

SUBSEQUENT MITIGATED NEGATIVE DECLARATION

BIG CANYON RESIDENTIAL LOT GRADING

Lead Agency

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

Contact: Makana Nova, Assistant Planner
949-644-3249

Project Applicant

Big Canyon Country Club
One Big Canyon Drive
Newport Beach, CA 92660

Environmental Consultant

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JUNE 22, 2011

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**CITY OF NEWPORT BEACH
ENVIRONMENTAL CHECKLIST FORM**

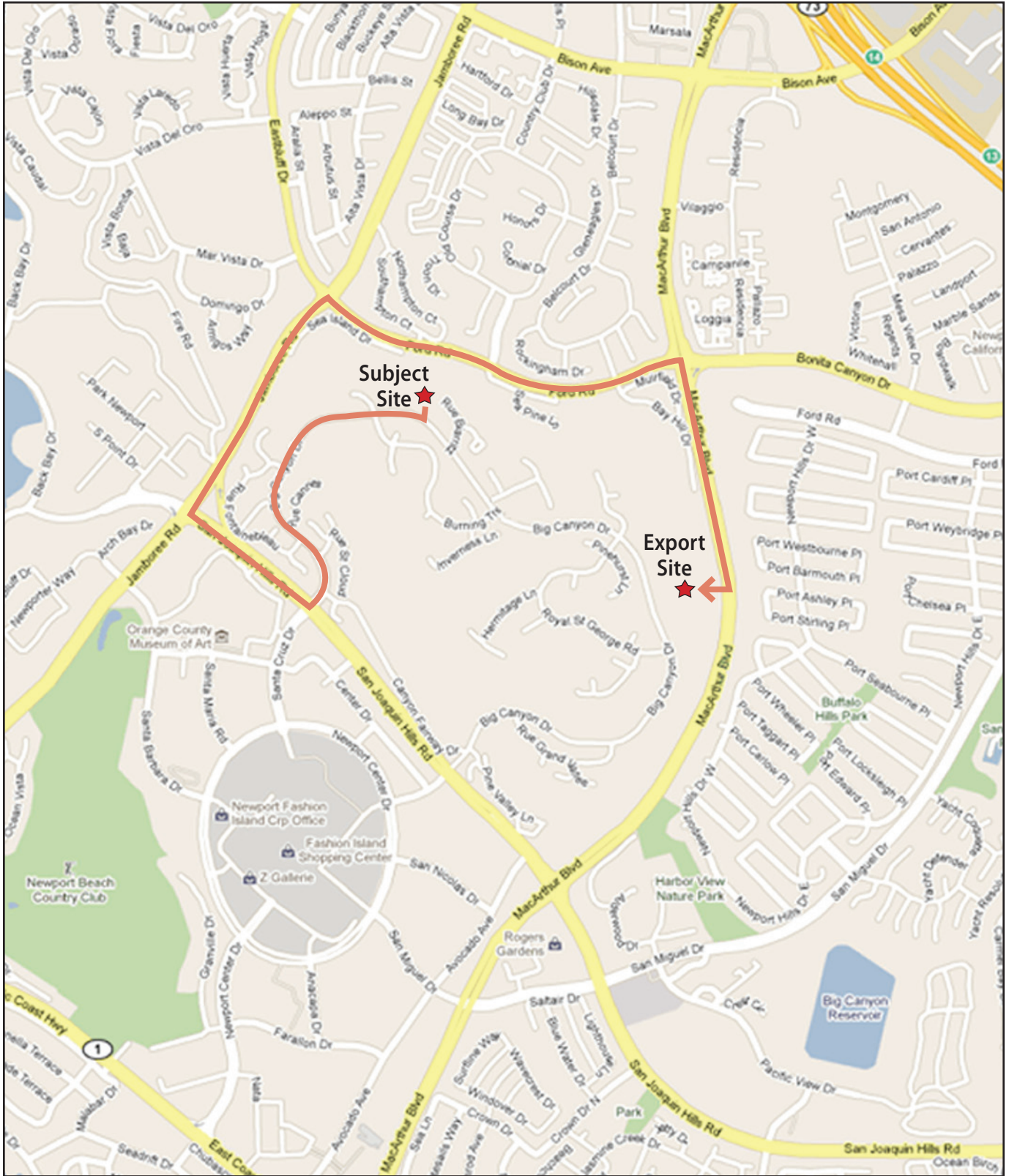
1.0 PROJECT INFORMATION AND CHECKLIST

1. Project Title: **Big Canyon Residential Lot Grading**
2. Lead Agency Name and Address: **City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach, CA 92658-8915**
3. Contact Person and Phone Number: **Makana Nova, Planning Department
(949) 644-3249**
4. Project Location: **1 Big Canyon Drive
Newport Beach, CA**
5. Project Sponsor's Name and Address: **Big Canyon Country Club**
6. General Plan Designation: **Residential**
7. Zoning: **Big Canyon Planned Community**
8. Description of Project:

The project site, located at 10 Big Canyon in Newport Beach, California, consists of a single-family residential property on a 1.9-acre parcel in the PC-8 (Big Canyon Planned Community) zoning district. The location of the project site is shown in Figure 1, Local Vicinity Map. The applicant proposes additional grading to raise the existing grade on the project site by 10 feet to improve the integrity of the currently wet alluvial soils and create a pad for future development of a single-family residence on the subject property.

The project site was previously graded in 2000. In 2009, the City of Newport Beach approved General Plan Amendment No. GP2007-008, Planned Community Development Plan Amendment No. PD2007-005, Mitigated Negative Declaration (MND) No. 2008-003, and Parcel Map No. NP2007-029 (County Parcel Map No. 2008-111) to create a new residential lot on a portion of the Big Canyon Golf Course. The project requires a subsequent mitigated negative declaration to assess impacts associated with the scope of work beyond that which was addressed in the original MND (Mitigated Negative Declaration No. ND2008-003) and the approval of a grading permit from the City of Newport Beach.

