Project's access point shall comply with City of Newport Beach standards.</p> <p><b>SC 4.9-3</b> is applicable.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.9-3</b> Prior to the introduction of combustible materials on the Project site, emergency fire access to the site shall be approved by the City of Newport Beach's Public Works and Fire Departments.</p> <p><b>MM 4.9-4</b> Prior to the start of grading, the Applicant shall demonstrate to the City of Newport Beach Fire Department that all existing and new access roads surrounding the Project site are designated as fire lanes, and no parking shall be permitted unless the accessway meets minimum width requirements of the Public Works and Fire Departments.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.9-4:</b> Would the project result in inadequate parking capacity?</p>	<p>The NBR-PC includes regulations that require adequate parking for new uses in the Project. The extension of 15<sup>th</sup> Street consistent with the General Plan would displace parking at an existing office building. <b>Potentially Significant Impact</b></p>	<p><b>Mitigation Measures</b></p> <p><b>MM 4.9-5</b> Prior to the displacement of any private parking spaces associated with improvements to 15<sup>th</sup> Street, the Applicant shall be responsible for the construction of replacement parking on the Project site within the Community Park site or in a location immediately proximate to the existing parking lot.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.9-5:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p> <p>Would the project conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities (e.g., bus turnouts, bicycle racks)?</p> <p>Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?</p>	<p>The proposed Project would amend the Circulation Element of the General Plan and the MPAH. By taking this action, the Project would be consistent with the Master Plan of Streets and Highways and the MPAH maps. The Project is consistent with the intent of the transportation-related goals and policies of SCAG, the <i>City of Newport Beach General Plan</i>, and the California Coastal Act. <b>No Impact</b></p>	<p><b>Project Design Features</b></p> <p>PDF 4.8-2 and 4.8-3 in Sections 4.8, Recreation and Trails; PDF 4.10-1 and 4.10-2 in Section 4.10, Air Quality; and PDF 4.11-3 in Section 4.11, Greenhouse Gas Emissions, are also applicable.</p>	<p>No Impact</p>
<p><b>SECTION 4.10 – AIR QUALITY</b></p>			
<p><b>Threshold 4.10-1:</b> Would the project conflict with or obstruct implementation of the applicable air quality plan?</p>	<p>The AQMP provides controls sufficient to attain the national ozone standards based on the long-range growth projections for the region. The Project</p>	<p>No mitigation is required.</p>	<p>No Impact</p>

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
	does not exceed the assumptions in the AQMP. Therefore, the Project is in conformance with the AQMP. <b>No Impact</b>		
<p><b>Threshold 4.10-2:</b> Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<p>Without mitigation, regional (mass) emissions of NOx are forecasted to exceed applicable thresholds in some construction years. <b>Potentially Significant</b></p> <p>Localized concentrations of CO, NO<sub>2</sub>, PM10, and PM2.5 due to construction activities would not exceed the applicable CEQA thresholds. <b>Less Than Significant Impact</b></p> <p>Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Project development continues beyond 2020, emissions of VOC and CO would exceed the significance thresholds, principally due</p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.10-1</b> The Master Development Plan provides for commercial uses, in the Mixed-Use/Residential and Visitor-Serving Resort/Residential Land Use Districts, within walking distance of the proposed residential neighborhoods and nearby residential areas to reduce vehicle trips and vehicle miles traveled.</p> <p><b>PDF 4.10-2</b> The Master Development Plan provides a network of public pedestrian and bicycle trails to reduce auto-dependency by connecting proposed residential neighborhoods to parks and open space within the Project site and to off-site recreational amenities, such as the beach and regional parks and trails.</p> <p>PDF 4.8-3 from Section 4.8, Recreation and Trails, and PDFs 4.11-1 through 4.11-5 from Section 4.11, Greenhouse Gas Emissions are applicable.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.10-1</b> During construction of the proposed Project, the Project Developer shall require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 in order to minimize short-term emissions of dust and particulates.</p> <p><b>SC 4.10-2</b> Architectural coatings shall be selected so that the VOC content of the coatings is compliant with SCAQMD Rule 1113.</p> <p>SC 4.11-1 from Section 4.11, Greenhouse Gas Emissions, is applicable.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.10-1</b> This measure requires the construction contractors</p>	<p>Though MM 4.10-1 would reduce the emissions to less than significant, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be Significant and Unavoidable</p> <p>Less Than Significant Impact</p> <p>Significant, Unavoidable Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
