

Appendix A

Initial Study/Notice of Preparation

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # _____

Project Title: Megonigal Residence (PA2007-133)

Lead Agency: City of Newport Beach

Contact Person: James Campbell, Principal Planner

Mailing Address: 3300 Newport Boulevard

Phone: (949) 644-3210

City: Newport Beach

Zip: 926585

County: Orange

Project Location: County: Orange

City/Nearest Community: Newport Beach

Cross Streets: Pacific Avenue/

Zip Code: 92658

Lat. / Long.: 33° 37' 00" N/ 117° 53' 51" W

Total Acres: 0.10

Assessor's Parcel No.: _____

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: SR-1

Waterways: Pacific Ocean

Airports: _____

Railways: _____

Schools: _____

Document Type:

CEQA:	<input checked="" type="checkbox"/> NOP	<input type="checkbox"/> Draft EIR	NEPA:	<input type="checkbox"/> NOI	Other:	<input type="checkbox"/> Joint Document
	<input type="checkbox"/> Early Cons	<input type="checkbox"/> Supplement/Subsequent EIR		<input type="checkbox"/> EA		<input type="checkbox"/> Final Document
	<input type="checkbox"/> Neg Dec	(Prior SCH No.) _____		<input type="checkbox"/> Draft EIS		<input type="checkbox"/> Other _____
	<input type="checkbox"/> Mit Neg Dec	Other _____		<input type="checkbox"/> FONSI		

Local Action Type:

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division (Subdivision, etc.)	<input checked="" type="checkbox"/> Other Mod. Permit

Development Type:

<input checked="" type="checkbox"/> Residential: Units <u>1</u> Acres <u>0.10</u>	<input type="checkbox"/> Water Facilities: Type _____ MGD _____
<input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Transportation: Type _____
<input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Mining: Mineral _____
<input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	<input type="checkbox"/> Power: Type _____ MW _____
<input type="checkbox"/> Educational _____	<input type="checkbox"/> Waste Treatment: Type _____ MGD _____
<input type="checkbox"/> Recreational _____	<input type="checkbox"/> Hazardous Waste: Type _____
	<input type="checkbox"/> Other: _____

Project Issues Discussed in Document:

<input checked="" type="checkbox"/> Aesthetic/Visual	<input type="checkbox"/> Fiscal	<input type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Vegetation
<input type="checkbox"/> Agricultural Land	<input checked="" type="checkbox"/> Flood Plain/Flooding	<input type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Quality
<input checked="" type="checkbox"/> Air Quality	<input type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input type="checkbox"/> Water Supply/Groundwater
<input type="checkbox"/> Archeological/Historical	<input checked="" type="checkbox"/> Geologic/Seismic	<input type="checkbox"/> Sewer Capacity	<input checked="" type="checkbox"/> Wetland/Riparian
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Minerals	<input checked="" type="checkbox"/> Soil Erosion/Compaction/Grading	<input checked="" type="checkbox"/> Wildlife
<input checked="" type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Solid Waste	<input checked="" type="checkbox"/> Growth Inducing
<input checked="" type="checkbox"/> Drainage/Absorption	<input type="checkbox"/> Population/Housing Balance	<input checked="" type="checkbox"/> Toxic/Hazardous	<input checked="" type="checkbox"/> Land Use
<input type="checkbox"/> Economic/Jobs	<input type="checkbox"/> Public Services/Facilities	<input checked="" type="checkbox"/> Traffic/Circulation	<input checked="" type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Other _____			

Present Land Use/Zoning/General Plan Designation:

Existing Land Use: Undeveloped/Vacant; Existing Zoning: "R-1" (Single-Family Residential); General Plan: "RS-DT (Single-Unit Residential - Detached)

Project Description: (please use a separate page if necessary)

The project applicant is proposing the construction of a single-family residential dwelling unit on the property, which will have vehicular access to the ground floor from Pacific Drive. The proposed residence will have a total floor area of 3,138 square feet, including 377 square feet on the ground floor, 934 square feet on the second floor and 1,827 square feet on the first floor. The ground floor level supports an additional 428 square foot garage. In addition to the indoor living area, 1,004 square feet of outdoor patio space, including 129 square feet on the ground floor, 714 square feet on the second floor, and 161 square feet on the first, is provided. The proposed three-story, 3,566 square-foot residence conforms to all Zoning Code property development regulations, with the exception of the proposed planter walls and a water feature that are located within the three-foot front yard setback height limit. The applicant is requesting approval of Modification Permit No. 2007-080 to allow planter walls and a water feature to exceed the three-foot height limit requirement in the front yard setback.

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

January 2008

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X". If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|---|
| <input type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> CalFire | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Caltrans District # <u>12</u> | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Planning (Headquarters) | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Commission |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mountains Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date May 11, 2009 Ending Date June 9, 2009

Lead Agency (Complete if applicable):

Consulting Firm: <u>Keeton Kreitzer Consulting</u>	Applicant: <u>Kim and Carline Megonigal</u>
Address: <u>17291 Irvine Boulevard, Suite 305</u>	Address: <u>17871 Cowan Avenue</u>
City/State/Zip: <u>Tustin, CA 92780</u>	City/State/Zip: <u>Irvine, CA 92614</u>
Contact: <u>Keeton K. Kreitzer, Principal</u>	Phone: <u>(949) 752-6996</u>
Phone: <u>(714) 665-8509</u>	

Signature of Lead Agency Representative: JW Campbell, Principal Planner Date: May 8, 2009

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.


