Appendix M
Cumulative Projects

CUMULATIVE PROJECTS

To determine which projects may contribute to cumulative impacts, the City of Newport Beach (City) considered known projects within Newport Beach and the adjacent jurisdictions and special districts. To address regional growth, adopted plans such as OCP-2006, General Plans, and development projects are used in the cumulative impact analysis. Adjacent jurisdictions were contacted to determine if "related projects" should be considered in the cumulative analysis; an initial list was provide to each jurisdiction. This information was then sent to the jurisdictions with a request for confirmation that the list was comprehensive or, if it was found not to be comprehensive, with a request to identify projects that had not been included on the list.

The cumulative study area varies from one environmental topic to another depending upon the nature of impacts related to the topic. For example, cumulative aesthetic considerations encompass only the surrounding areas with direct views of the Project site, while air quality is a regional issue that is analyzed on a broader scale. With respect to greenhouse gas (GHG) emissions, this environmental issue was not required to be addressed in CEQA documents until the State CEQA Guidelines were amended in March 2010. Although the topic of climate change/greenhouse gas emissions was not evaluated in earlier CEQA documents, projects were contributing greenhouse gas emissions. Because of the global nature of the climate change problem, most projects will not result in GHG emissions that are individually significant (CAPCOA 2009). Therefore, while not all CEQA documents for projects evaluated potential GHG impacts, the presumption of this EIR's cumulative impact analysis is that the majority if not all projects included in the cumulative study area incrementally contribute to cumulative GHG impacts whether or not addressed in their respective CEQA documents.

The provision of fire protection services is based on a combination of existing City of Newport Beach fire services and use of mutual aid. The City participates in Central Net, an automatic mutual aid system with the cities of Costa Mesa, Santa Ana, and Huntington Beach, and the OCFA. Together, these cities and the County provide personnel to any emergency. The closest emergency response unit is dispatched to the emergency, regardless of jurisdictional boundary. As such, all projects in the cities of Newport Beach and Huntington Beach would be assumed in the cumulative analysis for fire protection services.

COUNTY OF ORANGE

The following projects were identified by the County of Orange for consideration in the cumulative analysis for the Newport Banning Ranch Project. Although some of these projects are located within the jurisdictional boundaries of cities, the County of Orange is the lead agency. The projects are in various stages of processing and completion (see Exhibit 5-1 in Section 5.0, Cumulative Impacts).

COUNTY OF ORANGE PROJECTS WHERE CONSTRUCTION HAS BEEN INITIATED OR COMPLETED

Huntington Beach Wetlands Restoration Project

The Huntington Beach Wetlands contain a series of marshes that are separated by roads and bound by the Huntington Beach and Talbert flood-control channels located at Brookhurst Street and Magnolia Street approximately one mile west of the Newport Banning Ranch Project site. The Huntington Beach Wetlands are connected to the Pacific Ocean by the Talbert ocean entrance channel. The project includes restoration of Talbert Marsh, Brookhurst Marsh,

Magnolia Marsh (not including Upper Marsh), and Talbert Ocean Channel, for a total of approximately 130 acres. The project also includes maintenance dredging of Talbert Marsh and the Talbert Ocean Channel two times after construction. Discretionary actions required include a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game (CDFG), Sections 10 and 404 Nationwide permits from the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB) Section 401 certification, Coastal Development Permit (CDP) from the California Coastal Commission, conditional use permit, encroachment permit (County and State Parks), and approval from the State of California Department of Oil and Gas (DOGGR). Potential impacts from this project were evaluated in an Initial Study/Mitigated Negative Declaration (IS/MND). The Final IS/MND was approved in December 2007. Construction of Phase 1 was completed in March 2009; construction of Phase 2 started in September 2009 and is scheduled to be completed in 2011. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, air quality, cultural and scientific resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. The IS/MND lists the following significant impacts that would result from project implementation; however, with the implementation of mitigation measures, all impacts would be reduced to a less than significant level.

- ***Biological Resources:*** Although the net result of the project would include an increase in eelgrass habitat, the temporary loss of 0.4 acre of eelgrass is considered a potentially significant impact. Implementation of mitigation measures would reduce the potential loss of eelgrass during dredging to a less than significant level.

- ***Noise:*** The project may result in audible short-term and intermittent increases in noise levels during dredging, grading, and periodic maintenance operations. With implementation of mitigation measures and compliance with the City of Huntington Beach's noise regulations, noise impacts would be reduced to a less than significant level.

Conclusions: Although eelgrass habitat is a sensitive resource and would be temporarily impacted as a part of the Huntington Beach Wetlands Restoration Project, the Newport Banning Ranch Project does not include eelgrass habitat. Therefore, the proposed Newport Banning Ranch Project would not cumulatively contribute to an impact on eelgrass. With respect to construction noise, the Wetlands Restoration Project is scheduled to be completed in 2011 prior to any construction activities on the Newport Banning Ranch Project site. No cumulative noise impacts would occur. Therefore, the Huntington Beach Wetlands Project is not included in the cumulative impact assumptions for Newport Banning Ranch.

COUNTY OF ORANGE PROJECTS WITH APPROVED CEQA DOCUMENTATION

Edinger Storm Channel Improvement Project

The Edinger Storm Channel Improvement Project is located within the cities of Westminster and Huntington Beach in the northwestern portion of Orange County. The project includes the East Garden Grove-Wintersburg Channel from Woodruff Street to Interstate 405 (I-405) and the Edinger Storm Channel. The project proposes to install 2 additional, 66-inch reinforced concrete pipes underneath I-405 and a double 9-foot by 9-foot reinforced concrete box under Edinger Avenue. The existing trapezoidal channel would be replaced with a larger capacity, 20-foot-wide by 10-foot-deep reinforced concrete rectangular channel from I-405 to Edinger Avenue and a

20-foot-wide by 9-foot-deep reinforced concrete rectangular channel from Edinger Avenue to 1,765 feet upstream of Edinger Avenue. Discretionary actions include a Section 1602 Streambed Alteration Agreement (CDFG), Section 404 Nationwide permit (USACE), and Section 401 Certification (RWQCB). The IS/MND was approved on July 15, 2009; an Addendum to the MND was approved on April 20, 2010. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: land use and planning, agriculture, population and housing, cultural and scientific resources, recreation, mineral resources, hazards, public services, and utilities and service systems. Based on the IS/MND, the following significant impacts were identified; measures were proposed to mitigate these impacts to a less than significant level.

- ***Aesthetics:*** The project would result in short-term, nighttime lighting during construction. With implementation of mitigation that requires minimal wattage and construction-related lighting to be directed downward and oriented away from adjacent residential areas, this impact would be reduced to a less than significant level.

- ***Geology and Soils:*** Demolition and excavation activities from channel improvements would expose soils to short-term erosion by wind and water. The project would be subject to the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit for construction. Following compliance with the NPDES permit and recommended mitigation, soil erosion impacts would be reduced to a less than significant level.

- ***Hydrology and Water Quality:*** The project would result in a discharge of sediments and pollutants into surface waters entering the Edinger Channel. This impact would be mitigated to a less than significant level with incorporation of Best Management Practices (BMPs) and implementation of Orange County Standard Conditions of Approval.

- ***Biological Resources:*** Project activities are proposed within "Waters of the U.S.". Mitigation that requires USACE, RWQCB, and CDFG permits to be obtained prior to commencement of construction activities would reduce biological resource impacts to a less than significant level.

- ***Transportation and Circulation:*** The project would result in temporary vehicular construction impacts to streets in the project area. With implementation of mitigation that requires the preparation of a Construction Management Plan and a Traffic Control Plan, construction-related impacts to streets in the project area would be reduced to a less than significant level.

- ***Air Quality:*** No significant air quality impacts are anticipated as a result of project implementation. However, to ensure that potential construction-related emissions are reduced, several measures prescribed by South Coast Air Quality Management District (SCAQMD) Rule 403 would be incorporated during project construction.

- ***Noise:*** The project would result in short-term construction noise impacts. With implementation of mitigation measures and compliance with applicable noise ordinances and County of Orange Standard Conditions of Approval, construction noise impacts would be reduced to a less than significant level.

Conclusions: All of the identified impacts are construction related and would be mitigated to a less than significant level and would not coincide with potential impacts associated with the

proposed Project. Therefore, the Edinger Storm Channel Improvement project is not included in the cumulative impact assumptions for Newport Banning Ranch.

U.S. Coast Guard Bulkhead Replacement Project

The site is located in the southeastern portion of Newport Bay near the Newport Harbor Entrance Channel and adjacent to the U.S. Coast Guard Station located at 1911 Bayside Drive in the Corona del Mar area of the City of Newport Beach. The project includes the construction of a new 174-foot section of tied back bulkhead; renovations of the guest docks and guide piles; dredging of approximately 1,200 cubic yards (cy) of material beneath the proposed dock systems; construction of new storm drain infrastructure; and replacement of pavement to support the service load requirements of the facilities. Discretionary actions include a Coastal Development Permit from the California Coastal Commission. The IS/MND was approved on March 11, 2008; the project was completed in 2011. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: land use and planning, agriculture, population and housing, geology and soils, transportation/circulation, air quality, aesthetics, cultural and scientific resources, recreation, mineral resources, hazards, public services, and utilities and service systems. The following significant impacts are identified in the IS/MND:

- ***Hydrology and Water Quality:*** Water quality impacts may occur as a result of the project. Construction activities (e.g., dredging, demolition of the parking lot) would result in water quality impacts but not to a level that would violate water quality standards or waste discharge requirements. However, as part of a future project (replacement of the existing Coast Guard Station), it is anticipated that sediment and pollutant discharge into surface waters would occur in the future as the existing Coast Guard Station is replaced. The effect of these discharges on water quality from the future Coast Guard Station project would be minimized through compliance with current regulatory requirements imposed on this project. Consequently, impacts related to water quality would be reduced to a less than significant level.

- ***Biological Resources:*** The project would result in the direct loss of eelgrass vegetation. Mitigation at a 1.2:1 ratio based on the Southern California Eelgrass Mitigation Policy prescribed by the National Marine Fisheries Service (1991), as amended, would offset eelgrass impacts to a less than significant level.

- ***Noise:*** The project would result in potentially significant construction noise impacts. Implementation of mitigation measures would reduce construction noise impacts to a less than significant level.

Conclusions: Although eelgrass habitat is a sensitive resource and would be impacted as a part of the Bulkhead Replacement project, the Newport Banning Ranch Project does not include eelgrass habitat. Therefore, the proposed Newport Banning Ranch Project would not cumulatively contribute to an impact on eelgrass. With respect to construction noise, the Bulkhead Replacement site is approximately four miles east of the Newport Banning Ranch Project site; there would not be a cumulatively increase in construction noise between the two projects due to their distance from each other. No cumulative noise impacts would occur. Because the project sites are in different watersheds, there would not be a cumulative contribution to any effects to the respective watersheds. Both projects would be required to mitigate to water quality impacts. Therefore, the Bulkhead Replacement project is not included in the cumulative impact assumptions for Newport Banning Ranch.

CITY OF NEWPORT BEACH

The following projects were identified by the City of Newport Beach for consideration in the cumulative analysis for the Newport Banning Ranch Project. The potential cumulative projects are depicted in Exhibit 5-2 of Section 5.0, Cumulative Impact Analysis, and are summarized below.

CITY OF NEWPORT BEACH PROJECTS WHERE CONSTRUCTION HAS BEEN INITIATED OR COMPLETED

Hoag Memorial Hospital Presbyterian Master Plan Update

The project site is an existing facility located at One Hoag Drive in the City of Newport Beach. The existing *Hoag Memorial Hospital Presbyterian Master Plan* allowed for up to 1,343,238 sf of development at Hoag, inclusive of the Upper and Lower Campuses. The project proposes to reallocate up to 225,000 sf of previously approved (but not constructed) square footage from the Lower Campus to the Upper Campus. The maximum allowable building area on the Upper Campus would be 990,349 sf (if all 225,000 sf is reallocated), and the maximum allowable building area on the Lower Campus would be 577,889 sf (if no square footage is reallocated). However, in no event would the combined total building areas of both the Upper and Lower Campuses be allowed to exceed 1,343,238 sf. Discretionary actions include a General Plan Amendment, Planned Community Text amendment, and Development Agreement amendment. A Supplemental EIR to Final EIR No. 142 (certified in 1992) was certified and the project approved on May 13, 2008. No new project construction has started. The topics listed below were found to be less than significant or would be mitigated to a level considered less than significant with the adopted Mitigation Program in Final EIR No. 142 and therefore were not addressed in the Supplemental EIR: agricultural resources, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, population and housing, and public services and utilities. Based on the Supplemental EIR, the following significant impacts are identified:

- ***Aesthetics:*** Final EIR No. 142 found that shade and shadow effects would contribute to a significant and unavoidable land use impact but that as an individual project effect, shade and shadow impacts were considered less than significant. The Supplemental EIR found that the proposed Master Plan Update project would not result in any new significant visual impacts either prior to or after mitigation.

  Final EIR No. 142 noted that with the transfer of allowable square footage from the Lower Campus to the Upper Campus there is the potential for increased lighting on the Upper Campus. However, the incremental change would not be substantial because of the limited size of the Upper Campus and existing development. Continuous lighting on the site is required because it is a 24-hour operation and because of arriving patients and visitors who may not be familiar with the site layout. Conditions already placed in the Master Plan require that the lighting system for all buildings and the window systems for buildings on the western side of the Upper Campus minimize light spillage and glare to the adjacent residential areas. Ongoing implementation measures would reduce the potential lighting impacts on adjacent uses. Lighting was not identified as a significant lighting impact.

- ***Land Use:*** Consistent with the conclusions of Final EIR No. 142, the Supplemental EIR found that the proposed Master Plan Update project would result in significant impacts to existing residential development west of the Upper Campus. The proposed amendment

to the Master Plan would not alter or make these impacts more severe. Therefore, while the project would cause a significant and unavoidable land use impact, it would not constitute a new impact.

- ***Transportation and Circulation:*** Final EIR No. 142 found that all traffic impacts would have the potential to be mitigated to a level considered less than significant. No new significant traffic impacts have been identified associated with the proposed Master Plan Update project. Consistent with the conclusions of Final EIR No. 142, the project's contribution and all project-specific cumulative traffic, circulation, and parking impacts would be mitigated to a level considered less than significant.

- ***Air Quality:*** Consistent with the findings of Final EIR No. 142, the proposed Master Plan Update project would result in air pollutant emissions that exceed the SCAQMD's construction thresholds. The proposed mitigation program would reduce construction-related emissions, but not to a level considered less than significant. Therefore, short-term construction air quality impacts, including potential human health implications, would be considered a significant and unavoidable impact. In addition, the proposed Master Plan Update project's operations would result in emissions of carbon monoxide (CO), VOCs, and nitric oxides (NOx), which would exceed the SCAQMD-established operational phase thresholds. The proposed mitigation measures would reduce these impacts, but not to a level considered less than significant. Therefore, long-term construction air quality impacts, including potential human health implications, would be a significant and unavoidable impact.

- ***Noise:*** The proposed changes to the allowable noise levels would potentially result in higher noise levels at the nearby residences. Mitigation measures have been recommended, and it has been determined that no other feasible mitigation exists that would reduce impacts from the loading dock area to below the limits defined in the City's Noise Ordinance. The proposed project would cause noise to exceed the Noise Ordinance criteria in the vicinity of the loading dock area even after application of the feasible mitigation measures. Therefore, the proposed changes would result in significant and unavoidable adverse impacts.

Conclusions: Hoag Hospital is located approximately one mile to the east of the Newport Banning Ranch Project site. The sites are not within the same viewshed; therefore, the identified Hoag Hospital site-specific shade and shadow aesthetic impacts would not be considered cumulatively significant. However, because of the proximity of the Hoag Hospital Campus to the Project site, the potential cumulative effect of increased night lighting is assumed in the Newport Banning Ranch EIR. The land use and noise impacts identified for Hoag Hospital are site-specific and therefore would not be considered cumulatively significant. Although an amendment to the General Plan was required, it did not change the allowable land uses or the amount of development permitted at the Hoag Medical Campus. As a result, the Hoag project is considered in the cumulative analysis through use of the "build out of the General Plan assumptions.

North Newport Center Planned Community

Fashion Island, Block 500, Block 600, and San Joaquin Plaza are located in Newport Center in the City of Newport Beach. The City of Newport Beach Municipal Code allows a "Planned Community District" to address land use designation and regulations in Planned Communities. The proposed project is the adoption of the North Newport Center PC Text, which incorporates Fashion Island, Block 600, and portions of Block 500 and San Joaquin Plaza owned by The Irvine

Company (Applicant) into a single Planned Community District. Concurrently, the existing Block 500 PC Text and the San Joaquin Plaza PC Text would be amended to remove identified portions of Block 500 and San Joaquin Plaza from their respective Planned Community Districts, and the Newport Beach Zoning Code would be amended to remove Block 600 from the Administrative Professional Financial zoning district.

All environmental impacts have been previously analyzed as part of the Newport Beach General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications needed to make the previous document adequate to cover the actions that were proposed as part of the North Newport Center Project, are documented in an Addendum (November 2007) to the City of Newport Beach General Plan 2006 Updated Final Program EIR.

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the North Newport Center Project does not propose substantial changes to the project; no substantial changes would occur which would require major revisions to the General Plan EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and no new information of substantial importance has been revealed since the certification of the General Plan EIR.

Conclusions: Because the North Newport Center project would result in no new impacts that were not previously addressed in the City of Newport Beach General Plan 2006 Updated Final Program EIR, this project would be assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

Newport Beach City Hall and Park Development

The project site, located at 1100 Avocado Avenue, is situated between Avocado Avenue and MacArthur Boulevard. The project site is approximately 20 acres and composed of 3 parcels (northern, central, and southern). The northern parcel and the central parcel, both of which are currently vacant, are separated by San Miguel Drive. The southern parcel is occupied by the Newport Beach Public Library located at 1000 Avocado Avenue; the Library would remain after project implementation.

The project would result in the relocation of City Hall (with the exception of the Fire Station), including all City employees and functions currently at City Hall at 3300 Newport Boulevard. The project includes construction and operation of (1) an approximate 90,000-sf City Hall building, meeting hall, and Council Chambers; (2) a 450-space parking structure; (3) an approximate 20,000-sf expansion of the Newport Beach Central Library; and (4) a public park. The park is proposed to include both natural and more formal park features. A dog park would be located in the northern section of the park. The central portion of the proposed park, located south of San Miguel Drive but north of the proposed City Hall structures, would be largely organized around the existing wetland area and the steep slopes that form its sides. Within the wetlands area, invasive exotic planting would be removed and efforts would be made to improve water quality. A pedestrian bridge over San Miguel Drive is also proposed to link the central and northern parcels. Discretionary actions include design plans, a lot line adjustment, an exemption from zoning code and an amendment to PC 27. The Final EIR was certified and the project approved on November 24, 2009. Construction is anticipated to start in April 2010 with completion of the project in late 2012/early 2013. The EIR evaluated and determined that the following impacts would be less than significant: hydrology and water quality, population and housing, public services and utilities, and recreation. The EIR identified the following significant impacts:

- ***Land Use and Planning:*** Prior to mitigation, the project would result in a potentially significant short-term land use compatibility impact related to air quality and noise during construction activities. These impacts would be less than significant with implementation of the recommended mitigation.

- ***Traffic and Circulation:*** The addition of project-generated trips would potentially result in a significant cumulative impact at the Bayside Drive/Coast Highway intersection under the "Forecast General Plan Buildout with Project" traffic scenario. Implementation of the recommended mitigation measure would reduce the cumulative traffic impact at Bayside Drive/East Coast Highway to a less than significant level during the AM peak hour. The project would also result in intersection impacts during construction. Mitigation requiring the preparation and implementation of a Construction Area Traffic Management Plan would reduce impacts to a less than significant level. The project would result in sight distance impacts; however, implementation of the recommended mitigation measures would reduce these impacts to less than significant levels.

- ***Aesthetics:*** Proposed sources of light would change existing nighttime views from adjacent areas by introducing light and glare during nighttime hours. Recommended mitigation measures that require the City to prepare a lighting plan, perform a photometric study, and conduct an inspection prior to occupancy would reduce potential impacts of new lighting to less than significant levels, and no additional mitigation would be required.

- ***Air Quality:*** Construction-related project emissions would cause temporary increases in pollutant concentrations that would contribute to the continuing violations of the federal and State maximum concentration standards. SCAQMD daily emissions thresholds for NOx and reactive organic compounds (ROCs) and the localized significance threshold (LST) for PM10 would be exceeded. Mitigation measures would reduce NOx, ROCs, and PM10 emissions; however, even with implementation of all available mitigation measures, project impacts related to construction emissions would remain significant and unavoidable.

- ***Biological Resources:*** Project implementation would have a significant adverse impact on Coulter's saltbush. Implementation of the recommended mitigation measure would reduce project-related impacts to Coulter's saltbush to a less than significant level. Although the possibility of northern harriers nesting on site is considered to be unlikely, impacts to northern harriers would be considered significant if they were found to be actively nesting on site. The City would be required to comply with the federal Migratory Bird Treaty Act (MBTA) in order to reduce potential impacts to this species to a less than significant level. Overall, the project would result in the direct loss of approximately 88 percent of the total native habitat; this is considered a significant adverse impact. Compliance with the provisions of the NCCP/HCP would reduce project-related impacts to wildlife habitat on site to a less than significant level. Wildlife would also potentially be subject to the adverse effects of construction activities, including noise and physical disruption. Implementation of the recommended mitigation measure would protect nesting birds during construction activities and reduce potential adverse effects to nesting birds to a less than significant level.

  Grading and construction work would potentially result in incidental or accidental discharge of materials into jurisdictional areas, which would be a significant project impact. Implementation of the recommended mitigation measures would reduce the

potential impacts related to incidental or accidental discharge of materials into jurisdictional areas associated with the two drainages to a less than significant level.

- ***Cultural Resources:*** Project activities would have the potential to disturb or otherwise impact known and unknown archaeological and paleontological resources. Implementation of recommended mitigation measures would reduce project impacts to a less than significant level. One human burial was discovered on site. Although no additional human remains are known to be on site or are anticipated to be discovered, precautionary mitigation—including the recommended mitigation measure that would require compliance with Section 4050.5 of the *Health and Safety Code* in the unlikely event that human remains are encountered during project grading—would be required to reduce potentially significant impacts to a less than significant level.

- ***Geology and Soils:*** Geotechnical constraints including strong seismic ground shaking generated by seismic activity, slope instability and an adverse bedrock structure, and corrosive and expansive soils are potentially significant impacts. With implementation of the recommended mitigation measures, potential project impacts related to geology and soils would be reduced to a less than significant level.

- ***Global Climate Change:*** While the project is substantially consistent with federal, State, and local plans designed to reduce greenhouse gas (GHG) emissions, the project would emit more than 6,000 metric tons of carbon dioxide equivalent (CO_2e) per year during project operation and is considered to have a cumulatively considerable contribution to the cumulative GHG impact. The construction emissions in this project would contribute to the project's overall emissions, which have been determined to represent a cumulatively considerable contribution to the cumulatively significant global impact of climate change. The emissions related to on-site energy demands and other operational on-site direct and indirect emissions would be minimized because of the project's heightened energy efficiency for the proposed new buildings when compared to conventional building techniques.

- ***Hazards and Hazardous Materials:*** The project would require demolition of an existing structure that would have the potential to contain asbestos-containing materials (ACMs), lead-based paints (LBPs), and/or polychlorinated biphenyls (PCBs). The project would include a generator and an aboveground fuel storage tank for the Emergency Operations Center (EOC) backup generator, resulting in a potential hazard to employees or visitors to the Civic Center. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

  If the proposed development is identified as a presumed hazard, the Federal Aviation Administration (FAA) would potentially require further aeronautical study or allow the City to reduce the height of the proposed improvements. With implementation of the recommended mitigation measure, potential impacts to people working in the project area (resulting from the project's proximity to John Wayne Airport) would be less than significant.

- ***Noise:*** The project would result in construction-related noise impacts associated with excavation, grading, and construction of buildings on the project site. The EIR also identified traffic noise impacts to on-site uses as potentially significant. These impacts would be reduced to less than significant levels with incorporation of the recommended mitigation measures.