	<p>to vehicle operations. <b>Significant Impact</b></p> <p>Localized concentrations of CO at congested intersections would not exceed ambient air quality standards or CEQA significance thresholds. <b>Less Than Significant Impact</b></p>	<p>to implement measures that would reduce NOx emissions. These measures principally require efficient construction traffic operations.</p> <p><b>MM 4.10-2</b> This measure requires the construction contractors to implement measures that would reduce emissions by utilizing efficient construction methods.</p> <p><b>MM 4.10-3</b> This measure requires the construction contractors to implement measures that would reduce emissions by reducing idling times and properly maintaining construction equipment.</p> <p><b>MM 4.10-4</b> This measure requires the construction contractors to encourage ridesharing and transit incentives for the construction crews.</p> <p><b>MM 4.10-5</b> This measure requires the construction contractors to incorporate additional dust control measures to minimize fugitive dust, PM10, and PM2.5 emissions.</p> <p><b>MM 4.10-6</b> This measure requires the construction and paving of Bluff Road as early as feasible to minimize dust generation.</p> <p><b>MM 4.10-7</b> This measure requires the construction contractors to sweep paved roads within and adjacent to the Project site if visible soil materials are carried to the streets.</p> <p><b>MM 4.10-8</b> The Landowner/Master Developer shall distribute a notice to all residents, schools, and other facilities within 100 feet of the Project site that states "the environmental analysis identifies a potential for excess dust pollution for short periods during heavy grading. Extra measures shall be taken to prevent the dust from leaving the Project site, but persons should be aware of the potential for pollution".</p> <p><b>MM 4.10-9</b> The Landowner/Master Developer shall appoint a person as a contact for complaints relative to construction impacts to the adjacent neighborhoods. A contact telephone number and email address shall be posted on signs at the construction site and shall be provided by mail to all residents within 500 feet of the Project site. Upon receipt of a complaint,</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>the designated contact person shall investigate the complaint and shall develop corrective action, if needed.</p> <p><b>MM 4.10-10 Bicycle Facilities.</b> Prior to the issuance of building permits for the following specific components of the Project, the Applicant shall demonstrate to the City of Newport Beach that adequate bicycle facilities are provided (measure outlines requirements).</p> <p><b>MM 4.10-11 Conservation Education – Mobile Sources.</b> The future homeowners associations shall be required to provide educational information on mobile source emission reduction techniques) to all homeowners as part of purchase closing documents for the purchase of a property and annually after the close of escrow.</p> <p><b>MM 4.10-12 Conservation Education – Consumer Products.</b> The future homeowners associations shall be required to provide educational information on the positive benefits of using consumer products with low or no-volatile organic compounds (VOCs) (such as paint thinners and solvents) to all homeowners as part of purchase closing documents for the purchase of a property and annually after the close of escrow.</p>	
<p><b>Threshold 4.10-3:</b> Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable NAAQS or CAAQS (including releasing emissions that exceed quantitative thresholds for ozone precursors)?</p>	<p>The Project would have cumulatively considerable contributions to regional pollutant concentrations of O<sub>3</sub>. <b>Significant Impact</b></p>	<p><b>Project Design Features</b></p> <p>PDF 4.8-3 from Section 4.8, Recreation and Trails, is applicable PDFs 4.10-1 and 4.10-2 are applicable. PDF 4.11-2 through PDF 4.11-4 from Section 4.11, Greenhouse Gas Emissions, are applicable.</p> <p><b>Standard Conditions and Requirements</b></p> <p>SC 4.11-1 from Section 4.11, Greenhouse Gas Emissions, is applicable.</p> <p><b>Mitigation Measures</b></p> <p>MM 4.10-9 and MM 4.10-11 are applicable.</p>	<p>Significant, Unavoidable Impact</p>



**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<b>Threshold 4.10-4:</b> Would the project expose sensitive receptors to substantial pollutant concentrations?	Health risk associated with Toxic Air Contaminants to both off-site and on-site receptors found the cancer risk, the cancer burden, the chronic hazard risk and the acute hazard risk are all below the SCAQMD thresholds. <b>Less Than Significant Impact</b>	No mitigation is required.	Less Than Significant Impact
<b>Threshold 4.10-5:</b> Would the project create objectionable odors affecting a substantial number of people?	Odors may be perceived from both construction and long-term operations, but these odors would be typical for the land use and operations. Odors from the oilfields are not anticipated to be perceptible at nearby developed sites. <b>Less Than Significant Impact</b>	No mitigation is required.	Less Than Significant Impact
<b>Threshold 4.10-6:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with the intent of applicable goals or policies adopted to avoid or mitigate impacts related to air quality. <b>No Impact</b>	No mitigation is required.	No Impact
