

**CITY OF NEWPORT BEACH
ENVIRONMENTAL CHECKLIST FORM**

1. **Project Title:** Newport Beach Country Club Planned Community (PA2005-140)
2. **Lead Agency Name and Address:** City of Newport Beach
Planning Department
3300 Newport Boulevard,
Newport Beach, CA 92658-8915
3. **Contact Person and Phone Number:** Rosalinh Ung, Planning Department
Rung@newportbeachca.gov
(949) 644-3208
4. **Project Location:** 1600-1602 East Coast Highway
Newport Beach, CA
5. **Project Sponsor's Name and Address:** Byron de Arakal
180 Newport Center Drive, Suite 219
Newport Beach, CA 92660
6. **General Plan Designation:** MU-H3 (Mixed Use Horizontal)
PR (Parks and Recreation)
7. **Zoning:** Newport Beach Country Club Planned Community
8. **Introduction:**

The subject property is currently occupied by the Newport Beach Country Club (the "Golf Club") and The Tennis Club formerly known as the Balboa Bay Racquet Club (the "Tennis Club"), which are located within the Newport Beach Country Club Planned Community (PC) District that was adopted in 1997 by Ordinance No. 97-10. The Tennis Club and the Golf Club facilities total approximately 145 acres. The adopted Land Use Element designates the Tennis Club site as Mixed Use – Horizontal 3 (MU-H3). The Golf Club is designated as Park and Recreation (PR). The applicant is proposing a Planned Community Text adoption, Transfer of Development Rights, Vesting Tentative Tract Map, Coastal Development Permit, and Development Agreement to implement the proposed project. A PC District Text was not adopted when the PC District zoning was adopted in 1997. The proposed Planned Community Text is intended to provide for the classification and development of parcels of land as a coordinated, cohesive, comprehensive large-scale planning project as set forth in Chapter 20.35.010 of the Newport Beach Zoning Code. The proposed Planned Community Text allows for limited mixed uses, including the private Tennis Club, the private Golf Clubhouse, "The Bungalows" (a small boutique hotel consisting of twenty-seven short-term visitor-serving units, a spa/fitness area, and concierge and guest meeting facilities), and the Villas consist of five single-unit, semi-custom residential dwelling units.

9. **Project Description:**

Project Location

The subject property (refer to the Vicinity Map), encompasses approximately 145 acres adjacent to Fashion Island in the City of Newport Beach. The site is generally bordered by East Coast Highway on the south, Jamboree Road on the West, Santa Barbara Avenue and Newport Center on the north, and Corporate Plaza West on the east and south.

Existing Improvements

The Tennis Club presently consists of 24 tennis courts, a 3,725 square foot Tennis Clubhouse, and 125 surface parking spaces. The Golf Club presently consists of a 6,587-yard, championship 18-hole golf course with returning nines and related practice and golf club facilities, a 23,460 square foot Golf Clubhouse, golf cart storage barn (6,050 square feet), a greens keeper building (2,010 square feet), men's and women's restroom facilities (630 square feet), a 180-square foot snack bar, and 140-square foot starter shack. The Golf Clubhouse parking lot is located directly off East Coast Highway and includes 420 surface parking spaces. Exhibit 1 illustrates the existing improvements.

Proposed Improvements

- The demolition of the existing Tennis Clubhouse and Golf Clubhouse;
- The construction of new Tennis Clubhouse and Golf Clubhouse;
- The construction of The Bungalows (a small boutique hotel consisting of twenty-seven short-term visitor-serving units, a spa/fitness area, and concierge and guest meeting facilities)¹; and
- The construction of The Villas (five single-family residential dwelling units).

Table 1 provides a summary of the proposed project.

¹All references to the "Bungalows" mean the small boutique hotel consisting of twenty-seven short-term visitor-serving rental units, a spa/fitness area, and concierge and guest meeting facilities.

Exhibit 1

EXISTING USES AERIAL MAP



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EXHIBIT

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1 OF 1

Table 1

**Summary of Proposed Uses
 The Golf Club and The Tennis Club**

Existing Project		Proposed Project	
Golf Clubhouse			
Component	Floor Area (sq. ft.)	Component	Floor Area (sq. ft.)
1 st Floor Clubhouse	20,702	1 st Floor Clubhouse	18,069
2 nd Floor Clubhouse	2,758	2 nd Floor	16,931
Total	23,460	Total	35,000
Cart Barn	6,050	Cart Storage	5,834 ¹
Snack Bar	180	Snack Bar	180 ¹
Restroom Facilities	630	Restroom Facilities	630 ¹
Greens Keeper	2,010	Greens Keeper	2,010 ¹
Starter Shack	140	Starter Shack	140 ¹
Total	32,470	Total	43,794
Tennis Clubhouse & Courts			
Component	Floor Area (sq. ft.)	Component	Floor Area (sq. ft.)
1 st Floor Clubhouse	3,725	1 st Floor Clubhouse	3,725
24 Courts		7 Courts	
Total	3,725	Total	3,725
Bungalows			
Component	Floor Area (sq. ft.)	Component	Floor Area (sq. ft.)
		13 Golf Bungalows	N/A
		14 Tennis Bungalows	N/A
		Spa	7,490 ²
		Concierge & Guest Meeting Facility	2,170 ²
		Total	9,666²
Villas			
Component	Floor Area (sq. ft.)	Component	Floor Area (sq. ft.)
		5 SFR	N/A
		Total	N/A
Building Heights			
Component	Height (ft.)	Component	Height (ft.)
Golf Clubhouse	23'-9"	Golf Clubhouse	50
Tennis Clubhouse		Tennis Clubhouse	30
		Villas	35
		Bungalows	31
Cart Barn	12'-0"		
Greens Keeper	18'-0"	Greens Keeper	18'-0"
¹ Exempt from General Plan Development Limit – Ancillary to Golf Course ² Exempt from General Plan Development Limit – Ancillary to Hotel use			

Each of the project components proposed for the Property is illustrated on Exhibit 2 and described below.

- Tennis Clubhouse and Center Court

The Tennis Club portion of the project proposes seven tennis courts, six of which are existing, plus a new stadium center court and construction of a new Tennis Clubhouse (3,725 square feet). The existing Tennis Clubhouse is approximately 3,725 square feet with 24 tennis courts. Thirty-eight (38) parking spaces are provided for the Tennis Clubhouse.

- The Bungalows

As noted above, the proposed Bungalows consist of a small boutique hotel comprised of twenty-seven (27) short-term visitor-serving units, a Concierge & Guest Meeting Facility, and The Bungalow Spa. A total of 50 parking spaces is proposed for the Bungalows.

- The Villas

Five (5) single-family residential dwelling units will be constructed adjacent to the Tennis Club and 9th green of the golf course. These dwelling units will range in size from 2,201 square feet (Plan A) to 5,297 square feet (Plan D). Twenty (20) parking spaces are proposed to accommodate The Villas.

- Golf Club Parking Lot and Private Hand Car Wash

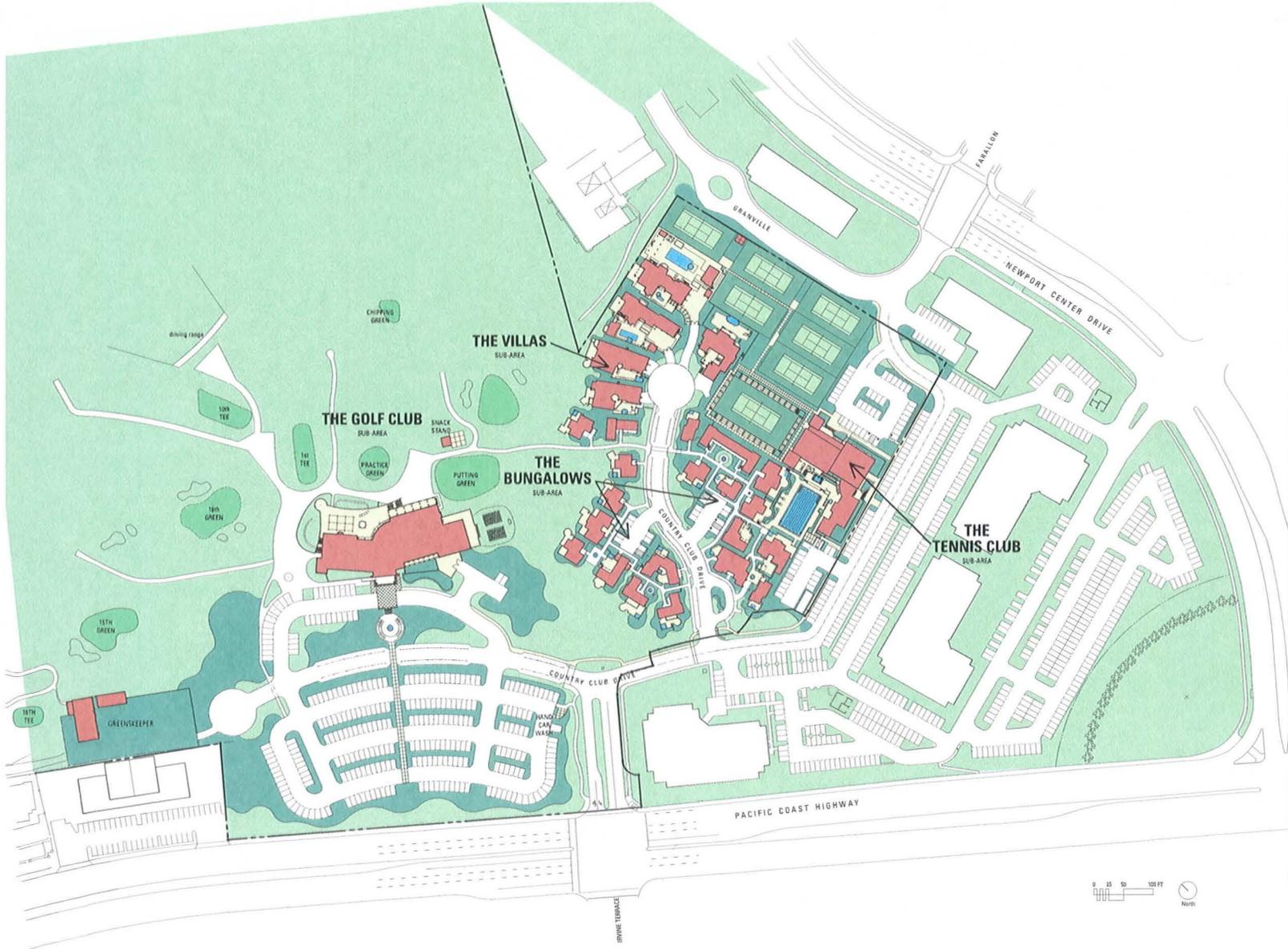
The Golf Club Parking Lot and Entry will be redesigned to provide 300 on-site parking spaces. In addition, an existing offsite Parking Agreement will continue to provide 554 parking spaces to supplement the onsite Golf Club parking. The access easement that exists along the frontage of PCH will be eliminated. In addition, a private hand car wash is also proposed within the parking lot in the vicinity of Country Club Drive (refer to Exhibit 3). The area identified to accommodate this project feature encompasses approximately 240 square feet (i.e., 12 feet wide and 20 feet long). Use of the private hand car wash is limited to tennis and golf club members only.

- Golf Clubhouse

The existing Golf Clubhouse will be demolished and a new Golf Clubhouse encompassing 40,834 square feet, including banquet/event facilities that can accommodate dining and special events (e.g., weddings, banquets, etc.), will be constructed in its place. This clubhouse will include both men's and women's locker rooms.

Exhibit 2

MASTER PLAN

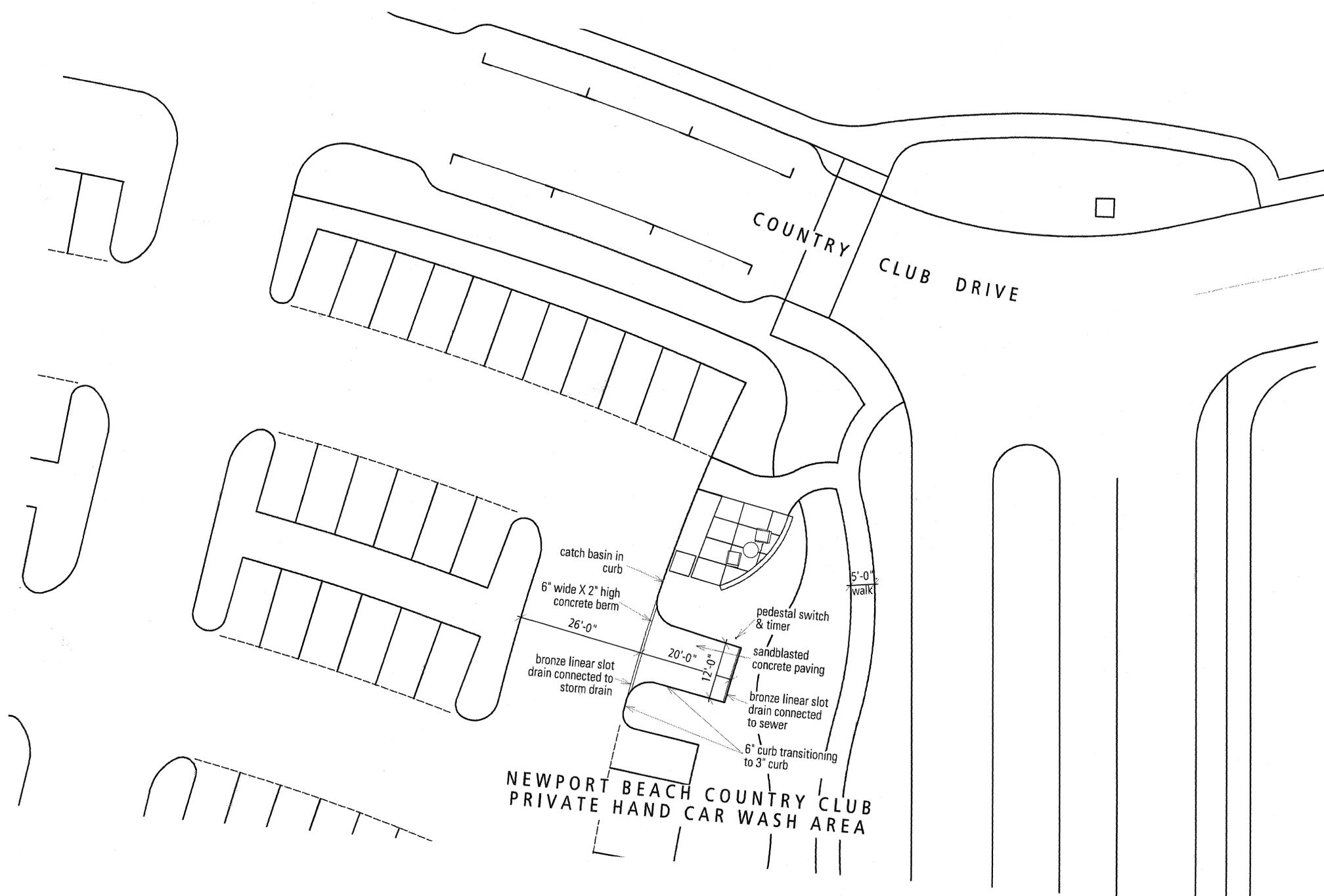


- THE TENNIS CLUB
 - 1 new stadium court
 - Tennis Clubhouse
- THE VILLAS
 - 5 single family homes
- THE BUNGALOWS
 - 27 guest rental units
- THE GOLF CLUB

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**EXHIBIT
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1 OF 1**



COUNTRY CLUB DRIVE

NEWPORT BEACH COUNTRY CLUB
PRIVATE HAND CAR WASH AREA

catch basin in curb
6" wide X 2" high concrete berm
26'-0"
bronze linear slot drain connected to storm drain
20'-0"
12'-0"
pedestal switch & timer
sandblasted concrete paving
bronze linear slot drain connected to sewer
6" curb transitioning to 3" curb

5'-0" walk

Exhibit 3

Project Phasing – Tennis Club

The Tennis Club component of the proposed project will be implemented in four (4) construction and demolition phases that are anticipated to occur over a period of approximately 38 months. The demolition and construction activities of the Tennis Club component of the proposed project are identified and described in Table 2.

Table 2
Tennis Club Development Phasing

Phase	Description	Duration (Months)
1	Construct Temporary Modular Clubhouse ¹	1
	Demolition	1
2	Construct The Villas (3), Private Street, New Tennis Clubhouse and Parking Lots	14
	Demolition	1
3	Construct Center Court and Bungalow Pool	3
	Demolition	1
4	Construct Golf and Tennis Bungalows and Remaining Villas	15
Total Schedule		36
¹ Anticipated Start date is September 2011. SOURCE: The Templeton Planning Group (July 2010)		

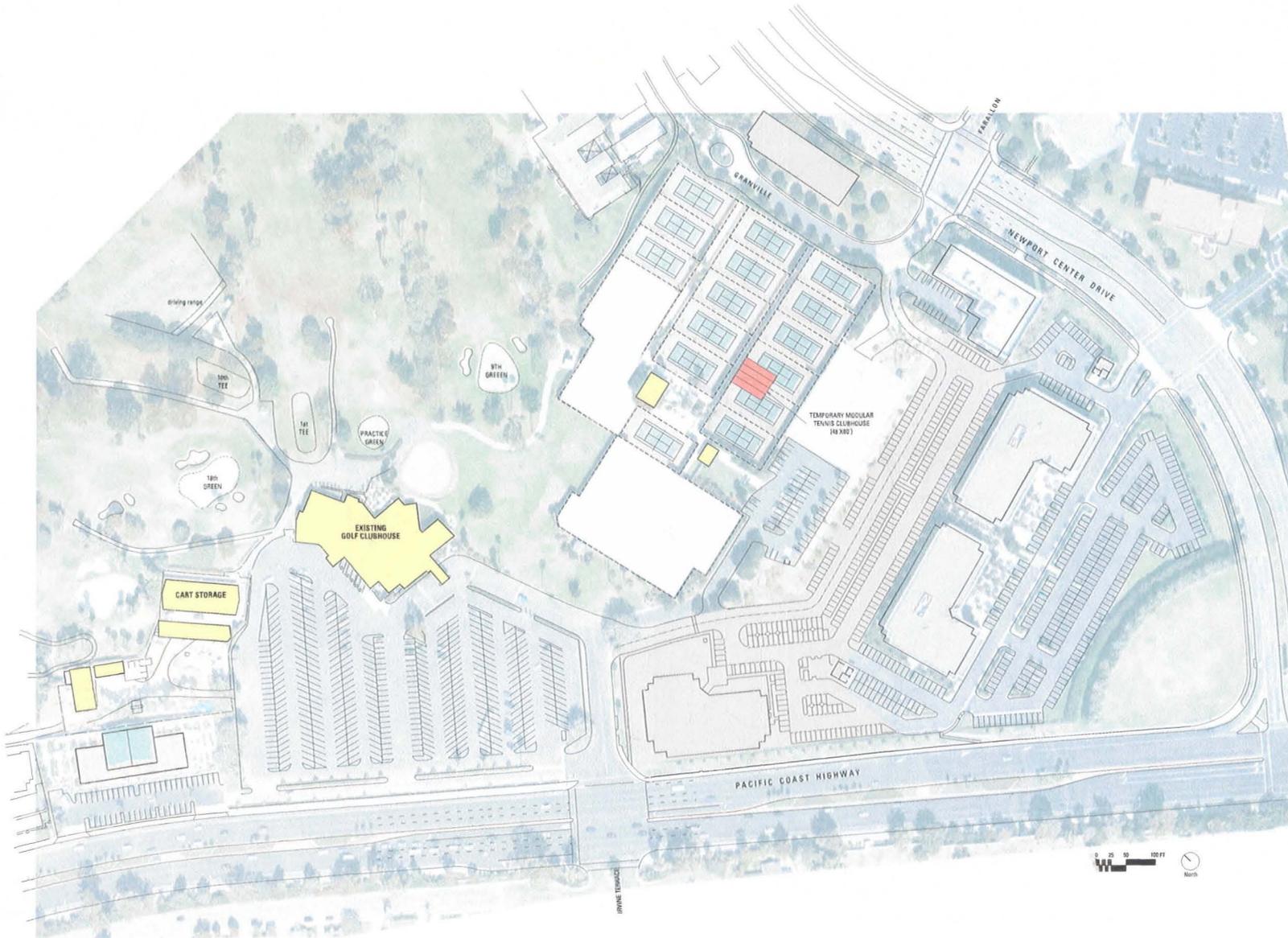
The phasing plans for the Tennis club are related facilities are illustrated in Exhibit 4 through 10.

Exhibit 4

TENNIS CLUB

PHASE I - CONSTRUCTION

- Temporary Modular Tennis Clubhouse (48'x60')



LEGEND

- new building
- new sitework
- existing structures (on property)

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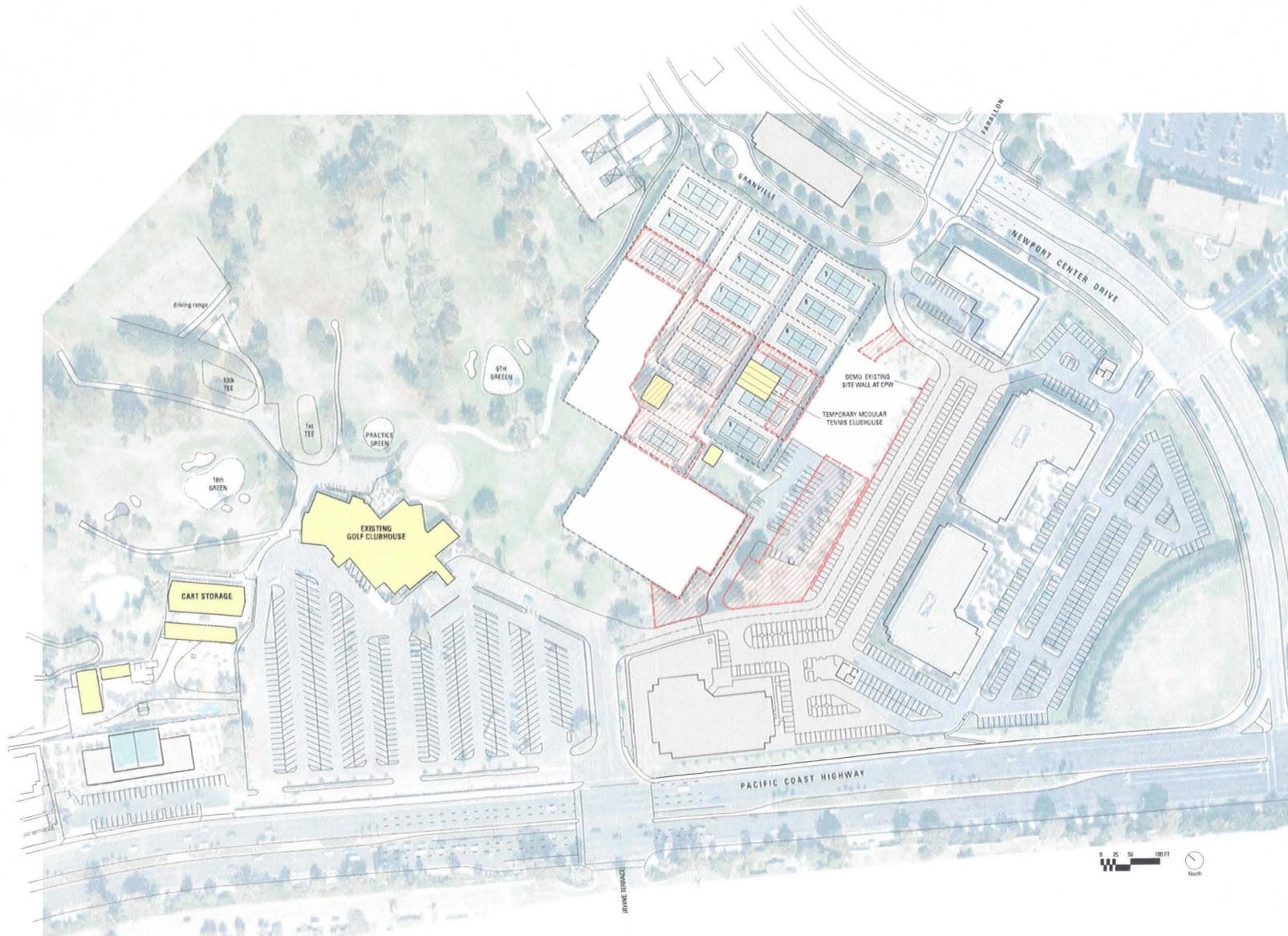
Exhibit 5

TENNIS CLUB PHASE I - DEMOLITION

- Tennis Club buildings
- 6 tennis courts
- Portion of Tennis Club parking lot

LEGEND

-  Existing area to be demolished
-  Existing structures (on property)



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Exhibit 6

TENNIS CLUB PHASE II - CONSTRUCTION

- The Villas
-3 single family homes
- private street from County Club Drive to The Villas
- new Tennis Clubhouse & parking lots

LEGEND

- new building
- new sitework
- existing structures (on property)



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Exhibit 7

TENNIS CLUB

PHASE II - DEMOLITION

- 1 tennis court
- Remaining portion of previous Tennis Club parking lot
- Temporary modular Tennis Clubhouse

LEGEND

-  Existing area to be demolished
-  Existing structures (on property)



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Exhibit 8

TENNIS CLUB

PHASE III - CONSTRUCTION

- Center Court
- Bungalow Pool

LEGEND

- new building
- new sitework
- existing structures (on property)



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Exhibit 9

TENNIS CLUBANS

PHASE III - DEMOLITION

- 3 tennis courts



LEGEND

-  Existing area to be demolished
-  Existing structures (on property)

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Exhibit 10

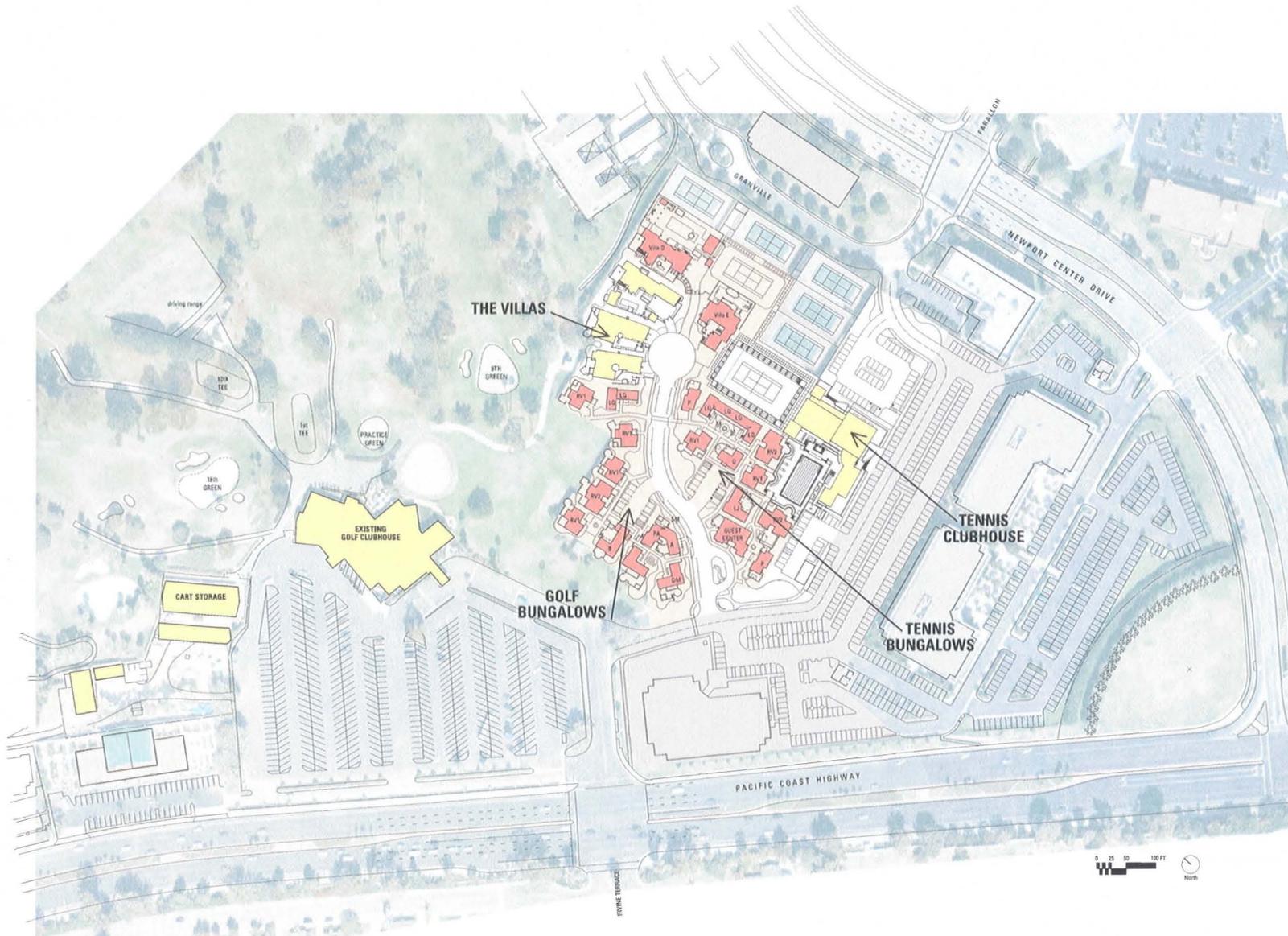
TENNIS CLUB

PHASE IV - CONSTRUCTION

- new Golf Bungalows
- 13 boutique hotel units
- new Tennis Bungalows
- 14 boutique hotel units
- The Villas
- 2 single family homes
- Court 7

LEGEND

- new building
- new sitework
- existing structures (on property)



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Project Phasing – Golf Clubhouse

The Golf Clubhouse component of the proposed project will be implemented in four (4) discrete development phases. Although a definitive schedule has not been developed, demolition and construction of this component are anticipated to occur over a period of approximately 34 months, as described in Table 3.