This Draft Subsequent Mitigated Negative Declaration (Subsequent MND) is prepared for the Big Canyon Residential Lot Grading in accordance with the California



Source: Google Maps



Figure 1
Local Vicinity Map

Environmental Quality Act (CEQA). This Subsequent MND is prepared pursuant to CEQA Guidelines Section 15162. In compliance with Sections 15162(a)(1-3(A,B)) this Subsequent MND contains additions and revisions to the Big Canyon Subdivision MND previously completed by the City.

The project includes the removal of 19,000 cubic yards of unusable soil from the site. Approximately 12,000 cubic yards of this soil will be spread over 1.8 acres on the northern portion of the subject property and on the Big Canyon Golf Course (1850 Jamboree Road) to the northwest of the subject property. The portion of the golf course over which the soil will be spread includes a 10-foot wide sewer and storm drain easement that is managed by the City of Newport Beach. In addition, this area includes a 185-foot long relict drainage feature that ranges from 0.5 to 2 feet in width. The drainage feature is fed by a 48-inch corrugated metal pipe and a 12-inch plastic pipe that carries storm water. Southwest of the project site, lays a downstream area on the golf course that was previously created as 935 square feet of wetland and riparian mitigation for another project in 2006. Figure 2 is an aerial photograph of the site.

The remaining 7,000 cubic yards of spoils will be exported and stockpiled off-site for later use. Figure 3 is an aerial photograph of the proposed stockpile site where the 7,000 cubic yards of spoils will be stockpiled and used throughout the golf course for fill dirt as needed over the next three to five years. The stockpile will be approximately 10 feet high, 130 feet wide and 500 feet long with 2:1 slopes as shown in Figure 4, Stockpile Grading Plan. The stockpile site is located at the east end of the golf course adjacent to MacArthur Boulevard (1850 Jamboree Road). The stockpile will be elevated 22 to 31 feet above MacArthur Boulevard.

