

NOTICE OF PREPARATION

TO: Reviewing Agencies and Other Interested Parties

FROM: Jaime Murillo, City of Newport Beach Associate Planner

SUBJECT: Newport Beach City Hall and Park Development Plan

NOP REVIEW PERIOD: April 1, 2009–April 30, 2009

Pursuant to Public Resources Code Section 21165 and the Guidelines for the California Environmental Quality Act (State CEQA Guidelines) Section 15050, the City of Newport Beach (City) is the Lead Agency responsible for preparation of an Environmental Impact Report (EIR) addressing potential impacts associated with the proposed Newport Beach City Hall and Park Development Plan project.

The purpose of this letter and the attached documentation is (1) to serve as a Notice of Preparation of an EIR pursuant to the State CEQA Guidelines Section 15082, and (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the proposed project. The City, as Lead Agency, respectfully requests that any Responsible or Trustee Agency responding to this notice respond in a manner consistent with State CEQA Guidelines Section 15082(b). Comments and suggestions should, at a minimum, identify the significant environmental issues, reasonable alternatives, and mitigation measures that should be explored in the EIR, whether the responding agency will be a responsible or trustee agency for the proposed project, and any related issues raised by interested parties other than potential responsible or trustee agencies, including interested or affected members of the public.

Proposed Project. The proposed project site is located in the City of Newport Beach between Avocado Avenue and MacArthur Boulevard. The proposed project site is composed of three parcels (referred to as the northern, central, and southern parcel). Altogether, the proposed project site is approximately 20 acres (ac). The northern parcel and the central parcel, both of which are currently vacant, are separated by San Miguel Drive. The southern parcel is occupied by the existing Newport Beach Public Library, which is located at 1000 Avocado Avenue; the Library would remain after project implementation. The proposed project includes construction and operation of an approximately 90,000-square-foot (sf) City Hall building, meeting hall, and Council Chambers; a 450-space parking structure; an approximately 20,000 sf expansion of the Newport Beach Central Library; and construction of a public park.

Environmental Analysis. The attached Initial Study for the proposed project indicates that there may be significant adverse environmental impacts related to Aesthetics, Air Quality, Biological Resources Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Housing and Population, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services and Utilities, and Transportation and Circulation. These topics will be addressed in the EIR. In addition, the EIR will also describe and evaluate project alternatives that may reduce or avoid any identified significant adverse impacts of the project. Unless new information identifying it as a potential impact is

presented during the scoping process, the following topics will not be discussed further in the EIR: Agricultural Resources and Mineral Resources.

Responsible Agencies: Implementation of the proposed project may require review, permits, and/or approval from the following agencies:

Responsible Agency	Action
1. California Department of Fish and Game (CDFG)	Fill of riparian/wetland habitat through approval of a 1602 Streambed Alteration Agreement (exact permitting requirements to be determined)
2. United States Army Corps of Engineers (ACOE)	Section 404 Permit for fill of riparian/wetland (exact permitting requirements to be determined)
3. State Water Resources Control Board (SWRCD)	Applicant must submit a Notice of Intent (NOI) to comply with the General Activity Construction National Pollution Discharge Elimination System (NPDES) Permit
4. Regional Water Quality Control Board (RWQCB)	Storm sewer discharge permit and a Temporary Construction Dewatering Permit
5. Orange County Airport Land Use Commission (ALUC)	Determination of Consistency
6. Federal Aviation Administration (FAA)	FAA Determination

Responding to this Notice. Pursuant to State CEQA Guidelines Section 15082, responsible and trustee agencies and other interested parties, including members of the public, must submit any comments in response to this notice no later than 30 days after receipt. The City will accept comments in response to this notice through the close of business on April 30, 2009.

All comments and responses to this notice should be submitted in writing to:

Jaime Murillo, Associate Planner
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915

The City will also accept responses to this notice submitted via email received through the close of business on April 30, 2009. Email responses to this notice may be sent to:
jmurillo@city.newport-beach.ca.us.

Scoping Meeting. The City will conduct a public scoping meeting in conjunction with this Notice of Preparation in order to present the project and the EIR process and to receive public comments and suggestions regarding the scope and content of the EIR. The meeting will be held on Wednesday, April 22, 2009, from 6:30 p.m. to 8:00 p.m. in the Friends Room at the Newport Beach Public Library, which is located at 1000 Avocado Avenue, in Newport Beach, California.

INITIAL STUDY

**NEWPORT BEACH CITY HALL AND PARK DEVELOPMENT PLAN
CITY OF NEWPORT BEACH**

LSA

March 2009

INITIAL STUDY

NEWPORT BEACH CITY HALL AND PARK DEVELOPMENT PLAN CITY OF NEWPORT BEACH

Submitted to:

City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92658-8915
(949) 644-3311

Prepared by:

LSA Associates, Inc.
20 Executive Park, Suite 200
Irvine, California 92614-4731
(949) 553-0666

LSA Project No. CNB0901

LSA

March 2009

TABLE OF CONTENTS

1.0	PROJECT BACKGROUND.....	1
2.0	ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED.....	5
3.0	ENVIRONMENTAL CHECKLIST	7
4.0	ANALYSIS OF ENVIRONMENTAL IMPACT ISSUES	20

FIGURES

Figure 1: Project Location	3
Figure 2: Proposed Development Areas	4
Figure 3: Mineral Resources	39

1.0 PROJECT BACKGROUND

1.1 Project Title: City of Newport Beach City Hall and Park Development Plan

1.2 Lead Agency Name and Address:

City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach, CA 92658-8915

1.3 Contact Person and Phone Number:

Jaime Murillo, Planning Department
(949) 644-3209

1.4 Project Location: The proposed project site is located in the City of Newport Beach between Avocado Avenue and MacArthur Boulevard. The proposed project site location is shown in Figure 1. The existing City Hall site is located at 3300 Newport Boulevard.

1.5 Project Sponsor's Name and Address: City of Newport Beach

1.6 General Plan Designation: Public Facilities (PF) and Open Space (OS)

1.7 Zoning: Planned Community (PC) 27 – Newport Village

1.8 Description of Project: The proposed project site is located in the City of Newport Beach (City) between Avocado Avenue and MacArthur Boulevard. The proposed project site is composed of three parcels (referred to as the northern, central, and southern parcels). Altogether, the proposed project site is approximately 20 acres (ac). The northern parcel and the central parcel, both of which are currently vacant, are separated by San Miguel Drive. The southern parcel is occupied by the existing Newport Beach Public Library located at 1000 Avocado Avenue; the Library would remain after project implementation.

The proposed project would result in the relocation of City Hall (with the exception of the Fire Department), including all City employees and functions. The proposed project includes construction and operation of (1) an approximately 90,000-square-foot (sf) City Hall building, meeting hall, and Council Chambers; (2) a 450-space parking structure; (3) an approximately 20,000 sf expansion of the Newport Beach Central Library; and (4) construction of a public park. The proposed development areas/uses for the proposed project site are shown in Figure 2.

The park is proposed to include both natural and more formal park features. A dog park is proposed to be located in the north section of the park. The central portion of the proposed park located south of San Miguel Drive but north of the proposed City Hall structures, would be largely organized around the existing wetland area and the steep slopes that form its sides. Within the wetlands area, invasive exotic planting would be removed and efforts would be made to improve water quality. A pedestrian bridge over San Miguel Drive is also proposed to link the central and northern parcels.

