7. Alternatives to the Proposed Project

7.1 INTRODUCTION

7.1.1 Purpose and Scope

The California Environmental Quality Act (CEQA) requires that an Environmental Impact Report (EIR) include a discussion of reasonable project alternatives that would "feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any significant effects of the project, and evaluate the comparative merits of the alternatives" (CEQA Guidelines Section 15126.6). This chapter identifies potential alternatives to the proposed project and evaluates them, as required by CEQA.

Key provisions of the CEQA Guidelines on alternatives (Section 15126.6[a] through [f]) are summarized below to explain the foundation and legal requirements for the alternatives analysis in the EIR.

- The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. (15126.6[b])

- The specific alternative of no project shall also be evaluated along with its impact. (15126.6[e][1])

- The no project analysis shall discuss the existing conditions at the time the Notice of Preparation (NOP) is published, and at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior alternative is the no project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. (15126.6[e][2])

- The range of alternatives required in an EIR is governed by a 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. (15126.6[f])

- Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). (15126.6[f][1])

- [For alternative locations,] only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR. (15126.6[f][2][A])

- An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative. (15126.6[f][3])

For each development alternative, this analysis:

- Describes the alternative
- Analyzes the impact of the alternative as compared to the proposed project
- Identifies the impacts of the project that would be avoided or lessened by the alternative
- Assesses whether the alternative would meet most of the basic project objectives
- Evaluates the comparative merits of the alternative and the project

Per the CEQA Guidelines Section 15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the project as proposed.

7.2 ALTERNATIVES OVERVIEW

7.2.1 Project Objectives

As described in Section 3.2, the following objectives have been established for the proposed project and will aid decision makers in their review of the project, the project alternatives, and associated environmental impacts:

1) Expand the hotel consistent with the CIOSA agreement to provide a total of 479 rooms.

2) Obtain a development agreement with the City to operate the new rooms as timeshare units.

3) Develop a new, larger ballroom facility to assist in meeting conference needs for the City of Newport Beach.

4) Develop ancillary hotel amenities, including a spa, new pool, and parking structure, to serve future hotel guests.

5) Maximize aesthetic view opportunities from existing and proposed new hotel units and facilities.

6) Provide adequate parking and circulation for the expanded facility.

7) Minimize environmental impacts associated with construction of improvements and long-term operation of the expanded facility.

8) Comply with the 2006 City General Plan, and designated Zoning District and Local Coastal Plan for the project site.

9) Create an attractive, viable project and realize a reasonable return on investment.

7.2.2 Significant Impacts of the Project

As discussed above, a primary consideration in defining project alternatives is their potential to reduce or eliminate significant impacts compared to the proposed project. The impact analysis, as detailed in Section 5 of this DEIR, concludes that the following impact would remain significant after mitigation for the proposed project:

Noise

Impact 5.9-5. Although construction activities would comply with the City of Newport Beach Municipal Code and be limited to weekdays between 7:00 AM and 6:30 PM and Saturdays from 8:00 AM to 6:00 PM, the combination of construction activities (ranging from 42 to 83 dBA) for approximately 23 months would result in noise levels that would be considered a nuisance to surrounding residential and recreation uses. Exceptions to these construction hours can be made when the maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours, as outlined in Section 10.28.040 of the City's Municipal Code.

7.3 ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING/PROJECT PLANNING PROCESS

The following is a discussion of the land use alternatives considered during the scoping and planning process and the reasons why they were not selected for detailed analysis in this Draft EIR (EIR).

7.3.1 Alternative Development Areas

CEQA requires that the discussion of alternatives focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project. The key question and first step in the analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR (Guidelines Sec. 15126[5][B][1]).

The proposed project is the expansion of an existing hotel use within the property boundaries of the existing facility. The proposal is in accordance with a development agreement (Community Improvement and Open Space Agreement [CIOSA]) with the City of Newport Beach. Pursuant to the 1993 agreement, the Hyatt Regency has a vested right to expand to 479 rooms. Currently the hotel has 403 rooms. This vested development right is specific to the parcel on which the hotel is located. Moreover, development of the proposed uses in another location within the City of Newport Beach would be unlikely to avoid or lessen the significant impacts associated with the project. It could be anticipated that development of similar uses (timeshare units and ballroom facility) would result in the similar traffic-related noise impacts. Short-term, construction-related air quality impacts would also be similar at an alternate location. The extent to which temporary construction-related noise impacts would be significant would depend on the sensitivity of surrounding land uses. This, however, would be the only significant impact associated with the project at its current location that could potentially be minimized or eliminated by development at an alternate location.