Following removal of soil from the project site, 45,000 cubic yards of soil will be imported from the Orange County Sanitation District (10844 Ellis Avenue, Fountain Valley, CA) to replace unusable soil with “clean” imported fill and will raise the pad for subsequent development of the project site. Project grading is expected to occur over a 60-day period beginning in March of 2012. Included in the grading project is the enclosure of 175 square feet (0.004 acre) of the existing relict drainage feature into a single, 48-inch corrugated metal pipe to redirect the drainage feature on the Big Canyon Golf Course. In addition, the grading project includes the development of a new access road along the length of the existing sewer easement to allow for adequate maintenance of the storm drain located on the adjacent Big Canyon Golf Course (1850 Jamboree Road). The grading plan for the proposed residential site is shown in Figure 5, Proposed Grading Plan. The proposed building pad and existing sewer easement are shown in Figure 6, Parcel Map 2008-III. Photographs of the site are shown in Figure 7, Site Photographs.

9. Surrounding Land Uses:

Surrounding the property are single-family detached dwellings to the east and west. South of the site is Big Canyon Drive with single-family detached residences beyond.



Source: City of Newport Beach



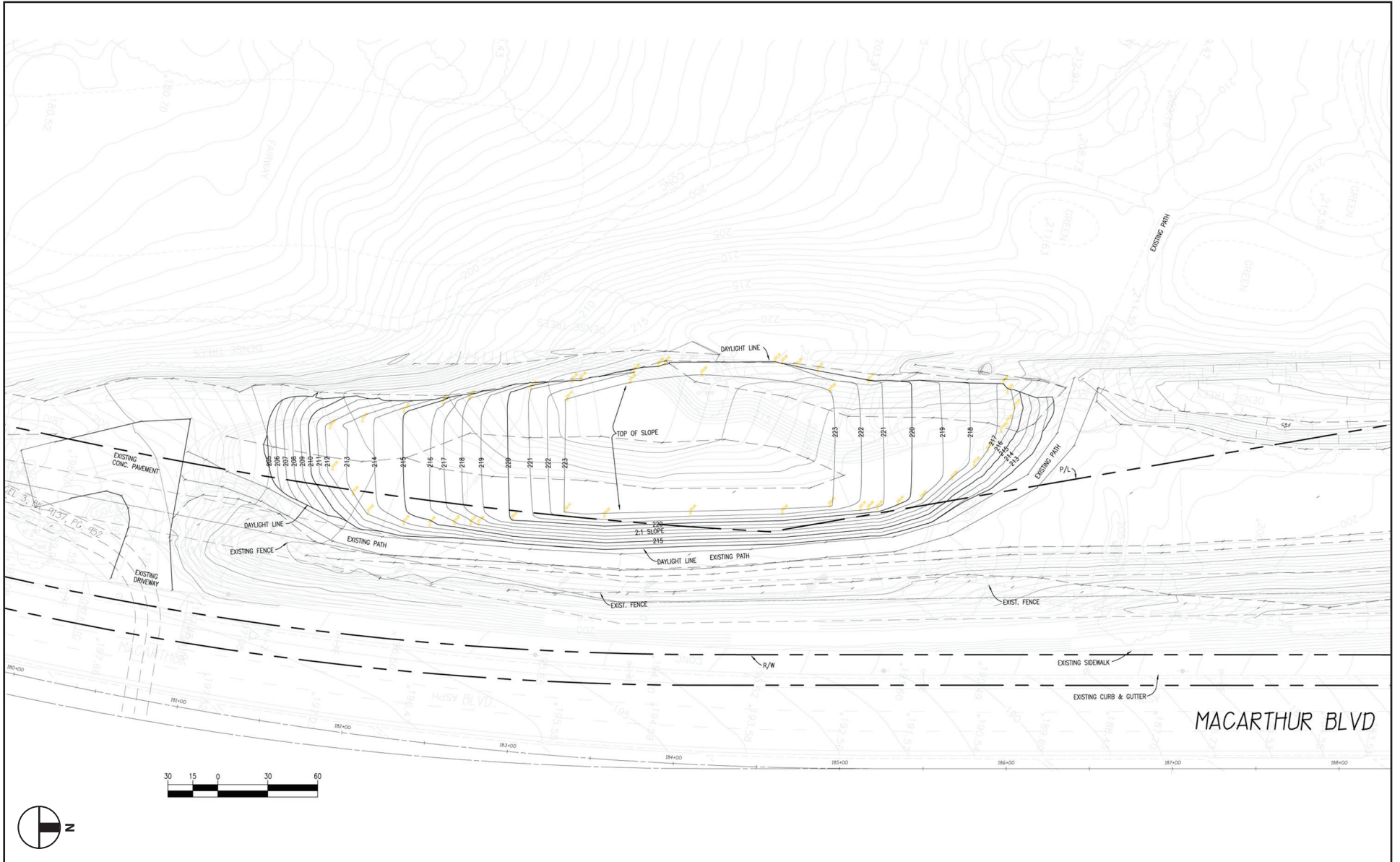
Figure 2
Aerial Photo



Source: Google Maps, 2010



Figure 3
Stockpile Aerial



Source: Walden & Associates

Figure 4
Stockpile Grading Plan



Source: Walden & Associates



Figure 6
Parcel Map No. 2008-III

BIG CANYON RESIDENTIAL LOT GRADING



Looking southwest across the site from the site access road.



Looking north across the site from the site access road.



Looking at the golf course northwest of the site where dirt will be spread.



Looking southeast at the site from the golf course.

North and adjacent to the project site is the Big Canyon Golf Course and further north are single-family detached residences that front the golf course.

Current Development:	Golf course
To the north:	Golf course with single-family detached dwellings beyond
To the east:	Single-family detached dwellings
To the south:	Big Canyon Drive with single-family detached dwellings beyond
To the west:	Single-family detached dwellings

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

The U.S. Army Corps of Engineers, California Department of Fish and Game and the Regional Water Quality Control Board – Santa Ana Region.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION:

On the basis of this initial evaluation:

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


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

A MITIGATED NEGATIVE DECLARATION will be prepared.

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