<b>SECTION 4.11 – GREENHOUSE GAS EMISSIONS</b>			
<b>Threshold 4.11-1:</b> Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	The Project would emit quantities of GHGs that would exceed the City's 6,000 MTCO <sub>2</sub> e/yr significance threshold. The Project would make a cumulatively considerable contribution to the global GHG inventory. <b>Cumulatively Significant Impact</b>	<b>Project Design Features</b> <b>PDF 4.11-1</b> The Project will be consistent with a recognized green building program that exists at the time of final Project approval. <b>PDF 4.11-2</b> The Project will exceed adopted 2008 Title 24 energy requirements by a minimum of 5 percent. <b>PDF 4.11-3</b> The Master Development Plan and the Newport Banning Ranch Planned Community Development Plan require the Project to be coordinated with Orange County Transportation Authority (OCTA) to allow for a transit routing through the	Cumulatively Significant, Unavoidable Emissions Impact

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>community, and will provide bus stops and/or shelters as needed in the community to accommodate the bus routing needed by OCTA.</p> <p><b>PDF 4.11-4</b> The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require that all residential development will incorporate the measures that increase energy efficiency (measures identified in PDF), which will be reflected on and incorporated into every application for a subdivision map that creates residential lots.</p> <p><b>PDF 4.11-5</b> This PDF identifies measures to be implemented during grading activities that would reduce emissions associated with construction equipment and minimize the amount of the amount of construction solid waste disposed offsite (measures identified in PDF).</p> <p>PDF 4.8-3, from Section 4.8, Recreation and Trails, is applicable.</p> <p>PDFs 4.10-1 and 4.10-2 from Section 4.10, Air Quality, are applicable.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.11-1 Energy Efficiency Standards.</b> The Project shall be built in accordance with the California 2008 Building Energy Efficiency Standards for Residential and Nonresidential Buildings, commonly identified as the "2008 Title 24 Energy Efficiency Standards" or the version of these standards current at the time of the issuance of each building permit.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.11-1</b> Prior to the issuance of each occupancy permit, the Permit Applicant shall demonstrate the plan for the applicable future homeowners association to provide educational information to all homeowners on measures to reduce GHG. This will be done prior to individual purchase of property and again annually.</p> <p><b>MM 4.11-2</b> Prior to the issuance of the building permit for the</p>	

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>hotel and each building permit for a multi-family complex with a swimming pool or spa, the Developer shall demonstrate that the plans incorporate energy efficient heating, pumps and motors.</p> <p><b>MM 4.11-3</b> Prior to the issuance of each building permit, the Developer shall demonstrate that light emitting diode (LED) lights will be used for traffic lights and LED or similar energy efficient lighting will be used for street lights and other outdoor lighting.</p> <p><b>MM 4.11-4</b> Prior to the issuance of each building permit for multi-family buildings, parks, and other public spaces, the Developer shall demonstrate that the plans include the installation of facilities for the collection of recyclable materials consistent with the recycle requirements of the City and the local waste collection contractor.</p> <p><b>MM 4.11-5</b> Prior to the issuance of each building permit for multi-family buildings and the resort hotel, the Developer shall demonstrate that the plans include the installation of facilities for electric vehicle recharging.</p> <p><b>MM 4.11-6</b> Prior to the issuance of each building permit for multi-family buildings, commercial building, park, and other public space, the Developer shall demonstrate that the plans include the installation of bicycle parking spaces at each facility.</p>	
<p><b>Threshold 4.11-2:</b> Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>	<p>The proposed Project would be consistent with applicable SCAG, City of Newport Beach General Plan, and Coastal Act policies, and with measures recommended by the California Attorney General to reduce GHG emissions that would result in minimization of GHG emissions. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.12 – NOISE</b>			