Table 3
Golf Clubhouse Development Phasing

Phase	Description	Duration (Months)
1	Demolition ¹	1
	Construct East Side Parking Lot and PCH Entry ²	4
2	Demolition	1
	Construct West Side Parking Lot and Temporary Golf Club	6
3	Demolition	2
	Construct New Golf Clubhouse	14
4	Demolition	2
	Construct Greenskeeper Area and Golf Porte Cache and Parking	4
Total Schedule		34
¹ Start date to determined. ² Includes car wash. SOURCE: The Templeton Planning Group (July 2010)		

The phasing plans for the Golf club are related facilities are illustrated in Exhibit 11 through 18.

Exhibit 11

GOLF CLUB

PHASE I - DEMOLITION

- East side of existing Golf Clubhouse parking lot
- Entry drive from PCH

LEGEND

-  Existing area to be demolished
-  Existing structures (on property)

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Exhibit 12

GOLF CLUB

PHASE I - CONSTRUCTION

- East side of Golf Clubhouse parking lot, restripe parking area at porte cochere
- Entry drive from PCH

LEGEND

- new building
- new sitework
- existing structures (on property)

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Exhibit 13

GOLF CLUB PLANS

PHASE II - DEMOLITION

- West side of Golf Clubhouse parking lot

LEGEND

-  Existing area to be demolished
-  Existing structures (on property)

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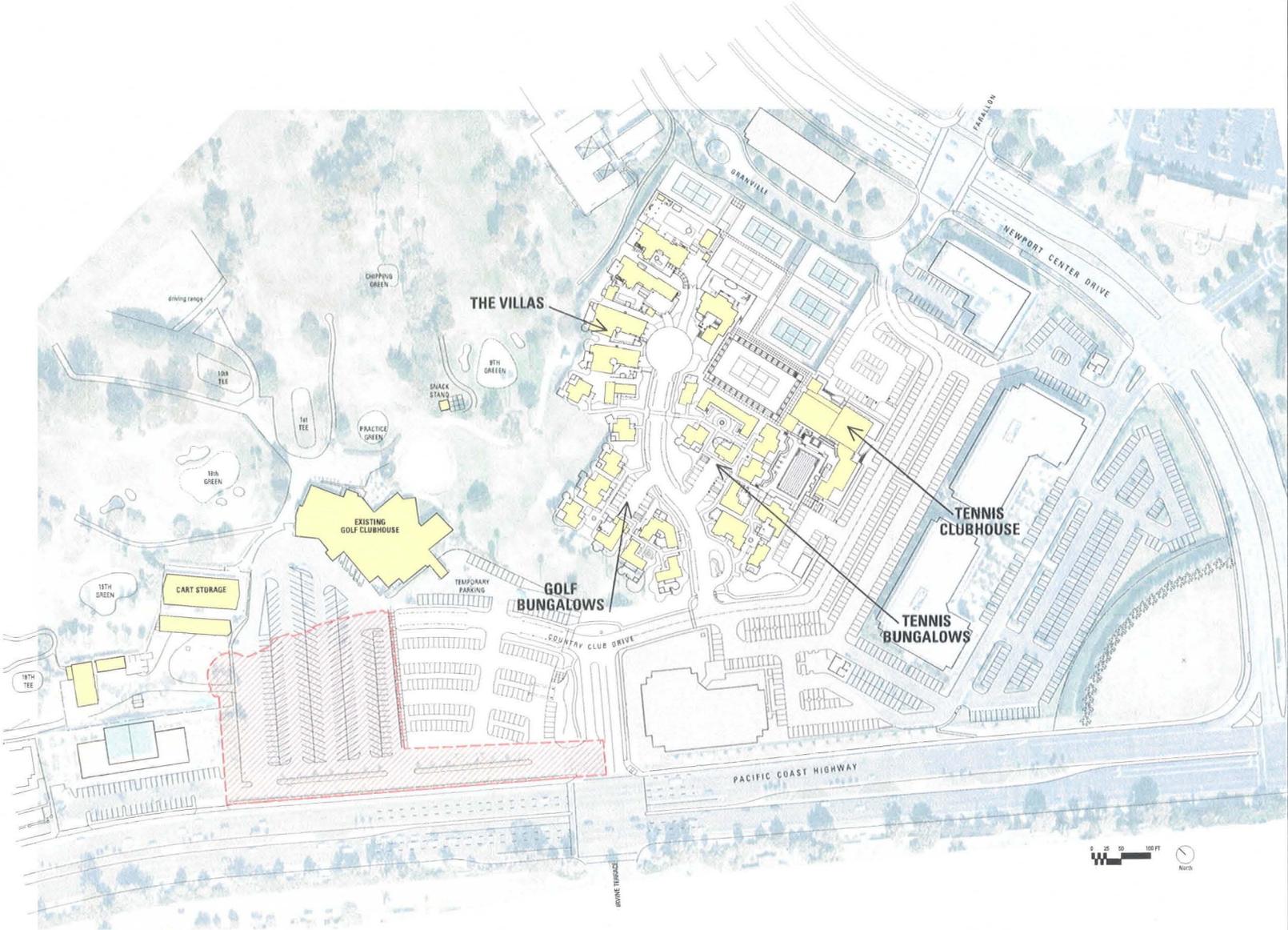


Exhibit 14

GOLF CLUB

PHASE II - CONSTRUCTION

- West side of Golf Club parking lot
- Temporary Golf Clubhouse

LEGEND

- new building
- new sitework
- existing structures (on property)



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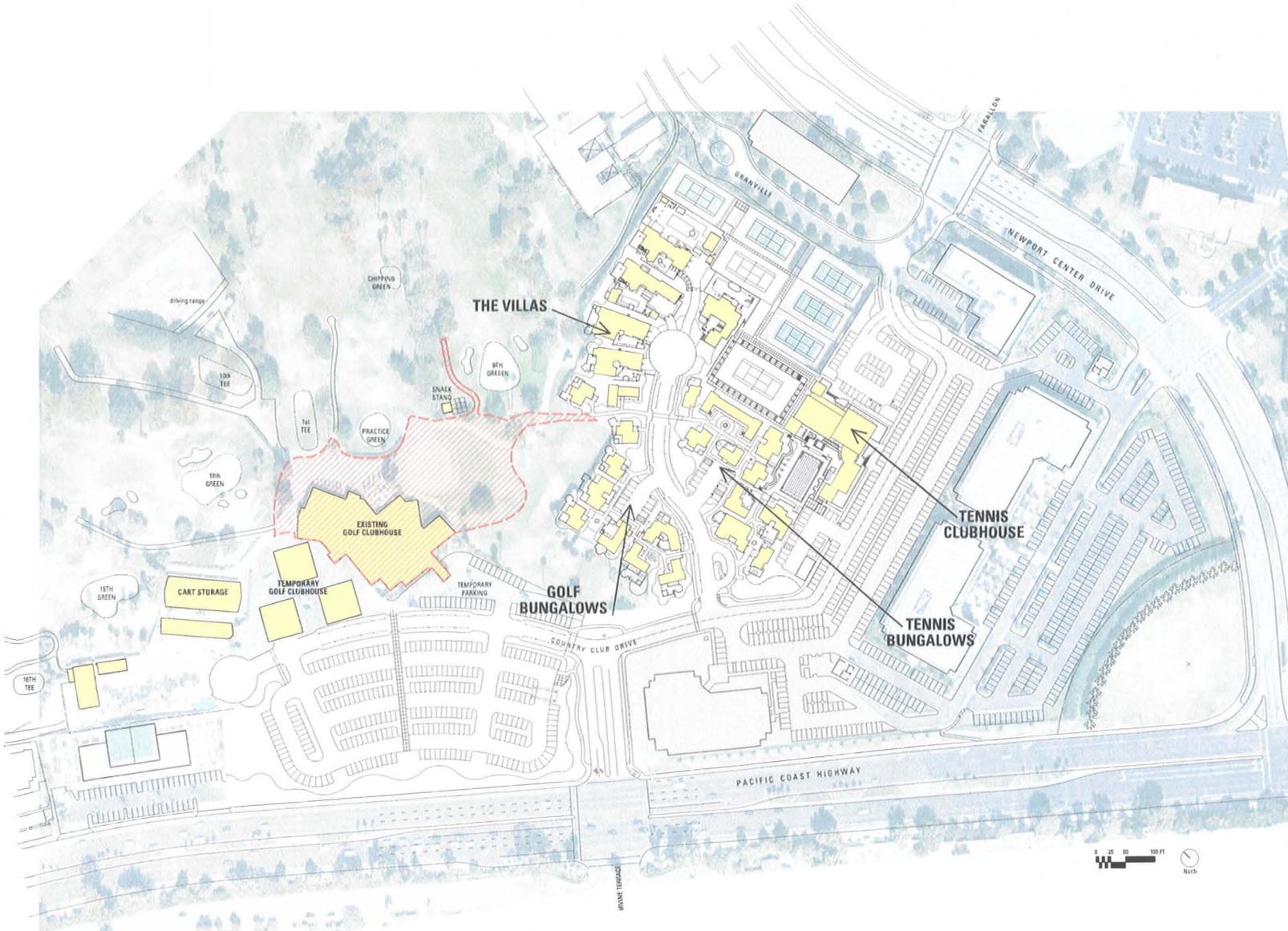
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Exhibit 15

GOLF CLUB

PHASE III - DEMOLITION

- Golf Clubhouse



LEGEND

- Existing area to be demolished
- Existing structures (on property)

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Exhibit 16

GOLF CLUB

PHASE III - CONSTRUCTION

- Golf Clubhouse

LEGEND

- new building
- new sitework
- existing structures (on property)



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Exhibit 17

GOLF CLUB

PHASE IV - DEMOLITION

- Portion of Greenskeeper Area
- Temporary modular Golf Clubhouse
- Northern portion of Golf Clubhouse parking lot

LEGEND

- Existing area to be demolished
- Existing structures (on property)



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Exhibit 18

GOLF CLUB

PHASE IV - CONSTRUCTION

- Portion of Greenskeeper Area
- golf porte cochere & parking

LEGEND

- new building
- new sitework
- existing structures (on property)



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Discretionary Approvals

Implementation of the proposed project will require approval of the following discretionary approvals by the City of Newport Beach:

- Planned Community Text Adoption
- Transfer of Development Rights
- Approval-in-Concept for Coastal Development Permit
- Vesting Tentative Tract Map (Tennis Component)
- Development Agreement
- Temporary Use Permit

10. Surrounding Land Uses and Setting:

East Coast Highway abuts the site along a portion of the southern property boundary. In addition, the Armstrong Garden Center and residential homes are also located along the southern property boundary. Residential development west of Granville Drive and office buildings are located east and southeast of the site, respectively. The Marriott Hotel is also located east of the golf course. Jamboree Road and residential development are located along the western property limits. The Newport Beach Chamber of Commerce, Santa Barbara Drive, residential development and the Newport Beach Fire Department are located to the north.

LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	PR and MU-H3	PC-47	NB Country Club, including golf course, clubhouse and tennis facilities
NORTH	PF, OS and RM	APF, GEIF	Newport Beach Chamber of Commerce, Jamboree Road, Santa Barbara Drive, residential development and Newport Beach Fire Department
SOUTH	RS-D and PR	PC-30, R-1	Armstrong Garden Center, residential, office development and East Coast Highway
EAST	CO-G, RM, CV, CO-R	PC-40, RMD, APF, PC-54	Marriott Hotel, office development, and residential development
WEST	OS, PF, CV, and RM	PC-21, PC-41	Residential development and Jamboree Road

11. Other public agencies whose approval is required:

- California Coastal Commission (CDP)
- California Regional Water Quality Control Board (Section 401 Permit)

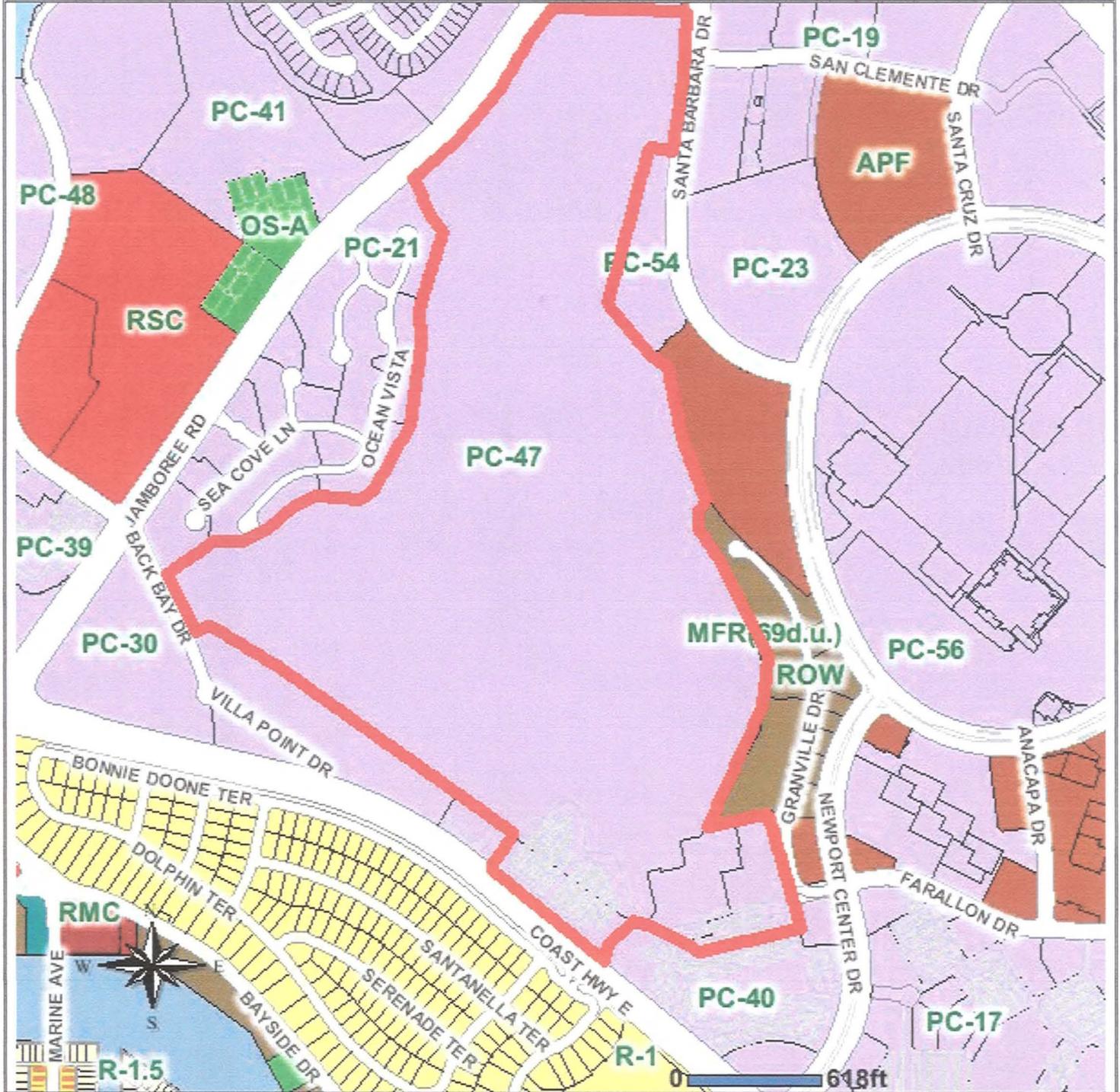
VICINITY MAP



GENERAL PLAN



ZONING



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology & Water Quality | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities & Service Systems |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Noise | |
| <input type="checkbox"/> Geology & Soils | <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Greenhouse Gas | | |

DETERMINATION

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Submitted by: Rosalinh Ung, Associate Planner
 Planning Department
 Date: 9/16/10


 Prepared by: Keeton K. Kreitzer, Consultant
 Keeton Kreitzer Consulting
 Date: 9.16.10

**CITY OF NEWPORT BEACH
 ENVIRONMENTAL CHECKLIST**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for agricultural use, or cause the rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Result in significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
n) Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o) Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
X. LAND USE AND PLANNING. Would the proposal:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? Opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. TRANSPORTATION/TRAFFIC Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XVII. UTILITIES & SERVICE SYSTEMS				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIX. ENVIRONMENTAL ANALYSIS

This section of the Initial Study evaluates the potential environmental impacts of the proposed project and provides explanations of the responses to the Environmental Checklist. The environmental analysis in this section is patterned after the questions in the Environmental Checklist. Under each issue area, a general discussion of the existing conditions is provided according to the environmental analysis of the proposed Project's impacts. To each question, there are four possible responses:

- **No Impact.** The proposed project will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The proposed project will have the potential for impacting the environment, although this impact will be below thresholds that may be considered significant.
- **Less Than Significant With Mitigation Incorporated.** The proposed project will have potentially significant adverse impacts which may exceed established thresholds; however, mitigation measures or changes to the proposed project's physical or operational characteristics will reduce these impacts to levels that are less than significant. Those mitigation measures are specified in the following sections. Each recommended mitigation measure has been agreed to by the applicant.
- **Potentially Significant Impact.** The proposed project will have impacts that are considered potentially significant and additional analysis is required to identify mitigation measures that could reduce these impacts to insignificant levels. When an impact is determined to be potentially significant in the preliminary analysis, the environmental issue will be subject to detailed analysis in an environmental impact report (EIR).

I. **AESTHETICS**

a) **Would the project have a substantial adverse effect on a scenic vista?**

Less than Significant Impact. The proposed project encompasses approximately 145 acres adjacent to Fashion Island and is located north of Coast Highway. Newport Center Drive from Newport Center Drive east/west to Farallon Drive is designated as a Coastal View Road. Although Coast Highway is not designated as a Coastal View Road between Jamboree Road and MacArthur Boulevard, a Public View Point is located within Irvine Terrace Park, which is located south of that arterial and the subject property in the Corona del Mar service area. Policies NR 20.2 and 20.3 in the Natural Resources Element of the Newport Beach General Plan are intended to protect and enhance public view corridors. Specifically, new development must restore and enhance the visual quality and protect and restore public views. Similar policies in the Coastal Land Use Plan (CLUP) are also intended to ensure that coastal views and development within the coastal zone are protected and enhanced (refer to the analysis presented in Section X.b).

To that end, the proposed Planned Community District (PCD) Regulations include development standards to “. . . ensure harmony and continuity of the design parameters that are respectful of the properties of its California coastal heritage.” Guidelines have been included in the PCD regulations that address building mass, scale, materials, landscape treatment, and community design to ensure compatibility. Although the PCD regulations limit the maximum building height of a structure to 50 feet, building heights for the proposed structures will range from 30 feet for The Bungalows, to 32 feet for the Villas and the Tennis Clubhouse, to 50 feet for the Golf Clubhouse, which will be the largest structure within the PCD. In addition, landscaping will be provided in all areas not devoted to structures, parking and driveways, which consists of a combination of trees, shrubs, groundcover and hardscape improvements. In addition, the Master Plan (refer to Exhibit 2) and the Preliminary Landscape Plan (Exhibit 19) in the PCD Plan show a variable width landscape berm screening the golf club parking lot along approximately 650 linear feet of East Coast Highway. The width varies from 20 feet to approximately 60 feet. In addition, there is significant landscaping between each row of parking to further soften the appearance of the golf club parking lot has also been provided. Landscape materials, including trees, shrubs and groundcover are also proposed around the site perimeter to soften the development edges between adjacent existing residential and commercial development. The preliminary landscape plan includes a variety of accent/specimen trees (i.e., California oak, California pepper), spatial definition trees (e.g., California sycamore, thornless citrus, lemon-scented gum, etc.) and background trees (i.e., Aleppo pine, Brisbane box) along with other species of olive and palm trees to enhance the aesthetic character of the site and to complement the existing development in the project environs. The architectural style proposed for the project is classical California Mediterranean, which is consistent and compatible with the surrounding development.

The design and implementation of the proposed project will not result in a substantial visual impact. Although the proposed clubhouse will be approximately 11,500 square feet larger than the existing structure, it is designed to be compatible with the nearby development. In addition, the proposed villas are designed to be compatible with the character of the residential development to the north along Granville. Views from the Public View Point in Irvine Terrace Park are primarily oriented to the south to the harbor and ocean; however, with the integration of the landscaping and setbacks along Coast Highway, views from the vantage and inland into Fashion Island the adjacent areas would not be adversely affected. Significant visual impacts from the segment of Newport Center Drive designated as a Coastal View Road would not occur because adequate landscape materials, setbacks, and building heights have been integrated into the project design to enhance and protect views as intended by the applicable Recreation Element policies. In addition, mechanical and trash enclosures as well as pool/spa equipment, tennis courts, and ground mounted air conditioning compressor units will be screened by walls and/or landscaping. Therefore, no significant impacts are anticipated and no mitigation measures are required.

NEWPORT
CENTER DRIVE

Exhibit 19

PRELIMINARY LANDSCAPE PLAN

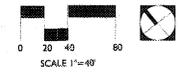
- | | | |
|--|---|--|
| | BOTANICAL NAME | COMMON NAME |
| | ACCOUNT SPECIMEN TREES (4" BOX MINIMUM SIZE) | |
| | QUERCUS AGRIFOLIA | CALIFORNIA OAK |
| | SCHINUS MOLLE MULTI | CALIFORNIA PEPPER |
| | SPATIAL DEFINITION TREES (24" BOX MINIMUM SIZE) | |
| | CITRUS SPECIES | THORNLESS CITRUS |
| | EUCALYPTUS CITRIODORA | LEMON SCENTED GUM |
| | PLATANUS RACEMOSA | CALIFORNIA SYCAMORE |
| | FORSYTHUS ITALICA | LOHARDY FORSYTH |
| | BACKGROUND TREES (24" BOX MINIMUM SIZE) | |
| | PINUS HALEPENSIS | ALPINE PINE |
| | TRISTITIA CONFERTA | BRISBANE BOX |
| | CLUBHOUSE PARKING LOT TREE | |
| | OLEA EUROPAEA | OLIVE (FIELD GROWING) |
| | PALM | |
| | WASHINGTONIA ROBUSTA | AMERICAN FAN PALM SKINNED
HT. VARIES 12-25 FT. |
| | ACCENT PALM | |
| | PHOENIX CANARIENSIS | CANARY ISLAND DATE PALM
PINEAPPLE CUT-HIGHT'S VARIETY |
| | EXISTING TREES TO REMAIN | |

- | | | |
|--|---|------------------------|
| | LARGE SHRUBS (5 GALLON MINIMUM SIZE) | |
| | DIANTHUS SPECIES | CREAND PALM |
| | LAIURUS NOBILIS SUBSP. CASTANEA | SAVY LAUREL |
| | LOSPIRANTHUS LAEVIGATUM | ALSTRAIAN TEA TREE |
| | ROPHRAYA CODDIERI | PARADISE POPPY |
| | STREPTOZIA NICOCHICA | GIANT BIRD OF PARADISE |
| | MEDIUM SHRUBS (5 GALLON MINIMUM SIZE) | |
| | DIETERS BICOLOR | BUTTERFLY BUSH |
| | COLEONEMA PULCHRUM | FRISK DICOMA |
| | ESCALLONIA SPICATA | ESCALONIA |
| | GREVILLEA SPECIES | GREVILLEA |
| | HESPEROCAULIS STYRIOIDES | EVERGREEN DAYLILIES |
| | HESPERALOE PARVIFLORA | HESPERALOE |
| | HIBISCUS SYRIACUS VARIETY | FLAX |
| | RYTIDOPODIUM SPECIES | MOCK ORANGE |
| | RUSCUS ACULEATUS | TOUR MARYMOUTH |
| | STRELITZIA REGINAE | BIRD OF PARADISE |
| | TRACHELIUM CAERULEUM | STAR JASMINE |
| | YUCCA FILIFERA | COAST ROSEMARY |
| | ACCENT COLOR SHRUBS (5 GALLON MINIMUM SIZE) | |
| | ALOE SPECIES | ALOE |
| | AGAVE AMERICANA | MEXICAN AGAVE |
| | AGAVE ATTENUATA | AGAVE |
| | CYCAS REVOLUTA | SAGO PALM (MILITARY) |
| | DAPHNIPHYLLUM SPECIES | DOGWOOD |
| | EUPHORBIA SPECIES | EUPHORBIA |
| | HELICTOTRICHON SEMPERVIRENS | BLUE GRASS |
| | HESPEROCAULIS STYRIOIDES | RED HOT GRASS |
| | MULDEBUNGIA CAPILLARIS | RED DRIFT GRASS |
| | YUCCA SPICATA | YUCCA |
| | SMALL SHRUBS (5 GALLON MINIMUM SIZE) | |
| | AQUANTHUS STONY CLOUD | LILY OF THE FIELD |
| | LANTANA ROSEA VARIETY NOVAE HOLLANDIAE | LANTANA |
| | LONICERA PERREII | SEA LAVENDER |
| | KORMORINUS PROSTRATA | PROSTRATE ROSEMARY |
| | STACHYS BYZANTINA | LAMB EARS |
| | VINES (5 GALLON MINIMUM SIZE) | |
| | BOUGAINVILLEA SPECIES | BOUGAINVILLEA |
| | ECTOCARPUS BUCCINATORIA | SCARLET TRUMPET VINE |
| | ECTOCARPUS BUCCINATORIA | ROYAL TRUMPET VINE |
| | PARTHENOCISSUS QUINQUEFOLIA | VIRGINIA CREEPER |

NOTE:
INSTALL MEXICAN BEACH COBBLE
3" TO 5" PALE SANDS OF BLACK, TAN AND LA PLATA
IN ACCENT PLANTING AREAS AND AROUND
SELECTED SPECIMEN TREES.

NBCC
Planned Community

MJSDesign Group	EXHIBIT
Landscape Architecture Planning Design	3
Country Village 291 29th St. Newport Beach, CA 92660 (949) 875-9988 Fax: (949) 875-9974	1 OF 1



- b) **Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings with a state scenic highway?**

Less than Significant Impact. The subject property is currently developed with private golf and tennis facilities. As a result, the site has been substantially altered in order to accommodate the existing land uses. The site is generally devoid of significant natural features such as rock outcroppings and/or native or important habitat. The existing trees and vegetation that are located on the site are introduced landscape species; no historic buildings exist on the site and the site is not located adjacent to a state scenic highway. Therefore, project implementation will not adversely affect existing scenic resources. No significant impacts are anticipated and no mitigation measures are required.