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

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

Prepared by: Makana Nova, Assistant Planner  June 22, 2011
Signature Date

Prepared by: Phil Martin – Phil Martin & Associates  June 22, 2011
Signature Date

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS.				
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d)	Result in the loss of forest land or conversion of forest land to non-forest use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY.					
Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
IV. BIOLOGICAL RESOURCES.					
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. GEOLOGY AND SOILS.					
Would the project:					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e)	For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VIII. HYDROLOGY AND WATER QUALITY.					
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. LAND USE AND PLANNING.				
Would the proposal:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. TRANSPORTATION/TRAFFIC.				
Would the project:				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XVI. UTILITIES & SERVICE SYSTEMS.				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

- a) Earlier analyses used. General Plan Amendment No. GP2007-008, Planned Community Development Plan Amendment No. PD2007-005, Mitigated Negative Declaration (MND) No. 2008-003, and Parcel Map No. NP2007-029 (County Parcel Map No. 2008-111)
- b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and 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 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.

The earlier analysis referenced in "a)" above recommended four mitigation measures to reduce potential impacts of the project proposed at that time to less than significant. The four mitigation measures are provided below with a discussion following each measure to describe how each measure is or is not applicable to the current proposed project.

All of the effects in the above checklist, with the exception of air quality, biological resources, greenhouse gases, noise, and traffic were adequately addressed in the previously referenced in the earlier document (MND No. 2008-003). Due to the quantity of grading that is proposed for the proposed project, additional analysis to that provided in MND No. 2008-003 is required for the current project. As a result, technical studies and updated discussion and analysis to the previous Mitigated Negative Declaration are provided, including updated air quality, biological resources, greenhouse gases, noise, and traffic analysis.

The mitigation measures that were proposed in MND No. 2008-003 for the previous project are applicable to and carried forward for the current project proposal. Those mitigation measures are listed below.