Conclusions: The City Hall project is consistent with the City's General Plan. The site-specific project impacts (geology/soils, hazards/hazardous materials, and cultural resources) identified for the City Hall project would generally be confined to the project site and would be mitigated to a less than significant; the site is approximately five miles northeast of the Newport Banning Ranch site. Therefore, site-specific impacts would not be considered cumulatively significant. With respect to biological resources, both sites are within the Central-Coastal NCCP/HCP and would be considered as a part of the Project's cumulative study area for biological resources. The City Hall EIR identifies that compliance with the NCCP/HCP minimization and mitigation measures would mitigate the impacts to less than significant. With respect climate change, the City Hall project incorporates Project Design Features (PDFs) to reduce greenhouse gas emissions associated with the project to a less than significant level. The Newport Banning Ranch Project will consider the City Hall project in its cumulative analysis of GHG emissions. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin. Additionally, this project is included in the Newport Banning Ranch's analysis of cumulative traffic impacts. The project is also assumed in background assumptions for fire protection services. In summary, the City Hall project is assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

Newport Beach Learning Center – Coast Community College District

The project would develop a 3-story learning facility on an approximate 3.4-acre property located along the western side of Monrovia Avenue and north of the terminus of 15th Street at 1505–1533 Monrovia Avenue in the City of Newport Beach. The project includes the construction of an approximate 67,000-sf building. The learning facility would include 22 classrooms, an art gallery, 5 college-art classrooms, an activity room, 2 performance rooms, 2 computer labs, 2 science rooms, faculty and administrative offices, and a large student lounge with kitchen facilities. The project would require the demolition of several structures on the site. Grading would be balanced on the site; therefore, no soil material is proposed to be imported or exported. Discretionary actions include approval of a parcel map and traffic study. The IS/MND and the project were approved in August 2009; however, pursuant to the City's Traffic Phasing Ordinance, a traffic study is required. The traffic study and parcel map were approved by the City on April 22, 2010. The project is currently under construction. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems. The IS/MND identifies the impacts listed below as potentially significant; measures are identified to mitigate these impacts to a less than significant level.

- ***Aesthetics:*** The project would create a substantial new source of light and glare. Compliance with recommended mitigation measures would reduce the impacts to a less than significant level.

- ***Biological Resources:*** The project would potentially interfere with migratory nesting birds, resulting in a potentially significant impact. In addition, the removal of four street trees within the right-of-way of Monrovia Avenue would create an inconsistency with City Council Policy G-1, which protects trees within the public right-of-way; this was considered a potentially significant impact. Compliance with the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Transportation and Circulation:*** The project would contribute to a significant cumulative impact on the intersection of Superior Avenue at 17th Street in the City of Costa Mesa. Implementation of the recommended mitigation measure would reduce the impact to a less than significant level.

- ***Air Quality:*** During construction, the project would generate increased levels of volatile organic compounds (VOCs), oxides of nitrogen (NOx), and particulate matter with a diameter less than 10 and 2.5 microns in diameter (PM10 and PM2.5, respectively). Implementation of recommended mitigation measures would reduce these emissions to a less than significant level.

- ***Noise:*** The project would result in interior noise levels that would exceed the State's 45 A-weighted decibel (dBA) Community Noise Equivalency Level (CNEL) interior noise standard for classrooms, resulting in a potentially significant impact. The project would result in potentially significant construction-related noise and construction-related vibration impacts. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Cultural Resources:*** The project would require demolition of a residential structure that is more than 45 years old, which would constitute a potentially significant impact to a historical resource. The project would also have the potential to expose undiscovered, buried archaeological resources and unique paleontological resources during ground-disturbing activities. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

Conclusions: The Learning Center project did not require a General Plan Amendment and is therefore assumed in the background assumptions set forth in the City's General Plan. The Newport Beach Learning Center site is adjacent to the Newport Banning Ranch site and would be within the cumulative study area of the proposed Project for all of the environmental topics.

Rhine Channel Contaminated Sediment Cleanup

The clean-up project involves the dredging of approximately 150,000 cubic yards of contaminated sediments within portions of Lower Newport Harbor, specifically from the Rhine Channel and nearby areas bayward of Marina Park, the American Legion Post and 15th Street. Sediment would be transported by ocean barge for disposal and beneficial reuse within the approved Port of Long Beach Middle Harbor Redevelopment Project confined aquatic disposal facility. The City approved the IS/MND and the project on July 27, 2011. Dredging commenced in July 2011 and is expected to be completed in December 2011.

The IS/MND identified that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture and forest resources, cultural resources, geology and soils, hazards and hazardous wastes, land use and planning, mineral resources, population and housing, public services, recreation, transportation and traffic, and utilities and service systems. Based on the IS/MND, the significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Aesthetics:*** No indirect operational effects to aesthetics have been identified. Cumulative impacts to aesthetics would be primarily associated with the potential for localized turbidity during dredging activities and the presence of dredging equipment during federal maintenance dredging in Lower Newport Bay (LNB). The cumulative impacts to the visual character of the project site and its surroundings resulting from the

presence of construction equipment are not expected to be significant, because the size and number of equipment in LNB would not increase during the federal maintenance dredging project. Measures to isolate turbidity would also be taken for all future projects.

- ***Biological Resources:*** Sensitive bird species would be temporarily excluded from the immediate work area due to increased localized turbidity and noise and the presence of construction equipment. This exclusion is not expected to have a measurable effect on their foraging capabilities because of the relatively small size of the area in comparison to the rest of Newport Bay. Also, the high baseline level of use of the project area already discourages use by sensitive bird species. Impacts to marine mammals are expected to be less than significant.

- ***Greenhouse Gas Emissions:*** Based on SCAQMD threshold, GHG emissions generated by the project would not result directly or indirectly in a significant impact on the environment. In addition, the proposed project does not conflict with any adopted plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

- ***Air Quality:*** After consultation with the SCAQMD, the City would mitigate air quality impacts (i.e., the exceedance of NOx regional threshold) below the significance level by offsetting the impact through the purchase of Mobile Source Emission Reduction Credits (MSERCs). MSERCs are created when high-emitting vehicles are retired, and these credits are considered by the SCAQMD to be an acceptable method to mitigate construction emissions. NOx emissions would be mitigated by purchasing MSERCs for every pound of NOx emissions in excess of the significance threshold for each day of the construction period. The total amount of MSERCs required to fully mitigate construction NOx emissions to less than significant levels is estimated to be approximately 3,969 pounds.

- ***Hydrology and Water Quality:*** Turbidity is the most likely direct impact to water quality; this impact would be temporary and localized and would result in less than significant impacts to water quality. Compliance with proposed BMPs and permit conditions would avoid and minimize significant impacts to water quality. In the long term, improved water quality in LNB would result from removal of the contaminated sediments.

- ***Noise:*** The project would potentially expose persons to noise levels in excess of standards established in the City Community Noise Ordinance during allowable construction hours. All dredging and pile-driving activities would be completed during the hours permitted by the Ordinance. Therefore, elevated noise levels would not result in a significant impact. During pile removal and replacement activities, the project would expose persons to increased noise levels. Based on the distance of the pile driving to the upland structures, the temporary and intermittent nature of the pile driving, and the ongoing noise and vibrations generated by marine-related and upland activities, these impacts are less than significant.

Conclusions: The dredging project would occur approximately 1.5 miles southeast of the Newport Banning Ranch Project site. Construction activities (i.e., dredging and transport of sediment) are proposed to occur from July 2011 to December 2011. Therefore, this project would be completed prior to commencement of the Newport Banning Ranch Project. Therefore, the project would not contribute to any construction-related impacts. The project would not contribute to any cumulative impacts and would not be assumed in the cumulative impact analysis for the Newport Banning Ranch Project.

CITY OF NEWPORT BEACH PROJECTS WITH APPROVED CEQA DOCUMENTATION

919 Bayside Drive

The project site is located at 919 Bayside Drive in the City of Newport Beach, and the project proposes to develop 17 individual residential lots; 1 common recreational lot with a possible pool and trellis structure; 2 landscape/open space lots; and waterfront and dock lots. Discretionary actions include a code amendment, use permit, tentative tract map, and coastal development permit. The IS/MND was approved in 2008. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, air quality, biological resources, cultural and scientific resources, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. Based on the IS/MND, the following significant impacts are identified:

- ***Geology and Soils:*** The project has the potential to be subject to ground shaking, liquefaction, and lateral spread. However, implementation of standard conditions and mitigation measures identified in the IS/MND would reduce the impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** Demolition activities associated with project development would result in exposure to asbestos-containing materials and lead-based paint. In addition, the potential for accidental hazardous materials release during demolition was identified. The implementation of mitigation measures identified in the IS/MND would reduce these impacts to less than significant levels.

- ***Noise:*** The project would result in short-term construction-related impacts. The existing perimeter wall along Bayside Drive, which provides noise attenuation to current residents, would be replaced by a new 6-foot-high perimeter wall. Mitigation would reduce construction-related noise impacts to a less than significant level.

Conclusions: The 919 Bayside Drive project site is located approximately three miles to the southeast; the identified noise impacts would be mitigated to less than significant and would not be cumulatively significant. The geology and soils and hazards and hazardous materials impacts identified for the project would generally be confined to the site and would be mitigated to less than significant. The 919 Bayside Drive project did not require a General Plan Amendment and is therefore assumed in the background assumptions set forth in the City's General Plan and the cumulative background assumptions for the Newport Banning Ranch Project.

AERIE

The project site is located at 201–207 Carnation Avenue and 101 Bayside Place in the Corona del Mar community of the City of Newport Beach. The project allows for the demolition of the existing residential structures on the 1.4-acre site; the development of 8 residential condominium units; and the replacement, reconfiguration, and expansion of the existing gangway platform, pier walkway, and dock facilities on the site. Discretionary actions include a General Plan Amendment, coastal land use plan amendment and coastal development permit, zone change, tract map, and modification permit. The Final EIR was certified and the project approved by the City on July 14, 2009. A Coastal Development Permit from the California Coastal Commission has been approved. Based on the EIR, the following significant impacts are identified:

- ***Land Use and Planning:*** The project is consistent with the applicable land use and coastal land use plans. In addition, the project is also compatible with the existing land uses in the area. No significant long-term land use impacts are anticipated, and no mitigation measures are required. Short-term land use compatibility impacts associated with construction-related air quality impacts would be reduced to a less than significant level through the incorporation of mitigation measures.

- ***Geology and Soils:*** Project construction would be affected by existing geologic and geotechnical engineering factors, including regional seismicity, bedrock, corrosive soils, and erosion. Project implementation would be exposed to storm waves associated with the passage of winter pre-frontal storm winds and southern hemisphere swell that typically occurs in the summer months. Extreme wind waves are expected to exceed the maximum wave heights, resulting in potential damage to moored vessels and/or docking facilities. This would be a potentially significant impact. Implementation of the standard conditions and proposed mitigation measures identified in the EIR would reduce potential soils, geologic, and related wave-induced impacts to less than significant levels.

- ***Hydrology/Water Quality:*** Project implementation would result in a reduction in storm water flows generated on the project site. Although no significant project-related impacts would occur, the existing deficient catch basin would be upgraded to ensure that adequate capacity exists to accommodate storm flows within the drainage area. Project implementation would not result in a significant impact on the water surface elevations for 100-year storm flows. The incorporation of BMPs identified in the Water Quality Management Plan (WQMP) and Construction Management Plan in addition to the storm drainage/flood-control facilities proposed in the vicinity of the project would reduce the amount of potential project-generated pollutants that enter the surface flows to the "maximum extent practicable", as required by the RWQCB. No additional mitigation would be required.

- ***Hazards and Hazardous Materials:*** Project implementation would demolish the existing residential structures occupying the site, which would affect materials that contain detectable amounts of asbestos-containing materials. Implementation of the standard conditions and mitigation measures identified by the City and other agencies with jurisdiction would ensure that potential hazards and hazardous materials impacts would be avoided or reduced to a less than significant level.

- ***Biological Resources:*** Implementation of the Construction Management Plan, included as mitigation, would ensure that potentially significant impacts to both terrestrial and marine resources are avoided. Implementation of mitigation measures would reduce potential impacts to a less than significant level.

- ***Transportation and Circulation:*** All of the potential construction-related traffic impacts would be avoided through implementation of mitigation measures and measures identified in the Construction Management Plan. No significant long-term impacts are anticipated, and no mitigation measures are required.

- ***Noise:*** The project would increase noise levels associated with construction activities. Implementation of noise reduction measures identified in the Construction Management Plan, mitigation measures, and compliance with Section 10.26.035 of the *City of Newport Beach Municipal Code* would reduce construction-related noise levels but not to

a less than significant level. Project-related construction noise would result in an unavoidable, short-term significant impact.

- ***Cultural Resources:*** Although the Monterey Formation may yield fossils, the standard condition requiring paleontological monitoring would reduce impacts to a level considered less than significant. No significant impacts to archaeological or historic resources would occur as a result of project implementation.

Conclusions: For the environmental topics listed where a potentially significant impact would occur (land use and planning, geology and soils, hazards and hazardous materials, biological resources, transportation and circulation, noise, and cultural resources), it should be noted that the AERIE project site is located approximately five miles east of the Newport Banning Ranch Project site. Because of the distance between the two sites and that all project impacts would be mitigated to a less than significant level, AERIE's project impacts would not be considered cumulatively significant. The two sites are located in different watersheds; the identified water quality impacts associated with the AERIE project would be mitigated to a less than significant level and would not exceed legal water quality and hydrology standards and requirements. Because the impact would be mitigated on-site and to a less than significant level, this impact would not be cumulatively significant. Therefore, this project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection services, regional air quality emissions, and GHG emissions.

Beauchamp

The project involves the development of a 5-unit residential development at the Peninsula Point Racquet Club located at 2000-2016 East Balboa Boulevard on the Balboa Peninsula in the City of Newport Beach. The project requires a General Plan Amendment and a Local Coastal Program (LCP) Amendment. Discretionary actions required include a general plan amendment, and coastal land use plan. A Draft IS/MND was prepared and released for public review on January 12, 2010. The City Council hearing approved the IS/MND and the project on May 25, 2010. The Coastal Development Permit has been approved by the California Coastal Commission. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, land use and planning, mineral resources, population and housing, public services, recreation, and transportation/traffic. Based on the IS/MND the following significant impacts were identified; measures were proposed to mitigate these impacts to a less than significant level. No cumulatively significant impacts were identified.

- ***Hazards and Hazardous Materials:*** Implementation of the project would result in the demolition of two tennis courts and an existing clubhouse built in the early-1960s. As a result, asbestos-containing building materials or lead-based paint may be present. Mitigation measures have been provided to ensure proper disposal of hazardous materials, if discovered.

- ***Hydrology and Water Quality:*** Mitigation measure have been provided to ensure that the project would not violate water quality standards or waste discharge requirements. The project would also prepare a Water Quality Management Plan (WQMP). The site is within the Newport Bay Watershed.

- ***Noise:*** Noise from construction has the potential to cause annoyance at nearby receptors; therefore, noise control measures have been recommended to reduce the noise levels to the extent practicable.

- ***Utilities and Service Systems:*** The project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. However, mitigation measures have been provided to reduce impacts related to stormwater to a less than significant level.

Conclusions: The Beauchamp project site is located approximately four miles southeast of the Newport Banning Ranch Project site. The identified construction noise impacts would not occur proximate to the Newport Banning Ranch Project site, construction noise would not be considered cumulatively significant. The site-specific hazards and hazardous materials impacts identified for the project would generally be confined to the project site and would be mitigated to less than significant; therefore, this impact would not be considered cumulatively significant. With respect to water quality, the two sites are located in different watersheds. The Beauchamp site is located in the Newport Bay Watershed and the Newport Banning Ranch site is located within the Talbert Watershed. Because the identified water quality impacts associated with the Beauchamp project would be mitigated to a less than significant level and the project sites are located in different watersheds, the impact would not be cumulatively significant. Therefore, this project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection services, regional air quality emissions, and GHG emissions.

Hyatt Regency Newport Beach Expansion

The project is located at 1107 Jamboree Road and proposes an expansion of the existing Hyatt Regency Newport Beach Hotel. The project proposes to improve the existing hotel by adding 88 new timeshare units; a 24,387-square-foot, 800-seat ballroom/meeting building; a 10,072-square-foot spa and new pool; and a 2-level parking garage. Discretionary actions include a use permit, parcel map, modification permit, development agreement, and coastal development permit. The Final EIR was certified and the project was approved by the City on February 24, 2009; the applicant is pursuing the Coastal Development Permit from the California Coastal Commission. The EIR evaluated and determined that the following impacts would be less than significant: aesthetics, air quality, agricultural, hydrology and water quality, land use and planning, and public services. Based on the EIR, the following significant impacts are identified:

- ***Biological Resources:*** Construction-related activities would have the potential to cause a temporary adverse impact on coastal California gnatcatchers nesting in preserved areas of coastal sage scrub adjacent to the project site. Therefore, the project would be required to comply with the Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), which includes construction-related minimization and mitigation measures that minimize impacts to the coastal California gnatcatcher and other coastal sage scrub species. In addition, project development would potentially impact migratory birds and raptor foraging habitat. Implementation of mitigation measures would reduce impacts to a less than significant level.

- ***Cultural Resources:*** Development of the proposed project would have the potential to impact archeological and/or paleontological resources, including the disturbance of human remains. Implementation of mitigation measures would reduce impacts to a less than significant level.

- ***Geology and Soils:*** The project site is subject to potential seismic-related hazards, including unstable geologic and soils conditions. Implementation of mitigation measures would reduce impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** Design and mitigation measures detailed in the fire protection plan (FPP) would minimize potential risks associated with the proposed project. Impacts associated with hazards and hazardous material would be reduced to a less than significant level.

- ***Noise:*** Construction activities associated with the proposed project would significantly elevate the daytime noise environment in the vicinity of noise-sensitive residential and recreational uses. This impact would be considered significant and unavoidable.

- ***Transportation and Circulation:*** The project's valet parking component would potentially result in an on-site parking impact. In addition, temporary construction impacts associated with the proposed project would result in a significant impact to the Jamboree Road/San Joaquin Hills intersection. Implementation of mitigation measures would reduce impacts to a less than significant level.

Conclusions: The Hyatt Regency project did not require an amendment to the General Plan. The hotel site is approximately four miles to the east of the Newport Banning Ranch Project site. The identified construction noise impacts would be significant and unavoidable; however, because they would not occur proximate to the Newport Banning Ranch Project site, construction noise would not be considered cumulatively significant. The site-specific project impacts (geology/soils, hazards/hazardous materials, and cultural resources) identified for the project would generally be confined to the Hyatt Regency site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. Both the Hyatt Regency and the Newport Banning Ranch sites are within the boundaries of the NCCP/HCP and would be considered as a part of the Project's cumulative study area for biological resources, as well as fire protection services, regional air quality, and GHG emissions. In summary, the Hyatt Regency project is assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

LDS Rectory

The LDS Rectory project site is located at 2300 Bonita Canyon Drive in the City of Newport Beach. The project applicant, the Church of Jesus Christ of Latter Day Saints (LDS), proposes to construct a rectory with a 2,316-sf project footprint, which consists of 1,825 sf of living space and a 491-sf, attached 2-car garage. The site consists of the project footprint as well as a fuel modification buffer zone adjacent to the project footprint, which extends 40 feet to the nearest property line. Including the fuel modification buffer zone, the project site is approximately 6,066 sf. Discretionary actions include a use permit and site plan review from the City. The IS/MND was approved on November 19, 2009. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture, air quality, mineral resources, noise, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. Based on the IS/MND, the significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Land Use and Planning:*** In order to ensure compliance with General Plan policies, mitigation measures have been identified in the IS/MND to ensure that sensitive and rare

resources would be protected from significant disruption and that impacts related to land use General Plan policies would remain less than significant.

- ***Aesthetics:*** The development of a rectory, similar to a single-unit dwelling, would result in light and glare sources similar to other dwellings in the community. However, in order to mitigate the potential impact to the adjacent environmental study area (ESA), mitigation measures are required to reduce impacts related to light and glare to a less than significant level.

- ***Geology and Soils:*** With adherence to geotechnical design considerations and site grading and site preparation recommendations as described in the IS/MND, project implementation would not result in significant impacts related to geology and soils on the site.

- ***Hydrology and Water Quality:*** A tributary to a drainage system that flows to the San Joaquin Reservoir and the Upper Newport Bay exists along the eastern edge of the proposed fuel modification zone. Mitigation has been identified to ensure that the impacts to this tributary would be mitigated to a level that is less than significant. In addition, any alterations to possible drainage features located in the fuel modification zone would require mitigation in order to reduce impacts to a less than significant level. Mitigation measures, including implementation of planting plan and criteria for plant selection in order to minimize the impact of soil erosion within the fuel modification area, have also been provided.

- ***Hazards and Hazardous Materials:*** The project site is within an area designated for high fire susceptibility. Mitigation measures have been provided to ensure that impacts related to the risk of loss, injury, or death involving wildland fires remain less than significant.

- ***Biological Resources:*** During the biological survey, several sensitive species were identified as potentially occurring within the fuel modification zone of the project site. A biological survey will be performed to clearly identify the boundary of this feature in relation to existing vegetation communities. In addition, a tributary to a drainage system leading to the San Joaquin Reservoir and Upper Newport Bay exists at the eastern edge of the fuel modification zone. The Central/Coastal Subregional NCCP designates the Bonita Canyon Creek and Reservoir adjacent to the subject property as a Habitat Linkage area. With the implementation of mitigation measures, potential impacts related to biological resources would be reduced to a level considered less than significant.

- ***Cultural Resources:*** Mass grading of the project site was completed and was monitored by a certified Archaeologist, as required by the Mitigation Monitoring Plan developed for the site in 1992. It is unlikely that any significant archaeological resources would be found during pre-grading soil removal tasks; however, mitigation measures have been provided to ensure that impacts related to archaeological and paleontological resources remain less than significant.

Conclusions: The LDS Rectory project did not require an amendment to the General Plan. The site is approximately six miles to the northeast of the Newport Banning Ranch Project site. For the environmental topics listed where a potentially significant impact would occur (land use and planning, aesthetics, transportation and circulation), the IS/MND indicates that that all project impacts would be mitigated to a less than significant level; these project impacts would not be considered cumulatively significant. The site-specific project impacts (geology/soils,

hazards/hazardous materials, and cultural resources) identified for the project would generally be confined to the project site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. Both the LDS Rectory and the Newport Banning Ranch sites are within the boundaries of the NCCP/HCP and would be considered as a part of the Project's cumulative study area for biological resources, as well as regional air quality and GHG emissions. In summary, the LDS Rectory project is assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

Marina Park

The project site, located in the southwestern portion of the City of Newport Beach, is approximately 10.45 acres and situated between Balboa Boulevard and Newport Bay, and between 15th Street on the east and 19th Street on the west. The project would redevelop the site to provide additional public recreational and community activities facilities. The project includes three phases. In Phase 1, the mobile home park would be demolished and converted to open space with coastal access improvements Phase 2 would convert the open space to turf. Phase 3 would consist of the construction of a multipurpose building at the Balboa Center complex, a sailing program building at the Balboa Center complex, a new Girl Scout House, parking areas, a park with tennis and basketball courts, beach, any 23-slip marina. Proposed development includes a public park and beach with recreational facilities; restrooms; a new Girl Scout House; a public short-term visiting vessel marina and sailing center; and a new community center with classrooms, and ancillary office space.

Discretionary actions include a general construction activity storm water permit, coastal development permit, Section 401 certification, and Section 1602 agreement, jurisdictional review, and a permit from the U.S. Army Corps of Engineers for dredging, filling, and structures in waters of the U.S. A previous Draft EIR for the project was prepared and released for public review in February 2009. After considering public and agency comments on the February 2009 Draft EIR, and in view of project modifications that have occurred since release of the Draft EIR, the City decided to prepare and recirculate a new Draft EIR. The new Draft Recirculated EIR (DREIR) released for public review on January 25, 2010. The Final EIR was certified and the project approved by the City on May 11, 2010. The project requires a Coastal Development Permit from the California Coastal Commission as well as other regulatory permits. Construction is proposed to start mid-year 2012 and be completed in 2014.

The DREIR evaluated and determined that the following impacts would be less than significant: aesthetics, land use and planning, public services, transportation and traffic, and utilities and service systems. The DREIR identifies the following significant impacts:

- ***Air Quality:*** The project would result in construction-related air emissions that would exceed SCAQMD regional significance thresholds. Additionally, the project has the potential to conflict with or obstruct implementation of the applicable air quality plan. The project may violate an air quality standard or contribute substantially to an existing or projected air quality violation. Incorporation of recommended mitigation measures would reduce these impacts to a level considered less than significant.