- c) **Would the project substantially degrade the existing visual character or quality of the site and its surroundings?**

Less than Significant Impact. Project implementation includes the demolition of several existing structures (e.g., Golf Clubhouse and ancillary facilities, Tennis Clubhouse, etc.) and features (e.g., tennis courts) and the construction of a new Golf Club clubhouse and related facilities for the Golf Club component. In addition, a new Tennis Club, The Bungalows and single-family residential uses (i.e., The Villas) are also proposed. As indicated previously, the subject property is not designated as an important visual resource. Nonetheless, the PCD regulations prescribed development standards that address building height, setbacks, landscaping, lighting, architectural character and other elements to ensure that the aesthetic character of the site and surrounding area are not adversely affected. The maximum building height of the Golf Clubhouse is 53.5 feet from the existing grade to the roof peak. The proposed Tennis Clubhouse would have a maximum height of 30 feet above the existing grade. The maximum building height of the bungalows is 31 feet, with minimum five feet setbacks. The Villas would not exceed 35 feet (Villa D), as prescribed in the PCD regulations. The two land uses have been designed within the property to be visually and aesthetically compatible with each other. In order to address the aesthetic character of the site along East Coast Highway, the proposed Golf Clubhouse component has been designed with a variable landscape setback that will act as buffer along 650 linear feet of East Coast Highway. Although East Coast Highway is not designated as a scenic corridor by the City, the wide, variable landscape setback will enhance the character of that arterial and provide a significantly wider buffer for the residents of Irvine Terrace. The setback will vary from 20 feet to 55 feet and will be landscaped with a ground cover and a variety of shrubs and trees that complement the proposed development. The Villas will be screened from the tennis courts with a five-foot block wall plastered to match the adjacent Villa or by a 10-foot chain link fence covered by a windscreen. No significant impacts are anticipated and no mitigation measures are required.

- d) **Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Less than Significant Impact. The existing development is characterized by lighting that illuminates the surface parking lot that serves the existing golf and tennis facilities. In addition, lighting is also associated with existing tennis courts and security lighting for the parking lot and structures. Project implementation will result in the elimination of 17 lighted tennis courts and the intensification of development on the site through the construction of the Tennis Clubhouse, new tennis facilities, the Bungalows and the Villas. Lighting will also be provided for the same purpose as currently exists (i.e., security and parking lot illumination). Lighting required to illuminate the proposed parking lots for the Golf Clubhouse and Tennis Club facilities will comply with standards established by the Newport Beach Municipal Code. Proposed lighting will not spill onto adjacent properties. The single-family residential dwelling units will be screened from the tennis courts with a minimum 5-foot block wall or by a 10-foot windscreen chain link fence. One of the proposed single-family residential dwelling units is proposed to be located near the one of the existing tennis courts; however, a swimming pool is proposed between the tennis court and the residence to minimize the potential nuisance posed by the tennis court lighting. In addition, some of the Bungalows will also be located in close proximity to the proposed tennis courts. Although it is anticipated that the lighting will be energy efficient and will also be shielded or recessed so that direct glare and reflections are contained within the boundaries of the property, the applicant will be required to prepare a final lighting/photometric plan to ensure that lighting on site meets the City's requirements. In addition, tennis

court lights will be turned off at 10:00 p.m. Therefore, no significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required. However, the project shall incorporate the following standard condition prescribed by the City of Newport Beach for lighting.

SC-1 Prior to the issuance of building permits, the applicant shall prepare a photometric study in conjunction with a final lighting plan for approval by the Planning Department. The site shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, if in the opinion of the Planning Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Planning Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.

II. AGRICULTURE AND FOREST RESOURCES

a) **Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact. No Prime Farmland, Farmland of State or Local Importance, or Unique Farmland occurs within or in the vicinity of the site. The site and adjacent areas are designated as "Urban and Built-up Land" and "Other Land" on the Orange County Important Farmland Map. Further, neither the site nor the adjacent areas are designated as prime, unique or important farmlands by the State Resources Agency or by the Newport Beach General Plan. Therefore, no impact on significant farmlands would occur with the proposed project and no mitigation measures are required.

b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. The Newport Beach General Plan, Land Use Element designates the site as "Parks and Recreation" (PR) and "Mixed Use – Horizontal" (MU-H3) and the zone designation for the site is "Planned Community." Therefore, there is no conflict with zoning for agricultural use, and the property and surrounding properties are not under a Williamson Act contract. No significant impacts are anticipated and no mitigation measures are required.

c) **Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

No Impact. The project site is neither zoned nor designated as forest land. The site is currently developed as a golf course and tennis club. Project implementation would not result in the conversion of any forest land subject to the Public Resources Code. No significant impacts are anticipated and no mitigation measures are required.

d) **Would the project result in the loss of forest land or conversion of forest land to non-forest use?**

No Impact. As indicated above, the site is currently developed and is devoid of forest resources. Project implementation will not result in the site's conversion of forest land to non-forest uses.

- e) **Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

No Impact. The site is not being used for either agricultural or forest land purposes and, as indicated previously, is not designated as agricultural or forest land. The subject property and the area surrounding the site are developed with a variety of residential, professional office, retail, public facilities, and recreational uses. Therefore, no agricultural or forest uses on the site or within the site's vicinity would be converted to non-agricultural or non-forest use. No significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

III. AIR QUALITY

- a) **Would the project conflict with or obstruct implementation of the applicable air quality plan?**

Less than Significant Impact. The 2007 Air Quality Management Plan (AQMP) was adopted in June 2007, after extensive public review. The 2007 AQMP recognizes the interaction between photochemical processes that create both ozone (O₃) and the smallest airborne particulates (PM_{2.5}). The 2007 AQMP is therefore a coordinated plan for both pollutants. Key emissions reductions strategies in the updated air quality plan include:

- Ultra-low emissions standards for both new and existing sources (including on-and-off-road heavy trucks, industrial and service equipment, locomotives, ships and aircraft).
- Accelerated fleet turnover to achieve benefits of cleaner engines.
- Reformulation of consumer products.
- Modernization and technology advancements from stationary sources (refineries, power plants, etc.)

Development such as the proposed Newport Beach Country Club project does not directly relate to the AQMP in that there are no specific air quality programs or regulations governing "general" development. Conformity with adopted plans, forecasts and programs relative to population, housing, employment and land use is the primary yardstick by which impact significance of master planned growth is determined. If a given project incorporates any available transportation control measures that can be implemented on a project-specific basis, and if the scope and phasing of a project are consistent with adopted forecasts as shown in the Regional Comprehensive Plan (RCP), then the regional air quality impact of project growth would not be significant because of planning inconsistency. The SCAQMD, however, while acknowledging that the AQMP is a growth-accommodating document, does not favor designating regional impacts as less-than-significant just because the proposed development is consistent with regional growth projections. Air quality impact significance for the proposed project has therefore been analyzed on a project-specific basis.

A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the Air Quality Management Plan (AQMP). It fulfills the CEQA goal of informing decision makers of the environmental efforts of the project under consideration at an early enough stage to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to clean air goals contained in the AQMP. To accurately assess the environmental impacts of new or renovated development, environmental pollution and population growth are projected for future scenarios. There are two key indicators of consistency:

Indicator 1 Whether the project would result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of the AAQS or interim emission reductions in the AQMP.

The South Coast Air Basin (SCAB) is designated by the state and USEPA as non-attainment for O₃, PM₁₀, and PM_{2.5}. SCAQMD developed regional emissions thresholds to determine whether or not a project would contribute to air pollutant violations. If a project exceeds the regional air pollutant thresholds, then the project would substantially contribute to air quality violations in the SCAB. In addition, the project would also contribute to air pollutant violations if localized emissions result in an exceedance of the AAQS. Neither short-term nor long-term emissions generated by the project exceed the SCAQMD thresholds for regional emissions (as shown in detail below) and would therefore contribute to an increase in frequency or severity of air quality violations and delay attainment of the AAQS or interim emission reductions in the AQMP. Consequently, the project would not be consistent with the AQMP under the first indicator.

Indicator 2 Whether the project would exceed the assumptions in the AQMP. The AQMP strategy is, in part, based on projections from local general plans.

The current zoning designation permits development through a planned community development plan. Therefore, development of new land uses and their associated air pollutant emissions would be accounted for in the assumptions of the AQMP. Furthermore, the purpose and intent of a "Planned Community" is to encourage mixed-use development and integration of residential, recreational, commercial, and retail uses. Because the proposed project would accommodate a mix of recreational and residential uses within walking distance, there would be a limited reduction in vehicle trips for residents within the project site and surrounding area for commercial retail and recreational needs. This reduction in trips would likewise result in a reduction in air pollution. Consequently, implementation of the project would not conflict with the AQMP under the second indicator.

b) Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant Impact. The Project will be consistent with the relevant policies and requirements established by the Land Use Element. Approval of the proposed project would not result in any land use conflicts with existing, surrounding development. As indicated in III.c, below, neither construction nor operational air emissions would exceed significance thresholds established by the SCAQMD. These thresholds were developed to provide a method of assessing a project's individual impact significance, and also to determine whether the project's impacts could be cumulatively considerable. The proposed project would not, therefore, result in a cumulatively considerable net increase of any criteria pollutant. Since the South Coast Air Basin is in non-attainment with respect to ozone and PM₁₀, and the construction emissions would add to the regional burden of these pollutants, compliance with a vigorous set of air pollution control measures related to dust control, paint emissions etc.) is required to ensure that projects do not contribute directly to an air quality violation.

Air Pollution Control Measures

Dust Control Measures

- Apply soil stabilizers to inactive areas.
- Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph.
- Stabilize previously disturbed areas if subsequent construction is delayed.
- Water exposed surfaces 3 times/day.
- Cover all stockpiles with tarps.
- Replace ground cover in disturbed areas as soon as feasible.

Exhaust Emission Measures

- Require 90-day low-NOx tune-ups for off-road equipment.
- Limit allowable idling to 5 minutes for trucks and heavy equipment.
- Utilize equipment whose engines are equipped with diesel oxidation catalysts if available.
- Utilize diesel particulate filter on heavy equipment where feasible.

Painting and Coating Measures

- Use low VOC coatings and high pressure-low volume

- c) **Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Less Than Significant Impact. Project implementation will result in the demolition of the existing Golf Clubhouse and the existing Tennis Clubhouse as well as related features, including asphalt parking lots, etc., in order to accommodate the proposed uses. Potential air quality impacts are discussed below.

Short-Term (Construction) Emissions

Construction activities will result in short-term pollutant emissions that are summarized in Table 1, below. With or without the use of mitigation, peak daily construction activity emissions will not exceed SCAQMD CEQA thresholds and will be further reduced by recommended mitigation. The recommended emissions mitigation measures are detailed in the "Mitigation" section of this report.

Construction equipment exhaust contains carcinogenic compounds within the diesel exhaust particulates. The toxicity of diesel exhaust is evaluated relative to a 24-hour per day, 365 days per year, 70-year lifetime exposure. Public exposure to heavy equipment emissions will be an extremely small fraction of the above dosage assumption. Diesel equipment is also becoming progressively "cleaner" in response to air quality rules on new off-road equipment. Any public health risk associated with project-related heavy equipment operations exhaust is therefore not quantifiable, but small.

Construction activity air quality impacts occur mainly in close proximity to the surface disturbance area. There may, however, be some "spill-over" into the surrounding community. That spill-over may be physical as vehicles drop or carry out dirt or silt is washed into public streets. Passing non-project vehicles then pulverize the dirt to create off-site dust impacts. "Spillover" may also occur via congestion effects. Construction may entail roadway encroachment, detours, lane closures and competition between construction vehicles (trucks and contractor employee commuting) and ambient traffic for available roadway capacity. Emissions controls require good housekeeping procedures and a construction traffic management plan that will maintain such "spill-over" effects at a less-than-significant level.

Table 1
Construction-Related Pollutant Emissions (pounds/day)
Newport Beach Country Club

Activity	ROG	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}	CO ₂
Demolition of Structure							
No Mitigation	2.2	18.4	9.4	0.0	2.2	1.1	1,895.0
Mitigation	2.2	15.9	9.4	0.0	1.4	0.4	1,895.0
Asphalt Demolition and Crushing/Reclamation							
No Mitigation	3.2	31.3	14.1	0.0	1.8	1.3	3,191.0
Mitigation	3.2	26.7	14.1	0.0	0.8	0.3	3,191.0
Mass Grading							
No Mitigation	9.0	88.7	41.3	0.0	11.0	5.1	9,004.8
Mitigation	9.0	79.3	41.3	0.0	2.3	1.6	9,004.8
Fine Grading							
No Mitigation	3.3	26.1	15.1	0.0	8.3	2.8	2,552.3
Mitigation	3.3	22.2	15.1	0.0	0.9	0.3	2,552.3
Trenching							
No Mitigation	3.8	30.5	17.7	0.0	1.6	1.5	3,095.5
Mitigation	3.8	25.9	17.7	0.0	0.3	0.2	3,095.5
Construction							
No Mitigation	2.7	19.0	13.1	0.0	1.4	1.2	2,070.0
Mitigation	2.7	16.2	13.1	0.0	0.2	0.2	2,070.0
Construction and Paving							
No Mitigation	11.6	17.7	12.9	0.0	1.3	1.2	2,087.4
Mitigation	10.7	15.1	12.9	0.0	0.2	0.2	2,087.4
SCAQMD Threshold	75	100	550	150	150	55	¹
Exceeds Threshold?	No	No	No	No	No	No	--
¹ No significance threshold has been adopted. SOURCE: Giroux & Associates (July 2009)							

Local Significance Thresholds

The SCAQMD has also developed analysis parameters to evaluate ambient air quality on a local level in addition to the more regional emissions-based thresholds of significance. These analysis elements are called Local Significance Thresholds (LSTs). LSTs were developed in response to Governing Board's Environmental Justice Enhancement Initiative 1-4 and the LST methodology was provisionally adopted in October 2003 and formally approved by SCAQMD's Mobile Source Committee in February 2005.

Use of an LST analysis for a project is optional because they were derived for economically or socially disadvantaged communities. For residential, hotel and recreational developments, the only source of LST impact would be during construction. LSTs are only applicable to the following criteria pollutants: oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM₁₀ and PM_{2.5}). LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the

most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

The URBEMIS model estimates that the daily construction disturbance “footprint” will be 0.7 acres. LST pollutant concentration data is currently published for 1, 2 and 5 acre sites. Utilizing data for a 1 acre site and a source receptor distance of 50 meters, the LST thresholds are presented in Table 2. As indicated in the table, project-related construction emissions would not exceed the relevant LSTs.

Table 2

**Local Significance Thresholds (pounds/day)
 Newport Beach Country Club**

North Coastal Orange County	CO	NOx	PM10	PM2.5
LST Threshold	528	163	13	5
Proposed Project				
Unmitigated	9 – 41	18 – 89	1 – 11	1 – 3
Mitigated	9 – 41	16 – 79	1 – 2	1 – 2
SOURCE: Giroux & Associates (July 2009)				

Long-Term (Operational) Emissions

Possible project-related air quality concerns relate to the potential for impacts as a result of mobile source emissions that will be generated by the recreational, residential, and hotel uses proposed for the project site. The proposed project, however, replaces an existing facility and decreases existing tennis court facilities with the Bungalows and The Villas. With respect to operational emissions, it is anticipated that 389 fewer daily trips will be generated as a result of this project.

Operational emissions for existing and proposed project-related traffic were calculated using a computerized procedure developed by the California Air Resources Board (CARB) for urban growth mobile source emissions. The URBEMIS2007 model was run using the trip generation factors obtained from the traffic report for this project. The model was used to calculate area source emissions and the resulting vehicular operational emissions for existing uses in 2009 and proposed uses in 2012. A comparison was made of the two scenarios and the results are shown in Table 3.

The few residential uses associated with the proposed project may generate small quantities of organic compounds from cleaning products, personal care products, landscape maintenance, cooking, etc. Because the existing site has no residential use component, the area source emissions are slightly higher for the proposed project than for existing uses. As seen in Table 3, mobile source emissions in 2009 are higher for existing uses than for the proposed project for an assumed 2012 build-out.

Table 3

**Project-Related Emissions Burden (pounds/day)
 Newport Beach Country Club**

	ROG	NOx	CO	SO ₂	PM ₁₀	PM _{2.5}	CO ₂
Existing Uses (2009)							
Area Sources	0.3	0.0	3.1	0.0	0.0	0.0	5.6
Mobile Sources	11.5	15.4	149.5	0.2	24.3	4.7	14,288.0
Total	11.8	15.4	152.6	0.2	24.3	4.7	14,293.6
Proposed Project (2012)							
Area Sources	0.8	0.4	5.1	0.0	0.0	0.0	372.0
Mobile Sources	6.8	9.0	87.8	0.1	18.4	3.6	10,829.9
Total	7.6	9.4	92.9	0.1	18.4	3.6	11,201.9
Net Difference (Proposed versus Existing Uses)							
Area Sources	0.5	0.4	2.0	0.0	0.0	0.0	366.4
Mobile Sources	-4.7	-6.4	-61.7	-0.1	-5.9	-1.1	-3,458.1
Total	-4.2	-6.0	-59.7	-0.1	-5.9	-1.1	-3,091.7
SCAQMD Threshold	55	55	550	150	150	55	¹
Exceeds Threshold?	No	No	No	No	No	No	--
<p>¹No significance threshold has been adopted.</p> <p>SOURCE: Giroux & Associates (July 2009)</p>							

Because the proposed project generates fewer trips than existing uses and since area source emissions are minimal compared to mobile source emissions, the SCAQMD's recommended threshold levels will not be exceeded. Operational emissions will be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The area in which the subject property is located is dominated by non-residential development, including professional office. Some residential development exists north of the existing tennis club and a senior housing development is located west of the proposed project site near Jamboree Road between Back Bay Road and Coast Highway; however, there are no hospitals, schools or other sensitive receptors located near the proposed project site. Moreover, as discussed in the preceding assessment of potential air quality impacts, the proposed project would not generate pollutant emissions that would exceed established SCAQMD thresholds, either during the temporary construction phases or over the long-term operating life of the proposed facilities and residences when occupied. Although no significant impacts are anticipated, several conditions are prescribed to further reduce dust and construction equipment exhaust emissions during the construction phase.

e) Create objectionable odors affecting a substantial number of people?

No Impact. A variety of odors would be associated with construction equipment exhaust emissions and application of paints and other architectural coatings. The odors would be minor and temporary in nature and would not significantly affect people residing or occupying areas beyond the immediate construction zones. Subsequent to the completion of construction activities, development of the site with the proposed Golf Club and Tennis Club, The Bungalows, and The Villas would not result in any significant change in the kinds of odors that could be experienced in the project environs, which is composed of single-family residential dwelling units similar to The Villas. Occasional, less than significant odors may occur in

conjunction with trash pick up and outdoor food preparation (e.g., barbeques), and possibly with outdoor maintenance activities. Trash containers would be equipped with lids and would be stored inside the dwelling units and garages. The proposed project will not generate unusual or large quantities of solid waste materials, or utilize chemicals, food products, or other materials that emit strong odors that would adversely affect the ambient air quality in the project environs. Therefore, the project does not have the potential to create objectionable odors; and no mitigation measures are required.

Mitigation Measures

Although no significant short-term (i.e., construction) or long-term (operational) air quality impacts will occur as a result of the proposed project, the following measures are required by the South Coast AQMD to further reduce construction emissions:

- SC-2 Adherence to SCAQMD Rule 402, which prohibits air contaminants or other materials that cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause injury or damage to business or property to be emitted within the SoCAB.
- SC-3 Adherence to SCAQMD Rule 403, which sets requirements for dust control associated with grading and construction activities.
- SC-4 Adherence to SCAQMD Rules 431.1 and 431.2, which require the use of low sulfur fuel for stationary construction equipment.
- SC-5 Adherence to SCAQMD Rule 1108, which sets limitations on ROG content in asphalt.
- SC-6 Adherence to SCAQMD Rule 1113, which sets limitations on ROG content in architectural coatings.
- SC-7 Adherence to Title 24 energy-efficient design requirements as well as the provision of window glazing, wall insulation, and efficient ventilation methods in accordance with the requirements of the California Building Code.

IV. BIOLOGICAL RESOURCES

- a) **Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

No Impact. The subject property has been extensively altered as a result of site development. No important biological resources are identified in the Natural Resources Element of the Newport Beach General Plan (refer to Figure NR1) and no environmental study areas exist on the site (refer to Figure NR2) in that Element. As previously indicated, the majority of the site is developed with golf and tennis facilities, including parking lots. Virtually all of the vegetation existing within the limits of the site is introduced landscape species. Furthermore, the site is entirely surrounded by residential and commercial development as well as the Marriott Hotel and roadways. No sensitive habitat and/or sensitive plant or animal species exist on the subject property. The proposed project will result in the demolition of some existing structures, including the existing Golf and Tennis Clubhouses and several tennis courts in order to accommodate the proposed new development. Project implementation will not result in any modifications to sensitive habitat and/or sensitive species of plants or animals. Alteration of the site as proposed will not result in any potentially significant direct or indirect impacts to sensitive habitat and/or species. No significant impacts are anticipated and no mitigation measures are required.

- b) **Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

No Impact. With the exception of two man-made lakes that are part of the existing golf course, no riparian features exist within the limits of the site. The two lakes are not included within the development limits and, therefore, will not be directly affected by the proposed new development. Grading and site development proposed by the applicant will not result in any impacts to riparian habitat or other sensitive natural community identified either in the City's General Plan or Coastal Land Use Plan.

- c) **Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No Impact. As indicated above, no riparian habitat exists on the subject property and no wetlands as defined by Section 404 of the Clean Water Act occur on the site. Project implementation will not result in any potential adverse effects to either wetlands or riparian species.

- d) **Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

No Impact. The subject property and the surrounding areas are developed and no migratory wildlife corridors occur on site or in the immediate vicinity of the project site that would be affected by development of the subject property. As a result, the proposed project will not interfere with resident, migratory or wildlife species. No significant impacts are anticipated and no mitigation measures are required.

- e) **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

No Impact. The site is devoid of protected habitat and/or species, including heritage trees. Project implementation will not result in any conflicts with adopted policies or ordinances intended to protect biological resources. No significant impacts are anticipated and no mitigation measures are required.

- f) **Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact. There are no local, regional or state habitat conservation plans that would regulate or guide development of the project site. The subject property, which has been developed as private recreation (i.e., Golf Club and Tennis Club) does not support native habitat and/or species and is not included in either a Habitat Conservation Plan or a Natural Community Conservation Plan. No significant direct or indirect impacts to an existing HCP and/or NCCP will occur as a result of project implementation; no mitigation measures are required.

Mitigation Measures

No significant impacts to biological resources are anticipated; no mitigation measures are required.

V. CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a historical resource as defined §15604.5?

No Impact. The project site is currently developed with an 18-hole Golf Club, clubhouse and ancillary facilities, and a private tennis club with 24 tennis courts. Figure HR1 in the City's Historical Resources Element indicates that no historical resources are located on the site. Although no historic sites are located on the subject property, the California Point of Historical Interest (2009) of the Office of Historic Preservation, Department of Parks and Recreation, lists one property within a one-half mile radius of the subject property. ORA-009, the site of the 1953 National Boy Scout Jamboree (i.e., present location of Newport Center) is near the site. This site is also listed on the California Historic Resources Inventory. No historic resources and/or properties within one-half mile of the site are identified by the California Historical Landmarks (2009) of the Office of Historic Preservation, Department of Parks and Recreation, or the National Register of Historic Places. Implementation of the proposed project would not result in any direct or indirect impacts to the existing historic site (ORA-009). Furthermore, the site is not identified by the City as possessing potentially important historic resources. Therefore, project implementation will not result in potentially significant impacts to historic resources are anticipated and no mitigation measures are required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15604.5?

Less than Significant Impact. Thirty-eight (38) studies have been conducted within a one-half mile radius of the subject property.² However, none of the studies occurred within the project site. In addition, 19 investigations also occurred on the Newport Beach, Laguna Beach and Tustin 7.5-minute U.S.G.S. quadrangle maps that are also potentially within one-half mile of the site. Although no site specific surveys have been conducted on the subject property, the site has been substantially altered in order to accommodate the existing golf and tennis facilities. The project proposes changes only to areas of the site that have previously been altered by grading and prior development. The new Golf Clubhouse is proposed to be located in the same area as the existing Golf Clubhouse. As a result, any grading and site alteration that is anticipated would affect the same areas that have previously been altered in order to accommodate the existing Golf Clubhouse and related facilities. Similarly, alteration of the Tennis Club portion of the site necessary to accommodate the new Tennis Clubhouse, The Bungalows, and The Villas will also affect areas that have previously been graded and substantially altered. As a result, project implementation will not adversely affect archaeological/cultural resources that may exist on the site. Although no significant impacts are anticipated and no mitigation measures are necessary, the City will require that a qualified archaeologist/paleontologist be present during grading and site alteration to monitor grading and landform alteration (refer to SC-8). Implementation of this measure is consistent with applicable Policy No. HR 2.2 of the Historic Resources Element of the Newport Beach General Plan.

The City of Newport Beach complied with the requirements of SB 18 by submitting a request to the Native American Heritage Commission (NAHC). In addition, the City also sent a tribal consultation request to the Native American representative, Mr. David Belardes (Chairperson, Juaneño Band of Mission Indians Acjachemen Nation) on September 8, 2005 in compliance with both SB18 and Policy No. HR 2.3 that requires notification of cultural organizations. The City did not receive a response to the SB18 consultation request. Subsequent to that letter, a follow-up request was sent to Mr. Belardes on May 15, 2009 to apprise the Native American representative of changes to the project and request consultation with the Native Americans. To date, no response to the consultation request has been received by the City.

²Record Search Results for the Proposed Newport Beach Country Club Project Located in the City of Newport Beach, California; South Central Coastal Information Center; Letter dated June 2, 2009.

c) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. As indicated above, the project area is located within an urbanized area of the City of Newport Beach and has been previously graded and developed. Any near-surface paleontological resources that may have existed at one time have likely been disturbed and/or destroyed by prior development activities. Therefore, no potentially significant impacts are anticipated and no mitigation measures are required. It is not likely that implementation of the project will result in any potentially significant impacts to paleontological resources because of the prior development activities that have taken place on the site. Nonetheless, as identified below, monitoring of the grading activities by a qualified paleontologist will be required as prescribed below to ensure that in the event that fossils or other important paleontological resources are encountered, appropriate measures can be taken to avoid adverse impacts to those resources.

d) Would the project disturb human remains, including those interred outside of formal cemeteries?

No Impact. The project site and surrounding areas are highly disturbed due to past urban development and there is no evidence of human remains or sites of Native American burials. Based on the degree of disturbance that has already occurred on the site (i.e., golf and tennis facilities) and in the vicinity of the project site (i.e., Newport Center), it is anticipated that project implementation would not result in potentially significant impacts to human remains; however, as indicated below, a qualified archaeological/paleontological monitor will be present on-site during grading to ensure that in the event human remains are encountered, appropriate measures will be implemented in accordance with State law regarding human remains.

Mitigation Measures

Although no significant impacts are anticipated, the following standard condition is required by the City to ensure that potential impacts to cultural and/or scientific resources that may be encountered during grading are avoided.

SC-8 A qualified archaeological/paleontological monitor shall be retained by the project applicant who will be available during the grading and landform alteration phase. In the event cultural resources and/or fossils are encountered during construction activities, ground-disturbing excavations in the vicinity of the discovery shall be redirected or halted by the monitor until the find has been salvaged. Any artifacts and/or fossils discovered during project construction shall be prepared to a point of identification and stabilized for long-term storage. Any discovery, along with supporting documentation and an itemized catalogue, shall be accessioned into the collections of a suitable repository. Curation costs to accession any collections shall be the responsibility of the project applicant.

MM-1 The City shall provide an opportunity for a Native American representative to monitor excavation activities. The representative shall be determined by the City based on input from concerned Native American tribes (i.e., Gabrielino, Juaneño, and Tongvas).