**NOTICE OF PREPARATION
CITY OF NEWPORT BEACH, CALIFORNIA**

Date: May 8, 2009
Project: Megonigal Residence (PA2007-133)
Project Location: 2333 Pacific Avenue, Corona del Mar, CA
Lead Agency: City of Newport Beach

POSTED

MAY 11 2009

TOM DALY, CLERK-RECORDER

By  DEPUTY

Pursuant to Section 15082(a) of the California Environmental Quality Act (CEQA) Guidelines, the City of Newport Beach will be the lead agency and will prepare an environmental impact report for the project described below. The City needs to know your agency's views as to the scope and content of the environmental information related to your agency's statutory authority with respect to the proposed project. Your agency will need to use the EIR prepared by our agency when considering any applicable permits for the project.

Based on the initial study that was prepared for the proposed project, the City of San Newport Beach has determined that an environmental impact report (EIR). The initial study concluded that project implementation could result in potentially significant environmental effects to:

- Aesthetics
- Biological Resources
- Land Use and Planning

Unless specific comments are received during the NOP public comment period that indicates a potential for the project to result in significant impacts, the following issues will not be addressed in the Draft EIR:

- | | |
|---------------------------|-----------------------------------|
| ▪ Agricultural Resources | ▪ Mineral Resources |
| ▪ Recreation | ▪ Public Services and Facilities |
| ▪ Utilities | ▪ Population and Housing |
| ▪ Geology and Soils | ▪ Hazards and Hazardous Materials |
| ▪ Hydrology/Water Quality | ▪ Air Quality |
| ▪ Noise | ▪ Transportation/Traffic |
| ▪ Cultural Resources | |

Pursuant to Section 15103 of the CEQA Guidelines, your response must be sent at the earliest date but received by our agency no later than thirty (30) days after receipt of this notice. Should you have any questions regarding the project or notice of preparation, please call Mr. James Campbell, Principal Planner, at (949) 644-3210. Please mail your written response including any comments you may have on this project to:

James Campbell, Principal Planner
City of Newport Beach
Planning Department
3300 Newport Center Drive
P. O. Box 1768
Newport Beach, CA 92658-8915

Applicant: Kim and Caroline Megonigal.

Description: The subject property currently consists of a single parcel situated on a bluff that extends below Pacific Drive. The project site is located at 2333 Pacific Drive in Corona del Mar and encompasses 4,412 square feet (0.10 acre); the site is currently undeveloped. The applicant is proposing the construction of a single-family residential dwelling unit on the property, which will have vehicular access to the ground floor from Pacific Drive. The proposed residence will have a total floor area of 3,138 square feet, including 377 square feet on the ground floor, 934 square feet on the second floor and 1,827 square feet on the first floor. The ground floor level supports an additional 428 square foot garage. In addition to the indoor living area, 1,004 square feet of outdoor patio space, including 129 square feet on the ground floor, 714 square feet on the second floor, and 161 square feet on the first, is provided. The proposed three-story, 3,566 square-foot residence conforms to all Zoning Code property development regulations, with the exception of the proposed planter walls and a water feature that are located within the three-foot front yard setback height limit. The applicant is requesting approval of Modification Permit No. 2007-080 to allow planter walls and a water feature to exceed the three-foot height limit requirement in the front yard setback. Because the project conforms to the height limits of the Zoning Code, it meets all of the terms and conditions of Categorical Exclusion Order E-77-5. Therefore, a Coastal Development Permit is not required.

Surrounding Land Uses and Setting

The subject property is currently undeveloped and is surrounded by development on three sides, including single-family residences on the north, south and west; Begonia Park is located east of the site. The aerial photograph illustrates the undeveloped site and the existing land uses surrounding the site.

**CITY OF NEWPORT BEACH
ENVIRONMENTAL CHECKLIST FORM**

1. Project Title: Megonigal Residence (PA2007-133)
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: James Campbell, Planning Department
(949) 644-3210
4. Project Location: 2333 Pacific Drive
Newport Beach, CA
5. Project Sponsor's Name and Address: Kim Megonigal
17872 Cowan Avenue
Irvine, CA 92614
6. General Plan Designation: Single Unit Residential – Detached (RS-D)
7. Zoning: Single-Family Residential (R-1)
8. Introduction: None
9. Project Description:

Project Location

The subject property currently consists of a single parcel situated on a steeply sloping bluff that extends below Pacific Drive. The bluff is above two single-family residences constructed at the base of the bluff adjacent to Bayside Drive. The subject site is located at 2333 Pacific Drive in the Corona del Mar are of Newport Beach and encompasses 4,412 square feet (0.10 acre); the site is currently undeveloped. The site is located west of and abuts Begonia Park.

Project Description

The applicant proposes to construct a 3,566 square foot single-family residence. The proposed residence will consist of three levels: 1,827 square feet on the first floor, 934 square feet on the second floor, and 805 square feet on the uppermost level (includes a 428-square foot, 2-car garage). Vehicular access is from Pacific Drive at the intersection of Begonia Avenue and Pacific Drive. In addition to the indoor living area, 1,004 square feet of outdoor patio space on the three levels is provided. The applicant is requesting approval of Modification Permit No. 2007-080 to allow planter walls and a water feature to exceed the three-foot height limit requirement in the front yard setback. Grading, landscaping and utility connections necessary for construction of the proposed residence

are included. Lastly, the applicant is proposing non-standard improvements within the public right-of-way consisting of enhanced paving for pedestrian and vehicular access from Pacific Drive.