7.3.2 Alternative Land Use

The proposed project is consistent with the CIOSA development agreement for the project site. The project site is already developed as a resort hotel. The continued and expanded use of this facility is also consistent with the City's General Plan. Alternative land uses, such as retail or service commercial or residential uses, would not be logical for the site and would not be consistent with the General Plan land use designation for the project site. In lieu of the proposed timeshare units, regular hotel rooms could be proposed. Such a use would be consistent with the CIOSA and the General Plan, but would not reduce impacts in comparison to the proposed timeshare units. The traffic report concludes that timeshare units would be expected to generate the same traffic as regular hotel rooms. Therefore, this alternative would not have the ability to reduce traffic-related noise impact of the project as proposed. Similarly, since the same number of hotel rooms would be constructed (88 as proposed for timeshare units), this use would not be expected to reduce construction-related impacts (air quality and noise impacts) in comparison to the proposed project.

7.3.3 Reduced Ballroom Alternative

A project alternative that would reduce the size of the new ballroom structure by approximately 4,000 square feet in order to eliminate the need for a parking structure was considered but rejected for further analysis. The primary objective of this alternative would be to reduce significant noise impacts during construction. Although eliminating the parking structure would slightly reduce noise impacts to sensitive residential receptors (particularly Bay View Landing Senior Apartments and Sea Island residences), this reduction would be nominal, since ballroom construction and related infrastructure improvements would still result in significant noise impacts to surrounding residents. Moreover, this alternative would not substantially reduce the duration of construction activities.

7.3.4 Reduced Timeshare Units Alternative

A project alternative that would reduce the number of timeshare units was considered but rejected for further analysis. Reducing or eliminating construction in this area of the project site would not eliminate the significant noise impact to the most sensitive receptors, the Bay View Landing and Sea Island residential uses. Moreover, a reduction or elimination of the timeshare units would not achieve the entitlement for the Hyatt Regency granted under the CIOSA development agreement.

7.3.5 Reduced Construction Equipment Alternative

An alternative that reduced the construction equipment by extending the construction schedule was considered for its potential ability to reduce or eliminate the significant construction-related noise impact of the proposed project. Assumed construction equipment is shown in Table 7-1. Since fewer pieces of construction equipment would be used under this alternative, noise levels during construction would be reduced in comparison to the proposed project. The reduction, however, would likely be minimal, since construction noise is dominated by the loudest piece of equipment (in comparison to the number of pieces of equipment). Moreover, construction noise that could impact sensitive residential and recreation receptors would be extended from an overall 22½ months for the proposed project to 32½ months for this alternative. Considering the substantial increase in duration of activities, construction-related noise would be considered to be greater than for the proposed project.

Table 7-1
Construction Equipment Estimates
Reduced Construction Equipment Alternative

Vehicle Type	Proposed Project Number of Vehicles per Day	Reduced Construction Alternative Number of Vehicles per Day
Demolition		
Excavator	2	1
Bulldozer	2	1
Backhoe with Concrete Breaker	2	2
10-Wheeler Dump Truck	2	2
Street Sweeper	1	1
Water Truck	1	1
Subtotal for Demolition Phase	10	8
Building Construction		
Backhoe	2	1
Reach Forklift	2	2
Truck Cranes	2	1
Air Compressors	2	2
Cement Trucks	2	1
Cement Pumps	2	1
Bob Cat Tractors	1	1
Power Floats (for concrete finishing)	1	1
Subtotal for Construction Phase	14	10

7.3.6 Original TS-1 and TS-2 Footprint Alternative

The original design for the proposed project located two of the timeshare buildings (TS-1 and TS-2) closer to the northern edge of the property. Although the original site plan for these two buildings would have located them in an area currently developed with the existing golf course, it would have placed the structures closer to areas of coastal sage scrub vegetation and to a location where a coastal California gnatcatcher was sighted. Fuel modification requirements would have impacted a portion of the coastal sage scrub vegetation. As a result, the original design for TS-1 and TS-2 would have resulted in greater direct and indirect impacts on the coastal sage scrub vegetation and the area where a gnatcatcher was sited. In order to avoid impacts to coastal sage scrub vegetation altogether, buildings TS-1 and TS-2 were moved further away from the property's northern boundary such that the proposed project avoids all impacts to coastal sage scrub vegetation. Because the original footprint of TS-1 and TS-2 would have had greater biological impacts, this alternative was rejected in favor of the current site plan, and no further consideration of this alternative is required.