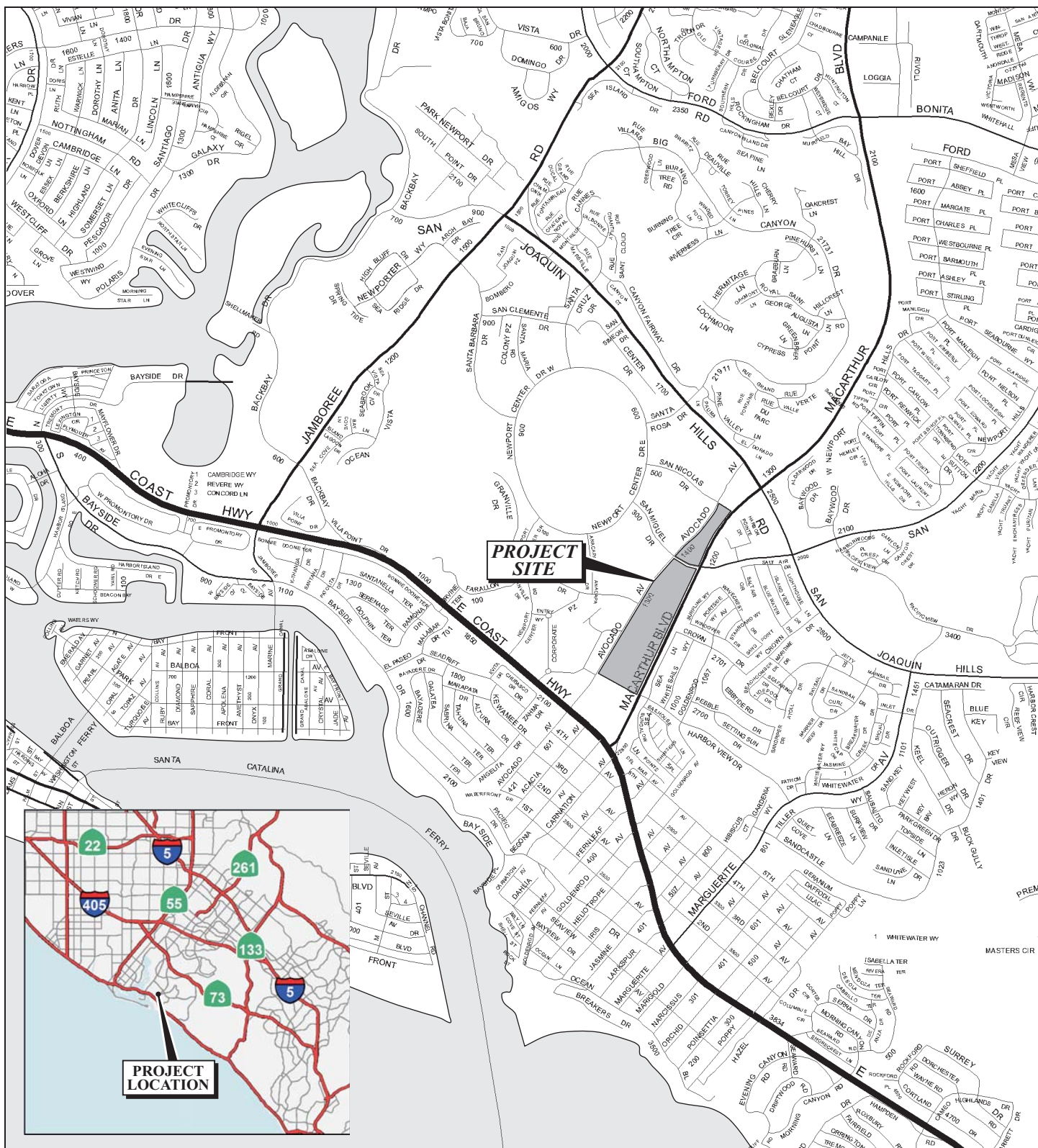
Discretionary Actions: The City, as the Lead Agency, has the authority for Preparation of this EIR and, after the comment/response process, certification of the Final EIR and approval of the proposed project.

1.9 Surrounding Land Uses and Setting:

To the North	Orange County Transportation Authority (OCTA) Newport Transportation Center (bus transfer station)
To the East	MacArthur Boulevard/Residential
To the South	Newport Beach Central Library/Retail
To the West	Commercial and Medical Offices

1.10 Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement.)

Responsible Agency	Action
1. California Department of Fish and Game	Fill of riparian/wetland habitat through approval of a 1602 Streambed Alteration Agreement (exact permitting requirements to be determined)
2. United States Army Corps of Engineers	Section 404 Permit for fill of riparian/wetland (exact permitting requirements to be determined)
3. State Water Resources Control Board	Applicant must submit a Notice of Intent (NOI) to comply with the General Activity Construction National Pollution Discharge Elimination System (NPDES) Permit
4. Regional Water Quality Control Board	Storm sewer discharge permit and a Temporary Construction Dewatering Permit
5. Orange County Airport Land Use Commission (ALUC)	Determination of Consistency
6. Federal Aviation Administration (FAA)	FAA Determination



LSA



0 1000 2000
FEET

SOURCE: The Thomas Guide

F:\CNB0901\G\Location.cdr (3/24/09)

FIGURE 1

Newport Beach City Hall and Park Development Plan
Project Location



FIGURE 2

LSA



0 250 500
FEET

SOURCE: DigitalGlobe (4/08)

E:\CNB0901\G\Development Areas.cdr (3/24/09)

LEGEND

- Park
- City Hall
- Existing Library

Newport Beach City Hall and Park Development Plan
Proposed Development Areas

2.0 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.

- | | | |
|---|--|--|
| ☒ Aesthetics | ☐ Agriculture Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☒ Geology/Soils |
| ☒ Hazards & Hazardous Materials | ☒ Hydrology/Water Quality | ☒ Land Use/Planning |
| ☐ Mineral Resources | ☒ Noise | ☒ Population/Housing |
| ☒ Public Services | ☒ Recreation | ☒ Transportation/Traffic |
| ☒ Utilities/Service Systems | ☒ Mandatory Findings of Significance | |

2.1 DETERMINATION:

On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared. ☐
2. 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. ☐
3. I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required. ☒
4. I find that the proposed project **may have a "potentially significant impact" or "potentially significant unless mitigated impact"** 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. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed. ☐
5. I find that although the proposed project could have a significant effect on the environment, 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 or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐


Project Planner

3/31/09
Date

2.2 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of an adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

3.0 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?	☒	☐	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☒	☐	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐
II. AGRICULTURE 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 nonagricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?	☐	☐	☐	☒
III. AIR QUALITY. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐

		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?	☒	☐	☐	☐
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
d)	Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
e)	Create objectionable odors affecting a substantial number of people?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 impeded the use of native wildlife nursery sites?	☒	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
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?	☒	☐	☐	☐
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☒	☐	☐	☐
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:	☒	☐	☐	☐