10. Surrounding Land Uses and Setting:

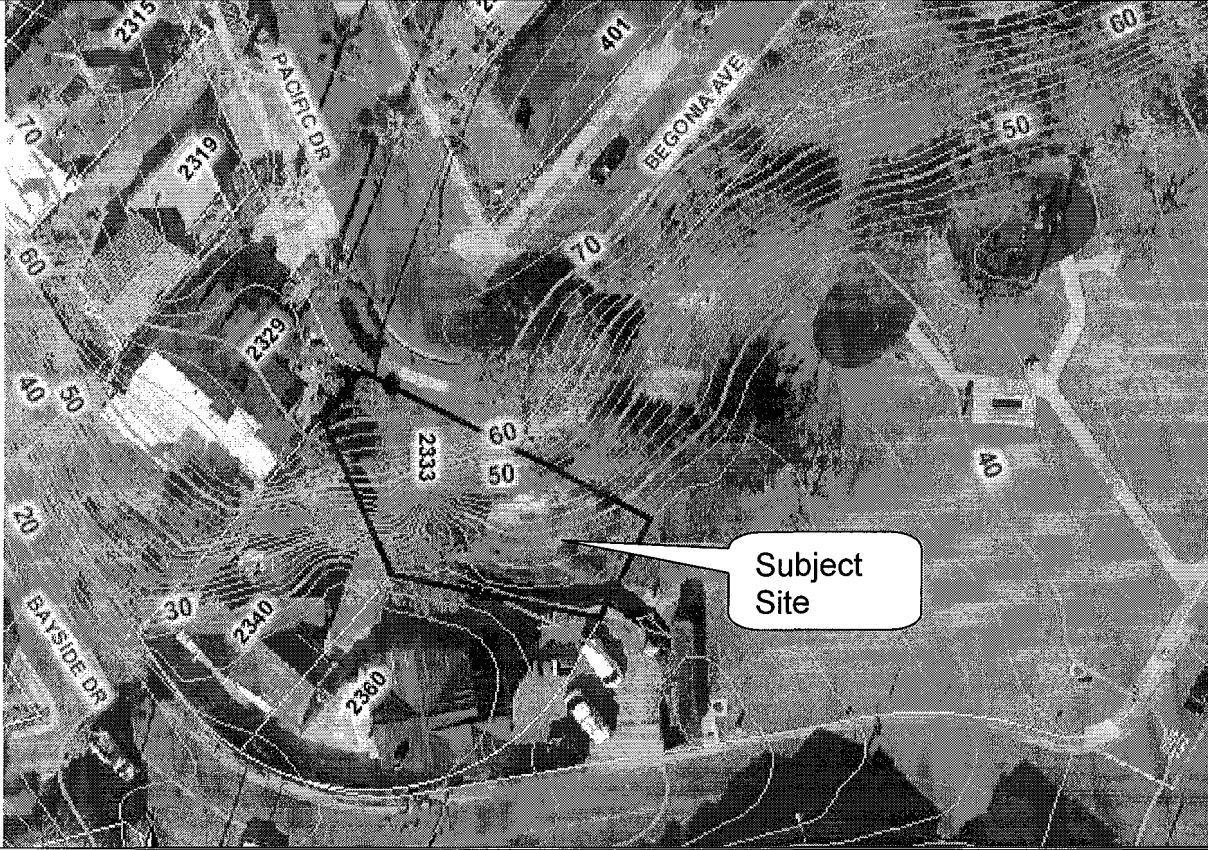
As indicated below, the subject property is currently undeveloped and is surrounded by development on three sides, including single-family residences on the north, south and west; Begonia Park is located east of the site. The aerial photograph illustrates the undeveloped site and the existing land uses surrounding the site. A summary of the general Plan designations, zoning, and current uses for the subject property and adjacent properties.

LOCATION	GENERAL PLAN	ZONING	CURRENT USE
ON-SITE	Single Unit Residential – Detached (RS-D)	Single-Family Residential (R-1)	Vacant, undeveloped land
NORTH	Two-Unit Residential (RT)	Two Family Residential (R-2)	Residential
SOUTH	Multiple-Unit Residential (RM)	Multiple-Family Residential (MFR)	Residential
EAST	Parks and Recreation (PR)	R-1	Begonia Park
WEST	RS-D	R-1	Residential

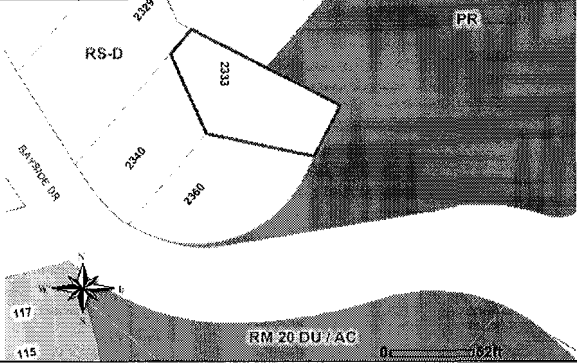
11. Other public agencies whose approval is required:

None

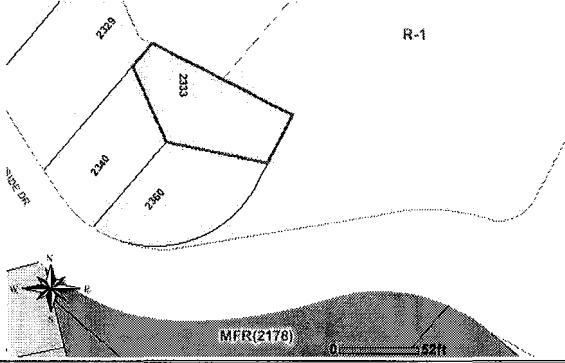
VICINITY MAP



GENERAL PLAN



ZONING



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

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

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

DETERMINATION

On the basis of this initial evaluation:

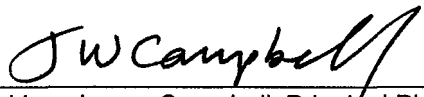
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

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.

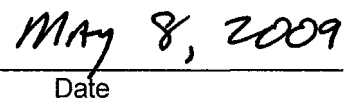
I find that the proposed project MAY have a significant effect on the environment, and ENVIRONMENTAL IMPACT REPORT is required.

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.