7.4 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed above, the following alternatives have been determined to represent a reasonable range of alternatives with the potential to feasibly attain most of the basic objectives of the project but avoid or substantially lessen any of the significant effects of the project. These alternatives are analyzed in detail in the following sections.

- No Project
- Reduced Intensity Alternative – Eliminate New Ballroom and Parking Structure

An EIR must identify an "environmentally superior" alternative and, where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative's environmental impacts are compared to the proposed project and determined to be environmentally superior, neutral, or inferior. However, only those impacts found significant and unavoidable are used in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project. Only the impacts involving construction-related and noise were found to be significant and unavoidable. Section 7.7 identifies the Environmentally Superior Alternative.

The Preferred Land Use Alternative (proposed Hyatt Regency expansion improvements) is analyzed in detail in Chapter 5 of this DEIR.

7.5 NO PROJECT ALTERNATIVE

Under this alternative, existing conditions would remain. No buildings would be demolished and none of the proposed expansion improvements would be implemented. The Hyatt Regency would continue to operate as a 403-room resort hotel with existing ballroom/conference facilities. The existing golf course would also remain.

7.5.1 Environmental Assessment

Aesthetics

Views from surrounding roadways and land uses would not be impacted by this alternative. Existing views would remain as depicted in previous Figures 5.1-2 through 5.1-11. Therefore, aesthetic impacts would be reduced in comparison to the proposed project. However, the existing parking area light poles shown in Figure 5.1-12 would not be removed and replaced with modern light poles. The existing light poles are not designed with cutoff features that help cast light downward; therefore, they allow light spillage. The proposed parking area light poles would be designed with full cut-off designs (downcast) and oriented in a manner that would minimize light spillage or glare off of the project site. Therefore, in comparison to the proposed project, off-site light spillage from the existing parking area light fixtures would continue to occur under this alternative.

Air Quality

This alternative would eliminate both construction-related and long-term vehicle trip emissions associated with the proposed project. Since these impacts are less than significant for the proposed project, this alternative would not eliminate a significant air quality impact.

Biological Resources

Under this alternative, additional lighting that could potentially affect sensitive wildlife species would not be introduced. The reduction in biological resource impacts in comparison to the proposed project, however, would not eliminate a significant impact, because these impacts are mitigated to a less than significant level under the proposed project by applicant participation and compliance with the conditions of the Central and Coastal Orange County NCCP/HCP.

Cultural Resources

Since this alternative would not involve any site disturbance, it would not have the potential to adversely affect any archaeological or paleontological resources at the project site. Although it would reduce this impact in comparison to the proposed project, it would not eliminate a significant impact since cultural resources would be mitigated to less than significant for the proposed project.

Geology and Soils

Grading and excavation of the site would not occur under this project alternative. Also, no additional structures or persons would be introduced to the potential seismic-related hazards associated with a southern California project site. Geologic and soil impacts for this project alternative, therefore, would be reduced in comparison to the proposed project. Since geologic and soils-related impacts would be mitigated to a less than significant level for the proposed project, this alternative would not eliminate a significant impact in comparison to the proposed project.

Hazards and Hazardous Materials

Under the No Project alternative, no building would be demolished and result in the potential for release of hazardous building materials, including asbestos and lead-based paint. Additionally, this alternative would not increase the population at the site, which is located approximately 3.5 miles from the John Wayne Airport. This alternative would not introduce additional people and structures to potential wildland fire hazards related to the project site. Potential hazard-related impacts, therefore, would be reduced in comparison to the proposed project. Since hazard impacts are mitigated to a less than significant level for the proposed project, however, this alternative would not eliminate a significant impact.