- ***Biological Resources:*** The project would affect marine biological habitats and resources, intertidal habitats, and nesting birds. These impacts would be reduced to a less than significant level through implementation of the recommended mitigation measures.

- ***Cultural Resources:*** Project construction activities are not anticipated to result in potential significant impacts to resources of concern to Native American groups and to archaeological resources. However project implementation would contribute to potential significant cumulative impacts to paleontological resources. Implementation of recommended mitigation measures would ensure that impacts would remain less than significant.

- ***Geology and Soils:*** The near-surface soils beneath the project site, which consist of loose to medium-density hydraulic fills and bay deposits, would be subject to liquefaction and ground settlement during seismic events resulting in a significant impact. These potential impacts would be reduced to a less than significant level with implementation of the recommended mitigation measures. The beach area of the project site along Newport Bay is likely vulnerable to lateral spreading and would have the potential to result in a significant impact on the proposed buildings. Implementation of recommended mitigation measures would reduce this impact to a less than significant level.

- ***Hazards and Hazardous Materials:*** Construction activities may result in a significant hazardous materials impact related to the discovery, removal, and disposal of hazardous demolition debris, however the long-term activities of the project would not use or dispose of any hazardous materials of reportable quantities in its typical operations. With mitigation, impacts associated with Project demolition activities would not result in significant hazardous materials impact related to asbestos and lead-based paint.

- ***Hydrology and Water Quality:*** Implementation of the project may result in short-term water quality impacts during construction activities. In the long-term, operation of the project may cause poor water quality in the Newport and West Lido channels due to poor water quality in the proposed marina. The proposed project would include various BMPs to reduce pollutants and protect the quality of the water entering Newport Bay. Implementation of recommended mitigation measures would reduce impacts to less than significant levels.

- ***Noise:*** The project may result in a substantial temporary or periodic increase in ambience noise levels in the project vicinity of the levels existing without the project Implementation of recommended mitigation measures would reduce impacts to less than significant levels.

Conclusions: Because the sites are located approximately two miles apart, construction-related noise would not be cumulatively significant. The site-specific project impacts (geology/soils and hazards/hazardous materials) identified for the project would generally be confined to the project site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. The Marina Park project could have significant air quality impacts for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin. The project will also be considered in the cultural resources cumulative impact analysis. With respect to water quality, the two sites are located in different watersheds. The Marina Park site is located in the Newport Bay Watershed and the Newport Banning Ranch site is located within the Talbert Watershed. Because the DREIR finds that identified water quality impacts associated with the project would be mitigated to a less than significant level and the project sites are located in different watersheds, the impact would not be cumulatively significant. Therefore, this project is not included in the cumulative impact assumptions for Newport Banning Ranch. Although marine and intertidal habitats are sensitive resource and would be impacted as a part of the Marina Park project, the Newport Banning Ranch Project site is not

located adjacent to the coast or bay and would not impact marine biological resources. The Marina Park project is consistent with the City's General Plan and did not require a General Plan Amendment. In summary, the project is assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

Megonigal Residence

The project site is located at 2333 Pacific Drive in the City of Newport Beach. The project applicant proposes to construct a 3,566-sf, single-family residence. The proposed residence would consist of 3 levels: 1,827 sf on the first floor; 934 sf on the second floor; and 805 sf on the uppermost level (which includes a 428-sf, 2-car garage). Discretionary actions required included a modification permit and a variance. The IS, dated May 8, 2009, evaluated and determined that the following impacts would result in less than significant impacts and would not require further evaluation in the Draft EIR: agricultural resources, recreation, utilities, geology and soils, hydrology/water quality, noise, cultural resources, mineral resources, public services and facilities, population and housing, hazards and hazardous materials, air quality, and transportation/traffic. The Final EIR was certified and the project was approved on January 10, 2010; the project has not been constructed. The following significant impact is identified in the EIR:

- ***Aesthetics:*** The project has been redesigned to conform to the building and development standards prescribed in the R-1 zoning district and to avoid significant visual impacts. Mitigation measures, which require the dedication of a view easement to ensure that views through the site would be preserved, were identified in the EIR. With implementation of the recommended mitigation measures, impacts would be reduced to a less than significant level.

Conclusions: The project site is located approximately five miles southeast of the Newport Banning Ranch Project site in Corona del Mar. Therefore, this project is included in the cumulative impact assumptions for Newport Banning Ranch for regional air quality, GHG emissions, and fire protection services.

Newport Bay Marina

The project site is located at 2300 Newport Boulevard in the City of Newport Beach. The proposed project consists of a mixed-use development with approximately 36,000 sf of commercial uses and 27 residential units and a partial subterranean garage. Discretionary approvals include a coastal development permit, use permit, site plan review, vesting tentative tract map, and approvals by the Regional Water Quality Control Board (RWQCB), California Department of Fish and Game (CDFG) and U.S. Army Corps of Engineers (USACE). The Final EIR was certified and the project approved on December 7, 2006; the project has not been constructed. Based on the EIR, the following significant impacts are identified:

- ***Aesthetics:*** Project design features would provide for mitigation of the loss of views from Newport Boulevard by retaining the view corridor and providing new public access and pedestrian viewing areas of the bay along the waterfront. In addition, mitigation measures identified in the EIR would reduce aesthetic impacts including light and glare to a less than significant level.

- ***Air Quality:*** During demolition and excavation, NOx emissions would exceed significance thresholds primarily due to the trucks that would haul demolition debris and excavated dirt from the project site. Mitigation measures have been incorporated into the

EIR to reduce the number of truck trips and daily vehicle miles so that emissions would remain below the significance thresholds. As a result, impacts would be reduced to a less than significant level.

- ***Biological Resources:*** Impacts to biological and marine resources would result from removal of bulkheads, docks, and pilings, the dredging of a portion of the channel, the filling of a slipway, and indirect effects from turbidity in the water column caused by construction of the proposed project. With implementation of mitigation measures identified in the EIR related to preservation and restoration of the slipway, biological and marine resource impacts would be reduced to a less than significant level.

- ***Cultural Resources:*** The proposed project involves the demolition of all buildings on-site, some of which have been identified as historic resources. Mitigation measures have been identified in the EIR to mitigate for impacts related to these historical resources; however, because these resources are eligible for the California Register under Criteria 1 and 3, these measures would not reduce project impacts to below the level of significance. Therefore, the proposed project would result in significant and unavoidable impact related to historic resources.

- ***Geology and Soils:*** Recommended mitigation measures identified in the EIR would reduce potential geology and soils impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** The proposed project involves the transport and disposal of hazardous materials from waste located in sediment near slipways. Mitigation measures presented in the EIR would reduce any potential impacts associated with hazards and hazardous materials to a less than significant level.

- ***Hydrology and Water Quality:*** The proposed project is located within a 500-year flood hazard area. Due to close proximity of the project site to the Pacific Ocean, the site has the potential to experience impacts related to flood hazards. With implementation of recommended mitigation measures identified in the EIR, the proposed project would not result in any impacts to hydrology, flood hazard, or water quality.

- ***Noise:*** The proposed project has the potential to result in short-term construction related noise impacts. However, with implementation of recommended mitigation measures identified in the EIR, all potential noise impacts would be reduced to a less than significant level.

- ***Public Services:*** Recommended mitigation measures identified in the EIR would reduce potential public service impacts to a less than significant level.

- ***Utilities and Service Systems:*** Although significant impacts to utilities are not anticipated, mitigation measures have been provided in the EIR to ensure that impacts would be less than significant if underground utility lines are encountered during construction and that service to the proposed project would be provided.

Conclusions: Because the sites are located approximately two miles apart, construction-related noise would not be cumulatively significant. The site-specific project impacts (cultural, geology/soils, and hazards/hazardous materials) identified for the project would generally be confined to the project site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. The project could have significant air quality impacts for which the project region is in nonattainment; therefore, this approved project would be in

SCAQMD background assumptions for regional air quality emissions within the air basin. With respect to water quality, the two sites are located in different watersheds. The Marina Park site is located in the Newport Bay Watershed and the Newport Banning Ranch site is located within the Talbert Watershed. Because the EIR finds that any water quality impacts associated with the project would be mitigated to a less than significant level and the project sites are located in different watersheds, the impact would not be cumulatively significant. Therefore, this project is not included in the cumulative impact assumptions for Newport Banning Ranch. Although marine and intertidal habitats are sensitive resource and would be impacted as a part of the project, the Newport Banning Ranch Project site is not located adjacent to the coast or bay and would not impact marine biological resources. The need for a General Plan Amendment was not identified. As a result, traffic impacts would be taken into consideration through use of the "build out of the General Plan" assumptions that will be incorporated into the cumulative traffic analysis. In summary, the Newport Bay Marina project is assumed in the background assumptions set forth in the City's General Plan and is considered in the Newport Banning Ranch cumulative analysis.

Newport Business Plaza

The project site is located at 4699 Jamboree Road and 5190 Campus Drive in Newport Beach. The project proposes a 1-story bank, two 3-story office buildings, and a 2-level parking structure. Discretionary actions required include a General Plan Amendment, Koll Center Newport Planned community text amendment, and tentative parcel map. The City Council approved the project on January 25, 2011. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agricultural and forest resources, air quality, greenhouse gas emissions, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, and utilities and service systems. Based on the IS/MND, the following significant impacts were identified; measures were proposed to mitigate these impacts to a less than significant level. No significant cumulative impacts were identified.

- ***Aesthetics:*** The project site is located in an area that currently developed with a mix of commercial, office, and residential uses, as well as open space. The existing parking lot is lighted for nighttime parking for safety purposes. Any lighting associated with the proposed project would generally be similar to the existing lighting in the area. Mitigation has been incorporated to ensure that the proposed project would not add substantial amounts of lighting to the area. Impacts would be less than significant with mitigation.

- ***Biological Resources:*** Although the existing ornamental trees on site are not anticipated to provide important habitat, the removal of ornamental trees on site could reduce the number of stopover locations or nesting sites for migratory birds. Mitigation is proposed to reduce the impact on migratory birds should the trees be removed during migration season. Impacts would be reduced to a less than significant level.

- ***Cultural Resources:*** It is highly unlikely the proposed project would disturb buried significant prehistoric archaeological resources and/or paleontological resources. However, mitigation measures have been provided to reduce impacts associated with the proposed project to a less than significant level.

- ***Geology and Soils:*** Highly expansive soils have been determined on site, which have the potential to damage the foundation of the proposed business plaza. However, mitigation measures have been incorporated to reduce impacts associated with expansive soils on site to less than significant.

- ***Hazards and Hazardous Materials:*** Implementation of the proposed project may require the disposal of hazardous substances as a result of the demolition of two existing office buildings. However, mitigation measures have been provided, which require proper handling, transport, and disposal of any hazardous materials, if discovered, as directed by the City. Impacts are considered less than significant with mitigation.

  In addition, the proposed project would be within the height restriction zone for the John Wayne Airport and the notification area of the FAR Part 77 Imaginary Surfaces aeronautical obstruction area. The proposed project would require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would exceed the notice criteria for 77.13(a)(2) by 13 feet (Federal Aviation Administration 2010). Therefore, the project could result in a change of air traffic patterns, including either an increase in traffic levels or a change in location that would result in substantial safety risks. Impacts would be considered less than significant with mitigation.

- ***Noise:*** Construction of the proposed project would result in a temporary increase in noise levels. As a result, mitigation measures have been incorporated to reduce construction noise levels. Impacts from construction would be less than significant with mitigation incorporated.

- ***Transportation and Traffic:*** As stated previously, the project site is located within the boundaries of the AELUP for John Wayne Airport. The proposed project would require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would exceed the notice criteria for 77.13(a)(2) by 13 feet (Federal Aviation Administration 2010). The proposed project has the potential to result in a change of air traffic patterns, including either an increase in traffic levels or a change in location that would result in substantial safety risks. However, impacts would be considered less than significant with the incorporation of mitigation.

Conclusions: The project site is approximately seven miles northeast of the Newport Banning Ranch Project site. It is reasonable to assume that construction and completion of the bank and office project could precede the commencement of the Newport Banning Ranch Project. Therefore, the project would not contribute to any construction-related impacts. The site-specific project impacts (biological, cultural [paleontological]) resources, geotechnical, and hazardous materials) identified for the project would generally be confined to the project site and would be mitigated to less than significant. Therefore, the project would not be considered in the cumulative analysis for Newport Banning Ranch with the exception of traffic, and background regional air quality emissions and cumulative GHG. The Newport Business Plaza is assumed as a cumulative project in the Newport Banning Ranch traffic analysis, regional air quality, GHG emissions, and the fire protection assumptions.

PRES Office Building B

The project would require a General Plan Amendment to increase the maximum allowable entitlement by 11,544 gsf for an allow development limit of 1,071,690 gsf and an amendment to the Koll Center Planned Community Text to increase the maximum allowable entitlement in Office Suite B by 9,917 net sf for an allowable building area of 977,720 net sf. The project proposed the construction of two levels of office space over a ground-level parking structure. The project is located at 4300 Von Karman Avenue. Discretionary actions required include a general plan amendment and planned community text amendment. The IS/MND and the project were approved on February 22, 2011.

Based on the IS/MND, the project would have the following significant impacts; measures are identified to mitigate impacts to a less than significant level:

- ***Biological Resources:*** Although the existing ornamental trees on site are not anticipated to provide important habitat, the removal of ornamental trees on site could reduce the number of stopover locations or nesting sites for migratory birds. Mitigation is proposed to reduce the impact on migratory birds should the trees be removed during migration season. Impacts would be less than significant with mitigation incorporated.

- ***Cultural Resources:*** Mitigation measures have been provided to ensure that impacts to paleontological resources on site would be mitigated to a less than significant level.

- ***Geology and Soils: E***xposed on-site soils would be subject to soil erosion during construction. The required grading includes grading, fill, drainage, and erosion control standards that would be applied to the corresponding construction activity. The project would be required to implement standard erosion control measures and construction best management practices (BMPs) that would minimize impacts. Impacts would be less than significant with mitigation. Subsurface on-site soils have a medium expansion potential that could potentially damage the foundation of the proposed building or create a risk to employees. Impacts would be less than significant with the incorporation of mitigation.

- ***Hydrology and Water Quality:*** The project-specific WQMP would provide BMPs appropriate to the proposed project to ensure that any water quality impact would be reduced to a less than significant level.

- ***Noise:*** Project construction is anticipated to occur over eight months. In addition to compliance with the City's Municipal Code construction restrictions, noise measures have in order to ensure a less than significant impact on sensitive receptors.

- ***Utilities and Service Systems:*** During construction, runoff from the project site would be managed by BMPs and as directed in the City's stormwater protection requirements. BMPs would be incorporated into the proposed project as part of a SWPPP to prevent discharges of polluted stormwater from construction sites from entering the storm drains. Storm runoff generated through project operations would be diverted to the infiltration trench and catch basin per the Preliminary WQMP. The proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. Impacts would be less than significant after mitigation

Conclusions: The project site is approximately five miles northeast of the Newport Banning Ranch Project site. Construction of the office project is anticipated to begin in fall 2010 and completed in summer 2011 which would precede the commencement of the Newport Banning Ranch Project. Therefore, the project would not contribute to any construction-related impacts. The site-specific project impacts (biological, cultural [paleontological] resources, and water quality) identified for the project would generally be confined to the project site and would be mitigated to less than significant. With respect to water quality, the two sites are located in different watersheds. Because the IS/MND finds that identified water quality impacts associated with the office project would be mitigated to a less than significant level and the project sites are located in different watersheds, the impact would not be cumulatively significant. The project is included in the cumulative assumptions for fire protection, traffic, background regional air quality emissions, and GHG emissions.

Santa Barbara Condominiums

The project site is located on Santa Barbara Drive in the City of Newport Beach. The project consists of 3 proposed residential structures including 79 condominium units totaling approximately 205,232 net sf. The project also contains an approximate 97.23-gross-square-foot subterranean parking structure with a total of 201 parking spaces on site. The project site totals 4.25 acres, and would provide approximately 1.8 acres of open space and approximately 0.5 acre of recreational area. Discretionary actions include a General Plan Amendment, local coastal program land use plan amendment, code amendment, parcel map, tentative tract map, modification permit, and coastal development permit. The IS/MND was approved in January 2006. The CDP has been approved by the Coastal Commission. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, biological resources, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, and recreation. Based on the IS/MND, the significant impacts listed below are identified; measures are provided to mitigate these impacts to a less than significant level:

- ***Geology and Soils:*** Design and construction of the project would include applicable building codes to reduce potential impacts associated with expansive soils. However, mitigation measures would need to be incorporated to further reduce liquefaction hazards associated with loose surficial soils at the project site.

- ***Transportation and Circulation:*** Implementation of mitigation measures would allow roadways and intersections to operate and maintain acceptable levels of service and would further reduce potential traffic-related impacts to a less than significant level. In addition, to ensure that all City requirements for parking areas on-site are met, mitigation measures were identified.

- ***Air Quality:*** The application of paintings and coatings has the potential to produce reactive organic gas (ROG) emissions that exceed the SCAQMD threshold. However, with implementation of mitigation measures, this impact would be reduced to a less than significant level.

- ***Noise:*** Implementation of the project would result in short-term, construction-related noise increases. Additionally, long-term increased noise levels would potentially result from the introduction of residential uses and associated vehicle traffic along adjacent roadways. Mitigation measures provided in the IS/MND would reduce potential noise impacts associated with the project to a less than significant level.

- ***Cultural Resources:*** There is the potential for archeological and/or paleontological resources to exist at the project site. Therefore, any adverse impacts related to buried archeological and/or paleontological resources would be reduced to a less than significant level with the incorporation of mitigation measures identified in the IS/MND.

- ***Public Services:*** The project would be required to pay a school impact fee of $378,449. Development of the project site would require payment of these fees prior to the issuance of grading permits. Payment of fees would reduce potential impacts on school services to a less than significant level.

- ***Utilities and Service Systems:*** While adequate water supplies would be available to service the project, implementation of water conservation measures provided by the City

of Newport Beach would reduce demand for groundwater, surface water, and imported water supplies.

Conclusions: The Santa Barbara condominiums would be constructed approximately four miles northeast of the Newport Banning Ranch Project site. The IS/MND for the condominium project identifies that all project impacts would be mitigated to a less than significant level; therefore, these project impacts would not be considered cumulatively significant. The site-specific project impacts (geology/soils and cultural resources) identified for the project would generally be confined to the project site. The Santa Barbara Condominium project is assumed in the cumulative impact analysis for fire protection services, the Project's Traffic Phasing Ordinance (TPO) analysis, background regional air quality emissions, and GHG emissions.

Sunset Ridge Park

The project site is located within the incorporated boundary of the City of Newport Beach and in unincorporated Orange County within the City's Sphere of Influence. The City proposes to develop the approximate 18.9-acre site with active and passive recreational uses and to construct an access road from West Coast Highway to the park through Newport Banning Ranch. No nighttime lighting, other than for public safety, is proposed. Discretionary actions include site plan approval. The Draft EIR was released for public review on October 27, 2009. The Final EIR was certified and the project approved by the City Council on March 23, 2010.

The EIR evaluated and determined that the following impacts would be less than significant: agricultural resources, mineral resources, population and housing, public services and utilities, and recreation. Based on the Final EIR, the following potentially significant impacts are identified; all other environmental impacts addressed in the Final EIR would be less than significant:

- ***Geology and Soils:*** Although the project site is not located within a designated Alquist-Priolo Earthquake Fault Zone, strong seismic ground shaking associated with regional earthquake activity at the site can be expected. The *City of Newport Beach General Plan* and the California Department of Mines and Geology (CDMG) (1998) indicate that there is some on-site potential for landslides under seismic conditions. With the incorporation of the Mitigation Program identified in the EIR, impacts to geotechnical resources would be less than significant.

- ***Hazards and Hazardous Materials:*** Remedial activities would have the potential to release contaminants, predominantly hydrocarbons, into the air during soil-disturbance activities due to aeration during handling (i.e., earth moving) of the existing contaminated soils. Implementation of the mitigation program identified in the EIR would mitigate any potentially significant impacts related to hazardous materials to a less than significant level.

- ***Biological Resources:*** The project would result in the removal of natural habitat, including coastal sage scrub. California gnatcatchers have been identified within the project study area, which occurs within the Santa Ana River Mouth Existing Use Area of the Central/Coastal Subregion NCCP/HCP. With implementation of the mitigation program, potential impacts to biological resources would be reduced to a level considered less than significant.

- ***Transportation and Circulation:*** With implementation of the standard conditions and mitigation addressed in the EIR, all traffic study intersections would continue to operate

at acceptable levels of service. Implementation of the project would not result in any significant impacts related to circulation or access and therefore would not significantly impact any emergency response evacuation plans. Impacts would be mitigated to a less than significant level.

- ***Air Quality and Greenhouse Gas Emissions:*** Potential impacts related to air quality and global climate change would be less than significant except for (1) a potential for NOx emissions to exceed SCAQMD mass daily thresholds if soil is exported to an off-site location distant from the project site and (2) exposure of sensitive receptors to PM10 and PM2.5 emissions during the mass grading phase, which would exceed local air quality standards. Each of these would be considered a significant and unavoidable impact which would cease upon the completion of construction.

- ***Noise:*** Construction equipment would have the potential to generate temporary noise impacts well above the existing ambient noise levels. Due to the low existing noise levels and the proximity of the noise-sensitive receptors, construction would result in a temporary significant increase in ambient noise to the residences adjacent to the site. Therefore, construction of the project would result in unavoidable, short-term significant impacts that would cease upon completion of construction.

- ***Cultural Resources:*** Grading activities have the potential to impact significant unknown resources, including paleontological resources. With implementation of the mitigation program, potential impacts to cultural and paleontological resources would be reduced to a less than significant level.

Conclusions: The Sunset Ridge Park project site proposes to use part of the Newport Banning Ranch property for a vehicular access road to the park and for stockpiling of excess cut material. The park project would be considered in the cumulative analysis for the Newport Banning Ranch EIR.

CITY OF NEWPORT BEACH PROJECTS WITHOUT APPROVED CEQA DOCUMENTATION

Koll/Conexant Conceptual Plan: Uptown Newport Village Specific Plan

The proposed project site is located at 4343 Von Karman Avenue and 4311, 4321, and 4343 Jamboree Road in the City of Newport Beach. The project proposes the demolition of approximately 441,127 sf of existing industrial and office uses and the redevelopment of the 25-acre site with residential and mixed-use development. Approximately 1,504 housing units, 11,600 sf of neighborhood-serving uses, a Central Park and two pocket parks totaling 2 acres, and parking (required by the Specific Plan and Zoning Code). A new street system grid would be developed to provide circulation throughout the project site. The proposed project is consistent with the City's General Plan and would not require a General Plan Amendment. As a result, traffic impacts would be taken into consideration through use of the "build out of the General Plan" assumptions that will be incorporated into the cumulative traffic analysis.

The City released a Notice of Preparation of an EIR on May 28, 2010. The Initial Study notes that the project could have significant environmental impacts associated with the following topics which will be addressed in the EIR: aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, population and housing, public services, recreation, transportation, and utilities and service systems. Environmental documentation has not been prepared for this project; the project is on hold at the request of the applicant.

However, because this proposed project is considered consistent with the City's General Plan it would be included in the General Plan's background assumptions used as well in the Newport Banning Ranch EIR.

Mariner's Medical Arts

The project site, located at 1901 Westcliff Drive, proposes approximately 12,250 sf in 10 medical office suites in 3 buildings ranging from 2,350 sf to 9,000 sf equaling approximately 12,763 sf. The existing Mariner's Medical Arts Building has been determined eligible for listing on the National Register of Historic Places. No CEQA documentation has been completed for this project. Should the project proceed, it is anticipated that the CEQA documentation would address the following topics: aesthetics, land use, geology and soils, water quality, transportation and circulation, air quality, GHG emissions, noise, public services and utilities, and historic resources. The Medical Arts project is included in the Traffic Impact Analysis as a cumulative project. Although no CEQA documentation has been prepared for this project, because it is included in the City's cumulative traffic assumptions, it is also included in the cumulative assumptions for fire protection, regional air quality, and GHG emissions. With respect to historic resources, no significant historical resources (structures) were identified on the Newport Banning Ranch. Therefore, the Medical Arts project is not included in the assessment of cumulative historic resources.

Mariner's Pointe

The project is located at 200-300 West Coast Highway in the City of Newport Beach. The project proposes development of a 23,015 sf, two-story commercial building and a three-story parking structure. Project approvals would include a General Plan Amendment to increase the allowable floor to land area ratio (FAR); a conditional use permit to allow roof-top parking, modify the off-street parking requirements, and to establish a parking management plan for the site; a variance to allow the building to encroach into the rear yard setback; ~~a modification permit to allow an architectural feature to exceed the height limit;~~ and site development review to allow the building and parking structure to exceed the height limit.