Submitted by: James Campbell, Principal Planner
Planning Department


Date

CITY OF NEWPORT BEACH ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURE 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) 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k)	Result in significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
l) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
n) Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o) Create significant increases in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
XIII. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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:				
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) 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"/>
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"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less than Significant Impact	No Impact
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 type="checkbox"/>	<input checked="" 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"/>
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVII. ENVIRONMENTAL ANALYSIS

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

- **No Impact.** The proposed project will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The proposed project will have the potential for impacting the environment, although this impact will be below thresholds that may be considered significant.
- **Less Than Significant With Mitigation Incorporated.** The proposed project will have potentially significant adverse impacts which may exceed established thresholds; however, mitigation measures or changes to the proposed project's physical or operational characteristics will reduce these impacts to levels that are less than significant. Those mitigation measures are specified in the following sections. Each recommended mitigation measure has been agreed to by the applicant.

- **Potentially Significant Impact.** The proposed project will have impacts that are considered significant and additional analysis is required to identify mitigation measures that could reduce these impacts to insignificant levels. When an impact is determined to be potentially significant in the preliminary analysis, the environmental issue will be subject to detailed analysis in an environmental impact report (EIR).

The references and sources used for the analysis are also identified with each response.

I. AESTHETICS

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

Potentially Significant Impact. The certified Coastal Land Use Plan (“CLUP”) and the Natural Resources Element of the City’s General Plan (Figure NR3) designate Begonia Park as a “public view point.” Westerly views exist from the park to Newport Harbor and the Pacific Ocean beyond. Although the proposed single-family residence has been designed to conform to the height limit imposed by the Newport Beach Zoning Code, project implementation will result in the construction of a residential structure within these views. The proposed structure, which would be compatible with the existing homes along Pacific Drive and Begonia Avenue because it is designed in conformance with most development standards of the Zoning Code, will not obstruct public views of the bay and coastline due to the location of the proposed structure. Public views of Newport Harbor and the Pacific Ocean beyond exist from Pacific Drive and Begonia Avenue. The proposed structure will obstruct some of these views, depending upon the specific vantage point. Several General Plan policies require new development to protect and, where feasible, enhance public views. Even though the project conforms to the existing building height limit, setback standards, and related development standards (except the planter and water feature in the required front yard setback area), potential public view impacts from the “public view point” at Begonia Park and/or Pacific Drive and Begonia Avenue may occur. The Draft EIR will evaluate the potential visual impacts resulting from implementation of the proposed project.

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

Potentially Significant Impact. The subject property is located on Pacific Drive, at the top of a bluff overlooking Newport Harbor, and is surrounded by single-family residences on the northwest, west and south. As indicated above, Begonia Park is located to the east. The site is not located along a state scenic highway and no historic buildings or other significant features exist on the property. Although some trees are present on the site, they are not considered to be important scenic resources within the aesthetic character of the site or project environs. A portion of the site has been extensively disturbed and is devoid of vegetation. A small area of coastal bluff scrub habitat exists on the property. With the exception of the bluff feature itself, no other scenic resources exist on the site. The upper limits of the bluff would be graded to accommodate the proposed development, resulting in the alteration of the existing bluff feature. Two single-family homes are located directly below the subject property, which were permitted to cut into the toe of the slope to permit sufficient area to construct the buildings. The potential visual impacts of project implementation on the bluff will be evaluated in the Draft EIR.

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

Potentially Significant Impact. As indicated above, project implementation includes the development of the site with a single-family residence. Access to the proposed home would be via Pacific Drive. The structure will be single story at the street level (i.e., from Pacific Drive) and conform to the 24-foot height limit prescribed by the R-1 zoning district regulations. Nonetheless, potential visual impacts may occur from locations within Begonia Park where views of the harbor and coast exist. Encroachment into the viewshed by the proposed home would affect views from various vantages within the park and from Pacific Drive. The potential effect on the existing visual character of the site and environs will be evaluated in the Draft EIR.

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

Less than Significant Impact. The existing residential development on Pacific Avenue is characterized by lighting along the street and other interior and exterior lighting associated with residential uses. This illumination occurs along the frontage of the street and the rear portions of the residential properties. Lighting for the proposed project will also be provided for the same purpose as that which currently exists in the area (i.e., security and structure illumination). It is anticipated that the lighting will be energy efficient

and will also be shielded or recessed as required by existing code, so that direct glare and reflections are contained within the boundaries of the property. As a result, compliance with the lighting standards and requirements will ensure that no significant lighting impacts occur; no mitigation measures are required.

II. AGRICULTURAL RESOURCES

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

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

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

No Impact. The Newport Beach General Plan, Land Use Element designates the site as “Single Family Attached” and the zone designation for the site is “Single Family Residential.” Therefore, there is no conflict with zoning for agricultural use, and the property and surrounding properties are not under a Williamson Act contract. No significant impacts are anticipated and no mitigation measures are required.

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

No Impact. The site is not being used for agricultural purposes and, as indicated previously, is not designated as agricultural land. The subject property and the area surrounding the site are developed with residential uses. Therefore, no agricultural uses on the site or within the site’s vicinity would be converted to non-agricultural use. No significant impacts are anticipated and no mitigation measures are required.

III. AIR QUALITY

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

No Impact. Development of the subject property with one single-family residence will have no effect upon the key strategies of the regional Air Quality Management Plan (AQMP), which focus on emissions reductions through controls on business, industry and paints, and through stricter federal and state regulatory controls to improve fuel efficiency, reduce transportation-related exhaust emissions, and reduce emissions from a variety of consumer products. The subject site is currently undeveloped. Construction of one residence on the site represents an insignificant increase in potential mobile- and stationary source pollutant emissions when compared to the existing occupied units and an insignificant potential decrease if all of the existing dwelling units were occupied. Therefore, based on the small incremental increase in pollutant emissions anticipated as a result of project implementation, the proposed project would not affect the long-term projections related to land use planning and growth forecasts. As discussed in the responses to III.b through III.e, no significant air quality impacts are anticipated as a result of this project; therefore, it would not conflict with or obstruct implementation of the AQMP. This conclusion is further supported by the goals articulated in the Natural Resources Element of the General Plan that is intended to reduce mobile source emissions as well as those from stationary sources. Consistent with those policies, project implementation will result in only a small number of vehicle trips. The project will also incorporate Best Available Control Technologies (BACT) to minimize pollution and reduce source

emissions. Finally, the project sponsor will also be required as part of compliance with standard building and grading ordinances to operate construction equipment and use building materials and paints that minimize air pollutant emissions and to control dust created during construction.