Hydrology and Water Quality

Under the No Project alternative, existing drainage patterns and water quality conditions would not change. New storm drains, including a storm drain in Jamboree Road that would capture and control off-site flows, would not be constructed. These improvements would be considered a beneficial impact of the proposed project. Potential water quality impacts, of the proposed project, including short-term construction-related impacts and long-term operational impacts would be mitigated by best management practices required under the Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP). Although mitigated to a less than significant level, the proposed project does have the potential to adversely impact water quality. Balancing the beneficial and adverse impacts of the proposed project relative to hydrology and water quality impacts, the No Project alternative impacts would be similar to the proposed project.

Land Use and Planning

Under this alternative, existing land uses would remain unchanged. As with the proposed project, existing land uses are consistent with applicable local plans, including the City's General Plan, Zoning Code, and Local Coastal Program Land Use Plan. However, under this alternative, the entitlements granted under the CIOSA development agreement for 88 additional hotel rooms would not be realized. As with the proposed project, the No Project alternative would comply with the John Wayne Airport Environment Land Use Plan. Land use impacts, therefore, would be similar to the proposed project, and would be less than significant.

Noise

Noise conditions under the No Project alternative would not change from existing conditions. In comparison to the proposed project, demolition and construction activities would not occur and this significant impact would be eliminated. Long-term noise impacts associated with an increase in traffic would be nominally reduced in comparison to the proposed project. Long-term operational noise impacts for the proposed project, however, are less than significant.

Public Services

Under the No Project alternative, there would be no increase in demand for fire and emergency protection services or police protection services. This impact would therefore be reduced in comparison to the proposed project. This impact, however, would be less than significant for the proposed project.

Transportation and Traffic

No additional construction-related or long-term operational vehicle trips would be generated by the No Project alternative. No temporary lane closure and related potential for congestion would occur. In the long term, an estimated 661 daily trips would be eliminated in comparison to the proposed project. As shown in previous DEIR Tables 5.11-4 and 5.11-5, all study intersections would operate at acceptable levels of service (LOS A through D) under existing conditions. By 2012, however, the following intersections would fall below acceptable levels of service (to E or F): Coast Highway and Dover Drive, Coast Highway and Jamboree Road, Coast Highway and MacArthur Boulevard, and Jamboree Road and San Joaquin Hills Road. Although the proposed project's contribution to average daily traffic would result in less than significant impacts (increase of less than 0.010 volume/capacity ratio), traffic impacts of the No Project alternative would be reduced in comparison to the proposed project.

7.5.2 Ability to Reduce Environmental Impacts

With the exception of hydrology and water quality impacts, the environmental impacts associated with each category analyzed in this DEIR would be reduced under this alternative. Although the proposed project would slightly increase stormwater runoff from the site and introduce potential water quality impacts, it would also provide upgraded drainage facilities and water quality best management practices (BMPs). Overall, therefore, hydrology and water impacts would be similar to the proposed project. The No Project alternative would also eliminate the significant environmental impact associated with the proposed project (short -term, construction-related noise impacts). Overall, this alternative would reduce environmental impacts in comparison to the proposed project.

7.5.3 Ability to Attain Project Objectives

The No Project alternative would not meet the objectives of the proposed project. Buildout of the Hyatt Regency in accordance with the increased development permitted by the City's General Plan and the CIOSA development agreement would not be realized. An expanded new ballroom facility, which could assist in meeting some of the tourism objectives of the City, would also not be realized. The Hyatt Regency would continue to operate at existing levels.

7.6 REDUCED INTENSITY ALTERNATIVE – ELIMINATE NEW BALLROOM AND PARKING STRUCTURE

Under this project alternative, expansion of the Hyatt Regency would be limited to development of 88 new timeshare units, a spa and fitness building, and a clubhouse. The new ballroom and parking structure would not be constructed under this alternative. The existing Terrace Ballroom would remain. The proposed new storm drain in Jamboree Road would be included under this alternative, but it would connect to the existing storm drain to outlet as surface flow across the parking lot. The new drain included in the proposed project across the parking lot would not be required. Similarly, the new water and sewer lines in this portion of the site would not be required (see Figure 3-9). This alternative was specifically selected for its potential ability to eliminate significant construction-related noise impacts (see Table 7-2). Elimination of the ballroom and parking structure have the most potential to reduce the significant noise impact (in comparison to the timeshare units and related facilities) because of the proximity of these structures to sensitive residential receptors.