The ~~Planning Commission's approval of the IS/MND and~~ project was approved ~~have been appealed to~~by the City Council ~~with a tentative hearing date in~~ on August 9, 2011. Based on the IS/MND, the significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Biological Resources:*** The project would remove ornamental trees that could provide foraging and nesting habitat for birds. The project would be required to comply with the requirements of the Migratory Bird Treaty Act (MBTA); adherence to the MTBA regulations would ensure that if construction occurs during the breeding season, appropriate measures would be taken to avoid impacts to nesting birds. Impacts would be less than significant with incorporation of mitigation.

- ***Cultural Resources:*** There is the potential for archeological and/or paleontological resources to exist at the project site. Therefore, any adverse impacts related to buried archeological and/or paleontological resources would be reduced to a less than significant level with the incorporation of mitigation measures identified in the IS/MND.

- ***Geology and Soils:*** The project requires excavation and grading of the site and trenching for the installation and connection of underground utilities. Some erosion may result from grading and construction operations; it is not anticipated that substantial soil

erosion would occur due to the relatively flat topography and the developed nature of the site. With the adherence to regulations and implementation of mitigation, impacts would be less than significant.

- ***Noise:*** The project would potentially expose persons to noise levels in excess of standards established in the City Community Noise Ordinance during allowable construction hours. Compliance with identified measures would mitigate impacts to a less than significant level.

- ***Traffic:*** The project would generate traffic during construction and may require the temporary relocation of a bus stop; this impact is considered temporary and the project would have to comply with a Construction Traffic Management Plan and coordinate with the Orange County Transportation Authority with respect to the bus stop.

Conclusions: The retail and office project would occur approximately two miles east of the Newport Banning Ranch Project site. Construction activities are proposed to occur over a 12-month period starting in fall 2011. Therefore, this project would be completed prior to commencement of the Newport Banning Ranch Project. Therefore, the project would not contribute to any construction-related impacts. The project would not contribute to any cumulative impacts and would not be assumed in the cumulative impact analysis for the Newport Banning Ranch Project with the exception of fire protection, regional air quality, and GHG emissions.

Newport Beach Country Club

The project site is located at 1600-1602 East Coast Highway in the City of Newport Beach. The proposed project involves demolition of the existing tennis and golf clubhouses and the construction of a new 3,735 sf tennis clubhouse and 35,000 sf golf clubhouse and ancillary facilities (i.e., cart barn). The project also proposes to construct 27 short-term visitor-serving units (bungalows) and bungalow spa/fitness area and concierge and guest meeting facilities; and five single-family residential dwelling units (villas) on the project site. Discretionary approvals include a General Plan Amendment, Planned Community text adoption, transfer of development rights, approval-in-concept for coastal development permit, vesting tentative tract map (tennis component), development agreement, and temporary use permit. The IS/MND was released for public review on September 20, 2010 for a 30-day public review period; no action has been taken on the CEQA documentation or the project.

The IS/MND identified that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hydrology and water quality, mineral resources, population and housing, public services, recreation, and utilities and service systems. Based on the IS/MND, the significant impacts listed below are identified; measures are provided to mitigate these impacts to a less than significant level.

- ***Geology and Soils:*** Implementation of the proposed project has the potential to result in exposure of on-site soils to erosion. However, mitigation measures provided in the IS/MND would ensure that erosion and sedimentation would be minimized and would reduce potential impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** The proposed project involves demolition of existing facilities. In order to mitigate for potential impacts related to hazardous materials, a comprehensive asbestos-containing materials and lead-based paint survey

shall be conducted prior to construction activities. In addition, all construction related activities shall comply with the California Code of Regulations Section 1532.1 in accordance with the applicable provisions of the California Health and Safety Code. Impacts would be reduced to a less than significant level.

- ***Noise:*** As a result of project implementation, potentially significant short-term, construction noise impacts are anticipated in the event that a rock crushing operation is located on the project site in order to use on-site materials as fill. However, mitigation measures provided in the IS/MND would reduce potential noise impacts associated with the potential rock crushing operation to a less than significant level.

- ***Transportation/Traffic:*** Implementation of the proposed project has the potential to result in short-term traffic impacts related to site preparation and construction activities. More specifically, during the construction phase, there will be periods of time when heavy truck traffic would occur that has the potential to result in congestion along East Coast Highway. Mitigation measures are proposed in the IS/MND to minimize the level of impact associated with construction-related traffic to a less than significant level.

Conclusions: The Newport Beach Country Club is located approximately four miles southeast of the Newport Banning Ranch Project site. Construction of the project is proposed to start in September 2011 and take approximately three years (September 2014). Site remediation on the Newport Banning Ranch site is anticipated to start in early 2014 with grading starting in fall 2014. Therefore, the majority of construction activities associated with the Country Club would be completed prior to activities on the Newport Banning Ranch site. Because of the timing and distance between the two project sites, the Country Club project would not contribute to construction-related impacts. The project is assumed in the cumulative impact analysis for the Newport Banning Ranch Project for fire protection, background regional air quality emissions, and GHG emissions.

Newport Beach Country Club (International Bay Club)

The project site is located at 1600-1602 East Coast Highway in the City of Newport Beach. The proposed project involves the demolition of the existing golf course and clubhouse and the construction of a new 51,213 sf golf clubhouse and ancillary facilities (i.e., cart barn and bag storage). In addition to existing clubhouse facilities, the new clubhouse would also include a fitness center. Discretionary approvals include General Plan Amendment, Planned Community text adoption, temporary use permit, development agreement, and approval-in-concept for coastal development permit. The IS/MND was released for public review on October 8, 2010 for a 30-day public review period. The IS/MND identified that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hydrology and water quality, land use, mineral resources, population and housing, public services, recreation, and utilities and service systems. Based on the IS/MND, the significant impacts listed below are identified; measures are provided to mitigate these impacts to a less than significant level.

- ***Cultural Resources:*** Although no significant cultural resources impacts are anticipated, a Native American representative indicated that the project site is located in an area where several cultural resources sites have been discovered. Therefore, the City would require a qualified archaeologist/paleontologist to be present during grading activities.

- ***Geology and Soils:*** Implementation of the proposed project has the potential to result in exposure of on-site soils to erosion. However, mitigation measures provided in the IS/MND would ensure that erosion and sedimentation would be minimized and would reduce potential impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** The proposed project involves demolition of existing facilities. In order to mitigate for potential impacts related to hazardous materials, a comprehensive ACM and LBP survey shall be conducted prior to construction activities. In addition, all construction related activities shall comply with the California Code of Regulations Section 1532.1 in accordance with the applicable provisions of the California Health and Safety Code. Impacts would be reduced to a less than significant level.

- ***Noise:*** As a result of project implementation, potentially significant short-term, construction-related noise impacts are anticipated. Potential noise impacts may occur as a result of demolition of existing structures and grading activities, foundation and parking lot construction, and building construction. However, mitigation measures provided in the IS/MND would reduce potential construction-related noise impacts to a less than significant level.

- ***Transportation/Traffic:*** Implementation of the proposed project has the potential to result in short-term traffic impacts related to site preparation and construction activities. More specifically, during the construction phase, there will be periods of time when heavy truck traffic would occur that has the potential to result in congestion along East Coast Highway. Mitigation measures are proposed in the IS/MND to minimize the level of impact associated with construction related traffic to a less than significant level.

Conclusions: The golf course Club is located approximately four miles southeast of the Newport Banning Ranch Project site. It is anticipated that the majority of construction activities associated with the Country Club would be completed prior to activities on the Newport Banning Ranch site. Because of the timing and distance between the two project sites, the Country Club project would not contribute to construction-related impacts. The project is assumed in the cumulative impact analysis for the Newport Banning Ranch Project for background regional air quality emissions, GHG emissions, and fire protection.

Old Newport General Plan Amendment

Located at 328, 332, and 340 Old Newport Boulevard, the project proposes to demolish 3 existing buildings totaling 14,012 sf and construct a new 25,000-sf medical office building. Project implementation would require the following approvals: a General Plan Amendment to increase the floor area to land area ratio (FAR) permitted for the subject sites from 0.5 FAR to 1.0 FAR; a use permit to allow the building to exceed the 32-foot base height limit up to the maximum height limit of 50 feet; a modification permit to encroach into the 5-foot rear yard setback with below-grade parking; authorization to use 8 on-street parking spaces to satisfy the total parking requirement; and approval of a traffic study pursuant to the City's traffic phasing ordinance. Discretionary actions required included a modification permit, traffic study, use permit, and a general plan amendment. The project and IS/MND were adopted by the City Council on March 9, 2010; the project has not been constructed. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture, biological resources, geology and soils, land use and planning, mineral resources, population and housing, public services, and recreation. Based on the IS/MND, the

significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Aesthetics:*** Lighting associated with development of the project would be similar to existing lighting in the area. However, mitigation measures have been provided to ensure a less than significant impact to the residential uses located adjacent to the project site.

- ***Air Quality:*** Mitigation measures have been provided to ensure that construction emissions remain below a level of significance, thus further ensuring that the project would be consistent with the AQMP. In addition, even though the project would be well below the City's threshold for significant greenhouse gas emissions, mitigation measures to reduce greenhouse gas emissions have been provided.

- ***Cultural Resources:*** Mitigation measures have been provided to ensure that impacts to any buried resources on site would be mitigated to a less than significant level.

- ***Hazards and Hazardous Materials:*** The potential exists for asbestos, PCBs and lead paint to be encountered in the existing buildings on the site, as well as other hazardous materials routinely used and occasionally improperly stored in commercial and residential buildings. In addition, because of the proposed medical office use portion of the project, some medical supplies and medical waste would be stored in the proposed medical office component. Mitigation measures have been provided to ensure that impacts related to hazardous materials would be mitigated to a less than significant level.

- ***Hydrology and Water Quality:*** The project-specific WQMP would provide BMPs appropriate to the proposed project to ensure that any water quality impact would be reduced to a less than significant level.

- ***Noise:*** Mitigation measures have been provided requiring the use of sonic pile driving or caisson drilling in order to ensure a less than significant impact on surrounding residences.

- ***Traffic and Circulation:*** Old Newport Boulevard, in addition to existing parking design presents potential circulation issues that could present a potential traffic hazard. Mitigation measures have been provided to eliminate any potential hazards related to traffic and/or parking to a less than significant level.

- ***Utilities and Service Systems:*** The project would increase the demand for City water and generation of sewage treatment. It is anticipated that the existing water and sewer mains and sewage treatment plant capacity are adequate to accommodate the potential demands for domestic water and potential increase in sewage that would be generated by the project. However, mitigation measures identified include requiring the Applicant to prepare and submit water system and sanitary sewer system demand studies would to ensure adequate capacity. With implementation of mitigation measures, potential impacts to City water and sewage treatment would be mitigated to a less than significant level.

Conclusions: The project site is approximately one mile east of the eastern boundary of the Newport Banning Ranch Project site. Construction of the Old Newport project is anticipated to be completed prior to commencement of the Newport Banning Ranch Project. Therefore, the

project would not contribute to any construction-related impacts including noise and air quality. The site-specific project impacts (geology/soils, cultural resources, and hazards/hazardous materials) identified for the project would generally be confined to the project site and would be mitigated to less than significant. With respect to water quality, the two sites are located in different watersheds. The Old Newport site is located in the Newport Bay Watershed and the Newport Banning Ranch site is located within the Talbert Watershed. Because the DREIR finds that identified water quality impacts associated with the project would be mitigated to a less than significant level and the project sites are located in different watersheds, the impact would not be cumulatively significant. The project is located in the traffic and the utilities/service systems study area for the proposed Project and would be considered in the cumulative analysis for these topics as well as background assumptions for fire protection, regional air quality emissions, and GHG emissions.

CITY OF COSTA MESA

The following projects were identified by the City of Costa Mesa for consideration in the cumulative analysis for the Newport Banning Ranch Project. The projects are depicted in Exhibit 5-3 in Section 5.0, Cumulative Impact Analysis, and are summarized below.

CITY OF COSTA MESA PROJECTS WHERE CONSTRUCTION HAS BEEN INITIATED OR COMPLETED

Costa Mesa Housing Element Update

The City of Costa Mesa prepared a Supplemental EIR to the General Plan Program EIR for the updated 2008–2014 Housing Element. The Supplemental EIR does not change the environmental conclusions of the original Program EIR, nor does it identify any new impacts or mitigation measures. Rather, it provides supplemental information to make the original Final Program EIR adequate for the updated Housing Element. Discretionary actions include a general plan amendment. The Final Supplemental EIR was certified and the Housing Element update approved in August 2008. The Costa Mesa General Plan Land Use Element identifies 40,577 dwelling units (19,122 single-family units and 21,455 multi-family units) in 2020 with a projected increase to 42,469 units (19,576 single-family units and 22,893 multi-family units) by 2020.

The following environmental topics were addressed in the original Final Program EIR and remain unchanged and did not require further analysis: aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, mineral resources, and noise. The Supplemental EIR evaluated the following topics and found them to be less than significant: land use, population and housing, recreation, and public services and utilities. Based on the Supplemental EIR, the following significant impact is identified:

- ***Transportation and Circulation:*** As discussed in the General Plan Program EIR, two significant and unavoidable impacts are associated with implementation of the proposed 2000 General Plan with respect to traffic and transportation. The first impact is that traffic volume/capacity impact along Gisler Avenue west of Harbor Boulevard would remain significant and unavoidable in the short-term until and if the proposed Gisler Bridge is omitted from the OCTA MPAH and the City's Master Plan of Highways (MPH). The second impact is that implementation of the City's MPH would result in significant and unavoidable land use impacts related to land and structure acquisition to accommodate the improvements identified in the City's MPH. The environmental impacts are not increased in severity due to implementation of the 2008–2014 Housing Element. Therefore, the environmental analysis of the General Plan Program is still applicable, and the environmental conclusions remain unchanged.

Conclusions: The identified significant transportation and circulation impact would not be considered cumulatively significant because Gisler Avenue/Harbor Boulevard is not in the proposed Project's traffic study area. However, some of the land uses associated with implementation of the City's MPH are located in the traffic study area of the proposed Project and therefore, would be considered as background assumptions in the cumulative analysis.

The Enclave Apartment Homes

The site is located in northeastern Costa Mesa and borders the City of Santa Ana. This site is bound by Sunflower Avenue to the north, Anton Boulevard to the south and the east, and Sakioka Drive to the west and is approximately six miles northeast of the Newport Banning Ranch Project site. The project allowed for the development of 890 multi-family residential units on a 40.3 acre vacant lot. The project consists of studios and 1- and 2-bedroom units in forty-six 3-story buildings. Parking is provided in garages on the ground floor and surface parking lots along the internal private street. The project includes a leasing and main recreation center. A second recreation area (which includes a pool, pool house, and spa) is also located on the site. Construction for this project has been completed**.** Discretionary actions include a master plan. The IS/MND is tiered off of the information, analysis, and conclusions for the Costa Mesa 2000 General Plan EIR Program EIR No. 1049. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, biological resources, cultural and scientific resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. The IS/MND and the project were approved on July 5, 2006; the construction of the project has been completed and is occupied. Based on the IS/MND, the following significant impacts are identified; measures are proposed to mitigate impacts to a less than significant level:

- ***Air Quality:*** Construction-related emissions associated with the project would result in a significant and unavoidable impact after mitigation; however, a significant construction-related emissions impact was previously acknowledged in the General Plan EIR. In addition, long-term, operational emissions associated with the project would result in an overall increase in mobile and stationary source emissions that exceed the SCAQMD air quality standards and remain significant and unavoidable after mitigation. However, a significant long-term operations-related emissions impact was previously acknowledged in the General Plan EIR.

- ***Noise:*** Construction activity associated with the project would comply with the City of Costa Mesa Noise Ordinance in order to reduce noise impacts to a less than significant level. In addition, the General Plan EIR determined that development associated with implementation of the overall General Plan would contribute to an existing exceedance of the City's noise standard on Sunflower Avenue from Anton Boulevard to Main Street (east of the project site). Although General Plan policies would reduce this impact, there are no feasible mitigation measures available to reduce the impact to a less than significant level.

Conclusions: The project has been constructed therefore, the short-term construction-related air quality and noise impacts would not be considered cumulatively significant. Because of the distance between the two project sites, the long-term significant noise impact would not be cumulatively significant. The project is within the background assumptions of the SCAQMD for fire protection, regional air quality, and cumulative GHG emissions.

Estancia High School Athletic Stadium Complex

Located at 2323 Placentia Avenue, the project would develop a 2,500-person capacity athletic stadium complex at the Estancia High School campus. The Estancia High School Athletic Stadium Complex MND (SCH No. 2003051082) was adopted on July 8, 2003. An Addendum to the IS/MND was prepared, which was approved in October 2007; construction was completed in

April 2008. The addendum relies on the environmental analysis contained in the IS/MND and its purpose is to address a revision to the project which includes the partial elimination of the six-foot-tall masonry wall originally proposed along the school site's entire southern boundary. Instead of stretching along the entire length of the school's southern perimeter, the wall would terminate 50 feet west of the southern parking area. Because hard court areas would be used for parking during capacity events, the southern parking area is considered to include all paved hard court areas adjacent to the school's southern boundary. The Addendum to the IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture, cultural and scientific resources, geology and soils, land use and planning, mineral resources, noise, population and housing, recreation, and utilities and service systems. Based on the Addendum, the following significant impacts are identified; measures mitigated the impacts to a less than significant level:

- ***Aesthetics:*** To ensure that impacts from light and glare are less than significant, mitigation was provided to avoid impacts to individual homeowners. The amended project would not result in a level of impact greater than that determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures would remain adequate to ensure that all impacts remain less than significant.

- ***Hydrology and Water Quality:*** Runoff from project development has the potential to degrade local water quality and possibly impact the vernal pool wetlands located directly to the west and northwest of the stadium site within Fairview Park. However, mitigation measures provided in the IS/MND ensured all water quality related impacts remained less than significant. The revised project did not result in a level of impact greater than determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures remained adequate to ensure that all impacts remain less than significant.

- ***Hazards and Hazardous Materials:*** The football field observation tower may be demolished to accommodate the new stadium. Mitigation measures have been provided to ensure that the demolition of this structure would not result in the release of lead-based paint into the environment. In addition, to ensure that the fire station is not adversely impacted by the operation of the proposed stadium, the IS/MND included mitigation measures which require the School District to cooperate with the Costa Mesa Fire Department. The revised project would not result in a level of impact greater than determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures remain adequate to ensure that all impacts remain less than significant.

- ***Biological Resources:*** The U.S. Fish and Wildlife Service (USFWS) performed a review of the project and all potential fairy shrimp or vernal pool impacts associated with the stadium's construction and operation. Mitigation measures have been provided to reduce potential impacts to biological resources to a less than significant level. The revised project would not result in a level of impact greater than determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures were adequate to ensure that all impacts remain less than significant.

- ***Transportation and Circulation:*** To ensure the project does not substantially increase potential traffic hazards, the IS/MND provided mitigation to reduce traffic impacts to a less than significant level. The revised project would not result in a level of impact greater than determined by the adopted IS/MND. Therefore, the originally proposed

mitigation measures remain adequate to ensure that all impacts remain less than significant.

- ***Air Quality:*** Construction-related emission levels would not conflict with or obstruct implementation of the air quality plan as long as the project sponsor complies with all applicable SCAQMD Rule 403 (Fugitive Dust) requirements in connection with project construction. Mitigation measures have been provided to ensure the project's compliance with SCAQMD Rule 403. The revised project would not result in a level of impact greater than determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures remained adequate to ensure that the project's air quality impacts remain less than significant.

- ***Noise:*** Construction activities have the potential to create a substantial temporary or periodic increase in ambient noise levels. To ensure that temporary construction noise is less than significant, mitigation measures have been provided. The revised project would not result in a level of impact greater than determined by the project's adopted IS/MND. Therefore, the originally proposed mitigation measures remained adequate to ensure that all impacts remain less than significant.

- ***Public Services:*** The District's authority to regulate traffic does not extend off of the school site and the assistance of the Costa Mesa Police Department for traffic control and enforcement on public streets may be required before and after any major events. To ensure that impacts to the Police Department are less than significant, mitigation measures were provided in the IS/MND. The revised project would not result in a level of impact greater than determined by the adopted IS/MND. Therefore, the originally proposed mitigation measures remain adequate to ensure that all impacts remain less than significant.

Conclusions: The project was completed in 2008; therefore, any construction related/short-term impacts (hydrology and water quality, hazards and hazardous materials, biological resources, air quality, noise) would no longer be applicable for consideration in the proposed Project's cumulative analysis. The identified site-specific impacts (aesthetics, transportation, and circulation) are generally confined to the site and are mitigated to less than significant and are therefore not considered cumulatively significant. The impact to public services, specifically the Costa Mesa Police Department, would be long-term because the impact would occur before and after major events. Because the Costa Mesa Police Department would not serve the Newport Banning Ranch Project and all of the impacts to the Police Department are mitigated to less than significant; this impact is not considered cumulatively significant. Therefore, this project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection, background regional air quality emissions, GHG emissions, and night lighting.

SoBECA Urban Plan

The SoBECA urban plan area covers a 39-acre located south of Baker Street, east of SR-73, and north of the intersection of SR-73 and SR-55 in the City of Costa Mesa approximately five miles northeast of the Newport Banning Ranch Project site. SoBECA is a City-initiated development incentive program to encourage new development and revitalization as part of an overall vision to allow mixed-use development in the Bristol Street Corridor area. Discretionary actions include a general plan amendment, zoning code amendment, rezone, and urban plan. Adopted in April 2006, the SoBECA Urban Plan serves as a "regulating plan" that establishes provisions for mixed-use development and residential development in the mixed-use overlay district. The Stonesthrow on Victoria project, a Master Plan for 30 3-story detached homes on a

1.68-acre site with 17.8 dwelling units per acre, is included as part of the SoBECA Urban Plan. The Mixed-Use Overlay District and SoBECA Urban Plan IS/MND was adopted in August 2006. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, biological resources, cultural and scientific resources, geology and soils, land use and planning, mineral resources, population and housing, recreation, transportation and circulation, and utilities and service systems. Based on the IS/MND, the following significant impacts are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Hydrology and Water Quality:*** Implementation of best management practices (BMPs) and compliance with mitigation measures identified in the IS/MND would reduce short-term, construction-related impacts to a less than significant level. In addition, mitigation measures identified in the IS/MND would reduce potential drainage impacts as they relate to erosion and siltation to a less than significant level.

- ***Hazards and Hazardous Materials:*** There are three sites listed as Hazardous Waste and Substance Sites by the State of California Department of Toxic Substances Control within the vicinity of the Mixed-Use Overlay and SoBECA Urban Plan area project area. A Phase I Environmental Assessment would be required for all proposed residential and mixed-use projects under the Urban Plan. A developer on a contaminated site would be required to perform any necessary remediation and obtain the necessary environmental clearances from the State Department of Toxic Substances Control and County of Orange Health Care Agency to reduce impacts to a less than significant level.

- ***Air Quality:*** Project-related construction activities have the potential to expose surrounding sensitive receptors to airborne particulates and fugitive dust. However, construction impacts would be temporary and of short duration. Therefore, mitigation measures provided in the IS/MND would reduce short-term air quality impacts to a less than significant level.

- ***Noise:*** Construction associated with the development of the Urban Plan would result in relatively high noise levels and annoyance to sensitive receptors. Therefore, mitigation measures provided in the IS/MND would reduce short-term, construction-related noise impacts to a less than significant level. In addition, site-specific acoustical analyses shall be required for each new development under the Urban Plan to evaluate the potential long-term traffic noise impacts.

- ***Public Services:*** As development of the project area occurs, fire protection service needs and emergency personnel and police protection services shall be monitored on a project-specific case. The inclusion of project design features related to safety hazards (fire protection) and security measures (police protection) would minimize any emergency response-related impacts and police personnel/resource impacts to a less than significant level. Mitigation measures identified would ensure that the City of Costa Mesa Police Department and Fire Department review and approve the developer's project design features to ensure adequate security and safety standards are met. With implementation of mitigation measures, potential impacts to fire protection and police services would be mitigated to a less than significant level.