VI. GEOLOGY AND SOILS

- a) **Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

Less than Significant Impact. The site is located in the Newport Center/Fashion Island area of the City, which is near the intersection of the Southwestern Block and the Central Block of the Los Angeles Basin. The Southwestern Block is the westerly seaward portion of the Los Angeles Basin, which includes Palos Verdes Peninsula and Long Beach, and is bounded on the east by the Newport-Inglewood Fault Zone (NIFZ). The landward part of the NIFZ is a northwesterly-trending zone that extends from Beverly Hills on the north to Newport Bay on the south, where it continues offshore to the south; however, it eventually returns ashore again near La Jolla, where it is expressed by the Rose Canyon Fault. The NIFZ within the project environs is not included on the State-published Alquist-Priolo Special Studies zonation map.

The subject property is located within a seismically active area. There are no known local or regional active earthquake faults on the site, and the site is not within an Alquist-Priolo Zone. However, the site is located within close proximity of several surface faults that are presently zoned as active or potentially active by the California Geological Survey. The site is located approximately 3.7 kilometers (km) east of the Newport-Inglewood fault zone. The site may also be located within in 1 km of the San Joaquin Hills Blind Thrust, an inferred, low-angle fault system (e.g., blind thrust). These faults normally do not break the ground surface during sizeable earthquakes. Another active fault that could generate seismic activity that affects the subject property and surrounding area is the Elsinore Fault. The Newport-Inglewood and Elsinore Fault Zones could produce earthquakes of magnitude 6 – 7 on the Richter Scale, with local strong ground motion equivalent to at least VIII – IX on the modified Mercalli Scale. Although episodes on those faults could cause ground shaking at the project site, it is highly unlikely that the site would experience surface rupture. Therefore, no significant ground rupture impacts would occur as a result of project implementation.

- ii) **Strong seismic ground shaking?**

Less than Significant Impact. See response to VI.a (i) above. As indicated above, the subject property is located in the seismically active southern California region; several active faults are responsible for generating moderate to strong earthquakes throughout the region. Due to the proximity of the site to the San Joaquin Hills Blind Thrust and the Newport-Inglewood Fault zone, the subject property has a moderate to high probability to be subjected to seismic and associated hazards. A probabilistic seismic hazard analysis of horizontal ground shaking was performed to evaluate the likelihood of future earthquake ground motions occurring at the site. The maximum earthquake of 23 faults within an 80 km radius of the site based on the seismic hazard analysis conducted for the project. The earthquake magnitudes associated with each fault are presented in Table 4.

Table 4
Seismic Source Model
Newport Beach Country Club

Fault	Distance (km)	Seismology Parameters		
		Maximum M _w	Fault Type ¹	Slip Rate (mm/yr)
San Joaquin Hills Blind Thrust	<1.0	6.6	bt	0.5
Newport Inglewood (Offshore)	3.7	7.1	rl-ss	1.5
Newport-Inglewood (L.A. Basin)	4.1	7.1	rl-ss	1.0
Palos Verdes	22.9	7.3	rl-ss	3.0
Chino-Central Avenue	30.7	6.7	rl-r-o	1.0
Whittier	33.7	6.8	rl-ss	2.5
Elsinore-Glen Ivy	35.2	6.8	rl-ss	5.0
Puente Hill Thrust	35.2	7.1	bt	0.4
Coronado Bank	38.3	7.6	rl-ss	3.0
San Jose	47.7	6.4	ll-r-o	0.5
Elsinore-Temecula	49.4	6.8	rl-ss	5.0
Elysian Park Thrust (upper)	54.8	6.4	r	1.3
Sierra Madre	58.2	7.2	r	2.0
Cucamonga	58.9	6.9	r	5.0
Raymond	60.6	6.5	ll-r-o	1.5
Verdugo	63.2	6.9	r	0.5
Clamshell-Sawpit	64.0	6.5	r	0.5
Hollywood	65.2	6.4	ll-r-o	1.0
Rose Canyon	68.8	7.2	rl-ss	1.5
Santa Monica	70.7	6.6	ll-r-o	1.0
San Jacinto-San Bernardino	74.1	6.7	rl-ss	12.0
San Jacinto-San Jacinto Valley	75.0	6.9	rl-ss	12.0
Malibu Coast	76.4	6.7	ll-r-o	0.3

¹rl – right-lateral; ll – left lateral; ss – strike-slip; r – reverse; o – oblique; bt – blind thrust

SOURCE: GMU Geotechnical, Inc. (May 2, 2008)

The maximum earthquake on the NIFZ is estimated to be 7.1 on the Richter Scale. Similarly, the maximum earthquake on the San Joaquin Hills Blind Thrust is 6.6. Other faults capable of producing seismic activity that could affect the subject property include the San Jacinto Fault and the Whittier Fault, which is a northern branch of the Elsinore Fault. Even though the project site and surrounding areas could be subject to strong ground movements, incorporation of the recommendations included in the preliminary geotechnical report, adherence to current building standards of the City of Newport Beach, and compliance with current California Building Code standards would reduce the potential adverse effects of ground movement hazards to a less than significant level.

iii) Seismic-related ground failure, including liquefaction?

No Impact. Based on the geologic exploration undertaken on the subject property, the site is underlain by sedimentary rocks of the Monterey Formation. These rocks do not have the potential for liquefaction. Furthermore, no groundwater is present to the depths and no loose sands or coarse silt is present. Therefore, the potential for liquefaction is negligible and less than significant. Proper design of the proposed structures will ensure that ground failure, including that associated with liquefaction, will not pose a significant hazard to the development.

iv) **Landslides?**

No Impact. The site is generally devoid of slopes and no significant slopes are planned within the property. Potential effects associated with slope stability are, therefore not anticipated to have an adverse impact on the proposed project. No significant impacts are anticipated and no mitigation measures are required.

b) **Would the project result in soil erosion or the loss of topsoil?**

Less than Significant with Mitigation Incorporated. Implementation of the proposed project will necessitate grading and excavation necessary to accommodate the proposed Golf Clubhouse, Tennis Club, The Bungalows, and The Villas that will temporarily expose on-site soils to potential erosion. In that interim period, it is possible that some erosion may occur, resulting in some sedimentation; however, in order to ensure that erosion and sedimentation are minimized, the applicant will be required to prepare and submit an adequate drainage and erosion control plan, which complies with current City standards. Although it is possible that potential erosion could occur without the incorporation of appropriate measures, implementation of the mandatory appropriate erosion controls will avoid potential erosion impacts associated with site grading and development. Further, the proposed site will be engineered to ensure that surface/subsurface drainage does not contribute to erosion or adversely affect the stability of project improvements. Other efforts required to ensure that potential erosion is minimized include slope protection devices, plastic sheeting, inspection for signs of surface erosion, and corrective measures to maintain, repair or add structures required for effective erosion and sediment movement from the site. As a result, potential impacts occurring from project implementation, including those anticipated during grading and after development of the site, will be avoided or reduced to a less than significant level.

c) **Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Less than Significant with Mitigation Incorporated. Refer to Section VI.a.iv, above. As previously indicated, potential slope failure/landslide potential is not anticipated because no slopes are proposed and no significant slopes exist on the subject property. Therefore, site preparation and design of the proposed residence in accordance with the recommendations contained in the preliminary geotechnical report and compliance with the California Building Code will ensure that potential impacts will be avoided or reduced to a less than significant level.

The depth of planned engineered fill is anticipated to be five to 10 feet following both design and corrective grading. Total fill depths (i.e., new and existing fill) are anticipated to range from five to 25 feet. All fill will be placed as engineered fill on top of existing suitable artificial fill, terrace deposits, or bedrock. Post-grading settlement of the shallow-depth fills is anticipated to be minor as most of the grading related to settlement (i.e., due to fill self weight) should be complete at the completion of grading. Secondary compression is not anticipated due to: (1) the low plasticity of anticipated fill soils; (2) the low fill thickness; and (3) the over-consolidated nature of the underlying terrace deposits and bedrock. Hydro-compression of the fill soils should also be minor due to the fact that the fills will be placed above optimum moisture content.

Significant post-grading settlement of the underlying bedrock due to loading from the proposed fills is not anticipated. Similarly, hydro-collapse of the bedrock materials will be negligible due to the existing high density and over-consolidated nature of the materials. For these reasons, post-grading settlements related to grading are not anticipated to have a significant effect on structures and improvements. Adherence to the recommendations in the preliminary geotechnical report will ensure that potential effects associated with settlement would be avoided.

- d) **Would the project be located on expansive soil, as defined in Table 18-1-B of the California Building Code (2007)), creating substantial risks to life or property?**

Less than Significant with Mitigation Incorporated. Based on the analysis conducted for the proposed project, the on-site surface materials have a very low to low expansion index and a negligible sulfate content. However, because testing results were in the upper limit of the "low" expansion classification, it is anticipated that medium expansion potential may exist. The subject site is underlain by artificial fill, colluvium, and terrace deposits overlying bedrock assigned to the Monterey Formation. Adherence to the recommendations in the Report of Geotechnical Studies (GMU, 2008) prepared for the project will ensure that impacts associated with expansive soils would be avoided. With the incorporation of these recommendations, potential impacts will be less than significant.

- e) **Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

No Impact. The project will be connected to existing sewer lines. No septic tanks or alternative waste water disposal systems are proposed. Therefore, no significant impacts related to the implementation of an alternative waste disposal system are anticipated and no mitigation measures are required.

Mitigation Measures

As indicated in the geotechnical report prepared for the proposed project, construction of the proposed improvements (i.e., Golf Club, Tennis Club, The Bungalows, and Villas) is feasible from a geotechnical perspective. The following measures shall be implemented to ensure that no potentially significant geotechnical impacts identified in the preceding analysis occur.

- SC-9 All grading operations and construction shall comply with the applicable City of Newport Beach Grading Code and Grading Manual and the most recent version of the California Building Code.
- SC-10 Prior to issuance of the grading permit, an erosion control plan shall be submitted to and approved by the City's Chief Building Official.
- SC-11 Prior to issuance of a grading permit, the applicant shall submit a soils engineering report and final geotechnical report to the City's Building Department for approval.
- MM-2 The project shall be designed to incorporate the recommendations included in "Revised Preliminary Geotechnical Design Parameters for the NBCC Planned Community" (April 25, 2008) and "Report of Geotechnical Studies and Review of Vesting Tentative Tract Map No. 15347" (May 2, 2008) prepared by GMU Geotechnical that address site grading, site clearing, compaction, bearing capacity and settlement, lateral pressures, footing design, seismic design, slabs on grade, retaining wall design, subdrain design, concrete, surface drainage, landscape maintenance, etc. The Building Department shall review the grading plan to ensure conformance with recommendations contained in the final geotechnical report.

VII. GREENHOUSE GAS EMISSIONS

Background

The earth's natural warming process is known as the "greenhouse effect." The greenhouse effect keeps the earth warm and habitable, raising the temperature of the earth's surface by about sixty degrees Fahrenheit. With the natural greenhouse effect, the average temperature of the earth is about 45 degrees Fahrenheit. Obviously, the earth would be much less inviting without the greenhouse effect.³ It is

³Climate Change 101: Understanding and Responding to Global Climate Change, published by the Pew Center on Global Climate Change and the Pew Center on the States.

normal for the earth's temperature to fluctuate over extended periods of time. For example, the climate of the Northern Hemisphere varied from a relatively warm period between the eleventh and fifteenth centuries to a period of cooler temperatures between the seventeenth century and the middle of the nineteenth century.⁴ Viewed in historic terms, global climate change is a natural phenomenon.

Over the past one hundred years, the earth's average global temperature has generally increased by one degree Fahrenheit. In some regions of the world, the increase has been as much as four degrees Fahrenheit.⁵ Many scientists studying the particularly rapid rise in global temperatures during the late twentieth century say that natural variability does not alone account for what is happening now.⁶ Rather, they say, human activity spawned by the industrial revolution has resulted in increased emissions of carbon dioxide and other forms of "greenhouse gas" (GHG), primarily from the burning of fossil fuels (during motorized transport, electricity generation, consumption of natural gas, industrial activity, manufacturing, etc.) and deforestation, as well as agricultural activity and the decomposition of solid waste. These scientists refer to the global warming context of the past century as the "enhanced greenhouse effect" to distinguish it from the natural greenhouse effect.⁷ While the increase in temperature is known as "global warming," the resulting change in weather patterns is known as "global climate change." Global climate change is evidenced in wind patterns, storms, precipitation, and air temperature.

The human-produced GHGs believed to be responsible for the enhanced greenhouse effect and their relative influence on the global warming process (i.e., their relative ability to trap heat in the atmosphere) are estimated to be: carbon dioxide (CO₂) (53 percent); methane (CH₄) (17 percent); near-surface ozone (O₃) (13 percent); nitrous oxide (N₂O) (12 percent); and chlorofluorocarbons (CFCs) (5 percent). The most common GHG is CO₂, which constitutes approximately 84 percent of all GHG emissions in California (California Energy Commission, 2006). Worldwide, the State of California ranks as the 12th to 16th largest emitter of CO₂ (the most prevalent GHG) and is responsible for approximately 2 percent of the world's CO₂ emissions (CEC 2006).

The warming pattern of the last 100 years, however, does not present a steady and consistent rise in the earth's temperature. Scientists have noted significant warming between 1910 and 1940, moderate cooling from 1940 to 1975, and a large warming again starting in 1975.⁸ Additionally, there remains debate over the precise extent to which the enhanced greenhouse effect differs from the natural greenhouse effect, as well as the amount of the change in temperature and climate which can be attributed to human activity, as opposed to natural cycles. There is, however, general agreement within the scientific community that increasing emissions of GHGs have significantly contributed to a trend of increasing the Earth's average temperature and that human activity plays a significant role in those emissions. It also is generally agreed that the warming of the earth produces changes in the Earth's climate.

Methodology has been evolving over the past several years relative to the evaluation under CEQA of the potential impacts of GHG emissions upon global climate change and, in turn, the impacts of global climate change upon the environment. The evaluation contained in this MND reflects the City's thorough investigation and analysis of the proposed Project's incremental contribution to greenhouse gas emissions and the potential impacts those emissions may have on the environment. This evaluation has been shaped by (i) the provisions of CEQA and its Guidelines (and, specifically, newly effective CEQA Guidelines addressing the evaluation of GHG emissions) which dictate the required scope and extent of

⁴Id.

⁵Brohan, P., J.J. Kennedy, I. Haris, et al., Uncertainty estimates in regional and global observed temperature changes: a new dataset from 1850. *Journal of Geophysical Research*, 2006. 111: p. D12106, doi:10.1029/2003JA009974.

⁶Intergovernmental Panel on Climate Change. 2001. "Comparison between modeled and observations of temperature rise since the year 1860." In *Climate Change 2001: Synthesis Report*, Contribution of Working Groups I, II, and III to the Third Assessment Report. Robert T. Watson and the Core Writing Team, eds. Cambridge University Press, Cambridge, UK.

⁷*Climate Change 101: Understanding and Responding to Global Climate Change*, published by the Pew Center on Global Climate Change and the Pew Center on the States.

⁸ Id.

impact analysis, and (ii) the City's recently employed methodology for the evaluation of GHG emissions which supplements CEQA's requirements. Additional background is as follows:

AB 32 and Amended CEQA Guidelines

In adopting the California Global Warming Solutions Act of 2006 (commonly known as "AB 32"), the State Legislature declared that "[g]lobal warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Further, the Legislature determined that "the potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snowpack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious disease, asthma, and other human health-related problems." The Legislature added that "[g]lobal warming will have detrimental effects on some of California's largest industries" and will "increase the strain on electricity supplies necessary to meet the demand for summer air-conditioning in the hottest parts of the state."

AB 32, however, did not amend CEQA or establish regulatory standards to be applied to new development or environmental review of projects within the State. Rather, AB 32 initiated a long-term program for "the development of [GHG] emissions reduction measures." Quoting from a public notice prepared by the staff of the California Air Resources Board ("CARB") in connection with a meeting on October 25, 2007, to consider "early discrete actions," AB 32 "creates a comprehensive, multi-year program to reduce greenhouse gas (GHG) emissions in California, with the overall goal of restoring emissions to 1990 levels by the year 2020." The Act recognizes that such an ambitious effort requires careful planning and a well thought out set of strategies.

Despite some perceptions to the contrary, neither AB 32 nor subsequent actions taken to date by either the Legislature, the Governor, the California Air Resources Board (CARB), or the Governor's Office of Planning and Research (OPR) have established either (i) specific new regulatory standards as part of a statewide or regional plan to curb global warming impacts, or (ii) thresholds of significance for the evaluation of either direct or cumulative impacts under CEQA.

Certain milestones were, however, established by the Act, including an important milestone for the adoption of amended CEQA Guidelines intended to address the methodology for evaluating GHG impacts (the "Amended Guidelines"). Those Amended Guidelines have been adopted and became effective on March 18, 2010. However, while the Amended Guidelines provide guidance to public agencies in their analysis under CEQA of GHG emissions and call for a "good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project" (CEQA Guidelines Section 15064.4), they do not establish any specific thresholds to be used by agencies in evaluating the significance of potential GHG impacts.

Therefore, this MND evaluates potential GHG impacts by following the guidance of the Guidelines in the context of the overall directives of CEQA for impact evaluation. To supplement that CEQA analysis, this MND also evaluates potential GHG impacts using a separate threshold recently employed by the City for the evaluation of GHG emissions.

Global Climate Change in the CEQA Context

The evaluation of a project's impacts on global climate change begins with an analysis of the project's GHG emissions. Greenhouse gases include CO₂, CH₄, N₂O, and CFCs. CO₂ is the GHG most focused upon, because it exists in greatest volume in the atmosphere. Currently CO₂ levels are approximately 380 ppm (parts per million). Prior to the industrial era (which began in the late 1800s), CO₂ levels in the atmosphere had not exceeded 280 ppm, for the last million years. Due to human activities after the onset of the industrial era, GHGs, including CO₂, have risen at exponential levels. It is well documented that human activities are a direct cause of increases in GHG concentrations in the atmosphere over this time period.

A particular challenge to global climate change analysis under CEQA, however, is that while the evaluation of a project's *direct* impacts may start with the simple question of whether the project *contributes* to an environmental effect such as global climate change, it does not end there. Rather, CEQA requires a legitimate determination as to whether the project contributes to a level that makes that contribution *significant*. CEQA defines a "significant effect on the environment" as a substantial, or potentially substantial, adverse change in the environment. Exactly what contribution to an impact is required for an impact to be "significant" is evaluated through the establishment of a "threshold of significance."⁹ A threshold of significance cannot be an arbitrary measure. With respect to global climate change and absent an adopted regulatory standard, the establishment of a feasible and practical significance threshold which meets the requirements of CEQA and the United States Constitution has proved challenging.

Because GHGs are well mixed in the atmosphere and remain in the atmosphere for periods ranging from decades to centuries, GHG emissions from each single worldwide source commingle with emissions from all other worldwide sources in a matter of days to influence climate change on a *global*, rather than *local* or *regional*, basis.¹⁰ California GHG emissions, for example, do not specifically produce global climate change impacts in California, but rather quickly commingle with GHG emissions from around the world to influence global climate change patterns throughout the world. This "commingled" nature of GHG emissions makes it infeasible to assess the relative contribution of any one project's GHG emissions to worldwide GHG emissions without undue speculation.

So, while certain emissions may contribute to both air quality and global climate change impacts, air quality impacts represent an entirely different phenomenon than global climate change impacts. Therefore, the analysis of the impact of GHG emissions on global climate change requires different methodology than does the analysis of the impact of the emission of air pollutants on air quality conditions.

CEQA does not authorize the imposition of mitigation measures that do not comply with the doctrines of "nexus" and "rough proportionality" (see CEQA Guidelines §15126.4(a)(4)(A and B). These doctrines have been articulated by the United States Supreme Court and provide, in essence, that before mitigation may be imposed upon a proposed project, (i) there must be a direct relationship (i.e., "nexus") between the impacts of the project and the mitigation imposed and (ii) the mitigation required must be "roughly proportional" to the project's contribution to the impact relative to existing conditions and other projects.

Thus, even if it were feasible to evaluate the impacts of a small project on global climate change, mitigation of that project's contribution to global climate change may be required only if (i) the proposed project's impact can be determined based upon an appropriate threshold of significance, (ii) feasible mitigation can be identified which has a nexus to the impact, and (iii) the mitigation is roughly proportional to the proposed project's relative contribution to the impact. These criteria also are infeasible, if not impossible, to apply without speculation.

CEQA also allows a project to be evaluated for consistency with "applicable general plans and regional plans" (see CEQA Guidelines §15125(e)). Such plans would include, for example, "the applicable air quality attainment or maintenance plan." These plans involve legislative or regulatory programs applicable to all projects within the region. They establish standards which are independent of the impact analysis described in the CEQA Guidelines (see provisions beginning with Section 15126). Therefore, the "measuring stick" of a regional plan does not require a typical CEQA impact analysis in order to ensure compliance with that plan. While the program for GHG emissions reductions and maintenance which ultimately is intended to result from AB 32 will likely constitute such a regional plan *once it is adopted*, that AB 32 program does not yet exist and may not be in place for several years. No other program establishing such regulatory standards has yet been adopted. Therefore, there is not yet a regional or statewide plan regulating global warming by which the Proposed Project can be measured.

⁹ CEQA Guideline §15064.7 defines a "threshold of significance" as "an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant."

¹⁰ Pew Center for Global Climate Change (2003). *Designing a Mandatory Greenhouse Gas Emissions Reduction for the U.S.*, retrieved March 12, 2007, from <http://www.pewclimate.org/docUploads/USGas%2E.pdf>.

Each of these considerations bears on this MND's evaluation of the potential impacts of GHG emissions on global climate change.

Threshold for Determining Significance

There is general scientific acceptance that global warming is occurring and that human activity is a significant contributor to the process, suggesting to some that the emission of even a minute amount of GHG contributes to the warming process. However, under CEQA, such a conclusion would result in an improper threshold. The reasons are straightforward.

First, because regulatory programs establishing specific GHG emission standards have not been adopted, the CEQA analysis of global climate change, must focus only on the "relative" – as opposed to "absolute" – effects of a project, using existing environmental conditions as a baseline. That means that the evaluation of a proposed project's potential GHG impacts must determine whether the proposed project's contribution to global climate change is significant *when compared to the conditions existing when preparation of the EIR began.*

Second, of precise relevance to any argument that even small amounts of GHG emissions are intended to be prohibited by AB 32, AB 32 explicitly established the State's policy that "*de minimis*" emissions shall not be subject to regulation. Specifically, AB 32 requires that CARB "*recommend a de minimis threshold of greenhouse gas emissions below which emission reduction requirements will not apply.*"

Direct Impacts

Given the scope and magnitude of global GHG emissions, there is little, if any, support in the scientific and environmental communities for the proposition that an isolated project's relatively miniscule contribution of GHG *standing alone* (i.e., a direct, as opposed to cumulative, project impact) would significantly alter the course of global climate change. In its April 13, 2009, letter to the Secretary for Natural Resources accompanying the proposed Amended Guidelines, OPR stated that the "impact resulting from greenhouse gas emissions are cumulative in nature." In a 2008 Technical Advisory, OPR noted that "climate change is ultimately a cumulative impact." Essentially, with the theoretically possible exception of an extremely large project emitting extreme amounts of GHG, a project's "net"¹¹ contribution to GHG emissions relative to existing conditions is subject to evaluation, if at all, only on a cumulative basis.

Cumulative Impacts

With respect to cumulative impacts, CEQA establishes specific criteria for impact evaluation when assessing whether an EIR must be prepared. (CEQA Guidelines §15064(h). The Initial Study and/or MND must determine if the proposed project's effects would be "cumulatively considerable," meaning "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of current projects, and the effects of probable future projects." (CEQA Guidelines §15065(h)(1)).

Section 15064(h)(3) of the Guidelines provides that a "lead agency may determine that a project's incremental contribution to a cumulative effect is not considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem." As noted above, no such plan or program yet exists.

Section 15130 of the Guidelines sets forth the methodology by which an EIR must assess the significance of cumulative impacts. Because the MND criteria set forth in Section 15064(h)(1) and 15064(h)(3) are essentially the same as those set forth in the more detailed Section 15130, this MND utilizes that more

¹¹ "Net" refers to the relative, rather than absolute, contribution of a proposed project when compared to the existing environmental conditions.

detailed description as guidance in its evaluation of whether the Proposed Project's potential cumulative impacts related to global climate change are significant and cumulatively considerable. Section 15130(b) states that the "following elements are *necessary* (emphasis added) to an adequate discussion of significant cumulative impacts:

"(1) Either:

- (A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency, or
- (B) A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact. Any such planning document shall be referenced and made available to the public at a location specified by the Lead Agency."

Obviously, absent gross speculation, a list of past, current, and reasonably foreseeable future projects throughout the world which potentially contribute to global warming is not feasible to assemble. And, as discussed above, there is not yet an adopted or certified planning document which contains a summary of projections based on known or likely worldwide projects. Therefore, this MND cannot feasibly evaluate potential cumulative project global climate change impacts in the "necessary" manner currently required by CEQA.

With this extensive background, the analysis of the potential effects of the Proposed Project is as follows:

- a) **Would the project generate greenhouse gas emissions either directly or indirectly, that may have a significant impact on the environment?**

Less than Significant Impact. During project construction, the URBEMIS2007 computer model predicts that a peak activity day in the single worst case year of construction (2009 during demolition and grading) will generate 9,004.8 pounds/day of CO₂.

Equipment exhaust also contains small amounts of methane and nitric oxides, which are also GHGs. Non-CO₂ GHG emissions represent approximately a three percent increase in CO₂ equivalent (CO₂e) emissions from diesel equipment exhaust. For purposes of analysis, it was assumed that the non-CO₂ GHG emissions from construction equipment are negligible, and that the total project construction GHG burden can be characterized by 40 peak activity days. The estimated annual GHG impact is estimated to be 164 metric tons (MT)/year, if all the above activities were to occur in a single year.

For screening purposes, the temporary construction activity GHG emissions were compared to the chronic operational emissions in the SCAQMD's interim thresholds. The proposed industrial operational threshold is 10,000 metric tons (MT) of CO₂e per year.¹² Grading activities generating 164 MT are well below this threshold. Construction activity GHG emissions are also below the proposed operational screening criteria of 3,000 MT for non-industrial uses.¹³

The Proposed Project's daily operational CO₂e emissions will be less than existing emissions from reduced project-site travel. The annual reduction of 574 MT (631 "short" tons) of CO₂e emissions will offset the 196 MT of "new" CO₂e emissions generated by the Proposed Project.

Because the Proposed Project will generate fewer GHG emissions than are generated under existing environmental conditions and despite the challenge of establishing thresholds of significance for global climate change impacts, it can be fairly stated that under any threshold which would be permitted by CEQA, the Proposed Project will not have a significant impact on global climate change.

¹²Recommended by the South Coast Air Quality Management District.

¹³Id.

As a result, the Proposed Project will not produce GHG emissions to a level which will have a significant impact on global climate change.

b) Would the project conflict with an applicable plan, policy or regulation, adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. As discussed extensively above, there is not yet a plan, policy, or regulation adopted to reduce GHG emissions which is applicable to the Proposed Project. The City of Newport Beach, however, has implemented an informal policy for the environmental evaluation of potential GHG impacts of proposed projects. That policy provides that, until more guidance is provided from the expert agencies such as CARB and/or SCAQMD, the City intends to consider projects emitting 1,600 metric tons of CO₂e or less per year to be less than significant contributors to global climate change, thereby not requiring further analysis. For projects exceeding the screening threshold of 1,600 metric tons of CO₂e emissions per year, the City will consider those projects to have significant impacts if they either (1) are not substantially consistent with policies and standards set out in federal, state, and local plans designed to reduce GHGs or (2) would emit more than 6,000 metric tons of CO₂e per year. Projects that do not meet these thresholds would be considered to have significant impacts, and thus could be expected to impede the State's mandatory requirement under AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. As set forth above, in a "worst case" year, the Proposed Project's daily CO₂e emissions during construction will equal no more than 164 metric tons. The operational activities of the Proposed Project, which, under CEQA, must be evaluated not in "absolute" terms, but rather by comparison to existing environmental conditions, will not only be well below the City's informal threshold at 196 metric tons per year on an absolute basis, but will actually reduce overall operational GHG emissions by approximately 378 metric tons per year on an ongoing basis.