Table 7-2
Construction Equipment Estimates
Reduced Intensity Alternative

Vehicle Type	Proposed Project Number of Vehicles per Day	Reduced Intensity Alternative Number of Vehicles per Day
Demolition		
Excavator	2	1
Bulldozer	2	2
Backhoe with Concrete Breaker	2	1
10-Wheeler Dump Truck	2	3
Street Sweeper	1	1
Water Truck	1	1
Subtotal for Demolition Phase	10	9
Building Construction		
Backhoe	2	2
Reach Forklift	2	2
Truck Cranes	2	1
Air Compressors	2	2
Cement Trucks	2	2
Cement Pumps	2	1
Bob Cat Tractors	1	1
Power Floats (for concrete finishing)	1	1
Subtotal for Construction Phase	14	12

It is anticipated that the duration of demolition and building activities would be reduced under this project alternative. Table 7-3 provides an estimate of the construction phase durations for both the proposed project and the Reduced Intensity alternative.

Table 7-3
Construction Phase Durations
Reduced Intensity Alternative

Phase	Proposed Project	Reduced Intensity Alternative
Demolition	4 months	2 months
Grading	2½ months	2 months
Building Construction	16 months	12 months

As shown on Table 7-3, the demolition and building construction phases would be reduced substantially in comparison to the proposed project. The grading phase, however, would only be reduced slightly because of the increase in the amount of material export. Under this project alternative, there would be 37,000 cubic yards of cut and 4,000 cubic yards of fill, resulting in a net export of 33,000 cubic yards of material. In comparison to the proposed project, which would result in 24,000 cubic yards of export, the Reduced Intensity alternative would require an additional 9,000 cubic yards of export. The net export increase would occur because the bulk of the cut material generated from the timeshares portion of the project site would no longer be utilized for the fill required to develop proposed ballroom and parking structure. Therefore, if the ballroom and parking structure are eliminated, there would no longer be a place to put the fill. An estimated 3,300 truck trips would be required to export this material in comparison to 2,400 trips for the project as proposed.

Aesthetics

View impacts from the north and northwest associated with this project alternative would be similar to the proposed project. In comparison to the proposed project, the elimination of the new ballroom and parking structure under this alternative would remove the more prominent views of these new structures from Back Bay Drive locations (as shown in Figure 5.1-8, *Visual Simulation 6*). The view of the new parking structure from northbound Jamboree Road would also be eliminated. Under the proposed project, the views of the ballroom, particularly with the growth of proposed landscaping, would be aesthetically pleasing. With maturation of landscaping, the parking structure would barely be visible. Therefore, the aesthetic impacts of this project alternative would be similar to the proposed project.

Air Quality

This alternative would slightly reduce emissions associated with the demolition phase because the existing ballroom structure would remain. However, this alternative would have higher emissions compared to the proposed project as a result of an increase in soil haul volumes and a shorter time period to conduct grading activities. Construction phase emissions for the Reduced Intensity alternative would therefore be higher in comparison to the proposed project and would result in a new significant NO_x impact. Since construction-related emissions are less than significant for the proposed project, this would not eliminate a significant impact but would introduce a new significant impact. Overall, therefore, this alternative would not reduce construction-related air quality impacts in comparison to the proposed project.

Table 7-4
Project-Related Construction Phase Emissions
Reduced Intensity Alternative
(in pounds per day)

Source[1]	CO	NO_X	ROG	SO_2	PM_{10}[2]	$PM_{2.5}$[2]	CO_2[3]
Demolition	18	33	4	<1	10	3	3,523
Grading, Utilities and Street Improvements[1]	48	100	11	<1	18	8	10,732
Building Construction	42	60	17	<1	5	4	6,121
SCAQMD Standard	550	100	75	150	150	55	NA
Significant?	No	**Yes**	No	No	No	No	NA

Source: URBEMIS2007 Version 9.2.2.

[1] Construction equipment mix based on preliminary construction information from the project engineer.

[2] Fugitive dust emissions assume one-quarter of the approximately 14-acre site would be graded at any one time. Fugitive dust emissions assume implementation of SCAQMD Rule 403 for fugitive dust control, including: watering disturbed soils a minimum of two times daily, reestablishing disturbed groundcover as quickly as possible, reducing speeds on unpaved roads to no more than 15 miles per hour, and securing haul loads (covering with tarp or leaving a minimum of 24 inches of freeboard).

[3] CO_2emissions are provided for informational purposes only. The SCAQMD or CARB have yet to establish regional emissions thresholds for this air pollutant.