Conclusions: As described above, this project is the guiding plan for development with SoBECA area of the City of Costa Mesa. Site-specific environmental impacts such as hazards and hazardous materials would be mitigated to a less than significant level, they would not be considered cumulatively significant. The project is not in the same watershed as the proposed

Project; therefore, this impact would not be cumulatively significant. The Stonesthrow on Victor project within SoBECA is included in the cumulative development assumptions for the Newport Banning Ranch traffic study. Because of the distance between the two project sites, construction noise from one site would not be audible at the other site or sensitive receptors in the area. As such, the project is not assumed in the cumulative analysis of noise. Although both sites are within the same air basin, the City of Costa Mesa has only identified short-term construction-related air quality impacts associated with this project. However, because the SoBECA Urban Plan area and the Project site are within the same air basin, the project is included in the background regional air quality assumptions for the proposed Project's cumulative air quality analysis. Police protection services would not be cumulatively significant because the Costa Mesa Police Department does not serve the Newport Banning Ranch site. Because the proposed Newport Banning Ranch Project would use mutual air for fire protection services, the City of Costa Fire Department may be affected by the Project and is addressed in the Newport Banning Ranch EIR. This project is included in the cumulative impact assumptions for Newport Banning Ranch with respect to background regional air quality emissions, GHG emissions, and fire protection.

Westside Urban Plan

The project area is located include the westside area of Costa Mesa and generally bound by Fairview Park and the Costa Mesa Golf Club to the north, the Santa Ana River to the west, the City of Newport Beach (adjacent to the Newport Banning Ranch Project site) to the south, and Harbor Boulevard and Superior Avenue to the east. The area contains approximately 1,788 acres, or 2.8 square miles. The project is a City-initiated development incentive program that encourages new development and revitalization in the Mixed-Use Overlay District as part of an overall vision to allow mixed-use development in westside Costa Mesa.

The Westside Specific Plan was prepared in October 2000. While this planning document was not formally adopted, some of the revitalization strategies have been used to stimulate area-wide improvement. The Westside Implementation Plan was adopted in March 2005. Three Urban Plans were created to establish overlay zones in specific areas of the westside: The project consists of three Urban Plans: 19 West Urban Plan (103 acres); Mesa West Bluffs Urban Plan (227 acres); and Mesa West Residential Ownership Urban Plan (283 acres). The Urban Plans provide a framework for major private market reinvestment and improvements. Adopted in April 2006, the Westside Urban Plans serve as "regulating plans" that establish provisions for mixed-use development and residential development in the mixed-use overlay district. In 2008, the City of Costa Mesa considered various amendments to the Urban Plans but decided to initiate amendments one at a time, and not as a collective group of changes to the Urban Plans. Discretionary actions include a general plan amendment, zoning code amendment, rezone, urban plan, and residential ownership plan. In 2009, the City of Costa Mesa approved an amendment to the Mesa West Bluffs Urban Plan. The Mesa West Urban Plan is the subject of a previously approved IS/MND in April 2006. The Mesa West Urban Plan Amendment was determined to be exempt from CEQA pursuant to Section 15061(9b)(30 [general rule]) of the CEQA Guidelines.

The Final IS/MND and project were approved in August 2006. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, biological resources, cultural and scientific resources, geology and soils, land use and planning, mineral resources, population and housing, recreation, transportation and circulation, and utilities and service systems. Based on the IS/MND, the following significant impacts are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Hydrology and Water Quality:*** Implementation of BMPs and compliance with mitigation measures identified in the IS/MND would reduce short-term, construction-related impacts to a less than significant level. In addition, mitigation measures identified in the IS/MND would reduce potential drainage impacts as they relate to erosion and siltation to a less than significant level.

- ***Hazards and Hazardous Materials:*** There are five sites listed as Hazardous Waste and Substance Sites by the State of California Department of Toxic Substances Control within the vicinity of the Overlay District. A Phase I Environmental Assessment would be required for all proposed residential and mixed-use projects in commercial and industrial areas. Future development on a contaminated site would require the necessary remediation and environmental clearances from the State Department of Toxic Substances Control and County of Orange Health Care Agency to reduce impacts to below a level of significance.

- ***Air Quality:*** Project-related construction activities would have the potential to expose surrounding sensitive receptors to airborne particulates and fugitive dust. However, construction impacts would be temporary and of short duration. Therefore, mitigation measures provided in the IS/MND would reduce short-term air quality impacts to a less than significant level.

- ***Noise:*** Construction associated with the development of the Urban Plan areas would result in relatively high noise levels and annoyance to sensitive receptors. Therefore, mitigation measures provided in the IS/MND would reduce short-term, construction-related noise impacts to a less than significant level. In addition, site-specific acoustical analyses shall be required for each new development under the Urban Plan areas to evaluate the potential long-term traffic noise impacts.

- ***Public Services:*** As development of the project area occurs, fire protection service needs and emergency personnel and police protection services shall be monitored on a project-specific case. The inclusion of project design features related to safety hazards (fire protection) and security measures (police protection) would minimize any emergency response-related impacts and police personnel/resource impacts to a less than significant level. Mitigation measures identified would ensure that the City Police Department and Fire Department review and approve the developer's project design features to ensure adequate security and safety standards are met. With implementation of mitigation measures, potential impacts to fire protection and police services would be mitigated to a less than significant level.

Conclusions: As described above, this project is the guiding plan for development in the westside Costa Mesa. Site-specific environmental impacts such as hazards and hazardous materials would be mitigated to a less than significant level, they would not be considered cumulatively significant. Police services would not be considered cumulatively significant because the City of Costa Police Department does not serve the proposed Project site. Because the Westside Costa Mesa project is ongoing and borders the Newport Banning Ranch Project site, applicable topics including aesthetics, traffic, air quality, GHG emissions, fire protection, and noise would be considered in the background cumulative assumptions for Newport Banning Ranch.

Westside Lofts Mixed-Use Development

The site is located at 1640 Monrovia Avenue in the City of Costa Mesa less than ¼-mile east of the Newport Banning Ranch Project site. The project required a Master Plan (PA-07-20) and Vesting Tentative Tract Map (VT-16999) to develop 151 residential condominiums, 5 live/work units, 6 industrial office buildings totaling approximately 42,000 sf, and associated infrastructure on approximately 6.8 acres. The project was approved on November 13, 2007. The site has been graded but construction has not commenced. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: aesthetics, agriculture, biological resources, cultural and scientific resources, land use and planning, mineral resources, population and housing, public services, recreation, transportation and circulation, and utilities and service systems. Based on the IS/MND, the following significant impacts are identified; measures are proposed to mitigate impacts to a less than significant level:

- ***Geology and Soils:*** Short-term impacts related to soil erosion would result from excavation and grading required for project development. Compliance with the most recent building codes and the addition of erosion control measures identified in the IS/MND would mitigate any potential hazards from unstable soils to a less than significant level.

- ***Hydrology and Water Quality:*** There is potential for erosion to occur during project demolition and construction. However, BMPs for erosion control would be required in accordance with mitigation provided in the IS/MND.

- ***Hazards and Hazardous Materials:*** Hazardous materials would be removed and transported during excavation, demolition, and construction of the project. Hazardous materials would be transported and disposed of in accordance with the project's Draft Response Plan. Compliance with the Response Plan would reduce construction-related impacts to a less than significant level.

- ***Air Quality:*** The level of dust emission generated from soil disturbance during project construction would exceed SCAQMD thresholds. However, with implementation of the Standard Air Pollution Control Measures listed in the IS/MND, fugitive dust emissions from construction activities would be reduced to a less than significant level. In addition, short-term impacts to air quality from architectural coating application would not exceed SCAQMD emission thresholds; however, mitigation measures provided in the IS/MND would further reduce the release of ozone precursors.

- ***Noise:*** Construction-related activities associated with the project would be required to comply with the City's Noise Ordinance and mitigation measures identified in the IS/MND. Therefore, potential noise impacts related to construction would be mitigated to a level less than significant.

Conclusions: The identified site-specific impacts (geology and soils, hazards and hazardous materials) are generally confined to the site and are mitigated to less than significant and are not considered cumulatively significant. Because of the proximity of the two sites and timing for construction of the Westside Lofts project is unknown, the project would be considered in the background cumulative assumptions for topics including fire protection, traffic, air quality, GHG emissions, noise, and aesthetics.

CITY OF COSTA MESA PROJECTS WITH APPROVED CEQA DOCUMENTATION

North Costa Mesa High-Rise Residential

The project proposes the construction of five high-rise towers on separate sites; all are located north of I-405 and are generally bound by Sunflower Avenue to the north, Bristol Street to the west, Sakioka Drive to the east, and I-405 to the south located approximately six miles northeast of the Newport Banning Ranch Project site. The five sites are (1) Segerstrom Town Center, located at 3400/3420 Avenue of the Arts; (2) the Orange County Museum of Art, located at 605 Town Center Drive; (3) The Californian at Town Center, located at 580 Anton Boulevard; (4) Symphony Towers, located at 585 Anton Boulevard; and (5) Pacific Arts Plaza, located at 675 Anton Boulevard. The project proposes the demolition of existing structures and minor modification/substitution of unbuilt entitlements for the construction of new high-rise residential structures that collectively total 1,269 dwelling units which include commercial/retail uses. Discretionary approvals include amendments to the General Plan, North Costa Mesa Specific Plan, and Zoning Code, AELUP consistency determination, FAA Part 77 – No Hazard Determination, preliminary/final master plans, and tentative tract map/tentative parcel map. The Final EIR was certified and the project was approved in December 2006. None of the projects have been constructed. The Planning Commission approved a two-year extension for Site 3, The Californian at Town Center, from April 24, 2009 to April 24, 2011. In addition, Site 4, Symphony Towers, was approved on October 7, 2007, with a vesting map that is automatically approved for five years in accordance with State law. The EIR evaluated and determined that the following impacts would result in less than significant impacts: agricultural resources, biological resources, cultural resources, land use, mineral resources, population and housing, traffic and circulation, and utilities and service systems. Based on the EIR, the following significant impacts are identified:

- ***Aesthetics:*** Implementation of the project would result in shade and shadow impacts on adjacent uses. Sites 1, 2, 3, and 4 would cast shadows onto nearby residential uses during the Winter Solstice. However, this shade and shadow impact would not be considered a significant impact under the City's threshold of significance. Therefore, impacts would be considered less than significant. In addition, implementation of the project would introduce additional light and glare impacts within the project area. Implementation of the conditions of approval identified in the EIR would reduce light and glare impacts to a less than significant level.

- ***Aviation:*** Compliance with the conditions of approval identified in the EIR would ensure that aviation impacts are reduced to a less than significant level. In addition, the EIR concludes that the proposed structures at requested heights would not exceed John Wayne Airport's circling minimums. Given that the FAA's determination is currently pending on these projects, any further conclusions would be speculative and premature.

- ***Geology and Soils:*** The project would potentially be subject to significant geologic impacts. Implementation of the mitigation measures identified in the EIR would reduce potential geologically related impacts to a less than significant level.

- ***Hydrology and Water Quality:*** The long-term operation and short-term construction activities associated with the five project sites would have the potential to result in significant adverse water quality and drainage impacts. Implementation of the mitigation measures identified in the EIR would reduce water quality and drainage impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** During demolition and construction operations, hazardous materials associated with on-site buildings could be present. The project would not involve the use of hazardous materials in its day-to-day operations. Implementation of the proposed mitigation measures identified in the EIR and compliance with federal, State, and local regulations regarding the handling and disposal of hazardous material would reduce impacts due to hazards and hazardous materials to a less than significant level.

- ***Air Quality:*** Construction activity impacts would exceed SCAQMD significance thresholds for ROG and NOx due to the application of architectural coatings and heavy equipment/vehicle exhaust emissions. This impact would be significant and unavoidable. In addition, project-related operational emissions will exceed SCAQMD significance thresholds for ROG due to area source (consumer product) emissions. This impact would be significant and unavoidable.

- ***Noise:*** Construction operations associated with the project would significantly increase existing noise levels. Project features and implementation of conditions of approval and mitigation measures identified in the EIR would reduce potentially significant impacts to a less than significant level.

- ***Public Services:*** The project would result in a significant impact related to library services due to an existing identified deficiency in library space per capita based on the Orange County Public Library standard.

Conclusions: The North Costa Mesa High-Rise site is located approximately five miles to the northeast and is not located within the viewshed of the proposed Project; therefore, the identified site-specific aesthetic impacts would not be considered cumulatively significant. The Newport Banning Ranch Project is not subject to the AELUP because of its distance to John Wayne Airport or other airport; therefore, this impact would not be cumulatively significant. The identified geology/soils and hazards/hazardous materials impacts are generally confined to the site and are mitigated to less than significant; therefore, they are not considered cumulatively significant. The project is not in the same watershed as the proposed Project and is outside of the hydrologic cumulative study area; therefore, this impact would not be cumulatively significant. Because of the distance between the two sites, the identified noise impacts would not be cumulatively significant. Because the project impacts air quality would remain significant and unavoidable they are assumed in regional air quality basin assumptions. The City of Newport Beach has its own library system and is not affiliated with the Orange County Public Library (OCPL) system which is identified to be significantly impacted by the North Costa Mesa High Rise Project. Therefore, because the residents of the proposed Newport Banning Ranch Project are anticipated to use the Newport Beach library system, this identified cumulatively significant impact to the OCPL would not be considered cumulatively significant. The project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection, regional air quality, and GHG emissions.

Wyndham Boutique Hotel/High-Rise Residential Project

The project site is located at 3350 Avenue of the Arts in the City of Costa Mesa. The project involves the reuse of the project site as a mixed-use development with both hotel and residential uses. The existing Wyndham Hotel would be renovated to create a boutique hotel; the existing parking structure would be demolished; a 23-story high-rise residential tower would be constructed; and a new 7-level parking structure serving both the hotel and the residential tower would be constructed east of the new residential tower. Discretionary actions required include a

general plan amendment, specific plan amendment, final master plan, and vesting tentative tract map. The Final EIR was certified and the project approved in November 2007; the project has not been constructed. The EIR evaluated and determined that the following impacts would result in less than significant impacts: agricultural resources, biological resources, cultural resources, land use, mineral resources, population and housing, recreation, traffic and circulation, and utilities and service systems. The Final EIR identifies the following significant impacts:

- ***Aesthetics:*** Implementation of the project would result in shade and shadow impacts on adjacent sensitive residential uses. This would be considered a significant and unavoidable impact. In addition, implementation of the project would introduce additional light and glare impacts within the project area. However, implementation of the conditions of approval identified in the EIR would reduce light and glare impacts to a less than significant level.

- ***Geology and Soils:*** Implementation of the standard conditions and proposed mitigation measures identified in the EIR would ensure that potential soils, geologic, and related seismic and ground shaking impacts would be reduced to a less than significant level. Therefore, no significant impacts are anticipated.

- ***Hydrology and Water Quality:*** The long-term operation and short-term construction activities associated with the project would have the potential to result in significant adverse water quality and drainage impacts. However, impacts related to hydrology and water quality would be reduced to a less than significant level with implementation of mitigation measures identified in the EIR.

- ***Hazards and Hazardous Materials:*** During demolition and construction, the project would have the potential to expose workers to ACMs. Implementation of mitigation measures identified in the EIR and compliance with federal, State, and City regulations regarding the handling and disposal of hazardous materials would reduce impacts to a less than significant level.

- ***Air Quality:*** Project emissions from construction activities would exceed the SCAQMD's thresholds of significance for NOx and would expose sensitive receptors to these pollutants. Mitigation would reduce emissions, but not to a level below SCAQMD thresholds. Therefore, short-term construction air quality impacts would be considered significant and unavoidable. In addition, ROG emissions associated with painting and asphalt paving would exceed the SCAQMD's thresholds of significance. Mitigation would reduce emissions, but not to a level below SCAQMD thresholds. Therefore, ROG emissions would remain significant and unavoidable.

- ***Noise:*** On-site activities and equipment would have the potential to significantly impact off-site residences. In addition, residential units would potentially be subject to interior noise levels that exceed 45 CNEL. Therefore, implementation of the mitigation program identified in the EIR would reduce noise impacts to a less than significant level.

- ***Public Services:*** The project would result in an increase in demand for fire protection and police service calls. In addition, the project would result in an increase in usage demand for neighborhood and recreational facilities in the City of Costa Mesa. Implementation of the mitigation program identified in the EIR would reduce impacts related to public services to a less than significant level.

Conclusions: The project is located approximately six miles to the northeast and is not located within the viewshed of the proposed Project; therefore, the identified site specific aesthetic impacts would not be considered cumulatively significant. The identified geology/soils and hazards/hazardous materials impacts are generally confined to the site and are mitigated to less than significant; therefore, they are not considered cumulatively significant. The project is not in the same watershed as the proposed Project and is outside of the hydrologic cumulative study area; therefore, this impact would not be cumulatively significant. Because of the distance between the two project sites, the identified noise impacts would not be cumulatively significant. Because the project impacts air quality would remain significant and unavoidable they are assumed in regional air quality basin assumptions. Police services would not be considered cumulatively significant because the City of Costa Mesa Police Department does not serve the proposed Project site. The project is included in the cumulative impact assumptions for Newport Banning Ranch with respect to fire protection, regional air quality, and GHG emissions.

Mesa Verde Senior Housing

The project site is located on the southwest corner of Harbor Boulevard at Adams Avenue in the City of Costa Mesa. The project proposes to rezone a 21.22-acre commercial site from C-1S (Shopping Center) and C2 (General Business) to POC (Planned Development Commercial) zone. The project required approval of a Master Plan to develop a 7.55-acre vacant portion of the site with 230 senior housing units in two, 2- to 4-story structures, 258 parking spaces, and a maximum 52 foot building height. The project was approved on December 7, 2010 but has not been constructed. The IS/MND evaluated and determined that the following impacts would result in less than significant impacts: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, population and housing, public services, recreation, traffic and circulation, and utilities and service systems. The IS/MND identifies the following significant impacts:

- ***Geology and Soils:*** The project would potentially be subject to significant geologic impacts related to unstable or expansive soils. Implementation of the mitigation measures identified in the IS/MND would reduce potential geologic impacts to a less than significant level.

- ***Noise:*** The project has the potential to result in noise impacts related to construction, interior noise, and the proposed loading dock. However, implementation of the mitigation program identified in the IS/MND would reduce noise impacts to a less than significant level.

Conclusions: The project is located approximately 3 miles to the west. The identified geology/soils and hazards/hazardous materials impacts are generally confined to the site and are mitigated to less than significant; therefore, they are not considered cumulatively significant. Furthermore, noise generated by this project is exclusive to the Mesa Verde Senior Housing Project and is not anticipated to be considered cumulatively considerable with respect to the Newport Banning Ranch Project. The project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection, regional air quality, and GHG emissions.

CITY OF HUNTINGTON BEACH

The following projects were identified by the City of Huntington Beach for consideration in the cumulative analysis for the Newport Banning Ranch Project. The projects are depicted in Exhibit 5-4 of Section 5.0, Cumulative Impact Analysis, and are summarized below.

CITY OF HUNTINGTON BEACH PROJECTS WHERE CONSTRUCTION HAS BEEN INITIATED OR COMPLETED

Brightwater Specific Plan and Annexation

The 2005 Brightwater project site is located at Warner Avenue and Los Patos Avenue in unincorporated Orange County. The majority of the project site is located in the County of Orange (105.3 acres), with approximately 0.60 acres of the project site located within the City of Huntington Beach. The 2005 Brightwater project proposes the development of 349 single-family dwelling units on approximately 67.9 acres of the project site. An additional nine proposed dwelling units are located within the City of Huntington Beach. The 2005 Brightwater project also included a buried water supply reservoir and pump station on 0.3 acres, and 37.1 acres of Open Space and Conservation Area to protect three environmentally sensitive habitat areas (ESHA) designated under the California Coastal Act, and to provide additional open space areas and trails. However, it was subsequently determined that the buried water supply reservoir and pump station were not required as water was provided by the City.

In 2002, after approval of a project consisting of a total of 388 single-family dwelling units that were analyzed in the FSEIR, the project Applicant submitted an application to the California Coastal Commission for a coastal development permit to develop the 379 single-family homes that were within the jurisdiction of the County of Orange. Because the County did not have a certified Local Coastal Program (LCP) for this area, the authority to approve development under the Coastal Act rested with the California Coastal Commission. In October 2004, the Coastal Commission held a hearing to consider Applicant's coastal development permit (CDP) application. At that hearing the Coastal Commission identified a number of suggested modifications that would provide greater consistency with Coastal Act policy.

The 2005 Brightwater Project includes several changes to the project evaluated in the 2002 FSEIR. Most of these changes were in response to the Coastal Commission's suggested modifications to the Applicant's CDP application. In January 2005, in response to the modifications identified by the Coastal Commission, the Applicant revised the proposed project and submitted a CDP application which reflected the changes in response to the Coastal Commission's recommended modifications, including but not limited to: reducing the number of single-family homes from 379 to 349 homes; increasing the buffer area between the residential development and eucalyptus ESHA and burrowing owl ESHA to a minimum of 150 feet; eliminating or modifying features to avoid impacts to southern tarplant ESHA and burrowing owl ESHA; eliminating the parking lot and extension of Bolsa Chica Street to avoid filling the existing borrow site; and the residential development was set back 100 feet from the top of the borrow site slope.

In April 2005, the California Coastal Commission held a public hearing and approved CDP 5-05-020 for Applicant's revised Brightwater development project subject to 27 special conditions. Subsequent to that approval, the Applicant submitted an application to amend the approvals granted by the County in 2002 to reflect the revised Brightwater development project that was approved by the Coastal Commission. On October 5, 2005, the County of Orange approved an Addendum to Subsequent EIR No. 551, which was prepared to cover the Amended Master

Site/Area Plan and project Site Plans (2005 Brightwater Project) that reflected the project under conditions of California Coastal Commission CDP No. 5-05-020. The California Coastal Commission issued CDP No. 5-05-020 for Brightwater in December 2005 for 349 single-family homes on approximately 68 acres and habitat protection/restoration on approximately 37 acres. An IS/Negative Declaration (ND) was also prepared for the project subsequent to the FSEIR, which analyzes potential impacts associated with the project and involves three components: (1) annexation of the project into the City of Huntington Beach; (2) prezoning for portions of the project located within the County's jurisdiction; and (3) rezoning for the portions of the site located within the City from Residential Low Density to Specific Plan. In addition to the 105.3-acre site, the project site analyzed in the IS/ND includes 0.6 acre that is located within an undeveloped area in the City's jurisdiction between the project site and the existing Sandover project. The majority of this area will be incorporated into the Specific Plan area, allowing for 4 additional homes to be built beyond the 349 homes that the Coastal Commission has already approved, subject to receiving required entitlements. In addition, the Specific Plan identifies two additional lots for future home construction also subject to receiving required entitlements. A small portion of the area that will be annexed will be prezoned to Residential Low Density (RL) instead of Specific Plan so that one additional lot can be incorporated into the Sandover project. All of these additional units were previously analyzed in the Subsequent EIR that was certified by the County. All environmental topics evaluated in the IS/ND were determined to be less than significant or to not have an impact. No significant impacts were identified in the IS/ND.

Exhibit A to City of Huntington Beach Resolution 05-07, is the Findings and Statement of Overriding Considerations for the 2005 Addendum and 2002 FSEIR. Based on the findings, the following impacts were evaluated and determined to be less than significant impact: agricultural resources, mineral resources, and population and housing. The following is a summary of the significant impacts evaluated in the 2002 FSEIR with an evaluation of whether the 2005 Brightwater project alters the 2002 FSEIR findings:

- ***Land Use:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that identified potential land use impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Geology and Seismicity:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential geology and seismicity impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Surface and Groundwater Hydrology:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential surface and groundwater hydrology impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Water Quality:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential surface and water quality impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Traffic and Circulation:*** The project would have a significant long-term adverse impact on traffic at the intersection of PCH and Warner Avenue. This intersection would experience a measurable traffic contribution (based on both County and City

performance criteria) from the project and is projected to operate at LOS F. This impact would be considered significant and unavoidable.

- ***Air Quality:*** The 2005 Brightwater project would result in three significant and unavoidable air quality impacts. First, the project would result in a potentially significant short-term construction related impact from the operation of construction equipment. Peak grading and construction emissions would exceed SCAQMD thresholds for the criteria pollutants NOx and PM10. This impact would be considered significant and unavoidable.

  Second, fugitive dust emissions associated with demolition, land clearing, exposure, vehicle and equipment travel on unpaved roads, and cut and fill operations would exceed the SCAQMD threshold of 150 pounds per day. As a result, nearby sensitive receptors and workers may be exposed to blowing dust. This impact would be considered significant and unavoidable.