<p><b>Threshold 4.12-1:</b> Would the project expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p> <p><b>Threshold 4.12-4:</b> Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</p>	<p>These thresholds were evaluated for the various phases of the Project. The evaluation for construction and long-term use of the site considered different factors. For long term operations, only those locations where impacts are identified are listed. The EIR section evaluates additional locations where less than significant impacts are identified.</p> <p><b>Construction Activities</b> Construction activities would generate loud noises; however, all construction activities would be in compliance with the established standards. <b>No Impact</b></p> <p><b>Long-Term Operations</b> The increased traffic volumes on 17<sup>th</sup> Street, west of Monrovia Avenue would expose sensitive receptors to noise levels in excess of City of Newport Beach’s standards for changes to the ambient noise levels. At buildout, noise levels would also exceed significance thresholds in the City of Costa Mesa. <b>Significant Impact</b></p> <p>For portions of the Newport Crest development, there would be a significant increase in the ambient noise level due to the projected traffic volumes in the buildout condition. <b>Significant Impact</b></p> <p>Without attenuation, residential uses internal to the Project would be exposed to noise levels in excess of</p>	<p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.12-1</b> Project construction activities shall comply with the Newport Beach Noise Ordinance, which restricts hours of operation.</p> <p><b>SC 4.12-2</b> HVAC units shall be designed and installed in accordance with the Newport Beach Noise Ordinance.</p> <p><b>SC 4.12-3</b> All residential and hotel units shall be designed to ensure that interior noise levels in habitable rooms from exterior transportation sources shall not exceed 45 dBA CNEL.</p> <p><b>SC 4.12-4</b> In accordance with City of Newport Beach standards, rubberized asphalt or pavements offering equivalent or better acoustical properties shall be used to pave all public roads on the Project site and all off-site City of Newport Beach roads where improvements would be provided as a part of the Project.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.12-5</b> Prior to the issuance of the first building permit, the Applicant shall provide evidence to the City of Newport Beach that funds have been deposited with the City of Costa Mesa associated with the cost of one-time resurfacing 17<sup>th</sup> Street west of Monrovia Avenue with rubberized asphalt.</p> <p><b>MM 4.12-6</b> The grading plans for Bluff Road and 15<sup>th</sup> Street shall require the construction and installation of a noise barrier to reduce future traffic noise from the Bluff Road and 15<sup>th</sup> Street to the Newport Crest residences.</p> <p><b>MM 4.12-7</b> Concurrent with the grading permit for Bluff Road, the Applicant shall provide written notice of an offer of installing dual pane windows/sliding doors on the façade facing the Newport Banning Ranch property. The offer shall apply to the owners of the residences (Owners) directly adjacent to the Newport Banning Ranch property in the western and northern boundaries of Newport Crest Condominiums impacted by</p>	<p>Construction: No Impact</p> <p>Long-Term: 17th Street- MM 4.12-5 would reduce impacts to Less Than Significant. However, the City of Newport Beach cannot impose mitigation on another jurisdiction. Therefore, for purposes of this EIR, the impacts in Costa Mesa are assumed to remain Significant and Unavoidable</p> <p>Newport Crest-MM 4.12-6 would reduce impacts to levels within the “Clearly Compatible” or “Normally Compatible” classifications but would remain above the 5 dBA</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
	applicable standards. <b>Significant Impact</b>	<p>significant noise levels (significant being a cumulative increase over existing conditions of greater than 5 dBA) associated with the Project.</p> <p><b>MM 4.12-8</b> Prior to tract map approval for the residential areas adjacent to Bluff Road and North Bluff Road, the Applicant shall provide an acoustical analysis prepared by a qualified Acoustical Engineer that demonstrates residential exterior living areas would be exposed to noise levels below 65 dBA CNEL.</p> <p><b>MM 4.12-9</b> Truck deliveries and loading dock activities in commercial areas of the Project shall be restricted to between the hours of 7:00 AM and 10:00 PM on weekdays and Saturdays and shall be restricted to between the hours of 9:00 AM and 10:00 PM on Sundays and federal holidays.</p> <p><b>MM 4.12-10</b> If loading docks or truck driveways are proposed as part of the Project's commercial areas within 200 feet of an existing home, an 8-foot-high screening wall shall be constructed to reduce potential noise impacts.</p> <p><b>MM 4.12-11</b> Prior to the approval of a permit for the drilling of replacement oil wells in the Consolidated Oil Facility, the Applicant shall provide to the City of Newport Beach descriptions of the noise reduction methods to be used to minimize drilling activity noise.</p>	<p>significance criterion in the General Plan. MM 4.12-7 would provide interior attenuation but because the City of Newport Beach does not have the authority to mandate the implementation of mitigation on private property that is not on the Project site, the impact would be Significant and Unavoidable.</p> <p>Internal development- With SC 4.12-2 through SC 4.12-4 and MM 4.12-8, through MM 4-12-12 Less Than Significant Impact.</p>
<b>Threshold 4.12-2:</b> Would the project result in a temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Construction equipment would result in a substantial temporary increase in ambient noise levels to nearby noise sensitive receptors in the vicinity of the Project. Due to the low existing ambient	<p><b>Mitigation Measures</b></p> <p><b>MM 4.12-1</b> Grading plans and specifications shall include temporary noise barriers for all grading, hauling, and other heavy equipment operations that would occur within 300 feet of sensitive off-site receptors and would occur for more than 20</p>	Significant, Unavoidable Impact