Long-term air quality emissions would be slightly reduced in comparison to the proposed project due to a reduction in stationary source emissions associated with the new ballroom facility. Project-related trips that we associated with the ballroom (local conferences, etc.) and associated air emissions would also be eliminated in comparison to the proposed project. As with the proposed project, long-term air quality impacts would be less than significant. Overall, long-term air quality impacts would be slightly reduced in comparison to the proposed project.

Biological Resources

Biological resources impacts for this alternative would be similar to the proposed project. The area on which the new ballroom and parking structure would be located is currently developed and not characterized by any native vegetation or habitat. Therefore, the elimination of these structures under this alternative would not reduce biological resource impacts. Potential impacts to sensitive resources proximate to the proposed timeshare units would remain the same. As with the proposed project, biological resource impacts would be mitigated to a less than significant level.

Cultural Resources

Under this alternative, disturbance to the project site would be reduced in comparison to the proposed project. Construction of the proposed storm drain in the southwestern portion of the site, however, would still be included. The overall reduction in potential impacts to cultural resources would be nominal, and be considered similar to the proposed project. As with the proposed project, these impacts would be mitigated to a less than significant level.

Geology and Soils

Site grading would entail 37,000 cubic yards of cut and 4,000 cubic yards of fill, resulting in a net export of 33,000 cubic yards of material. Earthwork more closely balances with the inclusion of the new ballroom and parking structure for the proposed project, which would require 9,000 fewer yards of export. Under this alternative the ballroom use would not be expanded and fewer people would be subject to potential seismic

risks associated with southern California project sites. Overall, geologic and soils impacts would be similar to the proposed project, and as with the proposed project, would be mitigated to less than significant.

Hazards and Hazardous Materials

The Reduced Intensity alternative would not require demolition of the existing 3,190-square-foot Terrace Ballroom. This would reduce the quantity of potentially hazardous materials that could be released during demolition activities. Under this alternative, however, existing villas (4,545 square feet), the maintenance building (3,932 square feet), and hardscape landscape improvements as shown on Figure 3-5, *Demolition Plan,* would still require demolition and material removal. Hazards would be minimally reduced in comparison to the proposed project. As with the proposed project, compliance with applicable regulations, including those to control potential releases of asbestos and lead-based paint due to building demolition, would assure these impacts would be less than significant. Project-related impacts associated with wildland fire hazards would be similar to the proposed project, and would be mitigated to less than significant.

Hydrology and Water Quality

Under this alternative, the new storm drain improvements in Jamboree Road would be constructed and would connect to the existing storm drain in this roadway. The storm drain as designed for the proposed project across the parking structure/new ballroom portion of the site would not be required. Storm flows would continue to flow across the surface of the parking lot. As for the proposed project, water quality BMPs would be implemented in accordance with SWPPP and MS4 permit conditions. Overall drainage impacts would be similar to the proposed project and would be mitigated to a less than significant level.

Land Use and Planning

This Reduced Intensity alternative would comply with applicable local land use plans, including the General Plan, Zoning Code, and Local Coastal Program Land Use Plan. Development of 88 timeshare units under this alternative would maximize the existing entitlement under both the General Plan and CIOSA development agreement to provide up to 479 rooms at the Hyatt Regency. The development of expanded ancillary uses would be limited to the timeshare clubhouse and spa. Additional ballroom area would not be provided. The development of the project would also be in compliance with the AELUP. Overall land use impacts would be less than significant and similar to the proposed project.

Noise

This project was defined for its potential to eliminate the significant construction noise impact. Elimination of the new ballroom and parking structure under this alternative would substantially reduce construction activities near sensitive residential receptors. In particular, minimal construction would occur proximate to the Bay View Landing Senior Apartments and Newport Dunes recreation area (across Back Bay Drive) and Sea Island residences (across Jamboree Road). Water, sewer, and storm drain improvements in the parking lot adjacent to Back Bay Drive across from the Bay View Landing residence would not be required under this alternative. The substantial reduction in demolition, grading, and construction activities would minimize both the level and duration of the noise impact to sensitive receptors. Table 7-5 shows noise levels at the nearby noise-sensitive receptors during construction activities associated with the Reduced Intensity alternative.