  Third, emissions from on-site area sources would exceed the emission threshold for ROC established by the SCAQMD. Emissions from project-related mobile sources would exceed the operational thresholds for CO, ROC, and NOx established by the SCAQMD. This impact would be considered significant and unavoidable.

- ***Noise:*** Implementation of the project design features and standard identified in the FSEIR or as amended in the Addendum would ensure that potential noise quality impacts would be reduced to a less than significant level. Therefore, no significant impacts would result

- ***Biological Resources:*** The 2005 Brightwater project would result in the following beneficial impacts to biological resources through implementation of project design features: (1) provide for protection of habitat areas and restoration and long-term protection of native grassland and coastal sage scrub areas; (2) permanently protect on-site wetlands in natural open space; and (3) permanently protect on-site southern tarplant community through creation of a seasonal pond environmental protection area. In addition, through implementation of project design features and standard conditions, the 2005 Brightwater project would result in less than significant impacts to invertebrates, amphibians, reptiles, mammals, upland birds, lowland birds and habitats, and loss of foraging habitat in the uplands. Lastly, the 2005 Brightwater project would increase the potential for the invasion of exotic species from landscaped areas; however, this impact would be mitigated to less than significant with implementation of the recommended mitigation measure. All biological resources impacts would be reduced to less than significant with implementation of project design features, standard conditions, and mitigation.

- ***Aesthetics:*** Residential development would permanently alter the undeveloped appearance of the Bolsa Chica Mesa within the public viewsheds as seen from Pacific Coast Highway near Warner Avenue and Pacific Coast Highway at the State Ecological Reserve Overlook, adjacent to Inner Bolsa Bay and along Los Patos Avenue at Bolsa Chica Street. This impact would be considered significant and unavoidable.

- ***Cultural Resources:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential cultural resources impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Paleontological Resources:*** Implementation of the standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential paleontological resources impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Recreation:*** Implementation of the project design features and standard conditions identified in the FSEIR or as amended in the Addendum would ensure that potential recreation impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- ***Hazards:*** Implementation of the project design features and standard identified in the FSEIR or as amended in the Addendum would ensure that potential hazards impacts would be reduced to a less than significant level. Therefore, no significant impacts would result.

- **Public Services and Utilities:** The nearest paramedic van is located at Station 48 in Seal Beach which would result in a paramedic response time of 15 minutes to the project site. Although the nearest fire station is located in Sunset Beach, the Orange County Fire Authority (OCFA) estimates that standard response times may be exceeded. Implementation of the 2005 Brightwater project would result in emergencies and fire service needs that are beyond the current response capabilities of the OCFA. Implementation of mitigation that require the Applicant to provide evidence to the County that adequate provisions have been made to provide fire protection and emergency medical services to the project area would reduce the impact to less than significant.

Conclusions: The project is located approximately eight miles to the northwest and is not located within the proposed Project study area for the following environmental topics: land use, aesthetics, recreation, noise, public services (with the exception of fire protection) and utilities, and recreation. Therefore, none of these anticipated environmental impacts would be cumulatively significant. Because the Brightwater project and the proposed Project are located approximately 8 miles apart, even though both projects may contribute traffic given the dispersion of traffic between Warner Avenue and Superior Avenue, it is unlikely that there would be a cumulative load on PCH. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin. The cumulative impact analysis includes this project in the GHG emissions assessment. Anticipated site-specific impacts (e.g. geology and seismicity, hazards, cultural resources, and paleontological resources) impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. The project is not in the same watershed as the proposed Project and is not in the same hydrologic cumulative study area; therefore, surface and groundwater hydrology and water quality impacts impact would not be cumulatively significant. Biological impacts to resources would be included in the cumulative assumptions for the proposed Project.

Huntington Beach Downtown Specific Plan Update

The site covers an area of approximately 336 acres located in downtown Huntington Beach. The project consists of an update to the existing Downtown Specific Plan (DTSP) document. The DTSP Update is a City-initiated proposal to update Specific Plan No. 5 – Downtown Specific Plan. The project would reconfigure the existing 11 Specific Plan districts into 7 districts; modify development and parking standards; incorporate design guidelines; and provide recommendations for street improvement, public amenities, circulation enhancements,

infrastructure and public facility improvements, and parking strategies. The project also proposes revised parking requirements and modified parking ratios; the elimination of the Downtown Parking Master Plan concept; a Cultural Arts Overlay in the northern portion of the DTSP area on the site of the existing Main Street Branch library; a Neighborhood Overlay on 1st and 2nd Street between Walnut Avenue and Orange Avenue; and the elimination of the Resource Production Overlay in District 8 of the existing DTSP although provisions for continued oil recovery remain in the proposed DTSP Update. The DTSP Update proposes to accommodate future development in the downtown area and contemplates the following net new development potential in the DTSP area. Discretionary actions required include a general plan amendment and local coastal program amendment. The Final EIR was certified and the project approved in November 2009. The project was reconsidered by City Council and approved in January 2010. Based on the EIR, the following significant impacts are identified:

- ***Air Quality:*** Short-term construction activities would result in NOx emissions that would exceed SCAQMD thresholds. In addition, long-term regional air quality impacts, including ROG and PM10 emissions associated with the project would continue to exceed SCAQMD thresholds. Both short-term construction impacts and long-term regional air quality impacts would be considered significant and unavoidable.

- ***Cultural Resources:*** Development associated with the project would have the potential to result in demolition or removal of significant historical resources. Therefore, impacts to historical resources would be potentially significant and unavoidable.

- ***Noise:*** Construction activities associated with pile driving would be considered significant and unavoidable.

- ***Public Services:*** Project implementation would potentially require additional fire personnel, facilities, and/or equipment in relation to future development of the proposed Specific Plan Update. Therefore, impacts related to fire protection would be considered significant and unavoidable.

- ***Utilities and Service Systems:*** Project implementation would potentially increase water usage in relation to future development of the proposed Specific Plan Update. Therefore, each development project proposed as a result of adoption of the DTSP would need to be evaluated to determine that adequate water supplies are available to support the proposed development. Incorporation of mitigation measures provided in the EIR would reduce impacts related to utilities and services to a less than significant level.

Conclusions: The project is located approximately four miles to the northwest of the Newport Banning Ranch site. Because of the distance between the two sites, short-term construction related impacts associated with this project would not be included in the cumulative assessment of potential impacts associated with the Newport Banning Ranch Project. With respect to significant and unavoidable fire protection impacts, the Newport Banning Ranch Project assumes the use of City of Newport as well as mutual aid services for fire protection and is therefore included in the cumulative impact analysis. No other significant public services and utilities impacts have been identified for the project. Because the Newport Banning Ranch Project would not significantly impact historic resources, no cumulative impact would occur. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin and well as the cumulative assumptions for GHG emissions. The Downtown Specific Plan project is also assumed in the cumulative traffic assumptions for Newport Banning Ranch.

Newland Street Residential

The project site, located at 21471 Newland Street (south of Lomond Drive, west of Newland Street, and north of the terminus of Hamilton Avenue), would develop and subdivide a former industrial site into a residential development with 204 multi-family residential units and an approximate 2-acre public park. The site is approximately four miles northeast of the Newport Banning Ranch Project site. The site was formerly used as an oil pipeline and storage tank terminal, for which decommissioning and remediation has been completed. A portion of the site is currently operating as a recreational vehicle (RV) and boat storage facility, which would be removed and replaced with the proposed new uses. Discretionary actions include a general plan amendment, zoning map amendment, tentative tract map, conditional use permit, and final tract map. The Final EIR was certified in August 2006 and the project has been completed. Based on the Initial Study prepared for the project, the following potential environmental impacts were to be addressed in the EIR:

- ***Land Use and Planning:*** The project would require a General Plan Amendment and impacts to surrounding areas would result due to intensification of uses at the project site. Mitigation measures are expected to reduce the project-related impacts to a less than significant level.

- ***Aesthetics:*** The project would transform the site from a vacant parcel and RV/boat storage lot into a residential development. It is anticipated that the project would constitute an overall aesthetic improvement over existing uses; however, the visual character of the project area, including shade and shadows generated by the proposed development, would be substantially modified due to the increased development density. As feasible, mitigation measures would be identified. This would be considered a potentially significant impact.

- ***Geology and Soils:*** The site is located near the active Newport-Inglewood Fault zone. Seismically induced shaking and liquefaction have the potential to occur. Soil erosion and topographical changes would also result with the project. Mitigation measures are expected to reduce geologic and seismic impacts to a less than significant level.

- ***Hydrology and Water Quality:*** The project would potentially cause runoff that would adversely affect water quality and short-term, construction-related water quality impacts. Mitigation measures would reduce the project-related impacts to water quality to a less than significant level. The project site is located within a 100-year flood hazard area and in an area where the possibility of a tsunami is considered moderate by the City's General Plan. The project's location in a 100-year flood hazard area and the possibility of tsunami are considered potentially significant impacts.

- ***Hazards and Hazardous Materials:*** There is the potential for unknown contamination at the RV/boat storage lot portion of the project site. Mitigation measures would be expected to reduce the project-related impacts to a less than significant level.

- ***Biological Resources:*** A wetland preserve is located adjacent to the project site; therefore, there is potential for special status species that are commonly associated with wetland habitat to transiently exist on the project site and/or in the surrounding area. In addition, surface runoff from the project would potentially indirectly affect the off-site, adjacent wetland habitat and associated sensitive species. The EIR would evaluate these potential impacts, and mitigation measures would be expected to reduce the project related impacts to a less than significant level.

- ***Population and Housing:*** Because the site was not previously planned for residential development, future population changes associated with the project have not been anticipated in local or regional population growth projections. This would be considered a potentially significant impact.

- ***Recreation:*** The project includes a two-acre public park. However, using the current park per capita ratio for the City (5 acres per 1,000 persons), a 2.73 acre public park would be required to serve the project's new residents. The proposed 2-acre public park on site would not meet this standard to serve the approximate 547 additional residents. Demand for other recreational facilities such as public beaches and related facilities would also increase. Mitigation measures would be expected to reduce the project related impacts to a less than significant level.

- ***Transportation and Circulation:*** The project is expected to result in increased trip generation, changes to the volume-to-capacity ratio on roads, and congestion at intersections. Mitigation measures would reduce project-related transportation and circulation impacts to a less than significant level. The proposed site access and design of associated left turn pockets along Newland Street would be considered a potentially significant impact. Parking and alternative transportation are considered less than significant impacts.

- ***Air Quality:*** The project is located within a nonattainment air basin, and there is the potential for significant impact. During grading and construction activities, impacts would be elevated. In addition, project operation would result in increased vehicular trips in the area. The EIR would include an air quality analysis based upon SCAQMD standards and mitigation measures that would avoid or reduce potential impacts.

- ***Noise:*** Site grading and construction activities would generate short-term noise impacts. Mitigation measures would reduce project-related noise impacts to a less than significant level. Ground-borne vibration has the potential to occur during certain construction activities; however, this impact would be considered less than significant. The project would also result in long-term operational and traffic noise, which would be considered a potentially significant impact.

- ***Cultural Resources:*** Although the site has been disturbed due to previous uses, site grading and soil remediation activities, archaeological resources are known to occur in the project vicinity. Mitigation measures would reduce project-related cultural resources impacts to a less than significant level.

- ***Public Services:*** The project would increase demand on fire and police protection services in the area. This would be considered a potentially significant impact. The demand on school services and park facilities would also be increased. Mitigation measures would reduce project-related impacts to public services to a less than significant level.

- ***Utilities and Service Systems:*** The project would result in the need for expansion of the existing utilities and service systems. The EIR would provide an analysis of the projects potential impacts on wastewater, water supply, water treatment facilities, drainage, and solid waste collection (landfill capacity). It is expected that impacts would be reduced to less than significant levels with implementation of mitigation measures.

Conclusions: The project is located approximately four miles to the northwest and is not located within the proposed Project study area for the following environmental topics: land use, aesthetics, recreation, noise, public services (with the exception of fire protection), recreation, utilities and service and systems. Therefore, none of these anticipated environmental impacts would be cumulatively significant. This residential project is included in the cumulative development assumptions for the Newport Banning Ranch traffic analysis. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin and would be assumed in the cumulative background assumptions for GHG emissions. Anticipated site-specific impacts (e.g. geology and soils, hazards and hazardous materials, and cultural resources) impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. Additionally, the project sites are located in different regional watersheds. Therefore, identified water quality impacts would not be cumulatively significant. Biological impacts to wetlands and wetland resources would be included in the cumulative assumptions for Newport Banning Ranch.

Newland Street Widening

The project would widen Newland Street from Pacific Coast Highway to Hamilton Avenue, widen the reinforced concrete bridge at Huntington Channel, install storm drain improvements in Newland Street, and raise the profile of Newland Street to improve traffic visibility. The proposed widening would also address stopping sight distance deficiency by raising the road grade at the Huntington Channel and providing a left-turn lane at the intersection of Newland Street and Edison Way. No additional travel lanes are proposed, and Newland Street would remain a single lane of travel in each direction after project completion. As part of the widening, two existing streetlights would be relocated, and three additional streetlights, similar to those existing, would be installed along the eastern side of Newland Street. An IS/MND was prepared as part of Environmental Assessment 05-05 for the project, which was approved in April 2007. The City project is under construction. The IS/MND states that the project would not exceed significance thresholds with respect to the following environmental topics: land use and planning, transportation and circulation, public services, population and housing, utilities and service systems, geology and soils, mineral resources, aesthetics, hydrology and water quality, hazards and hazardous materials, cultural resources, air quality, noise, recreation, and agricultural resources. The following potentially significant impact is identified in the IS/MND; measures are proposed to mitigate the impact to a less than significant level:

- ***Biological Resources:*** The project would affect 0.16 acre of habitat under CDFG jurisdiction. Tidal habitat (0.07 acre) and habitat in the ditch (0.09 acre) would be offset at a ratio of at least 1:1 by paying $11,350 to the Santa Ana River Mitigation Bank. With payment of fees, the adverse impacts to wetlands would be reduced to a less than significant level.

Conclusions: The identified biological resources impact would be cumulatively significant because the loss of habitat could contribute to the cumulative loss of habitat under CDFG jurisdiction in the region.

Ocean View High School Expansion

The project would allow for the expansion of facilities at Ocean View High School, located at 1701 Gothard Street in the City of Huntington Beach. Modifications to Ocean View High School would include the construction of an Olympic-sized swimming pool, additional bleachers at the

existing track, construction of 20 classrooms to be used for adult education, and the relocation of Coast High School. The IS/ND and the project were approved on June 2, 2009. Based on the ND, no potentially significant impacts were identified, and no mitigation would be required. Construction has been completed.

Conclusions: Because construction has been completed and no potentially significant impacts were identified, the Ocean View High School Expansion Project would be included in the cumulative impact assessment for Newport Banning Ranch with respect to fire protection, background regional air emissions, and GHG emissions.

Pacific City

The project is located on a 32-acre site that is bound by Pacific Coast Highway, 1st Street, Huntington Street, and Atlanta Avenue. The project would allow for the development of the property with approximately 660,000 sf of hotel, retail, entertainment, dining, and office uses and 516 multi-family residences. Discretionary actions required include a master site plan, master plan tentative tract map, coastal development permit, and conditional use permit. The Final EIR was certified and the project approved in June 2004. Entitlements have been approved. Grading and excavation for the project was started but the project is on hold. The EIR evaluated and determined the following impacts would be less than significant: agricultural resources, land use and planning, mineral resources, and utilities and service systems. Based on the EIR, the following significant impacts are identified:

- ***Aesthetics:*** The project will create a new source of substantial glare in the area because the proposed structures range from two to eight stories in height. The westward orientation of the primary facade will be subject to and will reflect direct afternoon sunlight. This impact will be reduced to a level considered less than significant with mitigation requiring the use of non-reflective facade treatments such as matte paint or glass coatings.

- ***Geology and Soils:*** The project will be located in a seismically active region, and conditions underlying the project site will potentially include seismically induced groundshaking, liquefaction, soil expansion, unstable soils, and settlement. These impacts will be considered less than significant after mitigation, which requires compliance with the recommendations from the Preliminary Geotechnical Investigation. Recommendations incorporated into the grading plan for the project include measures to address seismic hazards and foundation design and the requirement that the project be built in accordance with seismic design provisions.

- ***Hydrology and Water Quality:*** The project will result in the placement of additional structures in an area of low to moderate tsunami risk. Policies in the General Plan—including identification of tsunami-susceptible areas; the requirement that developers, builders, or property owners undertake specific measures during initial construction to prevent or reduce damage from tsunami hazards; participation in the National Weather Service or other system for local tsunami warnings; and provision of information to the public regarding tsunami areas and emergency response plans—will reduce potential tsunami impacts. In addition, the City of Huntington Beach Emergency Management Plan identifies an evacuation site for the area in the event of a tsunami incident. The developer, builder, or property owner of the project will be required to conform to the requirements of the Coastal Element of the City's General Plan by defining and implementing specific measures during initial construction to prevent or reduce damage from tsunami hazards. In the absence of these measures, impacts from tsunamis would

be potentially significant. In addition to standard City requirements, implementation of the recommended mitigation measure to address impacts associated with tsunami risks will be implemented. Impacts associated with tsunami risk would be reduced to a less than significant level.

- ***Hazardous Materials:*** Because of the former oil activities located on the project site, exposure of construction personnel and the public to hazardous substances has the potential to occur. The risk for residual contamination of the soil resulting from polychlorinated biphenyls (PCB) leakage exists and will be considered potentially significant. Abandoned oil wells at the site would possibly be located above the proposed floor grade of project structures. These abandoned oil wells will need to be cut and re-abandoned. Therefore, impacts associated with risks from existing abandoned oil wells on the project site are considered potentially significant. In addition to standard City requirements, implementation of mitigation measures will reduce this impact to a less than significant level.

- ***Biological Resources:*** Project implementation has the potential to result in impacts on special status plant species. The southern tarplant, vernal barley, and Coulter's goldfields have a limited potential to occur on the site. Although general botanical surveys failed to identify any of these species on site, there is a potential for these species to inhabit areas of the site or become established on site after the general surveys were performed. Construction and operational activities on the project site have the potential to disturb these resources if present. Because these plants are listed as special status species, removal of these species would be a potentially significant impact. However, implementation of mitigation will reduce this impact to a less than significant level.

- ***Population and Housing:*** The project would increase the population on the project site by 1,419 residents. In addition, the development of visitor-serving commercial uses would indirectly increase the population by approximately 601 persons. In compliance with Community Redevelopment Law and City policy, the project is required to provide 78 affordable units; however, the project will provide 39 affordable housing units. This impact is reduced to a less than significant level with mitigation, which requires the applicant to prepare an Affordable Housing Program that details the provisions for either on- or off-site affordable housing (or a combination of the two) that meet the requirements of Community Redevelopment Law and City requirements.

- ***Recreation:*** The project is required to provide 6.9 acres of parkland. The project includes 11.06 net acres of open space which includes 1.78 acres of private open space and 9.28 net acres of common open space. The common open space would include five key recreational which would be situated throughout the residential portion of the proposed project for a total of 2.50 acres, the largest of which would total 2.04 acres. However, the project does not specifically dedicate the 2.04 acres of recreational area as parkland to the City. Without adequate provision of parkland and/or payment of fees, impacts will be potentially significant. Implementation of mitigation requiring the applicant to comply with City parkland requirements will reduce this impact to a less than significant level.

- ***Transportation and Circulation:*** The project has the potential to significantly affect the operating conditions of the Warner Avenue and Pacific Coast Highway intersection by increasing traffic volume. Implementation of mitigation that requires a fair share

contribution for traffic impacts will reduce impacts, but not to a level considered less than significant. Therefore, this impact remains significant and unavoidable.

- ***Air Quality:*** Peak construction activities associated with the project will generate emissions that exceed SCAQMD thresholds for NOx during the site excavation and grading phase and for VOC and NOx during the peak construction phase. In addition, daily operation of the project has the potential to generate emissions that exceed SCAQMD thresholds. Air quality impacts associated with construction activities remain significant and unavoidable after implementation of mitigation measures.

- ***Noise:*** Future exterior noise levels at the project site have the potential to exceed the City's 60 dBA Day-Night Average Sound Level (L_{dn}) standard for outdoor activity areas, resulting in a potentially significant impact. In addition to standard City requirements, implementation of recommended mitigation measures will reduce potentially significant operational noise impacts to a less than significant level.

- ***Cultural Resources:*** The project site has been determined to have paleontological sensitivity. Earth-disturbing activities, such as grading and excavation, have the potential to damage or destroy these paleontological resources. Two archaeological sites have been identified on the project site. In addition, the potential exists for additional, unanticipated archaeological resource discoveries during ground-disturbing activities associated with the project. Although no burials are known to be associated with the known archaeological sites on the project site, the potential for encountering burials in archaeological contexts also exists. Therefore, the potential for discovering unknown paleontological or archaeological resources or burials exists and would be a potentially significant impact. Implementation of mitigation will reduce impacts to less than significant levels.

- ***Public Services:*** Due to the large-scale nature of the development—which includes a complex of buildings with subterranean structures, multiple access points, and multiple buildings over the 31-acre property—impacts to fire protection services would be potentially significant. Implementation of mitigation measures that include enhanced fire protection features will reduce impacts to fire protection services to a less than significant level. The project will generate approximately 175 new students in the Huntington Beach City School District (HBCSD), which will increase demands on the HBCSD and potentially result in a significant impact. Implementation of mitigation that requires payment of school impact fees will reduce this impact to a less than significant level.

Conclusions: The project is located approximately three miles to the west and is not located within the proposed Project study area for the following environmental topics: aesthetics, noise, public services (with the exception of fire protection), and recreation. Therefore, none of these environmental impacts would be cumulatively significant. The project would result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, identified air quality impacts would be considered in the cumulative analysis. Pacific City would also be included in the cumulative assumptions for GHG. Identified site-specific impacts (e.g. geology and soils, hazards and hazardous materials) would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. Cumulative hydrology and water quality impacts resulting from the Pacific City project were determined to be less than significant because stormwater flows are not expected to increase significantly overall, and because the project would result in a decrease in flows to the Atlanta Stormwater Pumping Station, which would be

a beneficial effect; Pacific City is in a different watershed. Identified hydrology impacts included placement of additional structures in an area of low to moderate tsunami risk; however, this is considered a site-specific impact and would not be considered cumulatively significant. Pacific City is also included in the cumulative development assumptions used for the Newport Banning Ranch traffic study. The project is consistent with regional growth projections and mitigation would be provided to meet the minimum affordable housing requirements. Therefore, because the impact would be mitigated within the City of Huntington Beach, this impact would not be cumulatively significant. Fire protection services, biological resources, background regional air quality, and GHG emissions are addressed in the cumulative assumptions for the proposed Project.

CITY OF HUNTINGTON BEACH PROJECTS WITH APPROVED CEQA DOCUMENTATION

Beach and Edinger Corridors Specific Plan

The Specific Plan site extends along Beach Boulevard from the coastal zone boundary in the south to Edinger Avenue then along Edinger Avenue from Beach Boulevard westward to Goldenwest Street in the City of Huntington Beach and approximately seven miles from the Project site at its nearest point. The total acreage of the Specific Plan is approximately 459 acres. The proposed Specific Plan is intended to implement a clear and comprehensive vision for growth and change along Beach Boulevard and Edinger Avenue. In particular, the project is designed to coordinate private and public investment activities that would enhance the visual quality and economic vitality of primary commercial corridors in the City. Discretionary actions required include a general plan amendment, zoning text amendment, and zoning map amendment. The Final EIR was certified and project approved in March 2010. Approved projects within the Beach and Edinger Corridors Specific Plan Area include the Murdy Commons Mixed-Use Project, located at 7441 Edinger Avenue on the northeast corner of Edinger and Gothard Street. Consistent with the Specific Plan the Murdy Commons project allows for up to 984 du and 60,000 sf of commercial area. The Specific Plan EIR evaluated and determined that the following impacts would be less than significant: agricultural resources, hazards and hazardous materials, land use and planning, mineral resources, population and housing, public services. The following significant impacts are identified:

- ***Aesthetics:*** The project would result in shade and shadow impacts on nearby light-sensitive uses. In addition, the project would introduce new sources of light and glare into the project vicinity that would potentially adversely affect daytime or nighttime views in the area. However, mitigation measures would reduce aesthetic impacts to a less than significant level.