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
	noise levels, the proximity of the noise-sensitive receptors, and duration of construction activities, the temporary noise increases would be significant. <b>Significant Impact</b>	days. <b>MM 4.12-2</b> Prior to the start of grading, the Construction Manager shall provide evidence acceptable to the Public Works Director and/or Community Development Director, that best practices to minimize noise during construction are in place. <b>MM 4.12-3</b> At least two weeks prior to the start of any grading operation or similar noise generating activities within 300 feet of residences or the Carden Hall school, the contractor shall notify affected residents and the school of the planned start date, duration, nature of the construction activity, and noise abatement measures to be provided.	
<b>Threshold 4.12-3:</b> Would the project expose people to or generate excessive groundborne vibration or groundborne noise levels?	Vibration may be noticeable for short periods during construction, but it would be temporary and periodic. Generally, the impact would not be excessive; however, if large construction equipment is within 10 feet of older residences, there could be potential impacts. <b>Potentially Significant Impact</b>	<b>Mitigation Measures</b> <b>MM 4.12-4</b> During construction, the operation of large bulldozers, vibratory rollers, and similar heavy equipment shall be prohibited within 25 feet of any existing off-site residence.	Less Than Significant Impact
<b>Threshold 4.12-5:</b> Would the project be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?  <b>Threshold 4.12-6:</b> Would the project be within the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	The Project site is not near a private airstrip and is outside of the limits of the Airport Land Use Plan for John Wayne Airport (JWA), which is approximately 4 miles to the northeast of the Project site. <b>No Impact</b>	No mitigation required.	No Impact

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.12-7:</b> Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project is consistent with the goals and policies of the City of Newport Beach General Plan related to noise. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>
<p><b>SECTION 4.13 – CULTURAL AND PALEONTOLOGICAL RESOURCES</b></p>			
<p><b>Threshold 4.13-1:</b> Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</p>	<p>The Project would not impact any known historical resources. However, grading and excavation could impact unknown historical resources. <b>Potentially Significant Impact</b></p>	<p><b>Mitigation Measures</b> <b>MM 4.13-1</b> A qualified Archaeologist shall be retained to observe grading activities and to salvage and catalogue resources, as necessary. The Archaeologist shall be present at the pre-grade conference; shall establish procedures for archaeological resource surveillance; and shall establish, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts, as appropriate.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.13-2:</b> Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?</p>	<p>The Project would impact known archaeological resources. Three archaeological sites (CA-ORA-839, CA-ORA-844B, and CA-ORA-906) are deemed eligible for listing on California Register of Historic Resources (CRHR) and the National Register of Historic Properties (NRHP). Disturbance activities could also impact unknown resources. <b>Potentially Significant Impact</b></p>	<p><b>Mitigation Measures</b> MM 4.13-1 would be applicable. <b>MM 4.13-2</b> Mitigation programs for each of the three sites known to be eligible for the CRHR and the NRHP have been proposed. The programs involve measures to preserve the sites, to the extent feasible and take actions to protect the resources in place. However, where disturbance would occur due to development and site remediation data recovery programs are identified. The measure has specific recommendations for each site.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.13-3:</b> Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	<p>There are three mapped lithologic units that underlie the Project site. The San Pedro Sand and Palos Verdes Sand have high paleontological sensitivity.</p>	<p><b>Mitigation Measures</b> <b>MM 4.13-3</b> A qualified Paleontologist shall be retained to observe grading activities and to conduct salvage excavation of paleontological resources, as necessary. The Paleontologist</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
	Grading activities could impact significant paleontological resources. <b>Potentially Significant Impact</b>	shall establish procedures for paleontological resources surveillance and procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the fossils as appropriate.  <b>MM 4.13-4</b> Prior to the issuance of the first grading permit and/or action that would allow for Project site disturbance, a paleontological survey shall be conducted to record all paleontological resources present at the surface for those portions of the Project site where grading would occur that will affect Quaternary San Pedro Sand and Quaternary Palos Verdes Sand.	