Therefore, not only will the Proposed Project not conflict with any adopted plan, policy, or regulation pertaining to GHG emissions and comply with the City's informal GHG threshold, it will actually reduce GHG emissions on a long-term basis. As a result, the Proposed Project will not produce GHG emissions to a level which will have a significant impact on global climate change.

Speculation and Guidelines Section 15145

Finally, it must also be noted that Section 15145 of the CEQA Guidelines provides that "[i]f, after thorough investigation, a lead agency finds that a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact." Beyond the analysis contained in this MND, which, standing alone, complies with CEQA's analysis requirements, technical data does not yet exist that would allow the City to determine without the use of undue speculation how a project of this size would, relative to other proposed projects throughout the world, contribute to global climate change. Evaluation using speculative "per capita" or other projections of worldwide GHG emissions based upon projections of population growth over many decades may provide valuable information, but would not constitute an analysis of the "incremental effects" of the project in either of the contexts identified in Section 15130(b) of the CEQA Guidelines which are discussed above. Therefore, because (i) CEQA prohibits speculative analysis and (ii) the Proposed Project's projected GHG emissions will not exceed those generated under existing environmental conditions, further analysis is not required.

Mitigation Measures

Because there are no impacts related to global climate change, no mitigation measures are required. However, it should be noted that the following standard conditions and project design features have been incorporated into the Proposed Project and will contribute to the Proposed Project's net long term reduction of GHG emissions.

SC-12 All new buildings shall meet Title 24 requirements.

SC-13 Water conservation design features shall be incorporated into building and landscape designs.

- PDF-1 Design of buildings shall take into account the location of building air intake to maximize ventilation efficiency and incorporate natural ventilation.
- PDF-2 The buildings shall incorporate energy-conserving heating and lighting systems.
- PDF-3 The project shall incorporate fast-growing, low water use landscape to enhance carbon sequestration and reduce water use.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- a) **Would the project create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?**

Less than Significant with Mitigation Incorporated. Construction activities associated with the proposed project would include oil, gas, tar, construction materials and adhesives, cleaning solvents and paint, and other similar construction-related materials. Transport of these materials to the site and use on the site would only create a localized hazard in the event of an accident or spills. Hazardous materials use, transport, storage and handling would be subject to federal, state and local regulations to reduce the risk of accidents. Equipment maintenance and disposal of vehicular fluids is subject to existing regulations, including the National Pollutant Discharge Elimination System (NPDES). Given the nature of the project in terms of scope and size (i.e., redevelopment of existing private golf and tennis facilities), it is anticipated that normal storage, use and transport of hazardous materials will not result in undue risk to construction workers on the site or to persons on surrounding areas. The use and disposal of any hazardous materials on the site and in conjunction with the project will be in accordance with existing regulations. With the exception of quantities of pesticides, fertilizers, cleaning solvents, paints, etc., that are typically used to maintain the golf course located on the property, on-going operation of the Newport Beach Country Club and proposed residential and resort uses will not result in the storage or use of significant quantities of hazardous materials beyond that currently used. As a result, no significant impacts are anticipated related to the use, disposal and/or storage of hazardous materials in association with the proposed uses. As indicated in Section VIII.c, remediation of the ACM and LBP in accordance with regulatory requirements would avoid any potential impacts previously identified. No additional mitigation measures are required.

- b) **Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less than Significant Impact. According to historical sources and regulatory database information, the subject property (1600 East Coast Highway) was previously equipped with a 550-gallon underground gasoline storage (UST) tank that was installed in the southwestern corner of the property in 1965 and removed in 1987. A Summary of Remedial Operations Report was prepared (1987), which revealed that the tank had a dime-sized hole in the bottom. Subsequent sampling and laboratory analysis were undertaken that indicated elevated levels of hydrocarbon, including aromatic constituents' benzene, were present in the subsurface soil below the excavation pit. Excavation and sampling of the soils were conducted, which indicated that the constituents analyzed were non-detect¹⁴ and closure was granted by the Orange County Health Authority (*sic*). Based on the results of the previous investigation and regulatory closure, the former 550-gallon UST in the southwestern portion of the subject property is not expected to represent a significant environmental concern.

The proposed project's demolition and construction do not involve any activities and/or uses that would utilize hazardous materials or other substances that would, if released into the environment, create a safety or health hazard, other than those which are part of the existing environmental conditions because they are currently used to maintain the golf course and related facilities. The nature of the existing golf course use involves the application, storage, and mixing of pesticides and herbicides on the property.

¹⁴Partner Engineering and Science, Inc.; Addendum Letter dated March 29, 2010.

The chemicals are utilized to service the golf course greens and fairways. The chemicals, fertilizers and other hazardous materials will continue to be maintained on the premises in accordance with existing and future regulatory storage and use requirements. As a result, no significant impacts are anticipated and no mitigation measures are required.

In addition, two 55-gallon drums of waste oil within the maintenance area of the golf course were observed during the field investigation conducted during the Phase I ESA. The drums were used to store waste oil during golf cart repair activities and were stored over secondary containment. No spills, leaks or drains were observed near the vicinity of the drums. Based on the good housekeeping practices and lack of direct conduit to the subsurface of the subject property near the waste oil drums, these drums are not expected to represent a significant environmental concern. No changes in these operations or activities are anticipated as a result of project implementation. Continued compliance with regulatory requirements will ensure that no potentially significant impact would occur. No mitigation measures are required.

Two ponds are located within the boundaries of the golf course. No violations were noted during the research and information search. No hazardous materials were noted near the vicinity of the ponds, which are located throughout the golf course. Based on the lack of documented releases and evidence of hazardous materials near the ponds, they are not expected to pose a significant environmental concern or hazard.

Finally, three (3) pole-mounted transformers were observed on the subject property. The transformers are not labeled indicating PCB content. No staining or leakage was observed in the vicinity of the transformers. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern. The transformers appear to be owned by Southern California Edison (SCE), which would be responsible for maintenance of these facilities. Additionally, no other potential PCB-containing equipment (e.g., interior transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the subject property during the site reconnaissance.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?

Less than Significant Impact. Visual asbestos surveys were conducted by Con-Test in 1992 and also during a Phase I ESA by prepared by Law/Crandall, Inc., in 1994. During that latter visual survey, several areas within the Newport Beach Country Club facilities were observed to have asbestos containing materials (ACM), including:

- Floor tile located in the back office of the first floor of the clubhouse.
- Vinyl flooring located on the second floor next to the ballroom of the clubhouse.
- Floor tile located on the first floor in the women's restroom near the office area of the clubhouse.
- Vinyl flooring located on the first floor in the restaurant waiter's room of the clubhouse.
- Spray-applied acoustical ceiling located in the manager/receptionist offices, professional shop, dressing room, and women's locker room of the clubhouse.
- Exterior plaster located outside the professional shop of the clubhouse.
- Air cell pipe insulation located in the restroom hallway of the kitchen, janitor storage room, and the roof attic mechanical area of the clubhouse.
- Air cell duct insulation located in the roof attic mechanical area.
- Pipe elbow insulation located in the roof attic mechanical area of the clubhouse.
- Roof penetration sealant located at the perimeter flashings and penetrations of the low and high roof of the clubhouse.

The visual asbestos survey conducted by Law/Crandall, Inc., also concluded that the ACM reported in a prior survey conducted in 1992 by Con-Test was still present at the site. The Law/Crandall asbestos survey recommended that the ACM be maintained in place by instituting an operations and maintenance (O&M) program (i.e., repair damaged asbestos, clean up of contaminated areas, notification and training of employees, routine inspections of ACM, etc.), which should continue until the ACM is removed.

A limited visual evaluation of accessible areas was also conducted during the preparation of the most recent Phase I ESA prepared by Partner Engineering and Science, Inc., for the presence of suspect ACM. Based on that limited survey, suspect ACMs were noted in the acoustic ceiling tiles, vinyl floor tiles, and drywall systems within the buildings located on the subject property. All of the ACM and PACM (presumed asbestos-containing materials) were noted to be in good condition. Demolition of the existing Golf Clubhouse and other structures, which were constructed in 1964, is proposed by the applicant. Without proper remediation, it is possible that ACM could be released into the environment; however, according to the Environmental Protection Agency (EPA), ACM and PACM that are intact and in good condition can, in general, be managed safely in-place under an Operations and Maintenance (O&M) program until removal is dictated by renovation, demolition, or deteriorating material conditions. As indicated above, an O&M program was recommended in 1994 following completion of the Law/Crandall asbestos survey.

In addition to ACM, it is also possible that lead-based paint (LBP) may also exist within the structures; however, due to the commercial nature of the current use of the property, LBP was not considered within the scope of the Phase I ESA. Because the structures were built in 1964, it is also possible that LBP may exist within the structures. Similar to ACM, the release of LBP into the environment could pose a potential health risk, given the proximity of the residential uses in the project environs. Therefore, prior to any disturbance of the structures and construction materials within the project site, a comprehensive ACM and LBP survey shall be conducted and appropriate measures prescribed to ensure that no release of either ACM or LBP occurs, including during remediation and transport and disposal of those materials. Remediation shall comply with all applicable regulatory requirements. Air emissions of asbestos fibers and leaded dust would be reduced to below a level of significance through compliance with existing federal, state, and local regulatory requirements.

- d) **Would the project be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact. Information from standard federal, state, county, and city environmental record sources provided by Track Info Services Environmental FirstSearch was included in the Phase I ESA. This information revealed that with the exception of the UST previously discussed (refer to Section VIII.b), the subject property is not included on any lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Table 5 summarizes the results of the data base records searches, which revealed that no environmental concerns were identified on the site or within the requisite distances.

Based on the database search conducted for the proposed project and included in the Phase I ESA, neither the subject property nor other properties identified within one mile of the site would expose the site and/or future users to an environmental concern or hazard. No significant impacts are anticipated and no mitigation measures are required.

Radon has been identified as a potentially hazardous element. The U.S. Environmental Protection Agency (EPA) has developed a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The EPA has identified a limit of 4.0 picoCuries per Liter (pCi/L) as the "Action Limit" for Radon. Radon sampling was not conducted as part of the Phase I ESA. However, review of the EPA Map of the Radon Zones places the subject property in Zone 3, where average predicted radon levels are less than 2.0 pCi/L. Therefore, potential impacts are anticipated to be less than significant.

Table 5

**Summary of Environmental Database Search
 Newport Beach Country Club**

Database	Applicable Radius	Results
Federal National Priorities List (NPL)	1 Mile	No sites
Federal Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS)	½ Mile	No sites
Federal CERCLIS – No further Remedial Action Planned (NFRAP)	½ Mile	No sites
Federal Resource Conservation and Recovery Act (RCRA) Corrective Action (CORRACTS) Facilities	1 Mile	No sites
Federal RCRA Treatment, Storage and Disposal (TSD) List	½ Mile	No sites
Federal RCRA Generator List	1/8 Mile	2 facilities ¹
Federal Institutional Controls/Engineering Controls (IC/EC)	¼ Mile	No sites
Federal Emergency Notification Systems (ERNS)	--	No sites on or adjacent to the subject property
Tribal lands	1 Mile	No sites
State/Tribal Sites	1 Mile	No sites
State Spills Sites (SPILLS)	1/8 Mile	No sites
Solid Waste Landfill Facilities (SWLF)	½ Mile	No sites
State/Tribal Leaking Underground Storage Tanks (LUST)	½ mile	21 sites ²
	1/8 Mile	8 sites
State/Tribal Underground Storage Tank/Aboveground Storage Tank List (UST/AST)	--	The subject property and 3 additional sites ³
State/Tribal VCP	½ Mile	No sites
State/Tribal Brownfield Sites	½ Mile	No sites
<p>¹These sites are not located adjacent to the site and, based on the relative distance, are not expected to pose a significant environmental concern.</p> <p>²None of the UST sites identified in the database search include such facilities as the Newport Police Department, service stations, etc., which do not pose a potential environmental concern or hazard to the subject property.</p> <p>³Neither the subject property nor the UST/AST sites identified in the Phase I ESA pose a potential environmental concern or hazard.</p> <p>SOURCE: Partner Engineering and Science, Inc. (April 3, 2009)</p>		

As indicated above, no recognized environmental conditions (REC)¹ were identified during the on-site investigation and/or database search conducted for the proposed project and discussed in the Phase I ESA. As a result, no potentially significant health hazards or environmental hazards are anticipated and no mitigation measures are required.

¹The presence or likely presence of any hazardous substance or petroleum product on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property.

- e) **For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The project site is located approximately 4.0 miles south of John Wayne Airport (JWA). A portion of the Newport Beach Country Club property is located within the Airport Environs Land Use Plan (AELUP) Notification Area (i.e., FAR Part 77) for JWA. Although operations at JWA would not pose a safety hazard for the golf course and related facilities or future occupants and/or visitors at the site due to the proximity of the project to the airport, the City is required to submit the PC Amendment to the Airport Land Use commission (ALUC) for a determination of consistency in accordance with Section 4.3 of the AELUP prior to adoption by the City. Therefore, no significant impacts are anticipated and no mitigation measures are required.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The subject property is not located within proximity to a private airstrip. Development of the site as proposed will not result in potential adverse impacts, including safety hazards, to people utilizing the proposed golf and tennis amenities or others residing or working in the project area. Therefore, no significant impacts will occur as a result of project implementation and no mitigation measures are necessary.

- g) **Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less than Significant Impact. The City of Newport Beach has prepared an Emergency Operations Plan that designates procedures to be followed in case of a major emergency. Pacific Coast Highway is designated as an evacuation route in the City. The project site is not designated for emergency use within the Emergency Operations Plan. The primary concern of the Public Safety Element and the City of Newport Beach is in terms of risks to persons and personal property. Although the site is subject to seismic shaking, development pursuant to building and fire code requirements will ensure that the potential impacts are minimized or reduced to an acceptable level. The site is not located within a flood hazard area or subject to such potential disasters. Development of the subject property as proposed will not adversely affect either the evacuation routes or the adopted emergency operations planning program(s) being implemented by the City of Newport Beach. Potential circulation impacts associated with construction will be temporary in nature and will be addressed through the Construction Staging Plan that will be implemented (refer to Section XVI.f.) In addition, any construction vehicles within the public right of way are prohibited from completely blocking vehicular and emergency access by the Vehicle Code. As a result, potential short-term circulation impacts associated with construction would not be significant.

- h) **Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

No Impact. Neither the project site nor the surrounding areas are not located within a "Potential Fire Hazard Area" as identified by the Newport General Plan Public Safety Element. The subject property is located within an urbanized area of the City of Newport Beach. No significant areas of natural vegetation and/or habitat exists on the site and the proposed project would not be directly affected by the potential for wildland fires. There are no major urban or wildland fire hazards that pose a significant threat to the development. Therefore, the site is not subject to a potential risk of wildland fires. No significant impacts as a result of wildland fires will occur if the project is implemented and no mitigation measures are necessary.

Mitigation Measures

The following measures shall be implemented to ensure that no potentially significant hazards or hazardous material impacts identified in the preceding analysis occur.

- SC-14 Prior to any disturbance of the construction materials within the Golf Clubhouse and/or the Tennis Clubhouse, a comprehensive ACM and LBP survey shall be conducted. Any repairs, renovations, removal or demolition activities that will impact the ACM and/or LBP or inaccessible ACM shall be performed by a licensed asbestos contractor. Inaccessible suspect ACM shall be tested prior to demolition or renovation. Proper safety procedures for the handling of suspect ACM and LBP shall be followed in accordance with federal, state and local regulatory requirements federal and California Occupation Safety and Health Administration (OSHA), and Air Quality Management District (AQMD) Rule 1403, which sets forth specific procedures and requirements related to demolition activities involving asbestos containing materials and SCAQMD Regulation X - National Emission Standards For Hazardous Air Pollutants, Subpart M - National Emission Standards For Asbestos, which include demolition activities involving asbestos.
- SC-15 During demolition, grading, and excavation, workers shall comply with the requirements of Title 8 of the California Code of Regulations Section 1532.1, which provides for exposure limits, exposure monitoring, respiratory protection, and good working practice by workers exposed to lead. Lead-contaminated debris and other wastes shall be managed and disposed of in accordance with the applicable provision of the California Health and Safety Code.

IX. HYDROLOGY AND WATER QUALITY

a) Would the project violate any water quality standards or waste discharge requirements?

Less than Significant impact. Waste discharges associated with this project that could affect water quality would be limited to non-point source discharges, including potential storm water runoff of construction materials and wastes and storm water runoff from the developed site. This project would not generate any point sources of water pollution; all wastewater generated by the proposed project would discharge directly to the City's sanitary sewer system, which would not affect the present permit to operate the affected wastewater treatment plant. Because the proposed project consists of development similar to existing and adjacent properties, the raw sewage that would be generated by the proposed project would be similar in nature to that now generated and would not significantly affect wastewater treatment.

Potentially adverse water quality impacts during the construction phases would be avoided through compliance with existing regulatory programs administered by the City of Newport Beach and the Santa Ana Regional Water Quality Control Board (RWQCB). While it is impossible to anticipate all potential environmental issues that could arise on a daily basis during the course of the project, the site will be designed to address sediment and erosion control for both temporary (i.e., construction) and long-term (i.e., operational) activities occurring on the subject property. The water quality features incorporated into the project will be selected to address the main pollutants of concern for a project of this type, and for the impacted water body, i.e. Newport Bay. Newport Bay, which is located approximately 0.5 mile from the site, is listed as an "impaired" water body under Section 303(d) of the Clean Water Act, with respect to copper, nutrients, pathogens, pesticides (e.g., chlordane, DDT, PCBs, etc.), and sediment toxicity.

The pollutants of concern associated with the proposed project include sediment, nutrients, pathogens (i.e., bacteria/viruses), and pesticides. Urban runoff pollutants and their potential sources are summarized in Table 6.

Table 6

**Urban Runoff Pollutants
 Newport Beach Country Club**

Pollutants	Potential Source	303(d) Listing
Sediment/Turbidity	Landscape Activities	Lower Newport Bay (801.14) Sediment
Nutrients	Fertilizers	Lower Newport Bay (801.14) Nutrients
Bacteria and Viruses	Animal Waste	Lower Newport Bay (801.14) Nutrients
Oil and Grease	Automobiles	N/A
Oxygen Demanding Substances	Landscape Activities	N/A
Trash and Debris	Human Waste	N/A
Pesticides	Landscape Activities	Lower Newport Bay (801.14 (Chlordane, DDT, Organosphosphate pesticides
SOURCE: Adams Streeter, Civil Engineers, Inc. (January 14, 2009)		

Implementation of the water quality features prescribed in the NPDES Technical Study prepared for the project, prior to issuance of the grading permit, will ensure that this project does not violate any water quality standards during construction. As a result, no significant impacts are anticipated and no additional mitigation measures are required.

In accordance with the Water Quality Management Plan that will be prepared for the project, appropriate BMPs will be incorporated to ensure that water quality impacts are minimized, including for the hand car wash, which includes a feature to capture and clean the wash water before it enters the sanitary sewer system. It is important to note that no water quality features exist within the limits of the project site. As a result, surface runoff currently emanating on the site and entering Newport Harbor is not treated. However, project implementation will incorporate BMPs that will treat the surface runoff associated with the existing and proposed development and will discharge treated water that will meet discharge requirements prescribed for Newport Harbor. Tables 10 (General Plan Policy Analysis) and 11 (Coastal Land Use Policy Analysis) in Section X (Land Use and Planning) provide a discussion of the project's consistency with relevant General Plan and Coastal Land Use Plan policies related to water quality. As indicated in that discussion, the proposed project is consistent with meeting the intent of minimizing potential water quality impacts. Therefore, no long-term water quality impacts are anticipated as a result of project implementation.

- b) Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

No Impact. This project would not result in a significant increase in water demand and the project's potable and non-potable water demands would be met through a connection to the City's domestic water system. The proposed project would actually result in some increased groundwater recharge through its design, which includes a decrease in the amount of impervious surfaces (i.e., a concomitant increase in the amount of pervious surfaces on the site), thereby resulting in increased groundwater recharge. No water wells are proposed or required to meet the water demands of this project. There are no water wells located on or near the site, and since this project would not affect any existing wells or require any new water wells, the project will not result in the lowering of the water table. No significant impacts to groundwater recharge are anticipated and no mitigation measures are required.

- c) **Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

Less Than Significant Impact. No stream or river exists on site, which is developed with a Golf Club, clubhouse and related ancillary facilities and the Tennis Club. The portion of the property that is the subject of the proposed improvements encompasses less than 20 acres within five drainage areas. Existing surface runoff generated on the subject property is directed through each drainage area to existing on-site storm drain facilities before entering a 69-inch reinforced concrete pipe (RCP) that extends under Coast Highway and to a discharge point in Newport Harbor west of the site, which has been identified as containing "environmentally sensitive areas" as defined by the 2003 Orange County Drainage Area Management Plan (DAMP) and the Water Quality Control Plans for the Santa Ana Basin. Although on-site soils would be exposed during grading of the property, a variety of Best Management Practices (BMPs) would be implemented both during construction and during the long-term operation of the proposed project. For example, sediment control BMPs will be installed and maintained at all operational storm drain inlets and permanent erosion control BMPs (either physical or vegetation) shall be in place and operational during grading and construction to ensure that on- and off-site erosion is minimized. Furthermore, compliance with applicable building, grading and water quality codes and policies, which are performed during the plan check stage, will ensure that surface flows can be accommodated and water quality protected, including potential erosion. As a result, no significant impacts are anticipated and no mitigation measures are required.

- d) **Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?**

Less than Significant Impact. As indicated above, project implementation will alter the existing drainage conditions on the site. At the present time, the development area (i.e., less than 20 acres) is divided into five drainage areas. Drainage Areas A and B comprise the existing Golf Clubhouse and parking lot, totaling 11.59 acres. Stormwater runoff occurring in Drainage Area A (7.7 acres) occurs as sheet flow in a southeasterly direction towards a curb and gutter that empties into a catch basin in the southerly corner of the parking lot. The catch basin is connected to an 18-inch RCP pipe, which connects to an existing 24-inch RCP that runs parallel to Coast Highway. Area B, comprised of 3.89 acres that encompass a portion of the grassy golf course, sheet flows towards Irvine Terrace Road and into a cross gutter, where it is directed to two catch basins on Irvine Terrace Road. This flow ultimately connects to the same 24-inch RCP pipe identified for Drainage Area A. The 25-year volume (Q_{25}) for Drainage Areas A and B is 26.56 cubic feet per second (cfs) at elevation 85.0 msl in the 24-inch RCP. The combined flow conveyed in the 24-inch RCP enters an existing 69-inch RCP storm drain, which conveys the runoff to Newport Bay where it is discharged.

Drainage Area C encompasses 5.62 acres within the tennis club area in the easterly portion of the property. Surface runoff within Drainage Area C sheet flows over the tennis courts and onto the parking lot; storm flows then sheet flow over the parking lot, through a curb cut-out and into a drainage sump consisting of an 18-inch square inlet. Flows are conveyed from the inlet, via an 8-inch PVC pipe, which also connects to the 69-inch RCP. The Q_{25} volume generated in Drainage Area C is 14.27 cfs, which enters an existing 8-inch polyvinyl pipe (PVC) and then a 69-inch RCP. The existing 8-inch PVC pipe that was installed during the Corporate Plaza West Extension is deficient (in size) and cannot efficiently convey storm flows under the existing conditions.

The smallest drainage area (Drainage Area D) encompasses 0.19 acre in the southeastern corner of the Balboa Bay Tennis Club. Less than 1 cfs (Q_{25}) is directed south where it enters the parking lot of the adjacent commercial office property and is accommodated in the existing storm runoff facilities of that property.

Drainage Area E encompasses 1.24-acres that remain within in the tennis club (six tennis courts and entry to the parking lot). Runoff generated on the property sheet flows over the existing tennis courts into a concrete v-ditch, into a curb and gutter, and finally into a 12-inch inlet. Flows travel from the inlet, via a 12-inch PVC, which transitions to an 18-inch RCP before entering the 24-inch RCP in Coast Highway. All of the surface flows emanating on the site are conveyed in the existing 69-inch RCP that ultimately discharges into Newport Harbor. A summary of the existing storm flows generated within each of the drainage areas is presented in Table 7.

Table 7
Existing Runoff
Newport Beach Country Club

Sub-Area	Area (In Acres)	Flow (Q) (cfs)
A & B	11.59	26.56
C	5.62	14.27
D	0.19	0.82
E	1.24	4.16
Total	18.64	45.81
SOURCE: Adams-Streeter Civil Engineers Inc. (July 10, 2009)		

The proposed development is also divided into five drainage areas; however, these areas have been reconfigured based on the grading associated with the project design. Drainage Areas A and B (11.68 acres) comprise nearly the same areas as previously identified; however, Drainage Area A has decreased in size to 6.59 acres and Drainage Area B has increased in size to 5.09 acres. Storm flows emanating from Drainage Areas A and B are proposed to be captured using a storm system comprised of catch basins and pipes ranging in size from 8 inches to 24 inches. The proposed storm drain system will be installed within the site's parking lot and within the site's entry westerly parkway and will connect to the existing 24-inch RCP storm drain that connects to the existing 69-inch RCP storm drain. The post-development runoff volume (Q_{25}) is estimated to be 27.82 cfs. The existing 24-inch storm drain is not adequate to accept and convey the existing or proposed storm flows. Therefore, this facility will be upsized.

Drainage Area C will be expanded to encompass 6.16 acres, including some of the existing tennis courts, a new center court, Tennis Clubhouse, pool, The Bungalows, and The Villas along with interior street and paths. Storm flows for Area C will be captured using a storm drain system comprised of catch basins and pipes ranging in size from eight to 30 inches. Because inadequate storm drain stubs were provided to the project area (i.e., one 12-inch PVC pipe and one 8-inch PVC pipe), a 30-inch RCP will be constructed in the parking lot of the adjacent property. This Drainage Area will generate a Q_{25} volume of 20.74 cfs.

Drainage Area D encompasses 0.63 acre in the southeastern corner of the tennis facility. This area will consist of the newly designed and/or reconfigured parking lot for the Tennis Club. Storm flows emanating in Drainage Area D will sheet flow in a southerly direction to the existing parking lot located on the adjacent property. Once in the parking lot, it will sheet flow into existing catch basins and into the existing 69-inch RCP. This drainage area will generate a Q_{25} of 2.64 cfs.

Drainage Area E comprises the smallest of the five drainage areas and is located near the southwestern limits of the tennis facility. The 0.19-acre area will generate a storm flow volume of 0.81 cfs (Q_{25}), which would travel to the southwest corner of the site where it would enter a catch basin that will connect to an existing 8-inch PVC pipe that would also connect to the 69-inch RCP south of the subject property. Table 8 provides a summary of the post-development runoff conditions.

Table 8

**Post-Development Runoff
 Newport Beach Country Club**

Sub-Area	Area (In Acres)	Flow (Q) (cfs)
A & B	11.68	27.82
C	6.16	20.74
D	0.63	2.64
E	0.19	0.81
Total	18.66	52.01

SOURCE: Adams-Streeter Civil Engineers Inc. (July 10, 2009)

Project implementation would result in an increase of approximately 13.5 percent in storm surface runoff volume. Table 9 provides a comparison of the pre- and post-development runoff characteristics.

Table 9

**Pre- and Post Development Runoff Comparison
 Newport Beach Country Club**

Sub-Area	Existing Runoff (Q ₂₅ cfs)	Developed Runoff (Q ₂₅ cfs)	Difference (Q ₂₅ cfs)
A & B	26.56	27.82	1.26
C	14.27	20.74	6.47
D	0.82	2.64	1.82
E	4.16	0.81	-3.35
Total	45.81	52.01	6.2

SOURCE: Adams-Streeter Civil Engineers Inc. (July 10, 2009)

Although the land use for the proposed project has a lower runoff coefficient than that under existing conditions, the overall flow volumes have increased as a result of the lower time of concentration that occurs when the storm flows are routed in a pipe versus sheet flow under existing conditions. As indicated above, project implementation will result in an increase of 6.2 cfs entering the 69-inch RCP that will convey the storm flows to Newport Harbor. This increase in runoff equates to a 1.3 percent increase in the existing 462 cfs that currently flows in this facility. Because the time of concentration within the 69-inch RCP is much greater than the site's contribution in flow, the increased runoff generated by the proposed project would be negligible and, therefore, would not have a significant impact on the existing storm drain facilities.