- ***Geology and Soils:*** Compliance with applicable State and City regulations and implementation of mitigation measures identified in the EIR would reduce geologic impacts, including soil stability, to a less than significant level.

- ***Hydrology and Water Quality:*** With implementation of code requirements, existing regulations, and mitigation measures identified in the EIR, impacts related to hydrology and water quality, including storm water runoff, would be considered less than significant.

- ***Biological Resources:*** Project construction would have a substantial adverse effect, either directly or through habitat modifications, on birds protected under the Migratory Bird Treaty Act. In addition, project implementation would have a substantial adverse

effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. However, mitigation measures would reduce impacts to a less than significant level.

- ***Recreation:*** Project implementation would have the potential to result in the construction of recreational facilities at the time of future development and/or redevelopment. Therefore, recreational impacts are considered significant and unavoidable.

- ***Transportation and Circulation:*** Under Year 2013 and 2016 conditions, operation of the project would cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system. Therefore, impacts related to 2013 and 2016 traffic conditions would be significant and unavoidable.

- ***Air Quality:*** The project would contribute substantially to an existing or projected air quality violation for criteria air pollutants. In addition, implementation of the project would result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under an applicable federal or State ambient air quality standards. Therefore, impacts related to air quality would be significant and unavoidable.

- ***Noise:*** Project implementation would have the potential to generate or expose persons or structures to excessive groundborne vibration. Therefore, construction impacts would be significant and unavoidable.

- ***Cultural Resources:*** Construction activities associated with implementation of the project would cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 of the CEQA Guidelines. Therefore, impacts related to historical resources would be significant and unavoidable.

- ***Utilities and Service Systems:*** Project implementation would generate an additional demand for water, which would require water supplies in excess of existing entitlements and resources or result in the need for new or expanded entitlements. Therefore, impacts related to water supply would be significant and unavoidable.

Conclusions: The project is located approximately seven miles to the west at its nearest point to the Newport Banning Ranch Project site. Construction-related air quality emissions and noise would not occur proximate to the Newport Banning Ranch Project site; therefore, these project-specific effects would not be considered cumulatively significant. Aesthetic impacts associated with this project would not occur proximate to the Newport Banning Ranch Project site. The site-specific project impacts (geology/soils, hazards/hazardous materials, and cultural resources) identified for the project would generally be confined to the project site and would be mitigated to less than significant with the exception of historic resources. Because the Newport Banning Ranch Project would not significantly impact historic resources, no cumulative impact would occur. The project is not in the same watershed as the proposed Project and is not in the same hydrologic cumulative study area; therefore, hydrology and water quality impacts impact would not be cumulatively significant. Both projects would have impacts on wildlife and wetlands; the project would be considered as a part of the Project's cumulative study area for biological resources. Although the project would have a significant unavoidable impact with respect to water supply, the two projects are served by different water districts; therefore, this project is not in the cumulative analysis of water supply. The project is assumed in the cumulative analysis for fire protection, background regional air quality, and GHG emissions.

Edison Park Master Plan

The City of Huntington Beach Community Services Department proposes to (1) establish a Park Master Plan to reconfigure existing open space areas; (2) construct additional recreational amenities, including bocce ball courts and a skate park; (3) reconfigure an existing 132-space parking lot along Magnolia Street and provide 124 additional parking spaces; (4) construct a new 120-space parking facility along Hamilton Avenue; (5) install 9 fitness/wellness exercise stations; (6) install new landscape and hardscape improvements including fencing around the existing fire station and walking paths; and (7) install 4 lighted practice soccer fields and a lighted multi-purpose field. The Master Plan is proposed to be implemented in four construction phases over eight years. An IS/MND was prepared as part of Environmental Assessment 2008-001 and approved in June 2009. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: agriculture, air quality, cultural and scientific resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, transportation and circulation, and utilities and service systems. The IS/MND identifies the following potentially significant impacts, which would be reduced to a less than significant level with mitigation:

- ***Aesthetics:*** The removal and relocation of 206 mature trees would substantially degrade the visual character of the site. The relocated trees and the new landscape and hardscape features are proposed to enhance the existing park amenities, and removed trees would be replaced on a 2:1 basis. Implementation of mitigation would reduce the potentially significant impact to the visual character of the site to a less than significant level.

- ***Biological Resources:*** The project would result in the removal of 201 mature trees and the relocation of 5 mature trees located on site, resulting in a potentially significant impact. Implementation of mitigation would reduce this impact to a less than significant level.

- ***Recreation:*** The project would expand and alter existing recreational uses within Edison Park and would require the removal of 201 mature trees, resulting in a potentially significant adverse physical effect on the environment. With implementation of biological resources mitigation, this impact would be reduced to a less than significant level.

Conclusions: The Edison Park site is located approximately two miles west of the Newport Banning Ranch site. Because the existing 40-acre Edison Park is a Huntington Beach community park intended to serve City residents and the Newport Banning Ranch Project includes park facilities, this project is not included in the cumulative impact analysis with the exception of fire protection, regional air emissions, and GHG emissions.

Goodell Property Pre-Zoning and Annexation

The project site is located at the terminus of Bolsa Chica Street, south of Los Patos Avenue, in an unincorporated area of Orange County. The proposed project involves the pre-zoning and annexation of approximately 6.2 acres of property at the request of the Orange County Local Agency Formation Commission (LAFCO) in conjunction with the annexation of the Brightwater Specific Plan, which resulted in the site becoming an unincorporated “island”. Discretionary actions include a zoning map amendment and annexation into the City of Huntington Beach. A recirculated IS/MND was prepared as part of Environmental Assessment 2008-017 for the project, which was approved in November 2009. The IS/MND identifies that the project would

not exceed significance thresholds with respect to the following environmental topics: land use and planning, population and housing, geology and soils, hydrology and water quality, air quality, transportation and traffic, mineral resources, hazards and hazardous materials, noise, public services, utilities and service systems, aesthetics, and recreation. Based on the IS/MND, the significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Biological Resources****:* In order to minimize erosion and sediment deposition in wetland areas within the vicinity of the project site, standard practices would be implemented to reduce impacts to less than significant. In addition, biological surveys conducted in June 2009 confirmed the presence of southern Tarplant on the site. Implementation of a Tarplant relocation program would mitigate impacts related to future development. As such, mitigation is proposed to reduce potential impacts to southern Tarplant to a less than significant level.

- ***Cultural Resources:*** The proposed project would not directly result in impacts to cultural resources, however it would establish zoning that would allow for future development of the site. Mitigation measures would be required prior to any proposal for future development. Implementation of mitigation would reduce potential impacts to cultural resources to less than significant.

Conclusions: The southern Tarplant, while not listed as threatened or endangered by any State or federal agency, is listed as endangered by the California Native Plant Society. Therefore, because of its endangered status and its presence on the Goodell property and the Newport Banning Ranch Project site, the Goodell project would be assumed in the cumulative biological resources analysis for Newport Banning Ranch. While mitigation measures have been identified to reduce potential cultural impacts to less than significant, this project would be considered in the cumulative impact analysis. The project is also assumed in the cumulative analysis for fire protection, background regional air quality, and GHG emissions.

Pacific View Mixed-Use

Located at 620 North Pacific Coast Highway (northeastern corner of Pacific Coast Highway and 7th Street), the project would construct a 4-story, 35-foot tall, 12,922-sf, mixed-use visitor-serving/residential development. Proposed uses would include 4,082 sf of commercial space on the ground floor and 7 residential units consisting of 4,472 sf on the second floor and 4,367 sf on the third floor. The project includes a variance to allow a fourth floor in lieu of the maximum allowed number of three floors for purposes of providing common open space within a roof top deck. The project would not result in unavoidable adverse impacts. Discretionary actions include a coastal development permit, conditional use permit, and variance. An IS/MND was prepared as part of Environmental Assessment 2008-011 for the project, which was approved in December 2008. The IS/MND states that the project would not exceed significance thresholds with respect to the following environmental topics: land use/planning, transportation/traffic, public services, population/housing, biological resources, utilities/service systems, mineral resources, aesthetics, cultural resources, air quality, noise, recreation, and agricultural resources. The following potentially significant impacts are identified in the IS/MND; measures are identified to mitigate impacts to a less than significant level:

- ***Geology and Soils:*** Geotechnical constraints were identified in the geotechnical report prepared for the project. Specifically, there is the potential at the foundation level (below the subterranean parking structure) for expansive soil risk on the project site. In addition, unstable foundations would potentially exist from existing fill soils as well as differential

settlement of soils occurring on site and affecting foundation materials. Impacts related to soil expansion potential, unstable soils, and settlement would be potentially significant unless mitigated. Implementation of the recommended mitigation measure would reduce these impacts to a less than significant level.

- ***Hydrology and Water Quality:*** Though the project would not present a substantial impact to the groundwater supply, implementation of the recommended mitigation measure would further reduce these impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** Two abandoned and capped oil wells are located on the project site. Grading and excavation of the site would potentially result in damage to the existing abandoned oil wells. In addition, the oil wells may have affected some nearby soils on the project site. Construction activities such as grading and excavation for the proposed underground parking structure would potentially expose workers to contaminated soils and other hazards associated with abandoned oil wells. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

Conclusions: The project site is located approximately four miles to the northwest. Geology and soils and hazards/hazardous materials impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. The project is not in the same watershed as the proposed Project and is outside of the hydrologic cumulative study area; therefore, anticipated hydrology and water quality impacts would not be cumulatively significant. The Huntington Beach Wetlands Project is included in the cumulative impact assumptions for Newport Banning Ranch with respect to cumulative traffic, fire protection, regional air quality, and GHG emissions.

Parkside Estates

Final EIR No. 97-2, approved in 2002, was prepared for the original project, which included a 50-acre development with 170 single-family residences, an 8-acre park and dedicated conservation open space. In 2008, project plans were modified to preserve more wetlands; therefore, the revised project proposes 111 residential units, no park, and 23 acres of conservation open space. Entitlement plan amendments and subsequent entitlements, including preparation of an Addendum to Final EIR No. 97-2, were approved in June 2009. The revised project would not result in new significant environmental impacts to air quality, nor is there a substantial increase in the severity of impacts to aesthetics/light and glare from that described in certified Final EIR No. 97-2. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to air quality as identified in Final EIR No. 97-2. The revised project would not result in new significant environmental impacts from that described in the certified Final EIR No. 97-2. Final EIR No. 97-2 evaluated and determined that the following impacts were less than significant: agricultural resources, hazards and hazardous materials, mineral resources, population and housing, and recreation. Discretionary actions include annexation, general plan amendment, zoning map amendment, tentative tract map, conditional use permit, coastal development permit, and local coastal program amendment. Final EIR No. 97-2 identified the following potentially significant impacts:

- ***Land Use Compatibility (Housing Element):*** The project would result in impacts related to the provision of affordable housing. Implementation of recommended mitigation requiring the applicant to designate ten percent of the proposed units as affordable would ensure that no inconsistencies with the City's Affordable Housing policy

occur; therefore, potentially significant impacts would be reduced to a less than significant level. Mitigation would remain applicable to the revised project and would therefore be consistent with the City's Affordable Housing policy. The revised project would not result in new significant environmental impacts to land use compatibility, nor is there a substantial increase in the severity of impacts to land use compatibility from that described in certified Final EIR No. 97-2.

- ***Aesthetics:*** The Final EIR concluded that the project would result in potentially significant aesthetic impacts due to the reduction of viewable open space areas, the project's location in proximity to County-proposed trails, and an increase in on-site light and glare. Implementation of mitigation would reduce these impacts to a less than significant level. The revised project would not result in new significant environmental impacts to aesthetics/light and glare, nor is there a substantial increase in the severity of impacts to aesthetics/light and glare from that described in certified Final EIR No. 97-2.

- ***Earth Resources:*** Final EIR No. 97-2 concludes that the project would result in potentially significant impacts related to settlements of peat deposits within the upper five feet, mildly to severely corrosive soils, soils with low shear strength, and soils shrinkage. In addition, the EIR determined that subsidence of adjacent properties along the project's northern property boundary would occur due to dewatering, resulting in potential groundwater impacts. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to earth resources, nor is there a substantial increase in the severity of impacts to earth resources from that described in certified Final EIR No. 97-2.

- ***Hydrology:*** The Final EIR concludes that the project would result in potentially significant impacts to drainage, flooding, and water quality. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to hydrology, nor is there a substantial increase in the severity of impacts to hydrology from that described in certified Final EIR No. 97-2.

- ***Biological Resources:*** Final EIR No. 97-2 also concludes that the project would result in potential significant impacts during the nesting season to native raptor birds and cumulative impacts to nesting raptor birds. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to biological resources, nor is there a substantial increase in the severity of impacts to biological resources from that described in certified Final EIR No. 97-2.

- ***Transportation and Circulation:*** The Final EIR concludes that the project may result in significant short-term, construction-related impacts due to the addition of truck and construction traffic vehicles. In addition, the Final EIR determined that the project, in conjunction with other past, present, and reasonably foreseeable future projects, will result in level of service deficiencies at the intersections of Bolsa Chica Street and Warner Avenue, and Graham Street and Warner Avenue under the 2020 condition, and would therefore have a significant impact related to level of service before mitigation. Implementation of mitigation would reduce these impacts to a less than significant level. The revised project would not result in new significant environmental impacts to transportation and circulation, nor is there a substantial increase in the severity of impacts to transportation/circulation from that described in certified Final EIR No. 97-2.

- ***Air Quality:*** Final EIR No. 97-2 concludes that the project would result in potentially significant air quality impacts associated with construction activities. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to air quality, nor is there a substantial increase in the severity of impacts to air quality from that described in certified Final EIR No. 97-2.

- ***Noise:*** Final EIR No. 97-2 concludes that the project would result in potentially significant, short-term, construction-related noise and long-term operational noise impacts. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to noise, nor is there a substantial increase in the severity of impacts to noise from that described in certified Final EIR No. 97-2.

- ***Cultural Resources:*** The Final EIR concludes that the project would result in a significant impact to archaeological sites CA-ORA-1308 and CA-ORA-1309. A portion of CA-ORA-83/86 is also located on the project site but would not be impacted. Final EIR No. 97-2 includes mitigation that requires a subsurface test investigation for both CA-ORA-1308 and CA-ORA-1309 sites, a cultural resources management plan based on the test results, and archaeological monitoring. Implementation of mitigation measures would reduce the potential impact to the two sites to a less than significant level. The revised project would also avoid direct impacts to CA-ORA 83/86. The revised project would not result in new significant environmental impacts to cultural resources, nor is there a substantial increase in the severity of impacts to cultural resources from that described in certified Final EIR No. 97-2.

- ***Public Services and Utilities:*** The Final EIR concludes that the project would create increased demand for public services and utilities on a local and regional basis. Implementation of mitigation measures would reduce this impact to a less than significant level. The revised project would not result in new significant environmental impacts to biological resources, nor is there a substantial increase in the severity of impacts to biological resources from that described in certified Final EIR No. 97-2.

Conclusions: The project is located approximately eight miles to the northwest of the Newport Banning Ranch site. Because of the distance between the two sites, any construction-related impacts (air quality, noise) would not be cumulatively considerable. Aesthetic impacts associated with the project would not be cumulative because the two sites are not within the same viewshed. Impacts associated with policies or implementing requirements specific to the City of Huntington Beach (e.g., provision of affordable housing in Huntington Beach) would not be assumed in the cumulative analysis for Newport Banning Ranch. With respect to traffic, the Newport Banning Ranch traffic study area does not include the project site or intersections significantly impacted by the Parkside Estates project. Identified earth resources impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. While mitigation measures have been identified to reduce potential cultural impacts to less than significant, this project would be considered in the cumulative impact analysis. The project is not in the same watershed as the proposed Project and is not in the same hydrologic cumulative study area; therefore, hydrology impacts impact would not be cumulatively significant. Identified biological resources impacts to habitat and wetlands would be considered in the cumulative analysis. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background

assumptions for regional air quality emissions within the air basin. The project is also assumed in the cumulative background assumptions for GHG and fire protection.

Poseidon Desalination Plant

The project proposes the construction and operation of a 50-million-gallon per day seawater desalination facility within the City of Huntington Beach. The facility would consist of seawater intake pretreatment facilities, a seawater desalination plant using reverse osmosis technology, product water storage, two pump stations, materials storage tanks, and 42- to 48-inch diameter product water transmission pipeline(s) possibly up to 10 miles in length in Huntington Beach and Costa Mesa. The facility would use the existing Huntington Beach Generating Station seawater intake and outfall pipelines for its operations. The proposed desalination facility would be located on an 11-acre portion of the 22-acre Huntington Beach Generating Station facility located at 21730 Newland Street, off Pacific Coast Highway. Discretionary actions include a conditional use permit, coastal development permit, franchise agreement, owner participation, development agreement, coastal development permit, domestic water supply permit, NPDES, SCAQMD permit to operate, various encroachment permits, various institutional permits, lease agreement, and Orange County Sanitation District industrial source control permit. The Final EIR was certified and the project was approved on September 6, 2005. Currently, the project applicant is securing permits from other regulatory agencies and has indicated that construction could begin in 2001 and the facility could be operational in 2013. In May 2010, a Supplemental EIR was released. A Subsequent EIR was also released in June 2010, which recirculated Section 4.10 (Ocean Water Quality and Marine Biological Resources) of the EIR. The Supplemental EIR was certified in September 2010. The EIR evaluated and determined that the following impacts were less than significant: agricultural resources, biological resources, cultural resources, hazards and hazardous materials, land use and planning, mineral resources, population and housing, recreation, and transportation and traffic. The EIR identifies the following potentially significant impacts:

- ***Aesthetics and Glare:*** The project would result in aesthetic and light/glare impacts. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Air Quality:*** The project would result in significant and unavoidable impacts to construction-related emissions of ROG, NOx, and CO. Recommended mitigation measures would reduce this impact but not to a level considered less than significant. Impacts would remain significant and unavoidable.

- ***Geology, Soils and Seismicity:*** The project would result in potentially significant geotechnical impacts including wind and water erosion during grading activities, unstable soils and shallow groundwater, seismicity and faulting, and liquefaction. Implementation of the Uniform Building Code and recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Hydrology and Water Quality:*** The project would result in potentially significant long-term water quality impacts related to flooding and storm water runoff. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Noise:*** The project would result in significant impacts to sensitive receptors adjacent to the desalination plant site from long-term stationary noise sources associated with

project operation. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Public Services and Utilities:*** The project would result in potentially significant impacts to schools, roadway maintenance, wastewater, storm water drainage, water, and solid waste. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

- ***Construction-related Impacts:*** The project would result in potentially significant, short-term, construction-related impacts to hydrology and water quality, noise, public services and utilities, aesthetics/light and glare, hazards and hazardous materials, traffic, biological resources, and cultural resources. Implementation of the recommended mitigation measures would reduce these impacts to a less than significant level.

Conclusions: The project is located approximately two miles to west of the Newport Banning Ranch Project site and is proposed to be operational prior to commencement of development of the Newport Banning Ranch Project. The existing Huntington Beach Generating Station is visible from the Newport Banning Ranch Project site; no structures associated with the Poseidon project would be more than 35 feet. The project would be considered in the analysis of aesthetic impacts associated with the Newport Banning Ranch Project. With respect to water supply, while the desalination facility could provide 50 million gallons of potable water per day which has been estimated to meet approximately 7 percent of Orange County's water needs, the Newport Banning Ranch Project does not rely on this project to supply water to the Project. Identified geology, soils and seismicity impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. Both project sites are located in the Talbert Watershed; the Poseidon project would be included in the cumulative assumptions for water quality. The identified construction-related impacts are generally site-specific, would be mitigated to less than significant, and are proposed to occur prior to initiation of the Newport Banning Ranch Project. Therefore, construction-related impacts are not considered cumulatively significant. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin. The project is also assumed in the cumulative background assumptions for GHG and fire protection.

The Ridge

The site is located southeast of the intersection of Bolsa Chica Street and Los Patos Avenue approximately 8 miles northwest of the Newport Banning Ranch Project site. The project proposes a 22-unit single-family planned unit development (PUD) with a 5,775 sf common open space area. The 22 residential lots range from 5,114 to 12,250 sf. The proposed 4 and 5 bedroom dwellings range in size from 2,700 to 4,200 sf. Discretionary actions include a general plan amendment, zoning map amendment, local coastal program amendment, zoning text amendment, tentative tract map, coastal development permit, and conditional use permit. An IS/MND was prepared as part of Environmental Assessment No. 2008-016 for the project. The IS/MND was circulated for public review in September 2009; however, due to changes with the project, the IS/MND would need to be recirculated. The City Council approved the project on July 6, 2010. The IS/MND identifies that the project would not exceed significance thresholds with respect to the following environmental topics: land use and planning, population and housing, geology and soils, hydrology and water quality, air quality, agricultural resources, transportation and traffic, biological resources, mineral resources, hazards and hazardous materials, noise, public services, utilities and service systems, aesthetics, and recreation. Based

on the IS/MND, the significant impacts listed below are identified; measures are identified to mitigate impacts to a less than significant level:

- ***Cultural Resources:*** The project site was previously investigated for presence of archeological site CA-ORA-86 and it is not anticipated that significant deposits would be discovered during construction of the project. However, mitigation measures would be implemented in the event that unanticipated resources are encountered during grading and construction. Implementation of mitigation measures would reduce potential impacts to cultural resources to a level considered less than significant.

Conclusions: While mitigation measures have been identified to reduce potential impacts to less than significant, this project would be considered in the cumulative analysis for cultural resources, fire protection, regional air quality, and GHG emissions.

CITY OF HUNTINGTON BEACH PROJECTS WITHOUT APPROVED CEQA DOCUMENTATION

City of Huntington Beach General Plan Circulation Element Update

The project consists of the adoption and implementation of the Huntington Beach General Plan Circulation Element Update. Two significant technical components are being completed as part of the update. First, an updated local area transportation model is being developed, which includes completion of a local land use inventory. Second, the new model will be used as the basis for the analysis and development of recommendations for updating several sections of the Circulation Element. An IS (Environmental Assessment No. 2009-004) was prepared and circulated for public review in July 2009. Based on the Initial Study, the following impacts were found to be less than significant: aesthetics, agricultural resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, recreation, and utilities/services systems. Based on the Initial Study, the following potential environmental impacts will be addressed in the EIR:

- ***Biological Resources:*** Potential impacts to plants and wildlife species would potentially occur if future expansion of roadways reduces or damages viable wetlands or riparian habitat. Such potential impacts have been reduced somewhat through the proposed removal of planned extensions of Hamilton and Edinger Avenues, which would have potentially affected existing wetlands and/or riparian resources. Future intersection capacity improvements are recommended to address long-range traffic increases at the intersections of Pacific Coast Highway and Goldenwest Street, Warner Avenue, and Brookhurst Street. There are some water-based plant resources near each of these intersections. Specific intersection improvements have not been designed and need not be designed for a number of years; therefore, the specific impact on such resources, if any, cannot be determined at this time. However, the EIR will provide a preliminary assessment of impact potential and ways to avoid impacts to protected wetlands or riparian resources.

- ***Population and Housing:*** The proposed Circulation Element includes reclassification of some roadway segments to add lanes to handle future traffic projections. Additional right-of-way needs cannot be determined until the actual project design phase, during which time a variety of geometries would be examined for costs/benefits. Therefore, the environmental effects that might be associated with potential future roadway widening would be determined through subsequent project-level assessments. Recommended improvements to one or more intersections might require acquisition of additional right-

of-way, which would potentially affect one or more residential properties that abut the needed right-of-way. Further analysis will be required in the EIR to determine potential impact levels and to identify measures to avoid or offset potential impacts that would have the potential to result in displacement of any housing units.

- ***Transportation and Circulation:*** The Orange County Transportation Authority's Master Plan of Arterial Highways (MPAH) is the countywide plan guiding development of major arterial roadways and highways throughout the County. Several modifications to MPAH classifications are included in the proposed Circulation Element. These changes will be assessed in the EIR to ensure that significant impacts along affected MPAH links do not occur. Components of the Orange County Congestion Management Plan (CMP) roadway network occur within Huntington Beach, and further analysis would be required to assess whether the proposed Circulation Element has the potential to create conditions that would exceed CMP level of service standards. Proposed changes to the MPAH include deleting the previously planned extension of Hamilton Avenue and the previously planned connection between Graham Street and Talbert Avenue. These will be analyzed to determine if emergency response times would have the potential to be negatively affected as a result of roadways not being built.