<b>Threshold 4.13-4:</b> Would the project disturb any human remains, including those interred outside of formal cemeteries?	There is no indication of burials present on the Project site. Grading activities could impact unknown human remains. <b>Potentially Significant Impact</b>	<b>Standard Conditions and Requirements</b>  <b>SC 4.13-1</b> If human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC), who will notify those persons it believes to be the most likely descended from the deceased Native American.	Less Than Significant Impact
<b>Threshold 4.13-5:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with any goals or policies of the City of Newport Beach General Plan or the Coastal Act related to historic, archaeological, and paleontological resources. <b>No Impact</b>	No mitigation is required.	No Impact



**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<b>SECTION 4.14 – PUBLIC SERVICES AND FACILITIES</b>			
<p><b>Fire Protection</b></p> <p><b>Threshold 4.14-1:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?</p>	<p>Site Planning Area 12b, the northerly block of Site Planning Area 10a, and the northerly block of Site Planning Area 10b cannot be served by Station Number 2 within the established response time. <b>Less Than Significant Impact with Mitigation</b></p>	<p><b>Project Design Features</b></p> <p><b>PDF 4.14-1</b> The Master Development Plan requires that the Project be designed to provide fire-resistant construction for all structures adjoining natural open space, including utilizing fire-resistant building materials and sprinklers.</p> <p><b>Standard Conditions and Requirements</b></p> <p><b>SC 4.14-1</b> The Applicant shall pay the required Property Excise Tax to the City of Newport Beach, for public improvements and facilities associated with the City of Newport Beach Fire Department, City of Newport Beach Public Library, and City of Newport Beach public parks.</p> <p><b>SC 4.14-2</b> Prior to City approval of individual development plans for the Project, the Applicant shall obtain Fire Department review and approval of the site plan in order to ensure adequate access to the Project site.</p> <p><b>SC 4.14-3</b> Prior to the issuance of a Certificate of Occupancy, fuel modification shall be installed, completed, and inspected by the Fire Department.</p> <p><b>Mitigation Measures</b></p> <p><b>MM 4.14-1</b> Certificates of occupancy shall not be issued for any residential unit, the resort inn, or any commercial structure in Site Planning Areas 10a (northerly block only), 10b (northerly block only), and 12b until Fire Station Number 2 is rebuilt at a location that the Newport Beach Fire Department has determined is sufficient to provide fire response within the Fire Department's established response time standards.</p> <p><b>MM 4.14-2</b> The Applicant shall pay the City of Newport Beach a fire facilities impact fee equal to its fair share of the need for a relocated Fire Station Number 2.</p> <p><b>MM 4.14-3</b> Should a replacement station for Fire Station 2 not be constructed prior to the development of residential units, the</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		resort inn, or any commercial structure in Site Planning Areas 10a (northerly block only), 10b (northerly block only), and 12b, the Applicant shall provide and improve a site within the Project site boundaries for a temporary facility of sufficient size to accommodate one engine company and one paramedic ambulance of at least nine firefighters on a 7-day/24-hour schedule prior to the issuance of certificates of occupancy for any development in the said Planning Areas. The site shall be within the Project limits of disturbance approved as a part of the Project such that no new environmental effects would occur.	