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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.	☒	☐	☐	☐
ii) Strong seismic ground shaking?	☒	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐
iv) Landslides?	☒	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
e) Have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
VII. 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?	☒	☐	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☒	☐	☐	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☐	☐	☐	☒
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY.					
	Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	☒	☐	☐	☐
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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
f)	Otherwise substantially degrade water quality?	☒	☐	☐	☐
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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
k)	Result in significant alteration of receiving water quality during or following construction?	☒	☐	☐	☐
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?	☒	☐	☐	☐
m)	Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☒	☐	☐	☐
n)	Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☒	☐	☐	☐
o)	Create significant increases in erosion of the project site or surrounding areas?	☒	☐	☐	☐
IX.	LAND USE AND PLANNING.				
	Would the proposal:				
a)	Physically divide an established community?	☐	☐	☐	☒
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?	☒	☐	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
X.	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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
XI.	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?	☒	☐	☐	☐
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
e)	For a project located within an airport land use 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?	☐	☐	☐	☒

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
XII.	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)?	☒	☐	☐	☐
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
XIII.	PUBLIC SERVICES Would the project:				
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?	☒	☐	☐	☐
	Police protection?	☒	☐	☐	☐
	Schools?	☒	☐	☐	☐
	Other public facilities?	☒	☐	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XIV. 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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
XV. TRANSPORTATION/TRAFFIC					
Would the project:					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☒	☐	☐	☐
b)	Exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☐
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?	☐	☐	☒	☐
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e)	Result in inadequate emergency access?	☒	☐	☐	☐
f)	Result in inadequate parking capacity?	☒	☐	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☒	☐	☐	☐
XVI. UTILITIES & SERVICE SYSTEMS					
	Would the project:				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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?	☒	☐	☐	☐
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	☐
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?	☒	☐	☐	☐
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☒	☐	☐	☐
g)	Comply with federal, state, and local statutes and regulation related to solid waste?	☒	☐	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
h)	Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetland), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?	☒	☐	☐	☐
XVII. 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?	☒	☐	☐	☐
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.)	☒	☐	☐	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

3.1 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. Final Program EIR – City of Newport Beach General Plan.
2. General Plan, including all its elements, City of Newport Beach.
3. Title 20, Zoning Code of the Newport Beach Municipal Code.
4. Chapter 10.28, Community Noise Ordinance of the Newport Beach Municipal Code.
5. Chapter 15. 40, Traffic Phasing Ordinance of the Newport Beach Municipal Code.
6. Mineral Resources Data System. California Geological Survey. California Department of Conservation. 1985.
7. Farmland Monitoring and Mapping Program (FMMP). California Department of Conservation. 2004.
8. Emergency Management Plan. 2004.

4.0 ANALYSIS OF ENVIRONMENTAL IMPACT ISSUES

Section 2.0 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
1.	AESTHETICS. <i>Would the project:</i>				
(a)	Have a substantial adverse effect on a scenic vista?	☒	☐	☐	☐
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☒	☐	☐	☐
(c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☒	☐	☐	☐
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐

Impact Analysis

- a) **Potentially Significant Impact.** A scenic vista is generally defined as an area that is deemed aesthetically pleasing when viewed from a certain vantage point. Aesthetic components of a scenic vista include: (1) scenic quality; (2) sensitivity level; and (3) view access. The City has designated Avocado Avenue and MacArthur Boulevard as Coastal View Roads.¹ The project site is visible from both roadways; therefore, the proposed project site may be considered part of a scenic vista. In addition, panoramic ocean views are visible from areas of elevated terrain on site, therefore the project site itself may be considered a vantage point for a scenic vista. Pacific Coast Highway is not a State-designated Scenic Highway in the vicinity of the proposed project site.² Implementation of the proposed project would result in the construction of new buildings and the installation of additional landscaping and lighting that may obstruct or modify a scenic vista. The Environmental Impact Report (EIR) will include analysis of possible impacts related to scenic vistas, including publically accessible views on site. This topic will be addressed in the EIR, and mitigation will be included if necessary.
- b) **Potentially Significant Impact.** A scenic resource is an element of a scenic area that contributes to the area's scenic value and includes landform, vegetation, water, adjacent scenery, and may include a cultural modification to the natural environment. Although there are no designated scenic resources on the proposed project site, the location of the site within a larger scenic vista and its possible use as a vantage point for panoramic ocean views requires additional analysis. This topic will be addressed in the EIR, and mitigation will be included if necessary.
- c) **Potentially Significant Impact.** Implementation of the proposed project would result in the construction of new buildings and the installation of additional landscaping and lighting. It is expected that portions of the proposed project including, but not limited to, the proposed parking structure, City Hall building, and Council Chambers would be visible to passing motorists on Avocado Avenue or MacArthur Boulevard and from properties located to the east and west of the proposed project site. This topic will be addressed in the EIR, and mitigation will be included if necessary.

¹ City of Newport Beach General Plan. Figure NR-3, Coastal Views.

² California Department of Transportation Web site: <http://www.dot.ca.gov/hq/LandArch/scenic/cahisys.htm>.

-
- d) **Potentially Significant Impact.** The proposed project site is visible from the adjacent residential neighborhood to the east, which is situated at a higher elevation than the project site. Project implementation would create lighting sources on site with the addition of buildings, parking areas, and security lighting that could potentially impact sensitive receptors (including adjacent residential areas). Although no significant unavoidable impacts related to light and glare are anticipated, this topic will be addressed in the EIR, and mitigation will be included if necessary.

2. AGRICULTURAL RESOURCES. (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 nonagricultural use?	☐	☐	☐	☒
(b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
(c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?	☐	☐	☐	☒

- a) **No Impact.** The proposed City Hall site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As a result, no significant impacts are anticipated. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.
- b) **No Impact.** The City's Land Use Element of the General Plan designates the proposed project site as Public Facility (PF) and Open Space (OS). The proposed project site is not zoned or used for agricultural use, and no Williamson Act contracts exist for the site. As a result, no significant impacts are anticipated. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.
- c) **No Impact.** The proposed City Hall site is primarily vacant (with the exception of the existing Library), but is not used for agricultural purposes and is surrounded by commercial and residential development. The proposed project would not result in the conversion of farmland to nonagricultural use. As a result, no impacts are anticipated. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

3. AIR QUALITY. (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) <i>Would the project:</i>	Potentially Significant Impact			
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☒	☐	☐	☐
(c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☒	☐	☐	☐
(d) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
(e) Create objectionable odors affecting a substantial number of people?	☒	☐	☐	☐