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

Less Than Significant Impact. There are no air pollution sources on site or in the immediate vicinity and the proposed project would not introduce any sources of air pollution or hazardous air emissions that could contribute to or worsen an existing air quality violation. Project implementation would result in temporary construction emissions that may affect local and regional air quality. Temporary construction activity emissions will occur during the construction stage of the proposed single-family residential dwelling unit, including the on-site generation of dust and equipment exhaust, and off-site emissions from construction workers commuting to the site and trucks hauling excavated earth materials from the site and delivering building materials to the subject property. Heavy-duty trucks, earthmovers, air compressors, and power generators would be used during the grading and construction phase. Operation of these vehicles, equipment, and machines would temporarily increase air pollutant levels in the vicinity of the proposed project. In addition, emissions from delivery and haul trucks (i.e., approximately 53 haul trucks to transport export soils), construction crew vehicles, concrete mixers, and other off-site vehicle trips would add to local pollutant levels. The short-term construction emission levels would be expected to remain below the South Coast Air Quality Management District (SCAQMD) significance thresholds for each type of pollutant, with or without best available control measures. Construction-phase emissions would not, therefore, violate any air quality standard or contribute substantially to an existing or projected air quality violation. Given the limited size of the project (i.e., one single-family residential dwelling unit), construction emissions for carbon monoxide (CO), reactive organic gases (ROG), sulfur oxides (SOx) and particulate matter (PM₁₀) would generally be low from equipment use and truck trips. In addition, volatile organic compound (VOC) emissions from paints and coatings would create ROG emissions during construction. Dust emissions on site would be generated by excavation and initial construction activities. However, as indicated previously, such emissions would be less than the current thresholds and would, therefore, not be significant.

Long-term emission sources associated with the proposed single-family residence include vehicular exhaust from daily traffic (i.e., based on about 10 vehicle trips per day), energy consumption, site and landscape maintenance, and incidental emissions from use of a variety of household cleaning and hair care products. Estimated long-term project-related emissions would not exceed the SCAQMD daily thresholds for all categories of pollutants. The project's long-term emissions would not violate any air quality standard established by the AQMD or contribute to an existing or projected air quality violation.

Global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

The State Legislature has directed the California Air Resources Board to consult with the Public Utilities Commission in the development of carbon dioxide (CO₂) emissions reduction measures, including limits on emissions of greenhouse gases applied to electricity and natural gas providers regulated by the Public Utilities Commission. The Legislature has also directed the California Air Resources Board to assure that such measures meet the statewide emissions limits for greenhouse gases (GHG) to be established pursuant to Assembly Bill 32. Although the project would increase the resident population on the project site, the proposed project includes only one single-family residence. The incremental increase in potential greenhouse gases associated with the proposed single-family residence would not be significant in the context of the contribution of worldwide GHG impacts.

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

Less Than Significant Impact. As discussed above, neither short-term (i.e., construction) nor long-term (i.e., operational) emissions associated with the proposed project would exceed SCAQMD recommended significance thresholds. These thresholds were developed to provide a method of assessing a project's individual impact significance, and also to determine whether the project's impacts could be cumulatively considerable. The proposed project would not, therefore, result in a cumulatively considerable net increase of any criteria pollutant. Since the South Coast Air Basin is in non-attainment with respect to ozone and PM₁₀, and the construction emissions would add to the regional burden of these pollutants, a vigorous set of air pollution control measures is recommended during the construction phases (refer to MM-1 through MM-6, at the end of this section).

- d) **Expose sensitive receptors to substantial pollutant concentrations?**

No Impact. The area in which the subject property is located is dominated by single-family residential development; there are no senior housing facilities, hospitals, schools or other sensitive receptors located near the proposed project site. A blufftop passive park/public view point is located adjacent to the project site. Moreover, as discussed in the preceding assessment of potential air quality impacts, the proposed project would not generate substantial pollutant emissions, either during the temporary construction phases or over the long-term operating life of the proposed homes when occupied. Although no significant impacts are anticipated, several conditions are prescribed to further reduce dust and construction equipment exhaust emissions during the construction phase.

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

No Impact. A variety of odors would be associated with construction equipment exhaust emissions and application of paints and other architectural coatings. The odors would be minor and temporary in nature and would not significantly affect people residing or occupying areas beyond the immediate construction zones. Subsequent to the completion of construction activities, development of the site with a single-family residence would not result in any significant change in the kinds of odors that could be experienced in the project environs, which is composed of similar single-family residential dwelling units. Occasional, less than significant odors may occur in conjunction with trash pick up and outdoor food preparation (e.g., barbecues), and possibly with outdoor maintenance activities. Trash containers would be equipped with lids and would be stored inside the dwelling units and garages. The proposed project will not generate unusual or large quantities of solid waste materials, or utilize chemicals, food products, or other materials that emit strong odors that would adversely affect the ambient air quality in the project environs. Therefore, the project does not have the potential to create objectionable odors; and no mitigation measures are required.

Mitigation Measures

Although no significant air quality impacts will occur as a result of the proposed project, the following mitigation measures highlight specific aspects of SCAQMD Rules 402 and 403 that are considered effective construction control measures to minimize this project's construction phase air quality impacts: All applicable measures set forth in those rules shall be implemented by the Contractor.