The site will be graded and designed to facilitate post-development storm flows. Therefore, no significant impacts are anticipated and no mitigation measures are required.

- e) **Would the project create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Less than Significant Impact. Although project implementation will result in a decrease in impervious surfaces on the site, additional surface runoff would be generated (refer to the previous discussion in Section IX.d). However, the post-development impervious surfaces would be reduced by approximately 2,300 square feet, which would not generate a significant amount of stormwater runoff (i.e., an increase

of 6.2 cfs). The existing storm drainage collection and conveyance facilities within the project area (i.e., 18- and 24-inch pipes previously described) will be upgraded as determined necessary to provide adequate capacity to accommodate the proposed project. No significant impacts are anticipated and no mitigation measures are required.

f) Would the project otherwise substantially degrade water quality?

Less than Significant Impact. As indicated previously, Newport Bay is listed as an “impaired” water body under Section 303(d) of the Clean Water Act, with respect to metals, pesticides and priority organics. Changes in surface runoff are anticipated as a result of the development of the subject property as proposed that could result in potential impacts to water quality. However, the project will be designed to comply with all relevant building, grading and water quality codes and policies to ensure that there will not be an adverse effect on water quality, either during construction or during the operational life of the project. The applicant will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), which will identify both structural and non-structural features intended to minimize erosion and sedimentation as well as other water quality impacts that would occur during the construction phase. In addition, a Conceptual WQMP identifies several measures that would minimize potential water quality impacts. Final plan check will include the preparation of an adequate drainage and erosion control plan that must be found to meet applicable standards. Therefore, no significant impacts are anticipated and no mitigation measures are required.

g) Would the project place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The subject property is not located within the 100-year flood plain as delineated on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA) for the City of Newport Beach. The site is located in Zone X (Other Areas), which is classified by FEMA as “Areas determined to be outside the 0.2 percent annual chance floodplain.” During a 100-year storm, the site would be protected from flooding, as the water surface for all street flows would remain within the gutter and street; average depth of flow for the entire site is less than one foot. Secondary overflow for the site is provided by outletting through the site’s interior streets to the exit on Coast Highway. As a result, no homes would be placed within the 100-year flood plain and no significant impacts would occur.

h) Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. No residential structures are proposed to be located within the 100-year flood zone. Refer to the response to Section IX.g.

i) Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. As indicated above, the project site is not located within a flood hazard area or within an area subject to flooding due to dam or levee failure. Figure S3 (Flood Hazards) in the Newport Beach Safety Element indicates that in the event of failure of either the San Joaquin Reservoir or the Big Canyon Reservoir, the site would not be subject to flooding. Therefore, project implementation will not result in a potentially significant impact; no mitigation measures are required.

j) Would the project be subject to inundation by seiche, tsunami, or mudflow?

Less than Significant Impact. The subject property is located inland of Coast Highway and is not within the area of influence of Newport Harbor area. Tsunamis (i.e., seismic sea waves) are generated on offshore faults by movement that is primarily vertical in nature. The subject property is not within a Tsunami Hazard Zone illustrated on Figure S1 (Coastal Hazards) in the City’s Safety Element. According to that figure, in the event of a tsunami, surge waves would threaten the lower elevations along the

Newport Beach coastline and in Newport Bay; however, the site is not subject to the effects of a tsunami. No significant impacts are anticipated and no mitigation measures are required.

Seiche is defined as a standing wave oscillation effect generated in a closed or semi-closed body of water caused by wind, tidal current, and earthquake. Seiche potential is highest in large, deep, steep-sided reservoirs or water bodies. The nearest such water bodies include San Joaquin Reservoir, which is located approximately two miles northeast of the site and Big Canyon Reservoir, located approximately one mile east-northeast of the subject property. The subject property is located well beyond the area that could potentially be inundated as a result of a seiche. In addition, Newport Bay, which is located approximately one-half mile east of the project area, lacks significant potential for damaging seiche because it is very shallow. As a result, no significant impacts are anticipated and no mitigation measures are required.

k) Would the project result in significant alteration of receiving water quality during or following construction?

Less than Significant Impact. Refer to responses to Section IX.a and Section IX.f.

l) Would the project result in potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?

Less than Significant Impact. Stormwater discharge from the site will be virtually the same as the stormwater currently generated on the site, which are those associated with the residential and recreation uses. In addition, the proposed residential and bungalows would also contribute similar stormwater pollutants that may include detergents, fertilizers, pesticides, automobile hydrocarbons, etc., typically associated with those uses. Although some temporary impacts associated with construction of the proposed structures may occur (refer to Sections IX.a through IX.f), no new long-term outdoor storage, maintenance, fueling or work areas are proposed. The golf cart storage and maintenance areas, which are currently located above grade, partially open on one side, are proposed to be fully enclosed in the lower level of the new clubhouse. Project implementation will result in improvements to the stormwater discharges associated with site development. The project will be designed to comply with all requisite codes and policies prescribed by the City of Newport Beach to ensure that stormwater impacts during or after construction are minimized or eliminated to the maximum extent possible. For example, the City's standard practice is to require street sweeping as a construction control measure, rather than washing down the street surface, to avoid runoff of construction wastes, sediment and debris into the storm drain system or the bay. Other construction BMPs would include those that address sediment control and waste management and materials pollution control. Little or no pollution control measures exist within the property, which was developed before the more stringent regulatory controls were enacted. As a result, with the implementation of such structural and non-structural BMPs as well as the project's compliance with the requirements imposed by the City, no significant impacts are anticipated and no additional mitigation measures are required.

m) Would the project result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?

Less than Significant Impact. Refer to responses to Section IX.a and Section IX.f.

n) Would the project create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?

Less than Significant Impact. Project implementation will result in a decrease in impervious surfaces on the site. It must be noted that even though the land use for the proposed development has a lower runoff coefficient than the existing condition, the overall flow volumes have increased. This is due to the lower time of concentration that occurs when the storm flows are routed in a pipe versus the current condition of sheet flow. However, the site would be graded in order to ensure that post-development

runoff is minimized and, further, is directed to existing storm drain facilities that have adequate capacity to accommodate the increase flows. As a result, this project would not result in adverse impacts due to changes in the flow velocity or volume of storm water runoff.

o) Would the project create significant increases in erosion of the project site or surrounding areas?

Less than Significant Impact. See responses to IX.a through IX.f. As previously indicated, part of the final plan check review includes the preparation of an adequate drainage and erosion control plan that must be found to meet applicable City standards. Implementation of this plan will ensure that potentially significant increases in erosion resulting from the proposed project will not occur. No mitigation measures are required.

Mitigation Measures

The applicant has prepared an NPDES Technical Study that identifies a range of BMPs and related water quality features to ensure that water quality impacts associated with the proposed project are reduced to an acceptable level. Implementation of BMPs that will be refined and included in the Stormwater Pollution Prevention Plan (SWPPP) will ensure that construction impacts are minimized. Similarly, BMPs will also be refined and incorporated into the project design to avoid post-construction impacts to water quality. Therefore, no significant impacts are anticipated and no mitigation measures are required.

SC-16 Prior to issuance of a grading permit, the project applicant shall be required to submit a notice of intent (NOI) with the appropriate fees to the State Water Quality Resources Control Board for coverage of such future projects under the General Construction Activity Storm Water Runoff Permit prior to initiation of construction activity at a future site. As required by the NPDES permit, a Storm Water Pollution and Prevention Plan (SWPPP) will be prepared and will establish BMPs in order to reduce sedimentation and erosion.

SC-17 Prior to issuance of a grading permit, the project applicant shall prepare a Water Quality Management Plan (WQMP) for the project and submit the WQMP to the City of Newport Beach for approval. The WQMP shall specifically identify Best Management Practices (BMPs) that will be used to control predictable pollutant runoff, including flow/volume-based measures to treat the "first flush." The WQMP shall identify at a minimum the routine structural and non-structural measures specified in the Countywide NPDES Drainage Area Master Plan (DAMP), which details implementation of the BMPs whenever they are applicable to a project, the assignment of long-term maintenance responsibilities, and shall reference the locations of structural BMPs.

SC-18 Prior to issuance of a grading permit, the project applicant shall prepare a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP will establish BMPs in order to reduce sedimentation and erosion and prevent construction pollutants from leaving the site. The project shall also incorporate all monitoring elements as required in the General Construction Permit. The project applicant shall also develop an erosion and sediment control plan to be reviewed and approved by the City of Newport Beach prior to issuance of grading permit.

SC-19 Future site grading and construction shall comply with the drainage controls imposed by the applicable building code requirements prescribed by the City of Newport Beach.

X. LAND USE AND PLANNING

a) Would the project divide an established community?

No Impact. The 145-acre site is developed with golf and tennis facilities. The proposed project includes the construction of a larger Golf Clubhouse and modifications to the existing Tennis Club on the subject property. As indicated previously, the area surrounding the subject property is entirely developed with mixed-use development, including residential, professional office, commercial and governmental land

uses. Development of the site as proposed would not directly affect adjacent properties because it is consistent with the applicable development standards and requirements for site development as prescribed in the proposed Planned Community District development regulations. In particular, project implementation does not include features that would physically divide or otherwise adversely affect or change an established community (e.g., roadways, flood control channels, etc.).

The proposed Golf Clubhouse is in keeping with the intensity of development and existing character in the project environs. No significant impacts will occur and no mitigation measures are required.

- b) **Would the project conflict with any land use plan, policy, or regulation of an agency and jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

Less than Significant Impact. The Newport Beach General Plan, the Coastal Land Use Plan and the Newport Beach Zoning Code contain land use plans, policies and regulations of concern with respect to avoiding or mitigating an environmental effect. Consistency of the proposed project with applicable provisions and/or policies of the relevant Elements of the General Plan are addressed in Table 10.

Table 10

**General Plan Policy Analysis
 Newport Beach Country Club**

Policy No.	General Plan Policy ¹	Consistency Analysis
Land Use Element		
LU 1.1	Maintain and enhance the beneficial and unique character of the different neighborhoods, business districts, and harbor that together identify Newport Beach. Locate and design development to reflect Newport Beach's topography, architectural diversity, and view sheds.	The proposed project includes an adoption of the PC District regulations, which will guide development occurring within the project site. The development standards address building height, setbacks, landscaping, architectural character, etc., and are intended to ensure that the City's unique character, which reflects both land use and architectural diversity, is maintained.
LU 1.2	While recognizing the qualities that uniquely define its neighborhoods and districts, promote the identity of the entire City that differentiates it as a special place within the Southern California region.	The area in which the site is located is characterized by a variety of residential, commercial, recreation, and public land uses that reflect a range of densities and a variety of architectural styles, which contribute to the unique character of the City. The intensity of the proposed project (i.e., larger Golf Club clubhouse and redeveloped tennis center) and architectural character are compatible with the variety of densities and styles within the area, which is consistent with the "identity" of the City. The architectural character of the proposed clubhouse and related tennis center development, including The Bungalows and The Villas, is consistent with the City's desire to differentiate Newport Beach from other coastal cities.
LU 3.2	Enhance existing neighborhoods, districts, and corridors, allowing for reuse and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically under performing, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.	The character of the proposed Golf Club, Tennis Club, The Bungalows, and The Villas is compatible with the existing land uses and development intensities in the project area. Additionally, the proposed land uses are allowed under the existing General Plan. The project has been designed to be compatible with the existing residential, commercial, and open space/recreation that exists in the vicinity of the project site. In addition, the area in which the project is located is adequately served by existing infrastructure, including circulation, sewer, water, and storm drainage systems. As a result, project implementation will not adversely affect those systems or the provision of adequate service to nearby development.
LU 4.1	Accommodate land use development consistent with the Land Use Plan.	The uses proposed by the applicant are consistent with the General Plan Land Use Element (i.e., land use

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		<p>designation), which designates the golf course site PR (Parks and Recreation) and the tennis site MU-H3/PR. The proposed Golf Clubhouse is within the 35,000 square foot allowable development limit permitted in Anomaly 74 of the Land Use Element. The tennis facility is located in Anomaly 46, which allocates 24 tennis courts with residential permitted in accordance with the MU-H3 designation. Per LU 4.3 Transfer of Development Rights, (Page 3-20.d of the General Plan) density transfers are allowed within the Newport Center area (refer to LU 6.14.3). Based on this policy, the transfer of 27 hotel units from Anomaly 43 to Anomaly 46 (i.e., subject property) may be permitted, subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts. In addition to the Transfer of Development Intensity, within Newport Center there are remaining 20 single-family units allocated for the Newport Center to accommodate the 5 single-family homes needed for The Villas. The proposed land uses are consistent with the land use designation prescribed for the site as well as the TDR and residential allocation within Newport Center.</p>
LU 4.3	<p>Permit the transfer of development rights from a property to one or more other properties when:</p> <ul style="list-style-type: none"> a. The donor and receiver sites are within the same Statistical Area. b. The reduced density/intensity on the donor site provides benefits to the City such as, but not limited to, the (1) provision of extraordinary open space, public visual corridor(s), parking or other amenities (2) preservation of an historic building or property or natural landscapes; (3) improvement of the area's sale and development character; (4) consolidation of lots to achieve a better architectural design than could be achieved without lot consolidation; and/or (5) reduction of local vehicle trips and traffic congestion. c. The increment of growth transferred to the receiver site complements and is in scale with surrounding development, complies with community character and design policies contained in this plan, and does not materially degrade local traffic conditions and environmental quality. d. Transfer of Development Rights in Newport Center is governed by Policy 6.14.3. 	<p>Refer to Policy 6.14.3.</p>
LU 5.1.2	<p>Require that the height of development in nonresidential and higher density residential areas transition as it nears lower density residential areas to minimize conflicts at the interface between the different types of development.</p>	<p>Although the site is not located adjacent to lower density residential development (e.g., single-family detached), the project has been designed to respect the proximity of the existing residential development adjacent to the project site. Specifically, single-family residential development is proposed in the area nearest to the existing residential development to buffer the private recreation uses of the Tennis Clubhouse. In addition, the proposed PC District text and regulations prescribe maximum building heights, setback requirements, etc., for each of the development components to ensure land use compatibility. The maximum building height has been established at 50 feet. The height of the proposed Golf Clubhouse is proposed to vary but would not exceed the maximum 50-foot height limit prescribed for that use.</p>
LU 5.3.3	<p>Require that properties developed with a mix of residential and non-residential uses be designed to achieve high levels of architectural quality in accordance with Policies 5.1.8 and 5.2.2 and planned to assure compatibility among the uses and provide adequate circulation and parking. Residential uses should be seamlessly integrated with non-residential uses through architecture, pedestrian walkways, and</p>	<p>As illustrated in the proposed site plan, the proposed project includes a new golf clubhouse, tennis clubhouse and related amenities, twenty-seven (27) short-term visitor-serving units (Bungalows). And five (5) single-family residential dwelling units. The proposed project provides adequate parking for each of the proposed uses. Vehicular and pedestrian circulation has been designed to accommodate both residents of the Villas, as well as</p>

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	landscape. They should not be completely isolated by walls or other design elements.	guests and members of the Golf Club, and Tennis Club/spa and Bungalows. The architectural character of the uses is defined in the PC District Regulations to ensure that compatibility between the proposed uses and the nearby areas is maintained.
LU 5.3.4	Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and non-residential uses to prevent fragmentation and assure each use's viability, quality, and compatibility with adjoining uses.	As indicated above, each of the uses has been designed to complement the overall development proposed by the applicant. The three distinct uses are connected via the vehicular and pedestrian circulation system, including sidewalks and pedestrian pathways. Land use compatibility is achieved through a common landscape theme and design guidelines in the PC District Regulations to ensure that the architectural integrity of the project is not compromised.
LU 6.14.2	Provide the opportunity for limited residential, hotel, and office development in accordance with the limits specified by Tables LU1 and LU2.	The project proposes a mix of land uses, including single-family residential, golf and tennis facilities and visitor-serving commercial (i.e., "Bungalows") uses. These uses are permitted in Table LU1. Residential development is permitted in Anomaly 46, as reflected in Table LU2.
LU 6.14.3	Development rights may be transferred within Newport Center, subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts.	<p>Project implementation includes the transfer of 27 hotel units from Anomaly No. 46 to the subject property. As indicated in the analysis of traffic, the proposed project would result in the generation of 221 daily vehicle trips for the 27 bungalows. Project implementation will result in the generation of 1,183 daily vehicle trips, including those generated by the bungalows (221 trips), which equates to a net reduction in not only daily trips (389), but also a.m. and p.m. peak hour trips (35) when compared to the existing land uses. The reduction of vehicle trips anticipated as a result of the proposed project will not result in any significant impacts to the existing traffic and circulation conditions in the project area. Therefore, the proposed project would not result in any significant traffic impacts.</p> <p>In addition, implementation of the proposed project is consistent with the intent of the Newport Beach General Plan, as reflected in this analysis. As indicated above, the project has been designed to be consistent with the surrounding land uses and promotes recreation and tourism. The project is consistent with the relevant policies in the Land Use and other elements of the General Plan.</p>
LU 6.14.6	Encourage that pedestrian access and connections among uses within the district be improved with additional walkways and streetscape amenities concurrent with the development of expanded and new uses.	As indicated on the site plan, the proposed project provides for both pedestrian and vehicular access between the Golf and Tennis facilities. Sidewalks and pedestrian pathways are incorporated into the circulation system that are intended to accommodate pedestrians utilizing the golf and tennis/spa facilities as well as the future residents of the proposed Villas. The landscape plan includes plants materials that are intended to reflect and complement the existing character within the project area.
LU 6.14.8	Require the execution of Development Agreements for residential and mixed-use development projects that use the residential 450 units identified in Table LU2 (Anomaly Locations). Development Agreements shall define the improvements and benefits to be contributed by the developer in exchange for the City's commitment for the number, density, and location of the housing units.	The applicant has proposed a Development Agreement, which must comply with the provisions of this policy, including the identification of improvements and benefits resulting from implementation of the proposed project.
Housing Element		
H 1.1	Support all reasonable efforts to preserve, maintain, and improve availability and quality of existing housing and residential neighborhoods, and ensure full utilization of existing City housing resources for as long into the future as physically and economically possible.	The project site does not include any existing housing. However, the applicant is proposing five (5) semi-custom, single-family residential dwelling units on the subject property, which will improve the availability and quality of housing in the City. These dwelling units will supplement the City's housing supply.

Policy No.	General Plan Policy ¹	Consistency Analysis
Historical Resources Element		
HR 2.1	Require that, in accordance with CEQA, new development protect and preserve paleontological and archaeological resources from destruction, and avoid and mitigate impacts to such resources. Through planning policies and permit conditions, ensure the preservation of significant archaeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.	Although it is unlikely that archaeological and/or paleontological resources would be encountered during grading and/or construction, the City requires that a certified archaeological/paleontological monitor be available during grading to ensure that if such resources are encountered, grading activities can be diverted in order to evaluate the resources and recommend appropriate measures to protect and/or preserve them.
Circulation Element		
CE 7.1.1	Require that new development provide adequate, convenient parking for residents, guest, business patrons, and visitors.	The proposed project provides adequate parking as demonstrated in the Traffic and Parking Evaluation prepared by Kimley-Horn and Associates and prescribed in the PC District regulations for the project. The project will meet the anticipated parking demand on-site with 398 parking spaces. In addition to the parking proposed to accommodate the proposed uses, additional parking within two off-site parking easement areas encompass over 554 additional parking spaces that can be used for special events.
CE 7.1.8	Site and design new development to avoid use of parking configurations or management programs that are difficult to maintain and enforce.	As indicated above, the on-site parking provided totals 398 parking spaces, including 28 spaces that are allocated to the Tennis Clubhouse (28 required), 50 parking spaces for the Bungalows/spa (49 required), and 300 parking spaces for the Golf Club (244 required). In addition, 20 parking spaces are also proposed to accommodate the 5 Villas (20 required).
Recreation Element		
R 1.1	Require developers of new residential subdivisions to provide parklands at five acres per 1,000 persons, as stated in the City's Park Dedication Fee Ordinance, or to contribute in-lieu fees for the development of public recreation facilities meeting demands generated by the development's resident population, as required in the City's Park Dedications Fee Ordinance.	The proposed project includes the development of five semi-custom, single-family residential dwelling units. The residential component of the proposed project will be subject to the City's Park Dedication Fee Ordinance. It is anticipated that the applicant will be required to pay the applicable in-lieu fee.
Natural Resources Element		
NR 1.2	Establish and actively promote use of water conserving devices and practices in both new construction and major alterations and additions to existing buildings. This can include the use of rainwater capture, storage, and reuse facilities.	Water conservation measures will be required to be incorporated into the proposed project as prescribed in Chapter 14.16 (Water Conservation and Supply Level Regulations) and Chapter 14.17 (Water-Efficient Landscaping) of the Newport Beach Municipal Code. In addition, the proposed hand car wash will comply with Chapter 14.36 (Water Quality) to ensure that surface runoff associated with that use does not result in the degradation of either surface or groundwater. Finally, the BMPs are intended to meet the requirements prescribed in Chapter 14.36.
NR 3.4	Require all development to comply with the regulations under the City's municipal separate storm drain system permit under the National Pollutant Discharge Elimination System (NPDES).	The project applicant will be required to comply with the NPDES requirements established by the City, including the preparation of a SWPPP to address construction activities and a WQMP for long-term operations of the project.
NR 3.5	Require that development does not degrade natural water bodies.	As indicated above, the proposed project will implement BMPs to improve the quality of both construction-related and long-term runoff emanating from the site prior to their discharge into Newport Harbor.
NR 3.9	Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.	Refer to Response to Policy No. NR 3.4.
NR 3.11	Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect	The proposed project complies with the requirement to prepare a SWPPP and WQMP to address both construction and post-development water quality impacts.

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	water quality as required by the NPDES, structural treatment BMPs will be implemented along with site design and source control measures.	Both site design and structural BMPs will be incorporated into the project to ensure that surface flows emanating from the subject property are treated prior to their discharge into Newport Harbor. The SWPPP and WQMP will be sufficient to protect water quality as prescribed by the NPDES requirements of the City.
NR 4.4	Require grading/erosion control plans with structural BMPs that prevent or minimize erosion during and after construction for development on steep slopes, graded, or disturbed area.	As required by the NPDES permit, a Storm Water Pollution and Prevention Plan (SWPPP) will be prepared and will establish both structural and non-structural BMPs in order to reduce sedimentation and erosion during the construction phase. These measures will be incorporated in the grading/erosion control plan (refer to SC-10) submitted to the City of Newport Beach. In addition, the applicant has prepared a WQMP to address post-development water quality impacts.
NR 8.1	Require developers to use and operate construction equipment, use building materials and paints, and control dust created by construction activities to minimize air pollutants.	The proposed project will comply with all South Coast AQMD rules and requisite local, state and federal requirements to reduce air pollutant emissions during construction.
NR 18.1	Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archaeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.	Refer to Response to Policy No. HR 2.1.
NR 18.3	Notify cultural organizations, including Native American organizations, of proposed development that have the potential to adversely impact cultural resources. Allow qualified representative of such groups to monitor grading and/or excavation of development sites.	Because implementation of the proposed project requires the approval of an amendment to the Land Use Element of the Newport General Plan, it is subject to the provisions of SB 18, which requires consultation with Native American representatives before adopting or amending a general plan. The City has complied with the requirements of SB 18 by submitting a request to the Native American Heritage Commission (NAHC). In addition, the City also sent letters to the Native American representatives, informing each of the proposed project. However, no response was received by the City from any of the Native American representations requesting consultation within the 90-day statutory period.
NR 18.4	Require new development, where on site preservation and avoidance are not feasible, to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Newport Beach or Orange county, whenever possible.	Refer to Response to Policy No. HR 2.1.
NR 20.1	Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3.	Project implementation will not result in any significant visual impacts to the segment of Newport Center Drive north of Farallon, which is designated as a Coastal View Road, or to the Public View Point identified in Irvine Terrace Park located south of East Coast Highway. Views from vantages along Newport Center Drive will not be significantly altered as a result of project implementation. The development would not be visible from this Coastal View Road because of the landscaping that exists along the roadway, which blocks and/or filters views to the subject property.
NR 20.3	Protect and enhance public view corridors from the following roadway segments (shown in Figure NR3), and other locations may be identified in the future (Newport Center Drive).	Refer to Response to Policy No. NR 20.1.
NR 22.1	Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.	The building mass and architectural character of the proposed project will be regulated through the PC District regulations that have been proposed. The City will ensure that these regulations do not compromise the unique aesthetic character of the City.

Policy No.	General Plan Policy ¹	Consistency Analysis
Safety Element		
S 4.7	Conduct further seismic studies for new development in areas where potential active faults may occur.	The proposed structures will be designed in accordance with current adopted codes and regulations, including the California Building Code, which prescribe the design standards for new development to protect life and property. In addition, site and structural design recommendations are also included in the Preliminary Geotechnical Report prepared that will be incorporated into the proposed project.
Noise Element		
N 1.1	Require that all proposed projects are compatible with the noise environment through use of Table N2, and enforce the interior and exterior noise standards shown in Table N3.	The proposed uses, including the Golf Club and Tennis Club, the Bungalows, and the villas are consistent with the noise parameters prescribed in Table N2. The residential uses will not be subject to exterior noise levels that exceed 65 dBA CNEL and the non-residential uses are also consistent with the land use noise compatibility matrix based on noise levels that to not exceed 75 dBA CNEL.
N 1.4	Require that applicants of residential portions of mixed-use projects and high density residential developments in urban areas (such as the Airport Area and Newport Center) demonstrate that the design of the structure will adequately isolate noise between adjacent uses and units (common floor/ceilings) in accordance with the California Building Code.	As indicated in the noise analysis prepared for the proposed project (refer to Section XII), project activities will entail the continuation of long standing outdoor golf and tennis uses and limited indoor activities. Outdoor recreational activities at the Country Club represent a continuation of existing activities, which are compatible with the nearby residential and non-residential development in the project environs. Although some noise is associated with tennis, in particular, it is not so intrusive that it would be disruptive or incompatible with the existing uses. Furthermore, the proposed residential component (i.e., the "Villas"), is not located adjacent to Coast Highway or other high volumes arterials that would generate noise levels that exceed exterior and/or interior standards. Therefore, no significant long-term noise impacts would occur.
N 1.6	Encourage new mixed-use developments to site loading areas, parking lots, driveways, trash enclosures, mechanical equipment, and other noise sources away from the residential portion of the development.	No loading docks or other high noise generating features are located in proximity to the proposed "Villas." A mitigation measure requires that heating, venting, and air conditioning (HVAC) equipment in or adjacent to residential areas must not exceed applicable noise levels as required by the City of Newport Beach.
N 1.8	Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is an increase in the ambient CNEL produced by new development impacting noise sensitive uses.	Noise mitigation have been prescribed to ensure that construction noise impacts are reduced to a less than significant level. In addition, proper siting of HVAC equipment will reduce operational noise levels in the residential area in compliance with this policy.
N 4.1	Enforce interior and exterior noise standards outlined in Table N3, and in the City's Municipal Code to ensure that sensitive noise receptors are not exposed to excessive noise levels from stationary noise sources, such as heating, ventilation, and air conditioning equipment.	The noise sensitive receptors (i.e., residents of the proposed Villas) would be protected from excessive interior and exterior noise levels through compliance with the noise standards adopted by the City and presented in Table N3 of the Noise Element. Both interior and exterior noise levels will comply with the adopted standards.
N 4.6	Enforce the Noise Ordinance noise limits and limits on hours of maintenance or construction activity in or adjacent to residential areas, including noise that results from in-home hobby or work-related activities.	Construction hours will comply with the limits established by the City of Newport Beach and prescribed in the Noise Ordinance. In addition, operational noise associated with the proposed tennis and golf facilities would also be regulated by the City's Noise Ordinance.
N 5.1	Enforce the limits on hours of construction activity.	Construction hours will be limited to those stipulated in the City's Noise Ordinance, which will be strictly enforced by the City of Newport Beach.
¹ Because the project is not located within the harbor area, policies articulated in the Harbor and Bay Element are not applicable.		