Table 7-5
Noise Levels at Project Construction Sites (dBA L_{eq})
Reduced Intensity Alternative

Construction Phase	Noise Levels from All Applicable Equipment in Use:[1]				
	Newporter North Environmental Study Area/ Palisades Tennis Club (Within 50 Feet)	Bayview Landing/ Newport Dunes (800 Feet)	Villa Point (150 Feet)	Sea Island (915 Feet)	Harbor Cove (675 Feet)
Ground Clearing/Demolition	83	59	73	58	60
Excavation/Grading	88	64	78	63	65
Foundation Construction	81	57	71	56	58
Building Construction	81	57	71	56	58
Finishing and Site Cleanup	72	64	78	63	65
Existing Ambient Noise Levels[2]	58	59	68	68	68
Maximum Projected dBA over Ambient Level	30	5	10	Ambient not Exceeded	Ambient not Exceeded

[1] Based on Bolt, Beranek and Newman, *Noise from Construction Equipment and Operations, Building Equipment and Home Appliances*, prepared for the EPA, December 31, 1971. Based on the Analysis for residential construction.

[2] Based on monitored noise levels on Jamboree Road for the Villa Point residences, the Sea Island residences, and the Harbor Cove residences and monitored noise levels on Back Bay Drive for the Newporter North Environmental Study Area and Palisades Tennis Club (northwest of project site) and the Bayview Landing residences and Newport Dunes recreational area (south of project site).

As shown in Table 7-5, due to the increased distance between the timeshare units, clubhouse, and new spa and sensitive residential receptors in Bay View Landing Senior Apartments and Newport Dunes recreation area, noise impacts associated with grading and construction at these land uses would not exceed 64 dBA L_{eq} during construction. Mitigation Measures 9-1 through 9-6 would reduce noise levels from construction activities to the extent feasible. Placement of sound walls along the project boundaries would reduce noise levels approximately 5 to 6 dBA where sound walls block line of sight between construction activities and nearby noise-sensitive receptors. Because sound walls placed during construction of the new spa building and timeshare units would completely block line of sight from the exterior areas of the Bay View Senior Apartments and Newport Dunes, construction noise levels would be a maximum of 59 dBA L_{eq} and would not exceed the ambient noise levels. Therefore, with mitigation, this alternative would reduce significant construction noise impacts at these sensitive land uses.

Due to the distance between the timeshare units, clubhouse, and new spa and the sensitive residential receptors at the Sea Island residential community, noise impacts associated with grading and construction of these land uses would not exceed 63 dBA L_{eq} during construction, and would not exceed the ambient noise levels. Therefore, this alternative would reduce significant construction noise impacts at the Sea Island residential community.

However, noise levels associated with construction activities on- and off-site would occur at distances as close as 150 feet to the residential community of Villa Point and even closer (approximately 50 feet) to the Newporter North Environmental Study Area and Palisades Tennis Club. Therefore, as with the proposed project, noise impacts associated with these improvements would be significant under this alternative. However, they would be substantially reduced in comparison to the proposed project. Sensitive residential receptors would only experience noise levels in excess of the City's acceptable standards for approximately 16 months in comparison to approximately 22 ½ months for the proposed project.

Long-term noise impacts for this alternative would also be reduced in comparison to the proposed project. Average daily traffic trips would be reduced by approximately 30 percent with the elimination of the new ballroom (see Transportation and Traffic discussion below). As with the proposed project, this impact would be less than significant. Therefore, although this alternative would reduce both the short-term and long-term noise impacts associated with the proposed project, the short-term construction-related noise impact would still be significant.

Public Services

With the elimination of the new ballroom, this alternative would reduce public services relative to the proposed project. As with the proposed project, impacts would be less than significant without mitigation.

Transportation and Traffic

Under the Reduced Intensity alternative, long-term transportation and traffic impacts of this project would be reduced in comparison to the proposed project. To estimate traffic trips for a hotel without the ballroom facilities, a resort hotel trip generation rate was used instead of a standard hotel generation rate to include ancillary uses such as the proposed ballroom. As shown in Table 7-6, an estimated 456 average daily trips would be generated for this alternative, a reduction of approximately 30 percent in comparison to the proposed project. Short-term construction-related trips and potential on-site parking conflicts would also be reduced relative to the proposed project. To minimize lane closure on Jamboree Road, it is anticipated that under this alternative, the same schedule would be maintained for the storm-drain improvement along this alignment. Overall transportation and traffic impacts for this alternative would be reduced in comparison to the proposed project and would be mitigated to a less than significant level.