- a) Potentially Significant Impact.** An air quality management plan (AQMP) describes air pollution control strategies to be taken by a City/County or region classified as a nonattainment area to meet the Clean Air Act (CAA) requirements. The main purpose of an AQMP is to bring the area into compliance with the requirements of federal and State air quality standards. Since the AQMP is based on local General Plans, projects that are deemed consistent with the General Plan are usually found to be consistent with the AQMP. The proposed project is consistent with the City's General Plan. In addition, the proposed project is expected to comply with State and national ambient air quality standards. This topic will, however, be addressed in the EIR, and mitigation will be included if necessary.
- b) Potentially Significant Impact.** Construction-related air quality impacts that would result from clearing, grading, and construction activities will require analysis in the EIR to determine whether such impacts would result in the violation of any air quality standard. Operation-related air quality impacts that would result from vehicular traffic will also require analysis in the EIR to determine whether such impacts would result in the violation of any air quality standard. This topic will be addressed in the EIR, and mitigation will be included if necessary.
- c) Potentially Significant Impact.** The proposed project would result in the construction and operation of a new City Hall campus and a public park. Further evaluation of operational air emissions is necessary in the EIR to determine whether the proposed project will result in a cumulatively considerable net increase of any criteria pollutant.
- d) Potentially Significant Impact.** Sensitive receptors refer to locations where uses and/or activities result in increased exposure of persons more sensitive to the unhealthful effects of emissions (such as children and the elderly). The project site is surrounded by commercial, transportation, and residential uses; implementation of the proposed project would introduce sensitive receptors to the project site. Further evaluation in the EIR is necessary to determine whether the proposed project would expose sensitive receptors to substantial pollutant concentrations.
- e) Potentially Significant Impact.** The project site is surrounded by commercial, transportation, and residential uses. Some objectionable odors may be generated from the operation of diesel-powered construction equipment and/or asphalt paving during the project construction period. However, these odors would be short term in nature and would

not result in permanent impacts to surrounding land uses, including sensitive receptors (e.g., residential uses) in the vicinity of the project site. In addition, the nearest sensitive receptor is located east of the project site, across MacArthur Boulevard. Due to the distance between the project site and the existing residential uses (approximately 166 feet [ft] to 188 ft for the northern and central parcels, respectively), odors generated by on-site earthmoving and heavy equipment are not expected to create objectionable odors at the nearest residential uses. The proposed project would result in the construction and operation of a new City Hall campus and a public park, neither of which are anticipated to create long-term objectionable odors. This topic will, however, be analyzed further in the EIR, and mitigation will be included if necessary.

4. BIOLOGICAL RESOURCES. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
(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?	☒	☐	☐	☐

a)–e) Potentially Significant Impact. The EIR will include findings from biological surveys of the proposed project area conducted by qualified biologists. The EIR will also include a discussion of the field methods used and the result of the biological assessment, including a list of plant and animal species present on the property and a general description of the plant communities occurring on site.

In accordance with the 1987 United States Army Corps of Engineers (ACOE) Wetlands Delineation Manual and the 2008 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0), the currently accepted methodologies, a routine wetlands delineation of the project site will be completed and appropriately referenced in the EIR. This delineation will include the identification and mapping of all potential jurisdictional “waters of the United States” according to current ACOE standards. The EIR will also include a discussion of any streambed and associated riparian habitat areas subject to review by the California Department of Fish and Game (CDFG) through provisions of the Fish and Game Code of California (Section 1602).

If necessary, mitigation measures will be identified to ensure that impacts to biological resources on site are reduced to the extent feasible.

f) Potentially Significant Impact. The CDFG's Natural Communities Conservation Plan (NCCP) is an effort by the State of California, and numerous private and public partners. It takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. An NCCP identifies and provides for the regional or areawide protection of plants, animals, and their habitats while allowing compatible and appropriate economic activity. The primary objective of the NCCP is to conserve natural communities at the ecosystem scale while accommodating compatible land use. In most cases the NCCP program is implemented with a companion Habitat Conservation Plan (HCP) under the jurisdiction of the United States Fish and Wildlife Service (USFWS). The NCCP/HCP program seeks to anticipate and prevent the controversies and gridlock caused by species' listings by focusing on the long-term stability of wildlife and plant communities and including key interests in the process.

The Orange County Coastal subregional NCCP, approved in July 1996, establishes a 37,380 ac reserve system in a 208,000 ac planning area. The plan protects significant areas of 12 major habitat types and covers 39 sensitive plant and animal species. Reserve lands are managed by Participating Landowners or their designated Reserve Managers in coordination with The Nature Reserve of Orange County.

The NCCP/HCP provides for the protection of a number of plant and animal species, referred to as Target Species and Identified Species. Generally, inside the Reserve, only land uses that are compatible with habitat and wildlife preservation are allowed, while economic growth and development may occur outside the Reserve. More specifically, if a proposed project site is identified in the NCCP for the allowance of future development (i.e., it is located outside the Reserve area or other planned open space), and it is/was owned by a Participating Landowner, development is permitted without any further mitigation. If a proposed project site is in an identified potential development area, but not owned by a Participating Landowner, it can be developed under two conditions: (1) it must be within a signatory jurisdiction (such as the City of Newport Beach or unincorporated County of Orange); and (2) if it contains coastal sage scrub (CSS) habitat that is occupied by coastal California gnatcatchers, the proponent can pay a mitigation fee to obtain the "take" authorization. If the land is not within a signatory jurisdiction, and there are gnatcatchers, there is no option for payment of the mitigation fee, and the proponent must obtain take authorization by obtaining a Section 10(a) permit or a Section 7 Consultation if there is a federal action. The City is a signatory jurisdiction. Signatory jurisdictions are responsible for ensuring that the provisions of the NCCP are implemented with respect to activities that are under their jurisdiction.

The proposed project site is located within the boundaries of the Orange County Central Coastal NCCP/HCP planning area; however, it is an area identified as urbanized and is located well outside the Reserve. The EIR will include analysis of listed species that are observed on site or potentially occur on site, applicable regulations, and mitigation requirements, if necessary, for any plant or animal species that is protected under the NCCP/HCP.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
5.	CULTURAL RESOURCES. <i>Would the project:</i>				
(a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☐
(c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐
(d)	Disturb any human remains, including those interred outside of formal cemeteries?	☒	☐	☐	☐

a) No Impact. The proposed project site is currently vacant (with the exception of the existing Library), and there are no existing structures on or adjacent to the proposed project site that are over 50 years of age or considered to be historically significant. The City General Plan does not identify any historic resources within or adjacent to the project site. Therefore, the proposed project would not cause a substantial adverse change to historical resources. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

b) Potentially Significant Impact. The EIR will incorporate and address the results of an archaeological and historical records review and literature search conducted through the Eastern Information Center and the University of California, Riverside. The Information Center houses the pertinent archaeological site and survey information necessary to determine whether cultural resources exist within the study area boundaries. The archival research will: (1) establish the status and extent of previously recorded sites, surveys, and excavations in the project area; and (2) note what site types might be expected to occur within the proposed project area based on existing data from archaeological sites located within 0.25 mi of the project area.

Based on the records search, a systematic on-site pedestrian survey will be conducted to determine the presence of cultural resources on previously unsurveyed property. Previously recorded sites within the project boundary will be field checked, and existing site records will be updated on revised (1993) site forms consistent with the guidelines established by the State Office of Historic Preservation.