Coastal Land Use Plan

As previously indicated, the subject property is located in the Coastal Zone delineated within the City of Newport Beach and is, therefore, subject to the adopted policies contained within the adopted Coastal Land Use Plan. Consistency with the applicable policies of that CLUP are presented in Table 11.

Table 11
Coastal Land Use Plan Policy Analysis
Newport Beach Country Club

Policy No.	CLUP Policy	Consistency Analysis
Land Use		
2.1.2-1	Land uses and new development in the coastal zone shall be consistent with the Coastal Land Use Plan Map and all applicable LCP policies and regulations.	The proposed project is consistent with the land use designation on the adopted Coastal Land Use Plan, which designates the golf course site OS (Open Space) and the tennis site MU-H/PR (Mixed Use Horizontal/Parks & Recreation). The Open Space designation allows golf courses. The MU-H/PR designation allows horizontally-distributed mix of uses, which may include general or neighborhood commercial, commercial offices, multi-family residential, visitor-serving and marine-related uses, buildings that vertically integrate residential with commercial uses, and active public or private recreational uses, including parks, golf courses, marina support facilities, aquatic facilities, tennis clubs and courts, private recreation, and similar facilities. In addition, the project addresses the relevant policies related to development of the site and the protection of coastal resources identified in the CLUP as discussed in this table.
General Development Policies		
2.2.1-1	Continue to allow redevelopment and infill development within and adjacent to the existing developed areas in the coastal zone subject to the density and intensity limits and resource protection policies of the Coastal Land Use Plan.	Project implementation will result in some intensification of the development that exists within the limits of the Planned Community. As previously indicated, the proposed project does not exceed the intensity of development allocated in the General Plan for Anomaly No. 46 and Anomaly No. 74. Because the proposed project would result in the redevelopment of the existing uses, project implementation would not adversely affect any coastal resources and development is consistent with applicable coastal resource policies.
2.2.1-2	Require new development be located in areas with adequate public services or in areas that are capable of having public services extended or expanded without significant adverse effects on coastal resources.	The proposed project is located in an area of the City of Newport Beach that is adequately served by a range of public services and utilities, including police and fire protection; circulation; sewer, water and storm drains; and electricity and natural gas. Adequate service will continue to be provided to the proposed uses. The provision of those public services and utilities will not result in any significant adverse effects on coastal resources.
Residential Development		
2.7-1	Continue to maintain appropriate setbacks and density, floor area, and height limits for residential development to protect the character of established neighborhoods and to protect coastal access and coastal resources.	The proposed PC District regulations prescribe the development standards for both residential and non-residential land uses proposed for the project. The maximum building height for the proposed single-family residential dwelling units (i.e., 5 units), which are located in the vicinity of the existing residential development, will range from 21 feet for Villa A to approximately 35 feet for Villa D. Similar to building height, the front, rear, and side yard setbacks will vary, depending on the location and relationship of The Villas to each other and to existing residential development to the northeast, which are two and three stories in height.

Policy No.	CLUP Policy	Consistency Analysis
Hazards and Protective Devices		
2.8.7-2	Require new development to provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.	The project site is not located in the vicinity of a stream. However, as required by the NPDES permit, a Storm Water Pollution and Prevention Plan (SWPPP) will be prepared and will establish both structural and non-structural BMPs in order to reduce sedimentation and erosion during the construction phase. These measures will be incorporated in the grading/erosion control plans submitted to the City of Newport Beach.
2.8.7-3	Require applications for new development, where applicable (i.e., in areas of known or potential geologic or seismic hazards), to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Require such reports to be signed by a licensed Certified Engineering Geologist or Geotechnical Engineer and subject to review and approval by the City.	With the exception of the potential effects of moderate to strong seismic shaking, the subject property is not located in an area characterized by potential coastal hazards. Preliminary geotechnical design parameters for the proposed project have been recommended based on subsurface exploration and laboratory testing of the site soils. The proposed structures will be constructed based on those design parameters.
Transportation		
2.9.3-1	Site and design new development to avoid use of parking configurations or parking management programs that are difficult to maintain and enforce.	<p>The proposed project includes adequate parking to accommodate all of the proposed uses, including the Golf Club, Tennis Clubhouse, the Bungalows, and The Villas. A total of 398 parking spaces is provided in the plan, including 28 parking spaces allocated to the Tennis Club (28 required), 50 parking spaces for The Bungalows/spa (49 required), and 300 parking spaces for the Golf Club (244 required). In addition, 20 parking spaces are proposed to accommodate the five Villas (20 required). The parking plan provides for a surplus of 57 parking spaces based on the proposed PC District parking requirements.</p> <p>In addition to the on-site parking provided, the site plan indicates that the an existing parking easement in favor of the project site provides access to an additional 554 parking spaces in the evenings and on weekends and holidays, if needed for parking overflow during tennis and golf events. However, such events are subject to a "special event permit," must be approved by the City. In addition to other requirements, it must be shown that adequate parking can be provided for such activities.</p>
2.9.3-2	Continue to require new development to provide off-street parking sufficient to serve the approved use in order to minimize impacts to public on-street and off-street parking available for coastal access.	The proposed project provides adequate parking as demonstrated in the Traffic and Parking Evaluation prepared by Kimley-Horn and Associates and reflected in the PC district regulations. A surplus of 57 parking spaces is available on-site. In addition, off-site parking is also available for special events. An existing off-site Parking Agreement will provide for an additional 554 parking spaces to accommodate the proposed project. No impacts to coastal access are anticipated.
2.9.3-3	Require that all proposed development maintain and enhance public access to the coast by providing adequate parking pursuant to the off-street parking regulations of the Zoning Code in effect as of October 13, 2005.	Refer to Policy 2.9.3-1.
2.9.3-5	Continue to require off-street parking in new development to have adequate dimensions, clearances, and access to insure their use.	The parking provided meets the minimum requirements for dimensions and clearance; access to the parking is adequate. A new drive aisle with a drop-off area will also be added to the front of the Golf Clubhouse and a second entry point to the main parking lot will be added at the northwest corner of the lot. The parking rows in the main parking lot will be reconfigured to an east-west orientation, with access aisles provided on both ends of the parking lot. Each of the drive aisles will be 26 feet wide, which provides adequate room for circulation, turning, and backing for 90-degree parking aisles.

Policy No.	CLUP Policy	Consistency Analysis
Shoreline and Bluff Top Access		
3.1.1-11	Require new development to minimize impacts to public access to and along the shoreline.	Although the subject property is located within the City's coastal zone, it is not located along the Newport Beach shoreline and, therefore, would not deter coastal access in any way.
3.1.1-26	Consistent with the policies above provide maximum public access from the nearest public roadway to the shoreline and along the shoreline with new development except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources or (2) adequate access exists nearby.	As indicated above, direct shoreline access from the subject property does not exist.
3.2.1-3	Provide adequate park and recreational facilities to accommodate the needs of new residents when allowing new development.	The proposed project site consists of 145 acres that presently encompass a private golf and tennis facilities. Although private in nature, these facilities will continue to serve a segment of the City's recreational needs. In addition, the five single-family residential dwelling units proposed (i.e., The Villas) will be subject to the City's park fee ordinance.
Water Quality		
4.3.1-6	Require grading/erosion control plans to include soil stabilization on graded or disturbed areas.	The project applicant is required to prepare and implement BMPs pursuant to the Stormwater Pollution Prevention Plan (SWPPP) that will be required prior to the issuance of the grading permit for the proposed project. Implementation of these construction BMPs will ensure that grading/erosion control measures are implemented. These measures are intended to minimize erosion and stabilize the site during grading. As indicated above, the applicant will also be required to implement BMPs to ensure that point source and non-point source pollutants are minimized.
4.3.1-7	Require measures to be taken during construction to limit land use disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss, and avoiding steep slopes, unstable areas, and erosive soils. Require construction to minimize disturbance of natural vegetation, including significant trees, native vegetation, root structures, and other physical or biological features important for preventing erosion or sedimentation.	In accordance with the WQMP and SWPPP requirements, BMPs will be required as part of the project's development in order to ensure that the potential discharge of pollutants of concern is minimized. The NPDES Technical Study prepared for the project identifies a range of potential BMPs that are intended to minimize erosion associated with water and wind. Several potential erosion control measures have been identified, including the use of hydroseeding, hydromulch, preservation of existing vegetation, scheduling of construction to avoid the climatic conditions that contribute to potential erosion, soil binders, velocity dissipation devices, etc. The SWPPP that will be prepared and approved by the City of Newport Beach will ensure that all appropriate BMPs are implemented to ensure that potential construction-related water quality impacts are reduced to the maximum extent practicable.
4.3.2-3	Require that development not result in the degradation of coastal waters (including the ocean, estuaries and lakes) caused by changes to the hydrologic landscape.	Because the site has been altered and developed with existing golf and tennis facilities, project implementation will not result in significant changes to the existing runoff conditions; however, because both construction and post-construction BMPs will be incorporated into the project design, it is anticipated that some improvement in the quality of the storm and related surface runoff emanating from the site will occur when compared to the existing runoff quality. As indicated above, the applicant will be required to prepare a WQMP and SWPPP to ensure that surface discharges do not degrade the receiving waters. These plans must be approved by the City of Newport Beach.
4.3.2-8	To the maximum extent practicable, runoff should be retained on private property to prevent the transport of bacteria, pesticides, fertilizers, pet waste, oil, engine coolant, gasoline, hydrocarbons, brake dust, tire residue, and other pollutants into recreational waters.	Consistent with this policy, the proposed project will be required to incorporate BMPs that address on-site retention and treatment of surface runoff. The WQMP and SWPPP will include measures to prevent the discharge of pollutants into the storm drain system. Potential post-construction BMPs that may be implemented include grassy swales, detention basins, infiltration basins, infiltration trenches, porous pavement,

Policy No.	CLUP Policy	Consistency Analysis
		hydrodynamic separator systems, etc. The BMPs will ensure that runoff will be treated to prevent the continued degradation of Newport Bay. Project implementation will result in an improvement to surface water quality because no or only limited treatment occurs at the present time.
4.3.2-11	Require new development to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to be maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.	Project implementation will result in an increase of 6.2 cfs when compared to the existing runoff volume. This increase in runoff equates to a 1.3 percent increase in the existing 462 cfs that currently flows in this the existing 69-inch RCP that transports the flows to Newport Bay where it is discharged. As indicated above, the implementation of BMPs will require detention and treatment prior to discharge into Newport Harbor.
4.3.2-12	Require development to protect the absorption, purification, and retention functions of natural drainage systems that exist on the site, to the maximum extent practicable. Where feasible, design drainage and project plans to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.	Only minor changes will occur to the existing drainage systems that accommodate runoff from the site. Surface flows will generally be directed in the same fashion and into the same existing drainage facilities that currently accept storm runoff generated on the site.
4.3.2-13	Site development on the most suitable portion of the site and design to ensure the protection and preservation of natural and sensitive site resources.	The site is generally devoid of natural and/or sensitive resources because it has been substantially altered by prior development of golf and tennis facilities. It is anticipated that some additional pervious area of the property will be improved with structures and impervious surfaces on the Golf Club component; however, the proposed development will occur in the same general area of the site that is currently developed. No important natural and/or sensitive site resources would be adversely affected by the proposed project. The minor increase in surface runoff attributed to site development would be treated prior to its ultimate discharge into Newport Bay to avoid potential impacts to the water quality in the Bay.
4.3.2-16	Require structural BMPs to be inspected, cleaned, and repaired as necessary to ensure proper functioning for the life of the development. Condition coastal development permits to require ongoing application and maintenance as is necessary for effective operation of all BMPs (including site design, source control, and treatment control).	The SWPPP and WQMP that will be prepared for the proposed project will include a maintenance plan and program to ensure that the structural BMPs function effectively and efficiently and that surface runoff meets discharge requirements.
4.3.2-23	Require new development applications to include a Water Quality Management Plan (WQMP). The WQMP's purpose is to minimize to the maximum extent practicable dry weather runoff, runoff from small storms (less the 3/4" of rain falling over a 24-hour period) and the concentration of pollutants in such runoff during construction and post-construction from the property.	An NPDES Technical Study has been prepared and is the precursor to the WQMP, which will identify both structural and non-structure BMPs to treat surface runoff generated on the site.
Scenic and Visual Resources		
4.4.1-1	Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay, and harbor and to coastal bluffs and other scenic coastal areas.	The project is not located along the ocean, bay or harbor and is devoid of coastal bluffs and other features identified by the City as important visual amenities.
4.4.1-2	Design and site new development, including landscaping, so as to minimize impacts to public coastal views.	A Landscape Concept Plan has been prepared that incorporates a hierarchy of landscape materials, including mature trees, shrubs, and ground cover in a thematic approach to ensure that the aesthetic integrity of the site is maintained and the character complements the coastal character of the coastal zone within which the site is located. In particular, a variable setback along East Coast Highway will be landscaped and bermed to soften and aesthetically enhance and screen the parking lot and to provide enhanced views into the site to provide a greater buffer between the park and residential development located to the south, across East Coast Highway.
4.4.1-6	Protect public coastal views from the following roadway segments: Newport Center Drive.	The segment of Newport Center Drive north of Farallon is designated as a Coastal View Road. However, views

Policy No.	CLUP Policy	Consistency Analysis
		from vantages along Newport Center Drive will not be significantly altered as a result of project implementation. The development would not be visible from this Coastal View Road because of the landscaping that exists along the roadway, which blocks and/or filters views to the subject property.
4.4.2-2	Continue to regulate the visual and physical mass of structures consistent with the unique character and visual scale of Newport Beach.	The proposed development includes the Golf Club, The Villas, The Bungalows, and the Tennis Club. The proposed PC District regulations prescribe the architectural character of the proposed structures as well as development standards related to building height, setbacks, landscaping, etc., to ensure that the mixed uses are compatible with the surrounding development. As indicated in the PC District regulations, the development standards are intended to "... ensure the harmony and continuity of design parameters that are respectful to the properties of its California coastal heritage." The development and design standards address building mass, scale, materials, landscape treatment, and community design.
4.4.3-15	Design and site new development to minimize the removal of native vegetation, preserve rock outcroppings, and protect coastal resources.	The site has been substantially altered by development of the existing golf and tennis facilities. As a result, no significant rock outcroppings or other important visual amenities exist on the site. No native vegetation will be removed as a result of project implementation.
Paleontological and Cultural Resources		
4.5.1-1	Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources. If avoidance of the resources is not feasible, require an <i>in situ</i> or site-capping preservation plan or a recovery plan for mitigating the effect of the development.	The proposed project includes the redevelopment of an existing golf and tennis facilities, which have resulted in significant alteration of the existing site. Although it is not expected that significant cultural resources would be encountered on the site during grading and construction, a cultural resources monitor will be available during grading to ensure that should such resources be encountered, appropriate measures will be implemented to protect artifacts and related materials.
4.5.1-2	Require a qualified paleontologist/archaeologist to monitor all grading and/or excavation where there is a potential to affect cultural or paleontological resources. If grading operations or excavations uncover paleontological/archaeological resources, require the paleontologist/archaeologist monitor to suspend all development activity to avoid destruction of resources until a determination can be made as to the significance of the paleontological/archaeological resources. If resources are determined to be significant, require submittal of a mitigation plan. Mitigation measures considered may range from in-situ preservation to recover and/or relocation. Mitigation plans shall include a good faith effort to avoid impacts to cultural resources through methods such as, but not limited to, project redesign, in situ preservation/capping, and placing cultural resources areas in open space.	In the event human remains, cultural resources and/or fossils are encountered, ground-disturbing excavations in the vicinity of the discovery shall be redirected or halted until a qualified archaeological/paleontological monitor inspects the site to assess the significance of the find. A Native American representative shall be contacted if there is a likelihood that human remains could be of Native American origin.
4.5.1-3	Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.	The City has notified representatives of the appropriate Native American organizations as mandated by SB18. Because the site has been altered by grading and development that has occurred in the past, it is unlikely that potential impacts to cultural resources would occur; however, monitoring during grading will be required. In the event important cultural resources are encountered, Native American representatives will be notified.
4.5.1-4	Where in situ preservation and avoidance are not feasible, require new development to donate scientifically valuable paleontological or archaeological materials to a responsible public or private institution with a suitable repository, located within Orange County, whenever possible.	Consistent with this policy, any discovery of artifacts and/or resources, along with supporting documentation and an itemized catalogue, will be accessioned into the collections of a suitable repository.
4.5.1-5	Where there is a potential to affect cultural or paleontological resources, require the submittal of an	As indicated above, it is not anticipated that cultural resources would be encountered based on the level of

Policy No.	CLUP Policy	Consistency Analysis
	archaeological/cultural resources monitoring plan that identifies monitoring methods and describes the procedures for selecting archaeological and Native American monitors and procedures that will be followed if additional or unexpected archaeological/cultural resources are encountered during development of the site. Procedures may include, but are not limited to, provisions for cessation of all grading and construction activities in the area of the discovery that has any potential to uncover or otherwise disturb cultural deposits in the area of the discovery and all construction that may foreclose mitigation options to allow for significance testing, additional investigation and mitigation.	disturbance that has taken place on the site. However, should such resources be encountered during grading and construction, the archaeological/paleontological monitor will have the authority to halt or redirect grading operations to avoid impacts and allow proper evaluation and disposition of the resources.
Environmental Review		
4.6-9	Require applications for new development, where applicable, to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the project site, any necessary mitigation measures, and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life. For development on coastal bluffs, including bluffs facing Upper Newport Bay, such reports shall include slope stability analyses and estimates of the long-term average bluff retreat rate over the expected life of the development. Reports are to be signed by an appropriately licensed professional and subject to review and approval by qualified city staff member(s) and/or contracted employee(s).	A geological assessment has been prepared (refer to Section VI of this analysis, which describes the potential geotechnical constraints (e.g., settlement, ground shaking, etc.) that affect site development. Several recommendations have been identified to ensure that the proposed structures and project components are adequately protected from potential soils, geologic and seismic conditions.

c) Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. As previously indicated, the subject property is currently developed with private golf and tennis facilities. As a result, the project site does not support either sensitive habitat and/or species. Furthermore, the property is not subject to a habitat conservation plan area or natural community conservation plan area. Therefore, no significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XI. MINERAL RESOURCES

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The project site is currently developed with private golf and tennis facilities. Neither the Newport Beach General Plan (Land Use Element and/or Recreation and Open Space Element) nor the State of California has identified the project site or environs as a potential mineral resource of Statewide or regional significance. No mineral resources are known to exist and, therefore, project implementation will not result in any significant impacts.

- b) **Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

No Impact. As indicated above, the Newport Beach General Plan does not identify the project environs as having potential value as a locally important mineral resource site. Project implementation (i.e., new Golf Club clubhouse, residential and resort uses) as proposed will not result in the loss of any locally important mineral resource site and, therefore, no significant impacts will occur.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XII. NOISE

- a) **Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less than Significant Impact. There are several characteristic noise sources typically identified with general development such as proposed at the Newport Beach Country Club. Construction activities, especially heavy equipment, will create short-term noise increases near the project sites. Vehicular traffic volumes on area roadways around the proposed project will slightly decrease as a result of conversion of 17 tennis courts to less traffic-intrusive residential and hotel uses. This will result in a very small area-wide traffic noise reduction. However, vehicular noise impacts on proposed on-site residential uses were examined.

Project activities will entail the continuation of long standing outdoor golf and tennis uses and limited indoor activities. Outdoor recreational activities at the Country Club represent a continuation of existing activities, which are compatible with the nearby residential and non-residential development in the project environs. Although some noise is associated with tennis, in particular, it is not so intrusive that it would be disruptive or incompatible with the existing uses. No noise impact analysis was therefore conducted for outdoor recreation because golf activities will remain at the existing level and tennis activities will be reduced with the reduction in the number of tennis courts. The primary noise sources for off-site uses that would be of possible concern would be any changes in the parking lot activity noise. Additionally, any new HVAC equipment installed on the project site would be required to meet noise standards as outlined in the City of Newport Beach Municipal Code. Noise impacts anticipated to occur as a result of the proposed project are discussed in greater detail in Section XII.c., below.

- b) **Would the project result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?**

Less than Significant Impact. Construction activities generate groundborne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement. The effects of ground-borne vibration include discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Within the "soft" sedimentary surfaces of much of Southern California, ground vibration is quickly damped out. Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. Vibration thresholds have been adopted for major public works construction projects, but these relate mostly to structural protection (cracking foundations or stucco) rather than to human annoyance. Groundborne vibration attenuates quickly with distance. Vibration levels from the use of heavy equipment would be typical of that used for other projects; no blasting or other extraordinary grading techniques would be necessary to implementation the proposed project. Therefore, potential groundborne vibration would be expected to be imperceptible at the nearest off-site homes. Construction activity vibration impacts are judged as less than significant.

c) **Would the project result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Less Than Significant Impact. Existing noise levels on the proposed project site derive mainly from vehicular sources on the adjacent arterial roadways. The proposed project site is currently a functioning Tennis and Golf Country Club. The surrounding area is developed with residential uses to the northeast and southwest. The site is bound by Newport Center Drive to the east, East Coast Highway to the south and Santa Barbara Drive to the north.

Noise measurements were taken in order to document existing baseline levels in the area. On-site noise levels in the vicinity of the future on-site residential uses are in the 55-60 dB range. Such levels are well within Newport Beach residential noise standards of 65 dB CNEL. The Villas and The Bungalows will be exposed to traffic along surrounding roadways. The projects residential component lies approximately 2,900 feet from the Jamboree Road centerline and 2,700 feet from the MacArthur Boulevard centerline. There are numerous intervening buildings separating the site from these roadways. Given the setback distance and noise attenuation provided by existing building structures, noise from these roadways was not considered to provide a significant impact upon the proposed project residential uses. East Coast Highway is approximately 450 feet from the closest proposed on-site residential use and as such provides the largest potential traffic noise impact. Although other roadways will add to the project noise exposure level, they will not dominate the noise environment.

As discussed above, noise meters placed in the approximate location of the proposed on-site residential units demonstrated existing CNELs of 55 dB CNEL in the center of the proposed residential area and 60 dB CNEL at the approximate location of the closest residential unit. Existing office and Country Club buildings assist in shielding the proposed residential area from traffic noise emanating from East Coast Highway.

Project-related traffic will not contribute significantly to the ambient noise levels in the area. In addition, the continuation of the tennis club would similarly not contribute significantly to the ambient noise levels and, therefore, would not adversely affect the nearby residential development because the number of tennis courts has been reduced and the noise levels would be expected to be the same or less than that currently associated with activities at the Tennis Club facility.

As discussed earlier in this report, in year 2009, the section of PCH closest to the project site (between Jamboree Road and Newport Center Drive) had a traffic count of 35,660 vehicles per day equating to a noise level of 73.5 dB CNEL at 50 feet from the centerline. At 450 from the centerline, at the approximate location of the closest proposed on-site residence, this noise level decays to 59 dB CNEL due to distance spreading losses utilizing soft-site conditions. Several intervening buildings afford a partial shielding accounting for approximately -3 dB CNEL. The predicted on-site CNEL is approximately 56 dB. The measured CNEL levels were 55 and 59 dB. CNEL levels as calculated from both modeling and measurements are similar.

Newport Beach Traffic Engineering estimates a 1 percent growth rate per year for traffic along Pacific Coast Highway. Assuming area buildout occurs in 2020, there would be almost 40,000 vehicles along Pacific Coast Highway each day, resulting in a +0.4 dB increase over existing. Therefore, the future noise level for proposed on-site residential uses would be indistinguishable from existing CNEL levels in the upper 50 dB range.

This noise level is well below the City of Newport Beach recommended exterior compatibility noise level of 65 dB CNEL for residential uses. Typical exterior to interior noise attenuation with open windows is at least -10 dB CNEL, and in modern construction, 20-30 dB CNEL with closed windows. This translates into interior levels of less than 51 dB CNEL with open windows and less than 41 dB CNEL with closed windows. Interior levels will readily meet the 45 dB CNEL standard for habitable rooms. There is no siting conflict for planned residential uses within the project site.

The project's primary parking lot will remain along PCH and will accommodate 300 cars. Smaller lots are scattered in the tennis court area and accommodate 20-38 cars each. On-site proposed parking will accommodate 398 vehicles. In addition, to 554 parking stalls are also available to accommodate parking for the project through a parking agreement with the adjacent Corporate Plaza West development. Parking lot activities are sporadic but with a morning and evening peak hour volume. Existing peak hour traffic volume is 129 vehicles per hour. Proposed peak hour traffic volume will be 94 vehicles per hour. Noise emanating from vehicles entering and exiting the proposed project site improvements will be less than from existing site operations and will be spread over several areas. Parking lot noise is not anticipated to be a noise nuisance.

The uses planned for the NBCC are a continuation of existing uses and do not represent any significant new noise source and as such is not anticipated to generate noise that will affect off-site uses.

d) Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing with the project?

Less than Significant with Mitigation Incorporated. Temporary construction noise impacts will vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. Short-term construction noise impacts tend to occur in discrete phases dominated initially by demolition of existing structures and large earth-moving sources, then by foundation and parking lot construction, and finally for finish construction. The demolition and earth-moving sources are the noisiest, with equipment noise typically ranging from 75 to 90 dBA at 50 feet from the source.

Point sources of noise emissions are typically attenuated by a factor of 6 dB per doubling of distance through geometrical (spherical) spreading of sound waves. The quieter noise sources will drop to a 65 dBA exterior/45 dBA interior noise level by about 200 feet from the source. For typical construction scenario, the louder noise sources may require over 1,000 feet from the source to reduce the 90+ dBA source strength to a generally acceptable 65 dBA exterior exposure level.

Grading involves recycling the 14,583 cubic yards of removed hardscape to implement the proposed project. This hardscape would be removed and then crushed on-site to be utilized as fill material rather than require importation of fill dirt. Analysis of this scenario involves quantifying noise from crushing equipment that would operate on site.

Rock crusher noise depends upon the type of material processed. Hard rock with large individual pieces is noisier than recycled asphalt. Asphalt is very soft material with the bulk of the noise coming from the screens and not the crusher. Noise impacts from the crushing operations that would occur within the project site are associated with the processing of the mostly concrete and broken asphalt rubble as the bulk of the material processed by the on-site crusher. The debris crushed on-site is considered a "soft" material.

Sound decays at a rate of 6 dB per doubling of source-receiver distance for propagation across a smooth, hard surface. The drop-off rate across irregular, vegetated surfaces are somewhat faster. If there are obstructions to the direct line-of-sight, the drop-off rate is much faster. Placement of a large barrier along the line-of-sight can reduce levels by 15-20 dB from their unimpeded transmission. Audibility will also depend upon background conditions. The closest off-site residence to possible crusher operations is approximately 500 feet.

The noise impact from the crusher therefore depends on a very large number of variables:

- Type of material crushed
- Character of the underlying surface
- Source receiver distance
- Presence of any physical obstructions
- Masking effects of background levels

The noise envelope for a prototype crusher as a function of various variables is reflected in Table 12.

Table 12

**Rock Crusher Noise Envelope
 Newport Country Club**

Source Receiver Distance (feet)	Soft Rock Soft ¹ Surface
50	85
100	78
200	70
400	63
500	60
800	57
¹ Unpaved, vegetated and irregular surface SOURCE: Giroux & Associates (July 2009)	

The Noise Code identifies a desirable L₂₅ noise exposure of 55 dB and L₂₅ nighttime of 50 dB. Under direct line of sight conditions, crusher noise could slightly exceed the City's noise standard at the closest residences. Interruption of the line of sight would reduce noise levels by 10 dB or more and would meet the City's noise standard. Therefore, use of a stockpile of rubble, or a temporary sound blanket as a barrier between the crusher and the closest home(s), is required if the on-site recycling is selected (see Mitigation Measure MM-8).