Table 7-6
Project Trip Generation Reduced Intensity Alternative

Code	Land Use	Unit	Quantity	Time Period	Enter		Exit		Total Rate	
					Rate	Trips	Rate	Trips	Rate	Trips
				AM	0.2	15	0.1	8	0.3	23
				PM	0.2	15	0.3	23	0.5	88
Hotel	Timeshare Units/Rooms	Room	76	Daily		228		228	6.00	456

7.6.2 Ability to Reduce Environmental Impacts

The Reduced Intensity alternative would increase short-term construction-related air quality impacts and result in a new significant construction impact during grading activities primarily due to the increase in material export. This alternative would, however, substantially reduce construction-related noise impacts. Due to construction noise related to the new storm drain in Jamboree Road and noise impacts associated with timeshare unit improvements and impacts to the adjacent tennis club, construction-related noise still could not be mitigated to less than significant. Construction noise levels for the Bay View Landing residents, however, would be reduced to less than significant, and the duration of significant construction noise impacts for the Sea Island residents would be reduced substantially. Cultural resource, public services, and traffic impacts, would be reduced in comparison to the proposed project. These impacts are less than significant without mitigation for both this alternative and the proposed project. Similar impacts would result for aesthetics, biological resources, hydrology and water quality, and land use. Overall, impacts for this alternative would be less than for the project as proposed.

7.6.3 Ability to Attain Project Objectives

(Note: the reference numbers in this section refer to the project objectives as listed by number in Section 7.2-1)

The Reduced Intensity alternative would allow the project applicant to expand the Hyatt Regency to 479 rooms as provided in the CIOSA agreement (Objective No. 1) and to obtain a development agreement with the City to operate new units as timeshare units (Objective No. 2). Aesthetic view opportunities (Objective No. 5) could be realized and some of the hotel amenities as described in Objective No. 5 could be realized. Adequate parking and circulation for the facility, as expanded, could be achieved (Objective No. 6) and the project would comply with applicable local plans (Objective No. 8). The Reduced Intensity alternative, however, would not achieve the specific objective to develop a larger ballroom facility to assist in meeting conference needs for the City of Newport Beach (Objective No. 3). The City has determined a need for additional conference facilities and has recognized this use as essential to increasing tourism. A 1997 study commissioned by the City to determine the potential market demand for a conference or convention center found that there was sufficient demand for a convention center (PKF Consulting 1997). The study, however, concluded that such a development would not be self-supporting from its own operations and would not be the most cost-effective manner of achieving an objective to increase revenues from transient occupancy taxes. The study recommended that the City encourage development of new and/or expanded ballroom/ conference facilities at hotels to stimulate the demand for additional hotel rooms. The report also identified opportunities to attract larger convention groups, noting that the largest contiguous meeting space in the City was an 8,000-square-foot ballroom located at the Marriott Hotel and Tennis Club. To accommodate banquets in excess of 700 persons or groups requiring more than 300 rooms in a block, additional facilities would be needed.

The elimination of the new ballroom would jeopardize the economic viability of the project (Objective 9). The substantial cost of site infrastructure improvements and grading could not be amortized over the potential additional revenue associated with the development of the new timeshare units. Moreover, the occupancy rates for existing hotel rooms, which could be expected to increase with development of expanded conference facilities, would not increase and might suffer due to an inability to compete with other hotels offering larger conference facilities.

7.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires a lead agency to identify the "environmentally superior alternative" and, in cases where the "No Project" alternative is environmentally superior to the proposed project, the environmentally superior development alternative must be identified. One alternative has been identified as "environmentally superior" to the proposed project:

- Reduced Intensity Alternative

The Reduced Intensity Alternative has been identified as environmentally superior, although it would result in a new significant construction-related impact because additional soil haul would be necessary. Construction noise would be reduced to below significance for Bay View Landing residences. It would also reduce the noise level for Sea Island residences across Jamboree Road and reduce the overall construction schedule from approximately 22½ months to 16 months. It would also reduce cultural resource, public services, and traffic impacts. These impacts, however, are also less than significant for the project as proposed. Impacts would be similar for aesthetics, biological resources, and hydrology and water quality.

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