<p><b>Threshold 4.14-2:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The Project would not conflict with any goals or policies of SCAG, the City of Newport Beach General Plan, or the Coastal Act related to the provision of fire protection services. <b>No Impact</b></p>	<p>No mitigation required.</p>	<p>No Impact</p>
<p><b>Police Protection</b> <b>Threshold 4.14-3:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?</p>	<p>Police protection services can be provided to the Project site without significantly impacting existing and planned development within the City and without the need for new facilities. <b>Less Than Significant Impact</b></p>	<p><b>Standard Conditions and Requirements</b> <b>SC 4.14-4</b> Prior to issuance of building permits, the City of Newport Beach Police Department shall review development plans for the incorporation of defensible space concepts to reduce demands on police services. The Applicant shall prepare a list of project features and design components that demonstrate responsiveness to defensible space design concepts. <b>SC 4.14-5</b> Prior to the issuance of the first grading permit and/or action that would permit Project site disturbance, the Applicant shall provide evidence to the City of Newport Beach Police Department that a construction security service or equivalent service shall be established at the construction site along with other measures, as identified by the Police Department and the Public Works Department.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.14-4:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would not conflict with any goals or policies of SCAG, the <i>City of Newport Beach General Plan</i>, or the Coastal Act related to the provision of police protection services. <b>Less Than Significant Impact</b></p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact</p>
<p><b>Schools</b> <b>Threshold 4.14-5:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered school facilities, need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable levels of service ratios or other performance objectives for public school facilities?</p>	<p>There is capacity within the NMUSD to accommodate the expected number of students from the Project. <b>Less Than Significant Impact</b></p>	<p><b>Standard Conditions and Requirements</b> <b>SC 4.14-6</b> Pursuant to Section 65995 of the <i>California Government Code</i>, the Applicant shall pay developer fees at the time building permits are issued to the Newport-Mesa Unified School District; payment of the adopted fees would provide full and complete mitigation of school impacts. <b>SC 4.14-7</b> New development within the Project site shall be subject to the same General Obligation bond tax rate as already applied to other properties within the Newport-Mesa Unified School District for Measure F (approved in 2005) and Measure A (approved in 2000) based upon assessed value of the residential and commercial uses.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.14-6:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would not conflict with any goals or policies of SCAG, the <i>City of Newport Beach General Plan</i>, or the Coastal Act related to the provision of public school services. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>
<p><b>Library Services</b> <b>Threshold 4.14-7:</b> Would the project result in substantial adverse</p>	<p>Library services can be provided to the Project site without significantly impacting existing and planned</p>	<p><b>Standard Conditions and Requirements</b> SC 4.14-1 is applicable.</p>	<p>No Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for library services?	development within the City and without the need for new facilities. <b>No Impact</b>		
<b>Threshold 4.14-8:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	The proposed Project would not conflict with any goals or policies of SCAG, the <i>City of Newport Beach General Plan</i> , or the Coastal Act related to the provision of public library services. <b>No Impact</b>	No mitigation is required.	Less Than Significant Impact
<b>Solid Waste</b> <b>Threshold 4.14-9:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for solid waste services?	Solid waste services can be provided to the Project without significantly impacting existing and planned facilities. <b>Less Than Significant Impact</b>	<b>Project Design Features</b> PDF 4.11-5 from Section 4.11, Greenhouse Gas Emissions, is applicable.	Less Than Significant Impact

**TABLE 1-2 (Continued)  
SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.14-10:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would not conflict with any goals or policies of SCAG, the <i>City of Newport Beach General Plan</i>, or the Coastal Act related to the provision of solid waste disposal services. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact</p>
<b>SECTION 4.15 – UTILITIES</b>			