- During grading activities, any exposed soil areas shall be watered at least four times per day. Stockpiles of crushed cement, debris, dirt or other dusty materials shall be covered or watered twice daily. On windy days or when fugitive dust can be observed leaving the proposed project site, additional applications of water shall be applied to maintain a minimum 12 percent moisture content as defined by SCAQMD Rule 403. Soil disturbance shall be terminated whenever windy conditions exceed 25 miles per hour.

- Truck loads carrying soil and debris material shall be wetted or covered prior to leaving the site. Where vehicles leave the construction site and enter adjacent public streets, the streets shall be swept daily.
- All diesel-powered machinery exceeding 100 horsepower shall be equipped with soot traps, unless the Contractor demonstrates to the satisfaction of the City Building Official that it is infeasible.
- The construction contractor shall time the construction activities, including the transportation of construction equipment vehicles and equipment to the site, and delivery of materials, so as not to interfere with peak hour traffic. To minimize obstruction of through traffic lanes adjacent to the site, a flag person shall be retained to maintain safety adjacent to existing roadways, if deemed necessary by the City.
- The construction contractor shall encourage ridesharing and transit incentives for the construction workers.
- To the extent feasible, pre-coated/natural colored building materials shall be used. Water-based or low VOC coatings shall be used that comply with SCAQMD Rule 1113 limits. Spray equipment with high transfer efficiency, or manual coatings application such as paint brush, hand roller, trowel, etc. shall be used to reduce VOC emissions, where practical. Paint application shall use lower volatility paint not exceeding 100 grams of ROG per liter.

IV. BIOLOGICAL RESOURCES

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

Potentially Significant Impact. Potential wildlife species that may occur in the project area (i.e., Newport Beach 7.5-minute U.S.G.S. topographic map) include the California black rail, Belding's savannah sparrow, Light-footed clapper rail, California least tern, and fairy shrimp; however, these species require estuarine, salt marsh, beach sands or vernal pool habitats, which do not exist on the site. Therefore, no significant impacts to these sensitive species would occur as a result of project implementation. Other sensitive species that may occur on the site or utilize the site for foraging include the Cooper's hawk and coastal California gnatcatcher. Because the area to be impacted by the proposed project is small in size, providing limited, if any, suitable habitat for the Cooper's hawk, the overall spatial loss of the site will not result in significant impacts to this species. Similarly, sufficient foraging and/or nesting habitat for the California gnatcatcher is not present on the proposed project site or in the surrounding area to support this species. The habitat on the site is limited in size and vegetative diversity, including the absence of California sagebrush. Additionally, the project site is located in an area of dense residential development, surrounded by urban ornamental landscaping. Any remaining habitat exists as "islands" within the residential area, which are of insufficient size and/or vegetative composition to support the gnatcatcher. Therefore, no significant impacts would occur to the California gnatcatcher.

Although the subject property encompasses only 4,400 square feet, southern coastal bluff scrub, a plant community identified as rare by the California Department of Fish and Game, exists on the site and is approximately 216 square feet in area. In addition, the subject property could also support other sensitive plant species, including Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), south coast saltscale (*Atriplex pacifica*), many-stemmed dudleya (*Dudleya multicaulis*), cliff spurge (*Euphorbia misera*), Coulter's saltbush (*Atriplex coulteri*), and woolly seablite (*Sueda taxifolia*). The Draft EIR will address potential impacts associated to the sensitive habitat and species that may exist on the subject property.

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

No Impact. A survey conducted on the subject property revealed that only three habitat types occupy portions of the site, including disturbed (i.e., areas that are either devoid of vegetation such as dirt roads or those areas that have a high percentage of non-native weedy species), disturbed/ornamental (i.e., areas dominated by escaped or planted ornamental species with a high presence of non-native weedy species), and coastal bluff scrub (i.e., areas that support approximately 15 total native shrubs). No riparian habitat was identified on the site. No significant impacts to riparian habitat and/or species are anticipated as a result of project implementation; no mitigation measures are required.

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

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

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

No Impact. See the discussion of potential impacts to sensitive species in the previous responses. Although the project site is currently vacant, the surrounding areas are developed and no migratory wildlife corridors occur on site or in the immediate vicinity of the project site that would be affected by development of the subject property. As a result, the proposed project will not interfere with resident, migratory or wildlife species. No significant impacts are anticipated and no mitigation measures are required.

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

Potentially Significant Impact. No native trees exist on the subject property that would be protected, either as a result of adopted policies or other resources agency requirements. Although the subject property and environs are not identified on Figures NR1 and NR2 in the Natural Resources Element, which identify important biological resources and environmental study areas, respectively, in the City, several policies articulated in the Newport Beach General Plan address biological resources, including NR 10.1 (resource protection, NR 10.4 (new development siting and design), NR 10.5 (significant or rare biological resources, etc. The Draft EIR will evaluate the relationship of the applicable policies to the proposed development of the site.

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

Less than Significant Impact. There are no local, regional or state habitat conservation plans that would regulate or guide development of the project site. The subject property is located on a coastal bluff, which is not included in either a Habitat Conservation Plan or a Natural Community Conservation Plan. Although coastal bluff scrub habitat has been identified on the subject property, that habitat encompasses only 216 square feet, which is considered to be of low value and it is not connected or associated with any larger area of similar habitat and would not likely support any California coastal gnatcatchers due to its size and location. Nonetheless, potential project-related to this habitat will be evaluated in the Draft EIR.

V. CULTURAL RESOURCES

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

No Impact. The project site is currently undeveloped. No historic resources are identified either on the site or in the immediate vicinity of the subject property. The site is no identified by the City as possessing potentially important historic resources. Therefore, project implementation will not result in potentially significant impacts to historic resources are anticipated and no mitigation measures are required.