The project will also comply with the noise ordinance relating to permissible hours of construction operations and will not start construction operations until 8:00am. According to the City of Newport Beach Municipal Code, permissible hours of construction are 7:00 a.m. and 6:30 p.m. on weekdays and 8:00 a.m. and 6:00 p.m. on Saturdays. Construction is not permitted on any national holiday or on any Sunday. This exclusion from numerical standards ordinance compliance is presumed applicable to any mobile construction equipment, but not to a possible rock crusher. These hours are included as conditions on any project construction permits and these limits will serve to minimize any adverse construction noise impact potential.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. John Wayne Airport is located approximately 4.0 miles north of the subject property. As indicated in Section VIII.e., a portion of the Newport Beach Country Club property is located within the AELUP Notification Area (i.e., FAR Part 77) for JWA. Noise in the vicinity of the project site associated with aircraft operations occurring at John Wayne Airport is below 60 dBA CNEL and therefore, the proposed clubhouse will not be subjected to excessive noise levels. Nonetheless, the City is required to submit the proposed PC Amendment to the ALUC for a determination of consistency in accordance with Section 4.3 of the AELUP prior to adoption by the City. No significant impacts are anticipated and no mitigation measures are required.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The project site is not within the vicinity of a private airstrip or other aviation facility that generates noise in the vicinity of the subject property. Development of the site as proposed will not result in potential adverse impacts, including safety hazards, to people residing or working in the project area.

Therefore, no significant impacts will occur as a result of project implementation and no mitigation measures are necessary.

Mitigation Measures

As indicated in the preceding analysis, potentially significant short-term, construction noise impacts are anticipated as a result of project implementation in the event that a rock crushing operation is located on the subject property to utilize the on-site materials as fill. The following measures are recommended to ensure that potential construction noise impacts associated with the potential rock crushing operation are reduced to a less than significant level. Additional measures are also recommended to further reduce temporary construction noise levels.

- MM-3 During rock crushing operations, a sound blanket shall be used if a direct line of sight exists between the crusher and any off-site homes.
- MM-4 All construction equipment, stationary and mobile, shall be equipped with properly operating and maintained muffling devices.
- MM-5 Prior to issuance of a grading permit, a construction schedule shall be developed that minimizes potential project-related and cumulative construction noise levels.
- MM-6 The construction contractor shall notify the residents of the construction schedule for the proposed project, and shall keep them informed on any changes to the schedule. The notification shall also identify the name and phone number of a contact person in case of complaints. The contact person shall take all reasonable steps to resolve the complaint.
- MM-7 Heating, venting, and air conditioning (HVAC) equipment in or adjacent to residential areas shall be shown by computation, based on the sound rating of the proposed equipment, not to exceed an A-weighted sound pressure level of fifty (50) dBA or not to exceed an A-weighted sound pressure level of fifty-five (55) dBA.

XIII. POPULATION AND HOUSING

- a) **Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Less than Significant Impact. Project implementation includes the development of five (5) single-family detached residential dwelling units. Based on the City's population per household average of 2.19,¹⁵ the proposed project would generate a total of 11 residents. The residential development proposed with this project in Anomaly No. 46 (i.e., Tennis Clubhouse component) is permitted in accordance with the MU-H3 land use designation. As a result, the addition of the five single-family residential dwelling units is consistent with the General Plan. Consequently, development of these dwelling units would not result in either direct or indirect unanticipated growth in the City. Therefore, no significant impacts are anticipated and no mitigation measures are required.

- b) **Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No Impact. As previously indicated, the project site is developed with the Newport Beach Country Club and former Balboa Bay Tennis Club; both are private recreational facilities. No residential development exists within the limits of the subject property. Project implementation, therefore, will not result in the displacement of any existing residential dwelling units that would necessitate replacement elsewhere in the City. No significant impacts will occur and no mitigation measures are required.

¹⁵Newport Beach Housing Element; Table H14.

c) **Would the project displace substantial numbers of people, necessitating the construction of replacement housing?**

No Impact. As indicated above, the subject property does not support existing residential uses; therefore, no displacement of occupants will occur and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XIV. PUBLIC SERVICES

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

Fire protection? Less than Significant Impact. Fire protection facilities and service to the subject property are provided by the Newport Beach Fire Department (NBFD). In addition to the City's resources, the NBFD also maintains a formal automatic aid agreement with the Orange County Fire Authority (OCFA) and all neighboring municipal fire departments to facilitate fire protection in the City should the need arise. Fire Station No. 3 -Fashion Island is the closest responding fire station to the subject property. The project includes all necessary fire protection devices, including fire sprinklers. The project must comply with the current Building and Fire Codes adopted by the City. A code compliance analysis will be conducted by City staff to ensure that adequate water pressure and related features required by the City are provided to ensure that the project complies with the CFC and related City codes. Adequate water supplies and infrastructure, including fire hydrants, exist in the vicinity of the project, and there is no requirement for other new facilities or emergency services.

Police protection? Less than Significant Impact. The Newport Beach Police Department (NBPD) is responsible for providing police and law enforcement services within the corporate limits of the City. The Police Department headquarters is located at 870 Santa Barbara Drive, at the intersection of Jamboree Road and Santa Barbara, approximately two miles northeast of the subject property. The NBPD currently has a ratio of 1.91 sworn officers for each 1,000 residents in the City. This ratio is adequate for the current population. Police and law enforcement service in the City is provided by patrols with designated "beats." Development of the subject site as proposed would not require an expansion to local law enforcement resources and therefore would not result in any environmental impacts involving construction of new law enforcement facilities. No significant impacts are anticipated and no mitigation measures are required.

Schools? Less than Significant Impact. The provision of educational facilities and services in the City of Newport Beach is the responsibility of the Newport-Mesa Unified School District. Residential and non-residential development is subject to the imposition of school fees. Payment of the State-mandated statutory school fees is the manner by which potential impacts to the District's educational facilities are mitigated. The five single-family residential dwelling units (i.e., The Villas) included in the proposed project would not generate a significant number of new students in the District. The five dwelling units were included in the General Plan Update analysis. Based on the General Plan analysis of new dwelling units within the City,¹⁶ the proposed project would generate approximately 2 students. New or expanded school facilities would not be required to provide classroom and support space for the low number of school age children. However, as indicated above, the project applicant must pay the applicable school fee

¹⁶Newport Beach General Plan Update EIR; June 2006.

to the school district, pursuant to Section 65995 of the California Government Code, in order to offset the incremental cost impact of expanding school resources to accommodate the increased student enrollment associated with one new residence. With the payment of the mandatory school fees, no significant impacts would occur as a result of project implementation.

Other public facilities? No Impact. Due to the reduction in residential density, no increased demand for other public services is anticipated and there would be no need to construct any new public facilities. No significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XV. RECREATION

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Less Than Significant Impact. Implementation of the proposed project will result in the construction of only five single-family homes, known as the Villas, 27 short-term hotel units, known as The Bungalows, and a remodeled private Tennis Club, including the Tennis Clubhouse. The Bungalows will be available for use by Tennis Club and Golf Club members, as well as the general public. Although residents of the proposed Villas and visitors of the Bungalows would occasionally visit local and regional parks and beaches, use of those public facilities by the future Villa residents and Bungalow guests would not represent a substantial change in the intensity of usage and the impact would not result in substantial physical deterioration of those park areas. The subject site is located in Service Area 9 (Newport Center), which currently supports 19 acres of existing parkland, which exceeds the 10.9 acres of parkland "needs" based on the City's currently a requirements. Nonetheless, the applicant would be subject to the payment of in-lieu park fees (refer to XV.b) in accordance with Title 19 of the Newport Beach Municipal Code. No significant impacts to recreational facilities are anticipated and no mitigation measures are required.

- b) **Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment?**

No Impact. Development of the site as proposed would not require the construction of new or the expansion of existing recreational facilities in the City of Newport Beach. However, as indicated above, Title 19 (Subdivisions) of the Newport Beach Municipal Code requires the developer to pay a fee for the proposed residential component of the project. This fee will be used to augment recreational facilities in the City. Therefore, no significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XVI. TRANSPORTATION/TRAFFIC

- a) **Would the project conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Less Than Significant with Mitigation Incorporated. Short-term traffic impacts are those resulting from site preparation (i.e., grading and site preparation) and construction activities. With the exception of heavy trucks traveling to and from the site in the morning and afternoon to be used during site preparation and construction that occurs on-site, no other heavy truck traffic associated with hauling earth materials to or from the site will occur. During the construction phase, there will be periods of time when heavy truck traffic would occur that could result in some congestion on East Coast Highway. However, the number of heavy trucks entering and leaving the project area would be limited to those transporting equipment and materials to the site. Other construction-related traffic impacts are associated with vehicles carrying workers to and from the site and medium and heavy trucks carrying construction materials to the project site, which may result in some minor traffic delays; however, potential traffic interference caused by construction vehicles could create a temporary/short-term impact to vehicles using neighboring streets in the morning and afternoon hours. Therefore, aside from potentially minor impacts resulting from the increase in traffic that will occur as a result of construction-related traffic (e.g., construction materials, construction workers, etc.), no significant short-term impacts are anticipated to occur as a result of project implementation. Nonetheless, the construction traffic impacts would be adequately addressed through the implementation of a Construction Staging, Parking and Traffic Control Plan for each phase of construction.

Project implementation would result in a net decrease in vehicular trips. As indicated in Table 13, the proposed project would generate a total of 1,183 trips per day, including 69 a.m. peak hour trips and 94 p.m. peak hour trips. These figures are compared to the 1,572 daily trips and 72 a.m. peak hour and 129 p.m. peak hour trips currently generated by the existing golf and tennis facilities. The resulting decrease in daily and peak hour trips would, therefore, not adversely affect any of the operational levels of service of the intersections in the project environs.

As indicated in Table 13, project implementation would result in the elimination of 17 tennis courts, which would be replaced by The Bungalows and five single-family residential dwelling units. As a result, traffic generated by the proposed project would decrease by 389 daily trips; a.m. and p.m. peak hour trips would also decrease by 3 and 35 trips, respectively. Since the proposed Newport Beach Country Club project would generate less daily and peak hour traffic than the existing development, a detailed traffic analysis was not conducted. No significant project-related or cumulative long-term traffic impacts would occur as a result of the proposed project and no mitigation measures are required.

Table 13

**Summary of Project Trip Generation
 Newport Beach Country Club**

Land Use	Unit	Trip Generation Rates ¹						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Golf Club	Hole	35.74	1.76	0.47	2.23	1.23	1.51	2.74
Tennis Club	Court	38.70	0.66	0.66	1.32	1.68	1.68	3.36
Bungalows	Room	8.17	0.34	0.2	0.56	0.31	0.28	0.59
Single-Family Residential	DU	9.57	0.19	0.56	0.75	0.64	0.37	1.01
Land Use	Unit	Trip Generation Estimates						
		Daily	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Existing Development								
Golf Club	18 Holes	643	32	8	40	22	27	49
Tennis Club	24 Courts	929	16	16	32	40	40	80
Total – Existing Uses		1,572	48	24	72	62	67	129
Proposed Development								
Golf Club	18 Holes	643	32	8	40	22	27	49
Tennis Clubhouse	7 Courts	271	5	5	10	12	12	24
Bungalows ²	27 Rooms	221	9	6	15	8	8	16
Single-Family Residential	5 DU	48	1	3	4	3	2	5
Total – Proposed Uses		1,183	47	22	69	45	49	94
Net New Trips		-389	-1	-2	-3	-17	-18	-35
<p>¹Trip generation rates from Institute of Transportation Engineers (ITE) Trip Generation (8th Edition).</p> <p>SOURCE: Kimley-Horn Associates, Inc. (June 2009)</p>								

- b) **Would the project conflict with an applicable congestion management program, including, but not limited to level of service standard and ravel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

No Impact. As indicated in Table 3 in Section XVI.a, project implementation will result in a net decrease in vehicular trips. Neither the daily nor peak hour trips exceed those required to undertake a CMPAs a result, intersection analysis. Traffic operations in the project area would not be adversely affected by project-related traffic. Therefore, the proposed project would neither result in direct project-related impacts nor contribute to the cumulative degradation of any intersection in the project environs. Furthermore, project implementation would not conflict with either the County's CMP or other standard, including those adopted by the City of Newport Beach. No significant cumulative impacts are anticipated and no mitigation measures are required.

- c) **Would the project result in a change in air traffic pattern, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact. The proposed project site is located approximately four miles from John Wayne Airport and is not located within an area that is affected by aircraft operations. The proposed Planned Community District regulations for the project allow for a maximum building height of 50 feet. The proposed structures would not necessitate any changes in the air traffic patterns because the project site is not

located within the airport environs and would not affect airport operations. This project would have no effect on the volumes of air traffic occurring at John Wayne Airport or any other airports in the region. No significant impacts are anticipated and no mitigation measures are required.

d) Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact. During the construction phases, a variety of construction vehicles, including large delivery trucks, concrete pumpers, dump trucks, and a variety of passenger vehicles, will travel to and from the subject property. On some occasions, there will be a number of medium and heavy trucks that could add to local congestion levels and possibly affect through-traffic for short periods of time. Although potential conflicts are anticipated to be less than significant, implementation of a construction traffic management plan (refer to MM-10), which is required by the City of Newport Beach, would ensure that any conflicts resulting during the construction phase would be minimized.

The project proposes changes to the main parking area in front of the Golf Clubhouse, including landscaping and beautification of the area and minor changes to on-site circulation; the project site access to the public street system at East Coast Highway (via Irvine Terrace) and at Granville Drive will remain unchanged. Irvine Terrace will be improved with a landscaped median and will be striped to delineate two inbound lanes and two outbound lanes. However, in order to accommodate left-turn movements, the left-turn pocket at the intersection with East Coast Highway should be lengthened to provide a minimum of 100 feet plus the transition. With the incorporation of this measure, no significant impacts are required.

In addition, a new drive aisle with a drop-off area will also be added to the front of the Golf Clubhouse and a second entry point to the main parking lot will be added at the northwest corner of the lot. The parking rows in the main body of the parking lot will be reconfigured to an east-west orientation, with access aisles provided on both ends of the parking lot. Each of the drive aisles will be 26 feet wide, which provides adequate room for circulation, turning, and backing for 90-degree parking aisles.

Pedestrian access from the Golf Club parking lot is improved by a pedestrian walkway with enhanced paving through the center of the parking lot, which connects directly to the Golf Clubhouse.

e) Would the project result in inadequate emergency access?

Less than Significant Impact. The primary access to the project site is provided via a drive aisle that connects to the end of Irvine Terrace, which in turn connects to East Coast Highway (i.e., State Highway 1). Irvine Terrace also provides access to the adjacent Corporate Plaza West development. The Irvine Terrace/East Coast Highway intersection is a signalized intersection. As indicated in Section XVI.d, Irvine Terrace will be improved with two inbound and two outbound lanes. In addition to the project access from Irvine Terrace, the project proposes a new access and cul-de-sac, which will provide access to The Bungalows and The Villas. Indirect access is also available from Farallon via Newport Center Drive east of the site; however, access to The Tennis Club, The Bungalows, and The Villas would be from the proposed cul-de-sac. Adequate emergency access exists to serve both components of the proposed project. Nonetheless, the Newport Beach Fire Department will conduct a code compliance analysis with the City's Building Department to ensure that adequate emergency access is provided.

f) Would the project conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities?

Less than Significant Impact. As indicated in Table 10, the proposed project is consistent with relevant policies articulated in the City's Circulation Element of the General Plan. In addition, public transportation would not be impacted by the proposed. The project is located in an area of the City that is served by public transportation (OCTA bus service) and public transit access is available in the project vicinity along Coast Highway. The project is located in proximity to existing retail and commercial development. The addition of five single-family residential dwelling units, 27 bungalows and spa would be adequately served by the existing public transportation available along PCH and in the project environs. Similarly, neither

bicycle nor pedestrian facilities would be significantly altered as a result of the proposed project. Bicycle lanes along Coast Highway would not be affected. In addition, walkways within the proposed project would accommodate pedestrians. No significant impacts are anticipated and no mitigation measures are required

Mitigation Measures

The following mitigation measure is proposed to minimize the level of impact associated with temporary construction traffic:

MM-8 Prior to commencement of each major phase of construction, the Applicant shall submit a Construction Staging, Parking and Traffic Control Plan for approval by the Public Works Department, which shall address issues pertaining to potential traffic conflicts during peak traffic periods, potential displacement of on-street parking, and safety.

- This plan shall identify the proposed construction staging area(s), construction crew parking area(s), estimated number and types of vehicles that will occur during each phase, the proposed arrival/departure routes and operational safeguards (e.g. flagmen, barricades, etc.) and hourly restrictions, if necessary, to avoid traffic conflicts during peak traffic periods and to ensure safety.
- If necessary, the Construction Staging, Parking Traffic Control Plan shall provide for an off-site parking lot for construction crews which will be shuttled to and from the project site at the beginning and end of each day until such time that the project site can accommodate off-street construction vehicle parking.
- The plan shall identify all construction traffic routes, which shall avoid narrow streets unless there is no alternative, and the plan shall not include any streets where some form of construction is underway within or adjacent to the street that would impact the efficacy of the proposed route.
- Dirt hauling shall not be scheduled during weekday peak hour traffic periods.
- The approved Construction Staging, Parking and Traffic Control Plan shall be implemented throughout each major construction phase.

MM-9 The left-turn pocket on Irvine Terrace at the Coast Highway shall be increased in length to a minimum of 100 feet plus transition in order to adequately accommodate left-turn movements.

XVII. UTILITIES & SERVICE SYSTEMS

a) **Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

No Impact. Wastewater from the City's sewer system is treated by the Orange County Sanitation District (OCSD), which is responsible for safely collecting, treating, and disposing the wastewater generated by 2.3 million people residing in central and northwest Orange County. Raw sewage generated in the City is treated at the OCSD Treatment Plant No. 2 in Huntington Beach, which has a treatment capacity of 276 million gallons per day (mgd). Treatment of raw sewage includes preliminary treatment, primary treatment, anaerobic digestion, secondary treatment, and solids handling. Treatment Plant No. 2 is operating at approximately 55 percent of its design capacity.

Wastewater generated by the proposed project would be the same as other similar developments in the City and would not contain hazardous waste or other pollutants. Based on sewage generation rates in the City's General Plan EIR, the five single-family residential dwelling units would generate up to less than 2,000 gallons per day (gpd) of raw sewage. In addition, the 27 bungalows would generate an

additional, 4,050 gallons per day utilizing the visitor serving (i.e., hotel) generation factor. Because the Tennis Clubhouse and Golf Clubhouse and facilities currently exist, the increase in sewage generation from these two uses is anticipated to be approximately 3,300 gallons per day as a result of the increase in floor area associated with the Golf Clubhouse. The uses would generate approximately 7,750 gallons per day of raw sewage, compared to the 5,450 gallons per day estimated based on the existing floor areas. The additional sewage generated by the project would be incrementally insignificant when compared to the 4.1 mgd increase anticipated as a result of buildout of the City's General Plan. The raw sewage generated by the project would be disposed into the existing sewer system and would be transported to OCSD Treatment Plant No. 2, which is adequate capacity to accommodate the City's buildout needs for waste treatment. As a result, project implementation would not exceed existing treatment infrastructure and expansion would not be required. Furthermore, the additional treatment needs would not exceed wastewater treatment standards of the Regional Water Quality Control Board. No significant impacts are anticipated and no mitigation measures are required.

- b) **Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

No Impact. Water demand and wastewater generation will not increase significantly as a result of the development of the five single-family residential dwelling units and 27 bungalows on the site. Based on water demand rates, the proposed project would generate a demand for approximately 45,000 gallons per day for the five single-family dwelling units and the 27 bungalow units.¹⁷ In addition, the Golf Clubhouse and Tennis Clubhouse would create a demand for an additional 7,750 gallons per day compared to the existing demand of 3,300 gallons per day. The proposed project is within the land use projections of the City, which are the basis of future water demand demands and wastewater generation within Newport Beach. The project will connect to existing water and wastewater facilities in the project vicinity. No expansion of these facilities is necessary due to existing capacity. No significant impacts are anticipated and no mitigation measures are required.

- c) **Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Less than Significant Impact. The project will result in additional impervious surface areas by the new buildings, streets, parking lots, walkways and other hardscape. The additional hardscape will result in a small increase in runoff during storm periods. The site will be designed to ensure that surface runoff will be directed to existing facilities. As indicated in Section VIII, some of the existing storm drain facilities do not have adequate capacity to accommodate existing or future storm flows; however, deficient in-tract facilities will be upgraded to accommodate post-development flows. All storm flows generated on the subject property will be collected and conveyed to Newport Bay where it will be discharged. Therefore, the increase in project-related storm flows will not result in a potentially significant impact and no mitigation measures are required.

- d) **Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

Less than Significant Impact. See response to XVII.b above. The City of Newport Beach provides water service within the project vicinity. The City's water supplies are imported water purchased from the Municipal Water District of Orange County (MWDOC), groundwater pumped from the Orange County Groundwater Basin, and reclaimed water. The City currently maintains a total system capacity of approximately 100 million gallons in three facilities. According to the City's 2005 Urban Water Management Plan (UWMP), water supplies can continue to meet the city's imported water needs until the year 2030. Beyond that date, improvements associated with the State Water Project supply, additional local projects, conservation, and additional water transfers would be needed to adequately serve the City.

¹⁷ Assumes 2.19 persons per dwelling unit and bungalow, based on the City's population per household.

However, during short-term periods of water supply reductions, the City would implement its water shortage contingency plan.

As indicated in the City's General Plan EIR, additional development accommodated under the General Plan, including the proposed project would increase water use within the City, thus increasing the need for water treatment services. However, as indicated above, MWD has indicated that it can meet all of the City's imported water needs through 2030. In addition, Orange County Water District anticipates that there would also be sufficient groundwater supplies to meet projected future demand requirements in the City. Future water demand based on the General Plan projections would not be increased significantly with the addition of the proposed development. The demand created by the proposed project is consistent with the City's long-range projections for development that are the basis of water demands in Newport Beach. The General Plan has identified the minimization of water consumption as one of its goals in the Natural Resources Element. The proposed project would be subject to the policies that would achieve that goal, including limiting water usage, prohibitions on activities that waste water or cause runoff, and water efficient landscaping and irrigation in conjunction with other water conserving devices and practices in new construction. Specifically, water conservation measures will be required on the proposed project as prescribed in Chapter 14.16 (Water Conservation and Supply Level Regulations) and Chapter 14.17 (Water-Efficient Landscaping) of the Newport Beach Municipal Code. Therefore, no significant direct or cumulative impacts are anticipated based on the findings in the City's General Plan EIR; no mitigation measures are required.

- e) **Would the project result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

No Impact. See response to XVII.b above. As indicated in that response, adequate sewer collection, conveyance and treatment facilities exist to accommodate the incremental increase in raw sewage resulting from the development of the proposed project. No impacts are anticipated and no mitigation measures are required.

- f) **Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Less than Significant Impact. Project implementation will result in the generation of demolition debris and some refuse during the construction phase; however, it would be relatively small and would not adversely affect existing capacities at the County's sanitary landfills. The project includes recycling some of the demolition materials generated during the construction phase. Asphalt and concrete will be crushed on-site and utilized as fill material to accommodate the proposed project. As a result, the amount of demolition materials that would require transport to and placement in one of the County's landfills would be reduced by the recycling of the asphalt and concrete.

Based on the City's General Plan EIR, it is anticipated that the Orange County landfill system will have adequate capacity to operate until 2035. Based on the solid waste generate rates presented in the General Plan EIR, the five single-family residential dwelling units and the 27 bungalows would generate less than 100 pounds per day of solid waste. Because the Golf Club and Tennis Club currently exist, no significant increase in refuse would be anticipated as a result of the reconstruction of those facilities. With the remaining capacity of approximately 44.6 million tons, as well as a 16-year lifespan at the Frank R. Bowerman Sanitary Landfill (without the proposed expansion that would extend the life of this facility to 2053), the City-wide potential increase in solid waste due to General Plan buildout, including the proposed project, would not result in the exceedance of capacity of that landfill. In addition, AB 939 mandates the reduction of solid waste. As a result, it is anticipated that at least a 50 percent reduction in refuse would be required. Therefore, the project will not result in a significant increase in solid waste production due to the proposed project. Existing landfills are expected to have adequate capacity to service the site and use. No significant impacts are anticipated and no mitigation measures are required.

g) Would the project comply with federal, state, and local statues and regulations related to solid waste?

Less than Significant Impact. Solid waste production will be picked up by either the City of Newport Beach or a commercial provider licensed by the City of Newport Beach. All federal, state and local regulations related to solid waste will be adhered to through this process. No significant impacts are anticipated and no mitigation measures are required.

Mitigation Measures

No significant impacts are anticipated and no mitigation measures are required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

The environmental analysis conducted for the proposed project indicates that although the proposed project could have the potential for significant adverse environmental impacts, the impacts would be reduced to a less than significant level through the implementation of mitigation measures as prescribed in the preceding analysis.

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?

Less than Significant Impact. The proposed project would not have the potential to degrade the quality of the environment. The site is entirely developed with private recreational uses and has been altered from its natural state. As a result, it does not support sensitive habitat and/or sensitive plant or animal species. As a result, the proposed project would reduce the habitat of a wildlife species and/or threaten to eliminate one or more sensitive plant species. No historic structures or sites are present in the project area, which may be affected by the proposed project. The proposed project would not eliminate important examples of the major periods of California history or prehistory. Therefore, no significant impacts are anticipated and no mitigation measures are required.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less than Significant Impact. Redevelopment of the site as proposed would result in a negligible difference in long-term environmental effects associated with use of the site. Project implementation would result in fewer vehicular trips and, therefore, a reduction in the pollutant emissions when compared to the existing use of the site. No significant impacts to biological resources, cultural resources, public health and safety, mineral resources, population and housing, agricultural resources or other environmental issues would occur. In addition, the proposed project would result in an overall reduction in the volume of storm runoff and an improvement in the quality of the water prior to its discharge when compared to the existing use of the site. Therefore, the project would not contribute to the cumulative degradation of the environment or exacerbate unacceptable environmental conditions (e.g., biological resources, etc.) when considered with other projects proposed in the project environs.

- c) **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less than Significant with Mitigation Incorporated. The preceding analysis conducted for the proposed project indicated that although project implementation could result in some potentially significant environmental effects (e.g., soils and geology, hazards and hazardous materials, etc.), with the implementation of mitigation measures prescribed in this analysis, the proposed project would not result in significant environmental impacts on humans, either directly or indirectly.

SOURCE LIST

The following enumerated documents are available at the offices of the City of Newport Beach, Planning Department, 3300 Newport Boulevard, Newport Beach, California 92660.

1. Newport Beach General Plan; City of Newport Beach; adopted July 25, 2006.
2. Final Program EIR – City of Newport Beach General Plan
3. Title 20, Zoning Code of the Newport Beach Municipal Code.
4. City Excavation and Grading Code, Newport Beach Municipal Code.
5. Chapters 10.26 and 10.28, Community Noise Ordinance of the Newport Beach Municipal Code.
6. South Coast Air Quality Management District, Air Quality Management Plan 1997.
7. South Coast Air Quality Management District, Air Quality Management Plan EIR, 1997.

The following documents have been prepared specifically for this project, and are incorporated by reference within this initial study. The documents are available at the office of the City of Newport Beach, Planning Department.

1. Report of Geotechnical Studies and Review of Vesting Tentative Tract Map No. 15347, Newport Beach Country Club; GMU Geotechnical, Inc.; May 2, 2008.
2. Revised Preliminary Geotechnical Design Parameters for the NBCC Planned Community, Newport Beach Country Club; GMU Geotechnical, Inc.; April 25, 2008.
3. Phase I Environmental Site Assessment; Newport Beach Country Club Planned Community; Partner Engineering and Science, Inc.; April 3, 2009.
4. Traffic and Parking Evaluation for the Proposed Newport Beach Country Club Project in the City of Newport Beach; Kimley Horn and Associates, Inc.; June 2009.
5. NPDES Technical Study (Newport Beach Country Club Planned Community District Plan); Adams-Streeter Civil Engineers, Inc.; January 14, 2009
6. Preliminary Hydrology Report for Vesting Tentative Tract Map No. 15347; Adams-Streeter Civil Engineers, Inc.; July 13, 2009.
7. Newport Beach Country Club Planned Community District Plan; January 12, 2009.
8. Air Quality Analysis for the Newport Beach Country Club Project; Giroux & Associates; July 23, 2009.
9. Noise Assessment for the Newport Beach Country Club Project; Giroux & Associates; July 23, 2009.
10. Newport Beach Country Club Parking Supply Analysis; LSA Associates, Inc.; August 20, 2008.