The results of the survey and an evaluation of potential on-site cultural resources will be addressed in the EIR. If necessary, mitigation measures will be included to reduce potential impacts.

c) Potentially Significant Impact. The EIR will incorporate and address a paleontological records review and literature search of the locality records maintained by the local clearinghouse to obtain locality and survey information pertinent to the project area. The archival research will: (1) establish the status and extent of previous surveys in the project area, and (2) note what types of fossils might be expected to occur within the proposed project area based on existing data from fossils recovered within 0.25 mi of the project area. The results of the survey and an evaluation of potential on-site paleontological resources will be addressed in the EIR. If necessary, mitigation measures will be included to reduce potential impacts.

d) Potentially Significant Impact. There are no known human remains interred on site. In the unlikely event that human remains are encountered during project grading, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities would be adhered to in compliance with State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

Precautionary mitigation may be included in the EIR to address any potential impacts related to unknown remains that might be uncovered at the time of grading. This topic will be addressed in the EIR, and mitigation will be included if necessary.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
6. GEOLOGY AND SOILS. <i>Would the project:</i>					
(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.	☒	☐	☐	☐
	ii) Strong seismic ground shaking?	☒	☐	☐	☐
	iii) Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐
	iv) Landslides?	☒	☐	☐	☐
(b)	Result in substantial soil erosion or the loss of topsoil?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(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?	☐	☐	☐	☒

a)

- i. **Potentially Significant Impact.** There are no known faults within or immediately adjacent to the project site, and the project site is not within or adjacent to an Alquist-Priolo Special Study Zone. However, the project site, like most of Southern California, is in an area of high seismic activity. Therefore, the EIR analysis will include the location of known faults and their potential for earthquake-induced ground shaking capable of causing rupture, and mitigation will be included in the EIR, if necessary.
- ii. **Potentially Significant Impact.** The project site is susceptible to seismic ground shaking typical of all areas in Southern California. The project will comply with all Uniform Building Code (UBC) and California Building Code seismic standards. The project must be designed and constructed in accordance with the Zone 4 criteria of the current UBC and other local codes that may apply. Compliance with the recommendations of a geotechnical engineer and geologist will also be required. Implementation of these standards and criteria will minimize, to the extent feasible, potential impacts associated with a seismic event. The EIR analysis will include the location of known faults and their potential for earthquake-induced ground shaking capable of causing rupture, liquefaction, settlement, and landslides. Compliance with building code regulations is expected to reduce all potential impacts related to seismic activity to a less than significant level; however, additional mitigation will be included, if necessary. The potential exposure of people or structures to geologic hazards such as seismic-related ground

failure or substantial erosion and to soil conditions such as instability, subsidence, compressibility, expansiveness, or other conditions that might affect project improvements will also be evaluated. Mitigation will be included in the EIR, if necessary.

- iii. **Potentially Significant Impact.** Strong ground shaking can result in liquefaction. Liquefaction, a geologic process that causes ground failure, typically occurs in loose, saturated sediments primarily of sandy composition. Areas of Newport Beach susceptible to liquefaction and related ground failure (i.e., seismically induced settlement) include areas along the coastline that includes Balboa Peninsula, in and around the Newport Bay and Upper Newport Bay, in the lower reaches of major streams in Newport Beach, and in the floodplain of the Santa Ana River. Although the proposed project site is not in an area known for liquefaction, because the proposed project would introduce several subterranean structures to the project site (including portions of the proposed parking garage, the basement level of the City Hall building, and elevator shafts), further consideration in the EIR is necessary. Mitigation will be included in the EIR, if necessary.
 - iv. **Potentially Significant Impact.** Slope failures are common during strong seismic shaking in areas of significant relief. Seismically induced landslides can overrun structures, people, or property; sever utility lines; and block roads, thereby hindering rescue operations after an earthquake. Since the proposed project site is located in an area with substantial slopes and a small portion of the project site has been identified as an area of potential landslide hazards (City General Plan Figure S2), further consideration in the EIR is necessary. Mitigation will be included in the EIR, if necessary.
- b) **Potentially Significant Impact.** During construction activities of the proposed project, soil would be exposed, and there would be an increased potential for soil erosion compared to existing conditions. Additionally, during a storm event, soil erosion could occur at an accelerated rate. Therefore, this topic will be addressed in the EIR, and mitigation will be included if necessary.
- c) **Potentially Significant Impact.** Compressible soils underlie a significant part of the City, typically in the lowland areas and in canyon bottoms. These are generally young sediments of low density with variable amounts of organic materials. Under the added weight of fill embankments or buildings, these sediments will settle, causing distress to improvements. Low-density soils, if sandy in composition and saturated with water, will also be susceptible to the effects of liquefaction during a moderate to strong earthquake. Although the proposed project site is not in an area known for compressible soils or liquefaction, because the proposed project would introduce several subterranean structures to the project site (including portions of the parking garage, the basement level of the City Hall building, and elevator shafts), further consideration in the EIR is necessary. Mitigation will be included in the EIR, if necessary.
- d) **Potentially Significant Impact.** Expansive soils contain types of clay minerals that occupy considerably more volume when they are wet or hydrated than when they are dry or dehydrated. Some of the geologic units in the Newport Beach area, including both surficial soils and bedrock, have fine-grained components that are moderate to highly expansive. These materials may be present at the surface or exposed by grading activities. Humanmade fills can also be expansive, depending on the soils used to construct them. Therefore, this topic will be addressed in the EIR, and mitigation will be included if necessary.
- e) **No Impact.** The project does not include the use of septic tanks or alternative methods for disposal of wastewater into the subsurface soils. The proposed project would connect to existing public wastewater infrastructure. No on-site sewage disposal systems (e.g., septic tanks) are planned. Therefore, the project would not result in any impacts related to septic tanks or alternative wastewater disposal methods, and this topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

7. HAZARDS AND HAZARDOUS MATERIALS. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☒	☐	☐	☐
(b)	Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☒	☐	☐	☐
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☒	☐	☐	☐
(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 result in a safety hazard for people residing or working in the project area?	☒	☐	☐	☐
(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?	☐	☐	☐	☒
(g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
(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?	☐	☐	☐	☒

a–d) Potentially Significant Impact. The EIR will incorporate and address the conclusions of a Phase I Environmental Site Assessment. The site assessment will identify whether the proposed project site is either: (1) a former hazardous waste disposal site (and whether the wastes have been removed), (2) a hazardous substance release site identified by the State Department of Health Services, or (3) a site containing one or more pipelines that carry hazardous substances, acutely hazardous substances, or hazardous wastes, except a natural gas line. Potential land use safety and hazard conflicts related to existing land uses near the proposed project site will also be addressed, and mitigation measures will be identified to reduce any potential impacts, if necessary.

e) Potentially Significant Impact. The proposed project site is not located within the Clear Zone/Runway Protection Zones or the Accident Potential Zone for John Wayne Airport (JWA), as designated in the City's General Plan (Figure S5). A portion of the northern parcel (proposed project site north of San Miguel Drive) is located within the Airport Environs Land Use Plan (AELUP) for JWA. In 1975, the Airport Land Use Commission (ALUC) of Orange County adopted an AELUP that included JWA (formerly Orange County Airport). The AELUP is the authoritative

planning document for the ALUC. The ALUC is an agency authorized under State law to assist local agencies in ensuring compatible land uses in the vicinity of airports. Primary areas of concern for ALUCs are noise, safety hazards, and airport operational integrity. ALUCs are not implementing agencies in the manner of local governments, nor do they issue permits for a project such as those required by local governments. The project site is located within the AELUP for JWA and could potentially result in a safety hazard for people residing or working in the project area. The AELUP for JWA contains policies governing the land uses within the JWA area. Specifically, these policies establish development criteria that protect sensitive receptors from airport noise, protect persons from risk of airport operations, and establish height guidelines to ensure aircraft safety. The proposed project would be required to implement the guidelines contained in the AELUP. The project's consistency with the AELUP for JWA will be analyzed in detail in the EIR, and mitigation will be included if necessary.