<p><b>Water Supply</b> <b>Threshold 4.15-1:</b> Would the project require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</p>	<p>Implementation of the Project would increase demand for water supply, but would not require new water treatment facilities. Anticipated water demand would require construction of water distribution facilities, the majority of which would occur within the Project's development footprint. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b> <b>PDF 4.15-1</b> The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require the use of native and/or drought-tolerant landscaping in public common areas to reduce water consumption. <b>PDF 4.15-2</b> The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan require the use of Smart Controller irrigation systems in all public and common area landscaping. <b>PDF 4.15-3</b> The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan include a plan for a domestic water system designed to take advantage of existing water transmission facilities to minimize off-site impacts. <b>PDF 4.15-4</b> The Newport Banning Ranch Planned Community Development Plan and the Master Development Plan include a plan for the Project's water system to provide a level of redundancy by making a connection between the City of Newport Beach Zone 1 and Zone 2 water lines. PDF 4.11-1 and PDF 4.11-4 from Section 4.11, Greenhouse Gas Emissions, are applicable. <b>Standard Conditions and Requirements</b> <b>SC 4.15-1</b> The <i>City of Newport Beach Municipal Code</i></p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
		<p>establishes mandatory permanent water conservation requirements.</p> <p><b>SC 4.15-2</b> The <i>City of Newport Beach Municipal Code</i> establishes four levels of water supply shortage response actions to be implemented during times of declared water shortages.</p>	
<p><b>Threshold 4.15-2:</b> Would the project have insufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</p>	<p>Implementation of the Project would not exceed available water supply according to the Water Supply Assessment. <b>Less Than Significant Impact</b></p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact</p>
<p><b>Threshold 4.15-3:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would be consistent with the intent of the water supply goals and policies of SCAG and the <i>City of Newport Beach General Plan</i>. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>
<p><b>Wastewater Facilities</b></p> <p><b>Threshold 4.15-4:</b> Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</p> <p><b>Threshold 4.15-5:</b> Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<p>Implementation of the Project would increase generation of wastewater; however, wastewater flows from the Project site would not exceed the capacity of the existing treatment facilities. Therefore, treatment would be in accordance to treatment requirements set forth by the RWQCB. <b>Less Than Significant Impact</b></p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

Thresholds Applied	Environmental Impacts/Level of Significance Before Mitigation	Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures	Level of Significance After Mitigation
<p><b>Threshold 4.15-6:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would be consistent with the intent of wastewater-related goals and policies of SCAG and the <i>City of Newport Beach General Plan</i>. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>
<p><b>Energy</b> <b>Threshold 4.15-7:</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered energy transmission facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable levels of service?</p>	<p>There are existing electrical and natural gas facilities within and adjacent to the Project site. All utility providers have indicated their ability to serve the proposed Project. Physical impacts, and associated minimization measures, related to installation and/or relocation of necessary infrastructure are addressed as part of the proposed Project analyzed throughout this EIR. <b>Less Than Significant Impact</b></p>	<p><b>Project Design Features</b> PDF 4.6-4 from Section 4.6, Biological Resources and PDFs 4.11-1, 4.11-2, and 4.11-4 and PDF 4.11-5 from Section 4.11, Greenhouse Gas Emissions are applicable.</p> <p><b>Standard Conditions and Requirements</b> SC 4.10-1 in Section 4.10, Air Quality and SC 4.12-1 in Section 4.12, Noise would be applicable to reduce construction-related impacts.</p> <p><b>SC 4.15-3</b> The proposed Project shall meet or exceed all State Energy Insulation Standards and City of Newport Beach codes in effect at the time of application for building permits.</p> <p><b>Mitigation Measures</b> MMs 4.10-1, 4.10-2, and 4.10-4 through 4.10-8 in Section 4.10, Air Quality and MM 4.12-1 through MM 4.12-5 in Section 4.12, Noise would be applicable to minimize construction-related impacts.</p>	<p>Less Than Significant Impact</p>

**TABLE 1-2 (Continued)**  
**SUMMARY OF SIGNIFICANT IMPACTS AND MITIGATION PROGRAM**

<b>Thresholds Applied</b>	<b>Environmental Impacts/Level of Significance Before Mitigation</b>	<b>Summary of Mitigation Program: Project Design Features, Standard Conditions, and Mitigation Measures</b>	<b>Level of Significance After Mitigation</b>
<p><b>Threshold 4.15-8:</b> Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</p>	<p>The proposed Project would be consistent with the intent of the energy-related goals and policies SCAG and of the <i>City of Newport Beach General Plan</i>. <b>No Impact</b></p>	<p>No mitigation is required.</p>	<p>No Impact</p>



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