Biological Resources

Mitigation Measure. The project site has some potential to support nesting migratory birds. Impacts to such species are prohibited under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code. In order to ensure that the proposed project will not impact nesting migratory birds, the following mitigation measure is recommended:

- If vegetation is to be removed during the nesting season, recognized from February 1 through August 31, a qualified biologist will conduct a nesting bird survey of potentially suitable nesting vegetation no more than three days prior to vegetation removal. If active nests are identified during nesting bird surveys, then the nesting vegetation will be avoided until the nesting event has completed and the juveniles can survive independently from the nest. The biologist will flag the active nesting vegetation, and will establish an adequate buffer around the nesting vegetation of 300 feet (500 feet for raptors). If active nests are identified, clearing/grading shall not occur within the buffer until the nesting event has completed.

Response – The mitigation measure was proposed for the original site so that any vegetation removed was properly surveyed for nesting migratory birds. The site has vegetation, therefore, this mitigation measure is applicable to the proposed project.

Cultural Resources

Mitigation Measure. Prior to approval of a grading plan, the property owner/developer shall submit a letter to the Planning Department showing that a qualified archaeologist has been hired to ensure that the following actions are implemented.

- The archaeologist must be present at the pre-grading conference in order to establish procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of artifacts if potentially significant artifacts are uncovered. If artifacts are uncovered and determined to be significant, the archaeological observer shall determine appropriate actions in cooperation with the property owner/developer for exploration and/or salvage.
- Specimens that are collected prior to or during the grading process will be donated to an educational or research institution.
- Any archaeological work at the site shall be conducted under the direction of the certified archaeologist. If any artifacts are discovered during grading operations when the archaeological monitor is not present, grading shall be diverted around the area until the monitor can survey the area.
- A final report detailing the findings and disposition of the specimens shall be submitted to the City Engineer. Upon Completion of the grading, the archaeologist shall notify the City as to when the final report will be submitted.

Mitigation Measure. The property owner/develop shall submit a letter to the Planning Department showing that a certified paleontologist has been hired to ensure that the following actions are implemented:

- The paleontologist must be present at the pre-grading conference in order to establish procedures to temporarily halt or redirect work to permit the sampling, identification, and evaluation of fossils. If potentially significant materials are discovered, the paleontologist shall determine appropriate actions in cooperation with the property owner/developer for exploration and/or salvage.
- Specimens that are collected prior to or during the grading process will be donated to an appropriate educational or research institution.
- Any paleontological work at the site shall be conducted under the direction of the certified paleontologist. If any fossils are discovered during grading operations when the paleontological monitor is not present, grading shall be diverted around the area until the monitor can survey the area.
- A final report detailing the findings and disposition of the specimens shall be submitted. Upon the completion of the grading, the paleontologist shall notify the City as to when the final report will be submitted.

Response: These two mitigation measures were applicable to the site since the original site was to be disturbed to construct the existing pad. As part of the grading activity to construct the existing pad the original site would be disturbed below the surface to prepare the ground for fill material. As such, there was the potential for archaeological and/or paleontological resource impacts. The current project proposes to remove and disturbed soil that was previously imported to the site that may contain paleontological or archaeological resources. Any grading with the proposed project that occurs below the previously imported soil could encounter archaeological or paleontological resources, if present. Thus, the previous mitigation measures to protect archaeological and paleontological resources are applicable to the current project proposal.

Transportation/Traffic

Mitigation Measure. The Traffic Engineer will require during the plan check review phase that the proposed project to be designed to accommodate vehicular turnaround on-site. Backing out on to Big Canyon Drive is prohibited.

Response: Since dump trucks will be exporting and importing dirt from and to the site, respectively, this measure is applicable to the current proposed project and will be incorporated by reference.

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. City Excavation and Grading Code, Newport Beach Municipal Code.
5. Chapter 10.28, Community Noise Ordinance of the Newport Beach Municipal Code.
6. General Plan Amendment No. GP2007-008, Planned Community Development Plan Amendment No. PD2007-005, Negative Declaration (MND) No. 2008-003, and Parcel Map No. NP2007-029 (County Parcel Map No. 2008-111), January 27, 2009