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

Less than Significant with Mitigation Incorporated. As previously indicated, the subject site is undeveloped; however, the area surrounding the site (with the exception of Begonia Park) has been significantly altered by grading to accommodate the existing development located on the bluff and elsewhere in the vicinity of the subject site. No known archaeological resources are know to be present in the project area. Project implementation includes excavation of the property to accommodate the proposed single-family residence. It is unlikely that the disturbance of the subsurface soils would result in significant impacts to cultural resources due to the site alteration associated with the existing development in the area and the nature of the bedrock materials that underlie the site (i.e., marine). Although no significant impacts to cultural resources are anticipated, an archaeological monitor will be present during grading (refer to MM V-1) to ensure that if any cultural materials are encountered, appropriate measures will be implemented in accordance with existing City policies. Therefore, no significant impacts to archaeological resources are anticipated and no mitigation measures are recommended.

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

Less Than Significant with Mitigation Incorporated. Although the project site is currently vacant, the surrounding areas, including the bluff on which the existing homes are located, have been altered to accommodate development that includes predominantly residential uses. The site contains the Monterey Formation deposits, which are known to contain abundant fossilized marine invertebrates and vertebrates. The presence of recorded fossils in the vicinity of the project areas exists. Like other sites in the City that are underlain by the Monterey Formation, the site should be considered to have a high paleontological sensitivity and fossils may be encountered during grading and excavation. A mitigation measure in accordance with existing City policy has been included in the event that such resources are encountered during grading/excavation activities (refer to MM-6 below).

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

No Impact. The project site and surrounding areas are highly disturbed due to past urban development and there is no evidence of human remains or sites of Native American burials. Based on the degree of disturbance that has already occurred on the site and in the vicinity of the project site, project implementation will not result in potentially significant impacts to human remains; no mitigation measures are required.

Mitigation Measures

The following mitigation measure is proposed to mitigate the potential impacts associated with cultural and/or scientific resources to a less than significant level.

- MM-1 A qualified archaeological/paleontological monitor shall be retained by the project applicant who will be present during the grading and landform alteration phase. In the event that cultural resources and/or fossils are encountered during construction activities, ground-disturbing excavations in the vicinity of the discovery shall be redirected or halted by the monitor until the find

has been salvaged. Any artifacts and/or fossils discovered during project construction shall be prepared to a point of identification and stabilized for long-term storage. Any discovery, along with supporting documentation and an itemized catalogue, shall be accessioned into the collections of a suitable repository. Curation costs to accession any collections shall be the responsibility of the project applicant.

VI. GEOLOGY AND SOILS

a) **Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?**

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

The subject property is located within a seismically active area. There are no known local or regional active earthquake faults on the site, and the site is not within an Alquist-Priolo Zone. The Newport-Inglewood Fault-Rose Canyon Fault is located less than two miles to the south of and off-shore from the site. Another active fault that could generate seismic activity that affects the subject property and surrounding area is the Elsinore Fault. The Newport-Inglewood and Elsinore Fault Zones could produce earthquakes of magnitude 6 – 7 on the Richter Scale, with local strong ground motion equivalent to at least VIII – IX on the modified Mercalli Scale. Although episodes on those faults could cause ground shaking at the project site, it is highly unlikely that the site would experience surface rupture. Potential impacts would be less than significant with construction consistent with building and grading ordinances. No significant ground rupture impacts would occur as a result of project implementation.

ii) **Strong seismic ground shaking?**

Less than Significant Impact. See response to VI.a (i) above. As indicated above, the subject property is located in the seismically active southern California region; several active faults are responsible for generating moderate to strong earthquakes throughout the region. Due to the proximity of the site to the Newport-Inglewood Fault zone, the subject property has a moderate to high probability to be subjected to seismic and associated hazards. The maximum credible earthquake on the NIFZ is estimated to be 7.6 with a probable magnitude of 6.6 on the Richter Scale. Estimated peak ground acceleration for the subject site from an earthquake with a 10 percent probability of exceedance in a 50-year period is 0.39g. Similarly, the maximum credible earthquake on the Elsinore-Whittier Fault is 8.0, with a probable (Richter) magnitude of 7.2. Other faults capable of producing seismic activity that could affect the subject property include the San Jacinto and San Andreas Faults and the Whittier Fault, which is a northern branch of the Elsinore Fault. In addition to these faults, the San Joaquin Hills Blind Thrust Fault is located less than 1.5 to 2.5 miles below the area. This fault and the Newport Inglewood fault (concealed segment), located approximately 750 to 1,000 feet from the subject site, are considered the potential causative faults in the area. Even though the project site and surrounding areas could be subject to strong ground movements, incorporation of the recommendations included in the preliminary geotechnical report and adherence to current building standards of the City of Newport Beach would reduce the potential adverse effects of ground movement hazards to a less than significant level.

iii) Seismic-related ground failure, including liquefaction?

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

iv) Landslides?

Less than Significant Impact with Mitigation Incorporated. A stability analysis was performed on the subject property by Borella Geology, Inc., as reflected in the preliminary geotechnical report (Borella Geology, March 20, 2007). Based on that analysis, it was determined that the orientation of the bedrock on the site is dipping into the slope, which is the preferred orientation for maintaining slope integrity. However, surficially, the cliff portions of the subject property are unstable as evidenced by the talus deposits that are present at the base of the steep slopes. However, all slopes on the site were determined to be grossly stable. The maximum slope height is 47 feet and slope angle ranges from 10 degrees to 90 degrees. Calculated factors of safety are in excess of 1.5 (static) and 1.1 (Pseudo-static) of factors of safety required by the City of Newport Beach. The preliminary geotechnical report indicated that temporary shoring or a "shotcrete" combination shoring/retaining wall must be placed on all vertical cuts exceeding five (5) feet if a 1:1 (horizontal to vertical) layback cannot be achieved. However, temporary shoring is only anticipated in areas where retaining walls will be constructed to accommodate the lower floor level of the proposed residence. In addition, incorporation of the recommendations presented in the preliminary geotechnical evaluation and adherence to standard building code requirements will ensure that site development will not be subject to landslides. With the incorporation of those recommendations, potential landslide impacts will be less than significant.