- f) No Impact.** The proposed project site is not located in the vicinity of a private airstrip, and the proposed project would not result in a safety hazard for people residing or working in the project area. Therefore, this topic will not be addressed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.
- g) Potentially Significant Impact.** The City Fire Department is the authority that is responsible for implementing emergency response plans and monitoring evacuation plans. Within the City's Fire Department, the Disaster Preparedness Coordinator has the responsibility of updating the City's Emergency Management Plan, including the development and implementation of disaster training for employees. The Emergency Management Plan describes the different levels of emergencies, the local emergency management organization, and the specific responsibilities of each participating agency, government office, and City staff responding to emergencies. Roads that are used as response corridors/evacuation routes usually follow the most direct path to or from various parts of a community. For the project site, the main corridor is assumed to be MacArthur Boulevard. Although the proposed project would not physically interfere with or disrupt the use of MacArthur Boulevard as an evacuation route and the City Fire Department would review project plans for adequate emergency access and evacuation as a standard condition of approval. This topic will be addressed in the EIR, and mitigation will be included if necessary.
- h) No Impact.** The City defines a wildland fire hazard area as any geographic area that contains the types and conditions of vegetation, topography, weather, and structure density that potentially increases the possibility of wildland fires. The area surrounding the proposed project site is surrounded by urban commercial and residential uses that do not contain the brush- and grass-covered hillsides often associated with wildfires. According to the City's General Plan (Figure S4), the proposed project is located in an area designated as "low/none wildfire hazard." Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and this topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

8. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements?	☒	☐	☐	☐
(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 preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☒	☐	☐	☐
(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 a substantial erosion or siltation on- or off-site.	☒	☐	☐	☐
(d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☒	☐	☐	☐
(e)	Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☒	☐	☐	☐
(f)	Otherwise substantially degrade water quality?	☒	☐	☐	☐
(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?	☐	☐	☐	☒
(h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
(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?	☐	☐	☐	☒
(j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒
(k)	Result in significant alteration of receiving water quality during or following construction?	☒	☐	☐	☐
(l)	Result in a potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☒	☐	☐	☐
(m)	Result in the potential for discharge of storm water to affect the beneficial uses of the receiving waters?	☒	☐	☐	☐

8. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(n)	Create the potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	☒	☐	☐	☐
(o)	Create significant increases in erosion of the project site or surrounding areas?	☒	☐	☐	☐

a)–f) and k)–o) Potentially Significant Impact. The EIR will include a hydrology and water quality section based on project hydrology and water quality studies. The EIR will include analysis of changes to surface drainage patterns and surface groundwater quality protection components (best management practices [BMPs]) such as the collection and/or containment of storm water runoff and the filtering of the water to minimize the potential for surface water pollution. The EIR will also address soil erosion on and adjacent to the proposed project site.

The EIR will also include an evaluation of the need for project mitigation measures and BMPs to ensure adequate conveyance of storm flows and compliance with site-specific Storm Water Pollution Prevention Plan (SWPPP) and National Pollutant Discharge Elimination System (NPDES) permit requirements.

g)–h) No Impact. The project site is located outside of Flood Hazard Areas determined by the Federal Emergency Management Agency (FEMA). The project site is located in Zone X (outside the 2 percent annual floodplain) on FEMA Flood Control Maps. Therefore, the project would not place housing or structures within a 100-year flood zone, and this topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

i)–j) No Impact. The City is susceptible to low-probability but high-risk events such as tsunamis, and, more common, isolated hazards such as storm surges and coastal erosion. Each of these has a potential to significantly impact Newport Beach residents and the built environment. Areas within Newport Beach that are most likely to be impacted by a tsunami and flooding include West Newport, Balboa Peninsula, Lido Isle, Balboa Island, and Upper Newport Bay. The proposed project site is not located within a Flood Hazard Zone (100-year flood zone or 500-year flood zone) as identified in the City’s General Plan (Figure S3). In addition, there are no standing bodies of water in the vicinity of the proposed project site that could cause flooding due to seiches. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving flooding or inundation by seiche, tsunami, or mudflow, and this topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
9.	LAND USE/PLANNING. <i>Would the project:</i>				
(a)	Physically divide an established community?	☐	☐	☐	☒
(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?	☒	☐	☐	☐
(c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

- a) No Impact.** The proposed project includes the construction and operation of City Hall, a library expansion, and a public park on an approximately 20 ac site. The proposed project site is located between two existing roadways (MacArthur Boulevard and Avocado Avenue) and is surrounded on all sites by existing development. The proposed project would not disrupt or realign the existing roadway network or affect or disrupt residential neighborhoods in the project vicinity. Therefore, the proposed project would not physically divide an established community, and no significant impacts are anticipated. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.
- b) Potentially Significant Impact.** Locally adopted land use plans, policies, or regulations that would be applicable to the proposed project include the City of Newport Beach General Plan, Zoning Code, the Newport Village Planned Community text, and the Orange County AELUP for JWA. The proposed project site does not fall within any specific plans or other special land use overlays or areas

General Plan. The project site designated as Public Facilities (PF) and Open Space (OS) per the Land Use Element of the City's General Plan. The proposed City Hall and Park Development Plan project is consistent with these land use designations.

Zoning. The project site is located within the Newport Village Planned Community (PC-27) zoning district and is designated for "Open Space" and "Governmental and Institutional" land uses; however, the central parcel where the proposed City Hall building is proposed to be located is currently designated for Open Space.

A city or county may exempt itself from the provisions of its own zoning regulations, or it may amend its Zoning Code to include a provision that the regulations shall not apply to capital improvement projects. Therefore, the City, in this particular case, may take action to exempt itself from the provisions of its own Zoning Code.

The proposed project is a unique, one-of-a-kind capital improvement project, for which there are few or no specific development regulations or standards in the Newport Village Planned Community text or in the Zoning Code that apply to this type of facility. Should the City Council find that this project is not exempt from zoning and development regulations of the Zoning Code, an amendment to the Newport Village Planned Community would be required to change the land use designation of the central parcel from "Open Space" to "Governmental and Institutional," consistent with the southern library parcel, and issue development standards applicable to the project.

Airport Environs Land Use Plan. A small portion of the project site is located within the AELUP for JWA. The AELUP contains policies governing the land uses within the JWA area. Specifically, these policies establish development criteria that protect sensitive receptors from airport noise, persons from risk of operations, and height guidelines to ensure aircraft safety. The proposed project would be required to implement the guidelines contained in the AELUP.

The EIR will include analysis of potential conflicts the project may have with applicable land use plans, policies, and regulations. The project's compatibility with existing and planned surrounding land uses will also be analyzed in the EIR, including compatibility with surrounding residential areas (east) and commercial uses (west, north, south), existing land use patterns, and the existing character of the area. If necessary, mitigation measures will be included to reduce potential impacts. The EIR will also contain a complete analysis of the project's compliance with applicable policies from the City of Newport Beach's General Plan.