- ***Air Quality:*** The proposed Circulation Element is designed to accommodate long range traffic volumes to minimize congestion problems, and would not, in and of itself, generate any stationary or mobile sources of air emissions. However, further analysis in an EIR is required to determine if potential future changes to the circulation system would affect long-term traffic volumes or distribution in such a way that achievement of target limits for criteria pollutants and air quality standards could be impeded. Construction of roadway and intersection improvements may produce short-term odors, that some may find objectionable (e.g., the odor of tar in asphalt surface applications). These temporary impacts are common in any urban environment and considered to be less than significant effects. Long term operation of street improvements would not result in the production of objectionable odors.

- ***Noise:*** The proposed Circulation Plan is designed to accommodate increasing traffic volumes generated by population and economic growth over the next 20 to 30 years. Increased traffic volumes and future street widening to provide additional traffic capacity could increase permanent noise levels along roadways. This would potentially result in significant impacts along segments where noise levels currently exceed the City's land use/noise compatibility policy, and possibly other segments that are at or near the current threshold. Increased truck traffic along designated truck routes would contribute to increased roadway noise levels and would potentially increase the level of ground vibration along those routes. Periodic increases in local noise levels would occur during construction of future street improvements; however, this would occur during a normal construction work day and all activities would be subject to all routine construction control measures to minimize noise intrusion on nearby properties.

- ***Public Services:*** Proposed revisions to the MPAH include deletion of a previously planned extension of Hamilton Avenue and a previously planned connection between Graham Street and Talbert Avenue. These changes might negatively affect fire department response times that could potentially require construction of new facilities to maintain desired fire protection levels of service. This will be evaluated in the EIR. Future roadway and intersection improvements would require regular maintenance services provided by the City's Public Works Maintenance Division. Since the future improvements would occur along existing streets and intersections, the amount of

increased maintenance would be minor and would not require expansion of any municipal maintenance facilities.

Conclusions: The environmental documentation for the City's Circulation Element has not been completed and the City of Huntington Beach is currently using the existing General Plan Circulation Element. The traffic study area for the Newport Banning Ranch Project was identified by the City of Newport Beach in collaboration with the Cities of Huntington Beach and Costa Mesa and the Orange County Transportation Authority.

Harmony Cove Residential Condominium and Marina Development

The project is located at the former Percy Park site at 3901 Warner Avenue (northern side of Warner Avenue, west of Weatherly Lane). The project involves a residential development consisting of 15 condominium units and a 25-boat slip marina (15 private slips and 10 commercial slips). The project includes the following entitlements: (1) a General Plan Amendment to change the designation from Open Space-Park to Medium Density Residential; (2) a Zoning Map Amendment to change the zoning from Low Density Residential to Medium Density Residential; (3) a Local Coastal Program Amendment to change the land use designation to reflect the proposed land use; (4) an "approval in concept" for the boat slips/marina; and (5) a subdivision for 15 residential condominium units, 15 boat slips, and 10 commercial boat slip/marina. The project application was originally submitted on March 26, 2008, and deemed complete on February 17, 2009. The MND was released on April 15, 2010. Based on the Initial Study, the following impacts were found to be less than significant: population and housing, air quality, greenhouse gas emissions, transportation and circulation, mineral resources, public services and utilities, aesthetics, agricultural resources, cultural resources, hazards and hazardous materials, recreation, and utilities/services systems. The following environmental impacts can be mitigated to a less than significant level:

- ***Land Use:*** The project site is located in State Tidelands for the purpose of access to navigable waters and the rights of the public to fish. The proposed residential use for the project site would be incompatible with the State of California Public Trust Easement. The applicant is pursuing a title settlement agreement with the California State Lands Commission to remove the Public Trust Easement over the project site and allow the residential project to be developed. The impact would be less than significant with mitigation that indicates that the entitlements on the project are not effective until this issue is resolved with the State.

- ***Geology and Soils:*** The project site is subject to liquefaction and landslides during seismic-related events. Additionally, a portion of the project site has expansive soils. These impacts would be less than significant with mitigation.

- ***Hydrology and Water Quality:*** With implementation of code requirements, existing regulations, and mitigation measures identified in the EIR, impacts related to hydrology and water quality, including storm water runoff, would be considered less than significant.

- ***Biological Resources:*** The project would result in a short-term loss of benthic invertebrate populations and fish species during construction activities in the bay bottom during dredging activities. This impact would be mitigation through the creation of soft bottom habitat. Although no eelgrass is currently present, eelgrass surveys are required and any loss of eelgrass habitat would require mitigation. Mitigation is also required for the potential impact to foraging opportunities for protected sea mammals.

- ***Noise:*** Noise levels during construction would be significant but would cease upon the completion of pile driving. Proposed residences would be impacted by vehicular noise along roadways. Mitigation is provided to mitigate the impact to a less than significant level.

Conclusions: The project has not been constructed but the site is located approximately nine miles northwest of the Newport Banning Ranch Project site. Project construction is expected to take approximately three years. Although it is unknown when construction would commence on the Harmony Cove project, the distance between the two sites indicates that any construction-related/short-term impacts would not be cumulatively considerable. The identified site-specific impacts are generally confined to the site because of the geographical setting for the site (tidal waters) and are not applicable to the Newport Banning Ranch Project; therefore, they not considered cumulatively significant. This project is included in the cumulative impact assumptions for Newport Banning Ranch for fire protection, regional air quality, and GHG emissions.

Beach and Warner Mixed-Use Project

The proposed project is located at the southwest corner of the Beach Boulevard and Warner Avenue intersection in the City of Huntington Beach. The project includes the construction of two new retail buildings at the corner of Warner Avenue and Beach Boulevard, new mixed-use buildings along both Warner and Beach Boulevard, and two new parking structures. Under the proposed project, the existing 15-story, 196,000 square- foot (sf) office tower; and the eix-story, 863-stall parking structures located on the northeast corner of Sycamore Avenue and Ash Street would remain. All other existing buildings on the project site would be replaced with new development. The project proposes three components: the construction of a mixed-use building on Beach Boulevard; a mixed-use building on Warner Avenue, and two retail buildings on the corner of Beach Boulevard and Warner Avenue. The Draft EIR was circulated for public review in January 2011. The Draft EIR evaluated and determined that the following would result in less than significant impacts: agricultural resources, land use, mineral resources, population and housing, public services, recreation, utilities and service systems, and climate change. The Final EIR identified the following significant impacts:

- ***Aesthetics:*** Mitigation has been provided in the EIR to reduce glare caused by reflective building surfaces.

- ***Air Quality:*** Construction activities associated with the proposed project have the potential to violate air quality standards or contribute substantially to an existing or projected air quality violation in addition to exposure of sensitive receptors. This would be a potentially significant impact. Because no feasible mitigation is available to reduce this impact to a less than significant level, this would be a significant and unavoidable impact.

- ***Biological Resources:*** Biological resources on the project site are limited to trees and landscaping. However, the City of Huntington Beach Tree Ordinance requires the applicant to submit an application for a permit from the Public Works Department for any activity that may disturb trees of any kind.

- ***Cultural Resources:*** Mitigation has been provided in the EIR to reduce impacts to cultural resources. No impacts are anticipated.

- ***Geology and Soils:*** Mitigation has been provided in the EIR to reduce geologic impacts to a less than significant level.

- ***Hazards and Hazardous Materials:*** Mitigation has been provided in the EIR to reduce impacts from hazardous materials.

- ***Hydrology and Water Quality:*** Mitigation has been modified to reflect that the proposed project which includes rental residential units will not have a homeowners association (HOA). As such, the mitigation measure was changed, as appropriate, to ensure that either the Applicant or the future property manager would be responsible for the same actions.

- ***Noise:*** Mitigation has been provided in the EIR to reduce noise impacts to a less than significant level.

- ***Traffic:*** Mitigation has been provided in the EIR to reduce traffic-related impacts to a less than significant level.

Conclusions: The project is located approximately six miles to the northwest of the Newport Banning Ranch site. Because of the distance between the two sites, any construction-related impacts (air quality, noise) would not be cumulatively considerable. Aesthetic impacts associated with the project would not be cumulative because the two sites are not within the same viewshed. Impacts associated with policies or implementing requirements specific to the City of Huntington Beach (e.g., provision of affordable housing in Huntington Beach) would not be assumed in the cumulative analysis for Newport Banning Ranch. With respect to traffic, the Newport Banning Ranch traffic study area does not include the project site or intersections significantly impacted by this proposed project. Identified earth resources impacts would generally be confined to the site and would be mitigated to less than significant; therefore, they would not be considered cumulatively significant. While mitigation measures have been identified to reduce potential cultural impacts to less than significant, this project would be considered in the cumulative impact analysis. The project is not in the same watershed as the proposed Project and is not in the same hydrologic cumulative study area; therefore, hydrology impacts impact would not be cumulatively significant. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this approved project would be in SCAQMD background assumptions for regional air quality emissions within the air basin. The project is also assumed in the cumulative background assumptions for GHG and fire protection.

CITY OF IRVINE

The following projects were identified by the City of Irvine for consideration in the cumulative analysis for the Newport Banning Ranch Project. The projects are depicted in Exhibit 5-5 of Section 5.0, Cumulative Impact Analysis, and are summarized below.

CITY OF IRVINE PROJECTS WHERE CONSTRUCTION HAS BEEN INITIATED OR COMPLETED

Booth Circle Medical Office

The site is located at 4968 Booth Circle in the City of Irvine approximately 10 miles northeast of the Newport Banning Ranch Project site. The project proposes to construct a 17,845-sf, single-story medical office building on a 2.14-acre site located in El Camino Real Planning Area 11.

The project would require the following approvals: a General Plan Amendment (modifies the land use designation and assigns intensity to the subject Planning Area 11); zone change (modifies the zoning designation and assigns intensity to the subject Planning Area 11); a master plan to allow the development of a medical office; and a parcel map to eventually subdivide the building into non-residential ownership condominiums. Project development would be consistent with adjacent land uses and surrounding development. The Final IS/MND and project were approved on July 17, 2007; the project is completed. The IS/MND evaluated and determined that the following impacts were found to be less than significant: agricultural resources, air quality, biological resources, geology and soils, hazards and hazardous materials, mineral resources, population and housing, public services, and recreation. Based on the IS/MND, the following significant impacts are identified; measures are proposed to mitigate the impacts to a less than significant level:

- ***Aesthetics:*** Implementation of the project would introduce additional lighting including nighttime lighting to the project area. Impacts related to lighting would be reduced to a less than significant level with the incorporation of mitigation measures identified in the IS/MND.

- ***Hydrology and Water Quality:*** Due to construction activities, the project would have the potential to contribute additional sources of pollution to the existing drainage facilities. Impacts related to storm water runoff from the project would be reduced to a less than significant level with incorporation of mitigation measures identified in the IS/MND.

- ***Transportation and Circulation:*** Project implementation would cause the intersection of Yale Avenue/Booth Circle to operate at unacceptable levels under existing conditions and year 2010 with-project conditions. However, implementation of mitigation measures identified in the IS/MND would reduce traffic-related impacts at this intersection to a less than significant level.

- ***Noise:*** The project has the potential to generate significant interior noise impacts during project operation. However, mitigation measures provided in the IS/MND would reduce potential noise impacts to a less than significant level.

- ***Cultural Resources:*** There is the potential for archeological and/or paleontological resources to exist at the project site. Incorporation of mitigation measures identified in the IS/MND would reduce any adverse impacts related to buried archeological and/or paleontological resources to a less than significant level.

- ***Utilities and Service Systems:*** With the exception of construction debris, the project would not result in the generation of significant amounts of solid waste. The amount of debris generated is not anticipated to significantly impact landfill capacities. Additionally, mitigation measures provided in the IS/MND would reduce impacts related to solid waste disposal to a less than significant level.

Conclusions: The project was completed in 2009 and is located over 10 miles from the Newport Banning Ranch Project site. Therefore, any construction-related/short-term impacts would no longer be applicable for consideration in the proposed Project's cumulative analysis. The identified site-specific impacts are generally confined to the site and are mitigated to less than significant and are therefore not considered cumulatively significant. Therefore, this project is not included in the cumulative impact assumptions for Newport Banning Ranch with the exception of background regional air quality emissions and GHG emissions.

Irvine Business Complex Vision Plan (Planning Area 36)

The 2,800-acre Irvine Business Complex (IBC) is located within the western portion of the City of Irvine and is generally bound by the former Tustin Marine Corps Air Station (MCAS) to the north, the San Diego Creek channel to the east, John Wayne Airport and Campus Drive to the south, and State Route (SR) 55 to the west. A 40-acre parcel of the IBC is detached and located to the south of the main IBC boundary area, which is bound by Jamboree Road, Fairchild Road, MacArthur Boulevard, and the San Joaquin Marsh and is adjacent to the City of Newport Beach.

The project was subject to litigation by the Cities of Newport Beach and Tustin regarding environmental documentation prepared by the City of Irvine on the IBC Vision Plan. The Cities of Newport Beach and Irvine have reached a settlement agreement that resolves four separate lawsuits filed by the City of Newport Beach. Both Cities have agreed not to file any further challenges to projects consistent with either City's General Plan. The City of Newport Beach also agreed not to file any further legal challenges to the IBC Vision Plan provided that the City of Irvine caps the number of residential units allowed under the plan and abides by the stipulations of the Allergan Settlement Agreement, which limits development south of I-405. The City of Tustin, which, jointly with Newport Beach, filed all four lawsuits against Irvine, is not a party to this settlement agreement.

The project would allow for an increase in total units in the IBC (Planning Area 36) from 9,401 units to 15,000 units. In addition, 1,191 density bonus units would be allowed in accordance with State Law for a total 16,191 units. The current General Plan allows for 53,461,052 sf of office equivalency in Planning Area 36. The 5,599 additional new units (either potential or in process) remaining under the 15,000 unit cap would be offset by a reduction of 2,715,062 sf of non-residential office equivalency square footage, reducing the number to 50,899,418 sf. If approved, the proposed project would allow for the development of 6,380,955 non-residential sf and 458-room hotel based on the existing trip caps for the area.

Key discretionary actions associated with the project include a General Plan Amendment; a Zoning Ordinance Amendment; a Municipal Code Amendment; and a Circulation Element Amendment. Approved IBC residential development projects identified and evaluated include (1) The Lofts on Von Karman, 116 units; (2) 2801 Kelvin, 248 units; (3) The Carlyle, 156 units; and (4) Avalon Jamboree I, 280 units. Pending IBC development projects identified and evaluated include the following: (1) Irvine Crossings Master Plan and Modification and TPM, 17871 Von Karman, increase of 173,774 sf of office tenant improvements in an existing building; and (2) Master Plan for GIFREHC Center, 18691 Jamboree Road, master plan for 250,000 sf office, 39,000 sf retail, and a 350 room hotel. Pending IBC residential development projects identified and evaluated include the following: (1) Martin Street Condos, 82 units; (2) 2851 Alton, 170 units; (3) Avalon/Jamboree II, 179 units; (4) Irvine Technology Center, 1,000 units; (5) Kilroy, 469 units; (6) Alton/Millikan Apartments, 156 units; and (7) 2852 Kelvin, 192 units. The Draft EIR was distributed for public review in March 2009 but due to changes in the project, was recirculated on December 23, 2009; the public review period ended on February 5, 2010. The Final EIR was certified and the project approved; the Notice of Determination was filed on July 15, 2010.

The DREIR evaluated and determined that the following impacts would be less than significant: aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, population and housing, public services, recreation, utilities and service systems, and global climate change. However, project design features (PDFs) and plans, programs, and policies (PPPs) are identified that would further lessen the less than

significant impacts in the aforementioned environmental topics. The DREIR identifies the following significant impacts:

- ***Air Quality:*** Regional population, housing, and employment growth projections in the Irvine Business Complex were not accounted for in the air quality management plan. Construction emissions associated with buildout of the IBC would generate short-term and long-term stationary- and mobile-source emissions that exceed the SCAQMD regional significance thresholds for VOC, NOx, CO, PM_{10}, and $PM_{2.5}$, and would significantly contribute to the nonattainment designations of the South Coast Air Basin for O_3 and particulate matter (PM_{10} and $PM_{2.5}$). Project-related construction activities have the potential to expose sensitive receptors to substantial pollutant concentrations of NO_x, PM_{10}, and $PM_{2.5}$. As a result, air quality impacts would be considered significant and unavoidable.

- ***Noise:*** Construction activities have the potential to result in temporary noise increases in the vicinity of the project. In addition, construction of the project may generate perceptible levels of vibration at adjacent vibration-sensitive land uses. Furthermore, project-related vehicle trips would substantially increase ambient noise at noise-sensitive receptors in the vicinity of the Project site on McGaw Avenue between Jamboree Road and Murphy Avenue and cumulatively on Valencia Avenue between Newport Avenue and Red Hill Avenue, Warner Avenue between SR-55 and Red Hill Avenue, McGaw Avenue between Jamboree Road and Murphy Avenue, and Birch Street between Mesa Drive and Bristol Street. Sensitive land uses also have the potential to be exposed to noise levels that exceed 65 dBA CNEL from transportation or stationary sources. As a result, noise impacts would be considered significant and unavoidable.

- ***Transportation/Traffic:*** Buildout of the IBC under the project would generate additional traffic volumes and impact levels of service for the existing area roadway system. This impact is considered significant and unavoidable.

Conclusions: Because of the distance between the two project sites (over 7 miles), traffic and noise impacts associated with the phased development of IBC would not result in cumulatively considerable impacts associated with the Newport Banning Ranch Project site. The project is anticipated to result in a cumulatively significant net increase of criteria pollutants for which the project region is in nonattainment; therefore, this project would be in SCAQMD background assumptions for regional air quality emissions within the air basin and is assumed in the Newport Banning Ranch's cumulative GHG assumptions.

Planning Area 40/Planning Area 12 General Plan Amendment and Zone Change

The project sites are located in northern Irvine on the southwest corner of Planning Area (PA) 33 and are generally bordered by Alton Parkway to the north, Pacifica and a portion of the San Diego Creek to the east, I-405 to the south, and State Route 133 to the west approximately 11 miles northeast of the Newport Banning Ranch Project site. The project required a General Plan Amendment and zone change of portions of PA 40 and PA 12, and the transfer of entitlements for 1,533 dwelling units permitted in the General Plan. The General Plan Amendment includes changes to the Land Use Element by increasing the allowable Regional Commercial Dwelling Units in PA 33 to 3,700 units. The Zoning Amendment also would rezone the project site from 4.8, Irvine Center Commercial, to 4.7C, Urban Commercial. The Final EIR was certified and approved in September 2008. The EIR evaluated and determined that the following impacts were found to be less than significant: agricultural resources, cultural resources, geology and soils, hydrology and water quality, mineral resources, population and

housing, public services, recreation, and utilities/services systems. Based on the EIR, the following significant impacts are identified:

- ***Aesthetics:*** The project would increase nighttime illumination within the project vicinity. However, all new lighting would be required to comply with the City's existing lighting codes and standards. Therefore, impacts related to light and glare would be reduced to a less than significant level.

- ***Biological Resources:*** Project implementation would potentially result in a significant impact if trees being used for nesting by migratory birds are removed during the breeding season (February 15 to August 15). However, mitigation measures provided in the EIR would reduce any potential impact on biological resources to less than significant.

- ***Hazards and Hazardous Materials:*** Project implementation would potentially result in significant impacts if (1) demolition of structures within PA 12 (Traveland) encounter and release ACMs and/or (2) the potential development of recreational or residential uses within PA 40 results in cancer risk exposure higher than the target levels identified in the Human Health Risk Assessment completed for the site. In addition, the PA 12 project site is known to have limited soil and groundwater contamination. Based on the Phase I Environmental Site Assessment (ESA) completed for the PA 12 project site, there are a number of potential or suspect recognized environmental conditions (RECs) that would represent a potentially significant hazard risk impact. Compliance with existing plans, programs, policies, and mitigation measures would reduce potential impacts associated with hazards and hazardous materials to a less than significant level.

- ***Transportation and Circulation:*** Transportation improvements have been recommended to mitigate the intersection and freeway ramp locations being impacted by the project for year 2012 conditions. In addition, mitigation measures and fair share fees are included in the EIR in conjunction with the North Irvine Transportation Mitigation (NITM) program to address traffic impacts. Mitigation measures are designed to address the project's impacts by improving the levels of service at each impacted location.

- ***Air Quality:*** Construction emissions associated with the project would exceed SCAQMD thresholds for ROG, NOx, CO, PM10, and PM2.5. Therefore, short-term construction air quality impacts would be significant and unavoidable. In addition, it is anticipated that the long-term ROG, CO, NOx, PM10, and PM2.5 emissions associated with operation of the project would continue to exceed SCAQMD thresholds and would be considered significant and unavoidable.

- ***Global Climate Change:*** The incorporation of project design features such as participation in a Green Building Program would serve to reduce the overall GHG emissions associated with the project. Therefore, implementation of the project would not interfere with the State of California's ability to achieve the current GHG reduction goals and strategies. Impacts related to climate change would be less than significant.

- ***Noise:*** Implementation of Mitigation Measure NOS-5 is subject to the project applicant (Irvine Company) and the Irvine Community Church reaching an agreement regarding the possibility of required soundproofing measures. However, in the event that mitigation is not fully implemented and the recommended soundproofing measures are not implemented, significant noise impacts to the church would occur.

- ***Utilities and Service Systems:*** The construction of public service infrastructure would potentially result in significant impacts such as construction-related dust, traffic, and noise. Mitigation measures provided in the EIR would reduce any potential construction impacts to a less than significant level.

Conclusions: The project is located approximately 11 miles to the northeast and is not located within the viewshed of the proposed Project; therefore, the identified site-specific aesthetic impacts would not be considered cumulatively significant. The identified hazards/hazardous materials impacts are generally confined to the site and are mitigated to less than significant; therefore, they are not considered cumulatively significant. Because of the distance between the two project sites, the identified noise impacts would not be cumulatively significant. Because the project impacts air quality would remain significant and unavoidable they are assumed in regional air quality basin assumptions. Public services would not be considered cumulatively significant world because the two projects would be served by different agencies. The project is included in the cumulative impact assumptions for Newport Banning Ranch with respect to regional air quality and GHG emissions.

CITY OF IRVINE PROJECTS WITH APPROVED CEQA DOCUMENTATION

HCG Irvine Project

The project site is located at 2722 Michelson Drive and 18582 Teller Avenue in the City of Irvine approximately six miles northeast of the Newport Banning Ranch Project site. The project consists of a Master Plan to develop 785,000 sf of office space and 15,500 sf of retail/restaurant space within the IBC. Discretionary actions include a master plan, zone change, tentative parcel map, conditional use permit, and development agreement. The Final EIR was certified and the project approved in December 2008. The EIR evaluated and determined that the following impacts were found to be less than significant: aesthetics, agricultural resources, biological resources, cultural resources, land use and planning, mineral resources, population and housing, recreation, and utilities/services systems. Based on the EIR, the following significant impacts were identified:

- ***Geology and Soils:*** Proper engineering design and conformance with recommendations presented in the Comprehensive Geotechnical Report, compliance with current building codes, and implementation of mitigation measures identified in the EIR would reduce all potential geologic impacts to a less than significant level.

- ***Hydrology and Water Quality:*** Proper engineering design and conformance with the requirements of the State NPDES Construction Permit and the County/Municipal Permit and implementation of mitigation measures identified in the EIR would reduce all potential water quality (short-term and long-term) impacts to a is less than significant level.

- ***Transportation and Circulation:*** A proposed street improvement at the intersection of Jamboree Road/MacArthur Boulevard is included as mitigation. However, mitigation related to the proposed intersection would result in an alteration, which is within the responsibility and jurisdiction of another agency (City of Newport Beach). Therefore, the City of Irvine cannot guarantee that the improvement can be implemented.

- ***Air Quality:*** Operation of the project would have significant and unavoidable adverse impacts on regional air quality related to NOx emissions from vehicle exhaust in the year 2011, but by 2010 all emissions would be under SCAQMD operational thresholds.

- ***Noise:*** The project would result in long-term traffic noise impacts. With implementation of recommended mitigation measures, these impacts would be reduced to a less than significant level.

- ***Public Services:*** Implementation of the project would not result in significant adverse impacts related to public services, and no mitigation measures would be required. However, project design features included in the EIR would enhance public safety and security.

Conclusions: For the environmental topics listed where a potentially significant impact would occur (hydrology and water quality, transportation and circulation, noise, public service systems), the two project site are approximately six miles apart. The sites are in different watersheds and are services (e.g., water, fire, and police) are provided by different agencies. This project is included in the cumulative impact analysis for the Newport Banning Ranch Project with respect to background regional air quality emissions and GHG emissions.

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