- c) **No Impact.** As described in Section 4(f) of this Initial Study, the Central/Coastal Orange County Subregion NCCP/HCP provides for the protection of a number of plant and animal species. The proposed project site is located within the boundaries of the NCCP/HCP. The project is in an area identified as urbanized by the NCCP/HCP and is not located in the Reserve or other planned open space area. Therefore, the project is consistent with the provisions of the plan, as it allows development of non-Reserve areas. This topic will not be analyzed further in the Land Use section of the EIR unless new information identifying it as a potential impact is presented during the scoping process.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
10. MINERAL RESOURCES.	<i>Would the project:</i>				
(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?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

a)–b) No Impact. In 1975, the California Legislature enacted the Surface Mining and Reclamation Act (SMARA) which, among other things, provided guidelines for the classification and designation of mineral lands. Areas are classified on the basis of geologic factors without regard to existing land use and land ownership. The areas are categorized into four Mineral Resource Zones (MRZs):

- **MRZ-1:** an area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence
- **MRZ-2:** an area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence
- **MRZ-3:** an area containing mineral deposits, the significance of which cannot be evaluated
- **MRZ-4:** an area where available information is inadequate for assignment to any other MRZ zone

Of the four categories, lands classified as MRZ-2 are of the greatest importance. Such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the Mining and Geology Board as being “regionally significant.” Such designations require that a lead agency’s land use decisions involving designated areas be made in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the lead agency’s jurisdiction.

Two separate production and reserve areas exist within the City’s Sphere of Influence: Newport Oil Field, which lies under the Pacific Ocean but has land-based tanks and extraction pumps just outside the municipal boundary in west Newport, and West Newport Oil Field, which is located in the Banning Ranch area. Thirty-three abandoned oil wells are located in numerous sites throughout the City, concentrated along the northwest boundary. Additionally, other than oil and gas resources, there is no active mining within the Newport Beach area. MRZs within the City are either classified as containing no significant mineral deposits (MRZ-1), or the significance of mineral deposits has not been determined (MRZ-3). Section 1401 of the City’s Charter does not allow new drilling or production or refining of oil, gas, or other hydrocarbon substances within the City.

The proposed project site on Avocado Avenue is not located in any of the resource areas identified in the City’s General Plan (i.e., the Newport Oil Field or the West Newport Oil Field). Portions of the project site have been classified by the California Department of Mines and Geology (CDMG) as being located in MRZ-1 and MRZ-3 (refer to Figure 3), indicating that the project site is located in an area where no significant mineral deposits are present or an area containing mineral deposits, the significance of which cannot be evaluated.

As previously stated, the proposed project site is largely vacant, with the exception of the existing Library. There are no mineral extraction activities occurring on site. In addition, the project site is designated for PF and OS uses. The

proposed project would not result in the loss of a valuable commercial or locally important mineral resource. No significant impacts related to known mineral resources would result from project implementation, and this topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.



LSA

LEGEND



Project Boundary



Mineral Resource Zone (MRZ) Boundary

MRZ-1 Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

MRZ-3 Areas containing mineral deposits the significance of which cannot be evaluated from available data.



0 1000 2000
FEET

FIGURE 3

SOURCE: DigitalGlobe (4/08); City of Newport Beach (1/09); CA Geological Survey, Dept. of Conservation (1995)

I:\CNB0901\GIS\MineralResources.mxd (3/24/2009)

Newport Beach City Hall and Park Development Plan
Mineral Resources

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
11.	NOISE. <i>Would the project result in:</i>				
(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?	☒	☐	☐	☐
(b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
(c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
(d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☒	☐	☐	☐
(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?	☐	☐	☐	☒
(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?	☐	☐	☐	☒

a), c), and d) Potentially Significant Impact. The EIR will incorporate the findings of a technical noise analysis that will identify impacts on sensitive land uses surrounding the project site, including residential areas to the north, south, and west. The short-term noise impacts of project-related construction activities will be assessed. Calculated noise levels at adjacent noise-sensitive uses from project-related stationary and mobile sources will be compared to all applicable noise criteria.

The EIR will include a discussion of applicable City noise and land use compatibility criteria for the project site and adjacent area. Standards for regulating noise impacts in the Noise Element of the City of Newport Beach General Plan and noise control ordinance will be discussed.

The areas where the potential exists for present and/or future noise impacts will be identified using land use information, aerial photographs, and field reconnaissance. A discussion of existing residences and other noise-sensitive uses adjacent to the project site would be included. Information from any available recent noise studies prepared for projects in the vicinity of the project site will be utilized. Existing roadway traffic noise will be calculated based on data from the traffic impact analysis.

Construction would occur during implementation of the proposed project. Equipment used during construction activities may include scrapers, loaders, graders, excavators, backhoes, generators, drilling equipment, light-duty trucks, and heavy-duty trucks. Noise impacts from these activities will be analyzed based on the equipment used, length of a specific construction task, equipment power type (gasoline or diesel engine), horsepower, load factor, and percentage of time in use. Noise emission levels recommended by the United States Environmental Protection Agency (EPA) will be used for the construction equipment. The construction noise impact will be evaluated in terms of composite maximum levels (L_{max}), hourly equivalent continuous noise levels (L_{eq}), and frequency of occurrence at

adjacent sensitive locations. Analysis requirements will be based on the sensitivity of the area and City noise regulations.

Noise model input data will include average daily traffic levels; day/night percentages of autos, medium trucks, and heavy trucks; vehicle speeds; ground attenuation factors; and roadway widths. Future Community Noise Equivalent Level (CNEL) contours along selected roadway segments will be provided. Traffic parameters such as peak-hour traffic rates; average daily traffic rates; construction traffic; traffic distribution during day, evening, and nighttime periods; and associated vehicle speeds will be required from the traffic study in order to conduct the analysis. The noise level increment from project-generated traffic will be calculated and evaluated using the above traffic noise model.

If necessary, mitigation measures will be identified to ensure that both short-term and long-term noise impacts will be reduced.

- b) Potentially Significant Impact.** Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment) and occasional traffic on rough roads. The EIR will evaluate potential vibration impacts associated with project construction (including grading activities) and operation. A quantitative vibration analysis will be provided with information provided in the project's soil analysis. The Vibration Impact Analysis will be prepared based on vibration thresholds and methodology contained in the Federal Transit Authority's (FTA's) Transit Noise and Vibration Impact Assessment guidance manual (United States Department of Transportation [DOT]-95-16, April 1995; revised FTA-VA-90-1003, May 2006).
- e) No Impact.** Newport Beach is located immediately south of JWA and is under the primary departure corridor. A small portion of the project site is located within the AELUP for JWA. The AELUP contains policies governing the land uses within the JWA area. Specifically, these policies establish development criteria that protect sensitive receptors from airport noise, persons from risk of operations, and height guidelines to ensure aircraft safety. As previously stated, the proposed project would be required to implement the guidelines contained in the AELUP. Although aircraft noise can be heard throughout Newport Beach, the highest noise levels are experienced just south of JWA, in the Airport Area, Santa Ana Heights Area, Westcliff, Dover Shores, the Bluffs, and Balboa Island, and are generated by aircraft departures. The proposed project site is located approximately 4.37 miles (mi) from the airport and is outside the 60 A-weighted decibels (dBA) CNEL for JWA; permissible exterior noise thresholds would not be exceeded. Also, building materials will provide adequate shielding to lower aircraft-related noise below interior threshold levels with windows and doors open. Therefore, the proposed project would not be expected to expose people working on site to excessive noise levels related to its proximity to JWA. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.
- f) No Impact.** The proposed project site is not located in the vicinity of a private airstrip. Hoag Hospital operates a helicopter and helipad located approximately 3.5 mi from the project site. The helipad is located on the roof of the emergency area of the hospital. The proposed project site is not located near Hoag Hospital and is not expected to be affected by helicopter noise. Because the project is not located within the vicinity of a private airstrip, no potential impacts are anticipated. This topic will not be analyzed further in the EIR unless new information identifying it as a potential impact is presented during the scoping process.

12. POPULATION AND HOUSING. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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)?	☒	☐	☐	☐
(b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
(c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

a) Potentially Significant Impact. The proposed City Hall structure would replace an existing City Hall structure and is not expected to result in an increase in City employees. Because the proposed City Hall structure is not expected to result in an increase in City employees, it is not anticipated to induce population growth in the City or the County. In addition, the proposed project site is surrounded by existing commercial and residential development and thus would not result in growth-inducing effects caused by the extension of utilities, roads, or other infrastructure into an undeveloped area.

The proposed project would also result in the relocation of City Hall (with the exception of the Fire Department) from the existing City Hall site at 3300 Newport Boulevard to the proposed project site on Avocado Avenue. The EIR will analyze the potential impacts of changes to the existing City Hall site in relation to population growth and housing.

b) and c) No Impact. The proposed project will not displace any existing housing or displace a substantial number of people. The northern and central parcels of the proposed project site are currently vacant. The southern parcel of the proposed project site is occupied by the existing Newport Beach Public Library; the Library will remain after project implementation. This topic will not be further analyzed in the EIR unless related issues not covered here are identified during the scoping process.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
13.	PUBLIC SERVICES. <i>Would the project:</i>				
(a)	Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
	i) Fire Protection?	☒	☐	☐	☐
	ii) Police Protection?	☒	☐	☐	☐
	iii) Schools?	☒	☐	☐	☐
	iv) Other public facilities?	☒	☐	☐	☐

a)

i–ii) Potentially Significant Impact. The proposed project would result in the construction of an approximately 90,000 sf City Hall, a public park, and an additional 20,000 sf of library space. Consultation with the Newport Beach Fire Department, the Newport Beach Police Department, and others is required to estimate the level and type of demand associated with the proposed project, to determine the type and significance of impacts to existing and planned levels of service, and to develop measures to avoid or reduce potentially significant impacts to less than significant, if necessary. Although no significant impacts related to public services are anticipated, the EIR will provide analysis and address service capacity of existing service providers and any potential impacts to those services, and mitigation will be included if necessary.

iii–iv) Potentially Significant Impact. No impacts to schools are anticipated by construction of the proposed City Hall because the new City Hall would not result in the construction of new housing units or an increase in employment in the City. The proposed project would also result in the relocation of City Hall (with the exception of the Fire Department) from the existing City Hall site at 3300 Newport Boulevard to the proposed project site on Avocado Avenue. The EIR will analyze the potential impacts of changes to the existing City Hall site in relation to the potential effects on schools and other public facilities.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
14. RECREATION.	<i>Would the project:</i>				
(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?	☒	☐	☐	☐
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☒	☐	☐	☐

a)–b) Potentially Significant Impact. The proposed project includes construction of a City Hall building, a library expansion, and a public park. As stated in Section 12, the proposed City Hall would not induce population growth because it is not anticipated to result in an increase in employment in the City. The proposed project would also result in the relocation of City Hall (with the exception of the Fire Department) from the existing City Hall site at 3300 Newport Boulevard to the proposed project site on Avocado Avenue. The EIR will analyze the potential impacts of changes to the existing City Hall site in relation to potential effects on recreation. In addition, construction and operation of the recreation facilities proposed as part of the project will be evaluated, and mitigation will be required if necessary.

15. TRANSPORTATION/TRAFFIC. <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☒	☐	☐	☐
(b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☒	☐	☐	☐
(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?	☐	☐	☒	☐
(d) Substantially increase hazards due to a design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☒	☐	☐	☐
(e) Result in inadequate emergency access?	☒	☐	☐	☐
(f) Result in inadequate parking capacity?	☒	☐	☐	☐
(g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☒	☐	☐	☐

a)–b) and d)–g) Potentially Significant Impact. The EIR will include the findings of a traffic impact analysis focused on the following four primary areas: (1) potential increases in vehicle traffic volumes resulting from the proposed project; (2) pedestrian safety, both on site and within the vicinity of the project site; (3) modifications to adjacent roadways and access driveway interface with the local circulation network; (4) on-site circulation for vehicles (including design features); (5) adequacy of on-site parking; and (6) a construction circulation analysis. The traffic impact analysis will be prepared consistent with the administrative procedures and methodology described in Appendix A of the City’s Transportation Phasing Ordinance (TPO). In addition, the EIR will provide program-level analysis of potential changes to the existing City Hall site at 3300 Newport Boulevard. If necessary, mitigation measures will be identified to reduce the effects of project trip generation on the local circulation system, to ensure pedestrian safety in the area, and to minimize potential conflicts with vehicular access points for the project site.

c) Less than Significant Impact. The proposed project is located 4.37 mi from JWA. A small portion of the proposed project site on Avocado Avenue is located within the AELUP for JWA. The AELUP contains policies governing the land uses within the JWA area. Specifically, these policies establish development criteria that protect sensitive receptors from airport noise, persons from risk of operations, and height guidelines to ensure aircraft safety. As previously stated, the proposed project would be required to implement the guidelines contained in the AELUP. The airspace over the project site could be used by commercial aircraft and helicopters; however, both would be at sufficient altitude so as not to be affected by the proposed project. In addition, the proposed project site is outside the noise contours and safety zones for JWA. This topic will not be covered in the Traffic and Circulation portion of the EIR unless related issues not covered here are identified during the scoping process; this topic will be covered in the Noise and Land Use sections of the EIR, and mitigation will be included if necessary.

16. UTILITIES/SERVICE SYSTEMS. <i>Would the project:</i>		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☒	☐	☐	☐
(b)	Require or result in the construction of new water or wastewater treatment or collection facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☒	☐	☐	☐
(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?	☒	☐	☐	☐
(f)	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?	☒	☐	☐	☐
(g)	Comply with federal, state, and local statutes and regulations related to solid wastes.	☒	☐	☐	☐
(h)	Include a new or retrofitted storm water treatment control Best Management Practice (BMP), (e.g., water quality treatment basin, constructed treatment wetland), the operation of which could result in significant environmental effects (e.g., increased vectors and odors)?	☒	☐	☐	☐

a)–h) Potentially Significant Impact. The EIR will evaluate the location of infrastructure and utility connections available to serve the proposed project and the ability of these services and/or infrastructure to serve the project when implemented. Potential impacts to wastewater treatment capacity, water supply, storm water drainage facilities, solid waste, and solid waste disposal capacity will be addressed. The evaluations will also identify service providers' expansion plans and will provide information regarding the purveyor's capacity to provide services and meet demand created by the proposed project. If necessary, mitigation measures will be included to reduce potential impacts.

17. MANDATORY FINDINGS OF SIGNIFICANCE		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 periods of California history or prehistory?	☒	☐	☐	☐
(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?)	☒	☐	☐	☐
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

a)–c) Potentially Significant Impact. CEQA specifies that certain findings, if found to be affirmative, require that a determination of significant impact be made. The EIR for the proposed project will address the following mandatory findings of significance:

- 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 periods of California history or prehistory.
- 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).
- Environmental effects that could cause substantial direct or indirect adverse impacts to human beings.

The EIR for the proposed project will address the potential biological and cumulative impacts of the project as articulated in the Mandatory Findings of Significance.