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

Less than Significant with Mitigation Incorporated. Implementation of the proposed project will necessitate grading and excavation necessary to accommodate the proposed single-family residence that will temporarily expose on-site soils to potential erosion. In that interim period, it is possible that some erosion may occur, resulting in some sedimentation; however, in order to ensure that erosion and sedimentation are minimized, the applicant will be required to prepare and submit an adequate drainage and erosion control plan, which complies with current City standards prescribed by the Building and Grading Ordinances. Implementation of the mandatory appropriate erosion controls will avoid potential erosion impacts associated with site grading and development. Further, the proposed site will be engineered to ensure that surface/subsurface drainage does not contribute to erosion or adversely affect the stability of project improvements. Other efforts required to ensure that potential erosion is minimized include slope protection devices, plastic sheeting, inspection for signs of surface erosion, and corrective measures to maintain, repair or add structures required for effective erosion control. As a result, potential impacts occurring from project implementation, including those anticipated during grading and after development of the site, will be avoided or reduced to a less than significant level.

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

Less than Significant with Mitigation Incorporated. Refer to Section VI.a.iv, above. As previously indicated, potential slope failure/landslide potential would be avoided through proper design. Therefore, site preparation and design of the proposed residence in accordance with the recommendations contained in the preliminary geotechnical report and compliance with the California Building Code will ensure that potential impacts will be avoided or reduced to a less than significant level.

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

Less than Significant Impact. Based on the analysis conducted for the proposed project, the on-site surface materials have a very low expansion index and a negligible sulfate content. As a result, no significant impacts related to expansive soils would occur. The subject site is underlain by artificial fill, slopewash and talus deposits overlying bedrock assigned to the Monterey Formation. The fill material, slopewash, and talus deposits are considered incompetent and must be removed or penetrated with the proposed caisson-grade beam foundation system to ensure that no significant impacts occur.

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

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

Mitigation Measures

As indicated in the Preliminary Geotechnical Report for New Residence (Borella Geology, Inc., March 20, 2007), construction of the proposed single-family residence is feasible from a geotechnical perspective. The geotechnical impact of construction “. . . is nil if proper care is taken . . .” in the development of the site in accordance with the recommendations set forth in that report. The following measures shall be implemented to ensure that no potentially significant geotechnical impacts identified in the preceding analysis occur.

- MM-2 Prior to issuance of the grading or building permit, an erosion control plan shall be submitted to and approved by the City's Chief Building Official.
- MM-3 Prior to issuance of a grading permit, the applicant shall submit a soils engineering report and final geotechnical report to the City's Building Department for approval. The project shall be designed to incorporate the recommendations included in those reports that which address site grading, site clearing, compaction, caissons, bearing capacity and settlement, lateral pressures, footing design, seismic design, slabs on grade, retaining wall design, subdrain design, concrete, surface drainage, setback distance, excavations, cut-fill transitional zones, planters and slope maintenance, and driveways.

VII. HAZARDS AND HAZARDOUS MATERIALS

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

Less than Significant Impact. Construction activities would involve the use of materials associated with the construction of a residential building, including oil, gas, tar, construction materials and adhesives, cleaning solvents and paint. Transport of these materials to the site and use on the site would only create a localized hazard in the event of an accident or spills. Hazardous materials use, transport, storage and handling would be subject to federal, state and local regulations to reduce the risk of accidents. Equipment maintenance and disposal of vehicular fluids is subject to existing regulations, including the National Pollutant Discharge Elimination System (NPDES). Given the nature of the project in terms of scope and size (i.e., single-family residence on a 4,400 square foot lot), it is anticipated that normal storage, use and transport of hazardous materials will not result in undue risk to construction workers on the site or to persons on surrounding areas. The use and disposal of any hazardous materials on the site and in conjunction with the project will be in accordance with existing regulations. With the exception of small quantities of pesticides, fertilizers, cleaning solvents, paints, etc., that are typically used to maintain

residential properties, on-going operation of the site for residential use will not result in the storage or use of hazardous materials.

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

Less than Significant Impact. Project implementation includes only the construction of one single-family residence on the 4,400 square foot lot. As indicated above, the proposed project does not involve any activities and/or uses that would utilize hazardous materials or other substances that would, if released into the environment, create a safety or health hazard. There is no indication that the subject site has been contaminated that would adversely affect site development (refer to Section VII.d, below). Although grading and site preparation activities will expose subsurface soils and result in the generation of fugitive dust, no hazardous emissions will occur as a result of project implementation. Therefore, no significant impacts will occur.

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

Less than Significant Impact. The subject property is currently undeveloped; the applicant is proposing one single-family on a 4,400 square foot lot in an existing residential area within Corona del Mar. It is important to note that no schools are located within one-quarter mile of the subject site. As indicated previously, project implementation will result in the generation of a minor amount of fugitive dust and particulate matter during grading and site preparation activities, which will not result in any hazardous emissions that would affect any school in the area. With the exception of commonly used household hazardous materials (e.g., insecticides, herbicides, cleaning agents, etc.), the single-family residence proposed for the site will not utilize hazardous or acutely hazardous materials that would be emitted into the environment. Therefore, no significant impacts to existing schools will occur as a result of the proposed project and no mitigation measures are required.

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

No Impact. A search of various databases concerning hazardous wastes and substances sites was conducted through Environmental Data Resources, Inc. (EDR) as part of the environmental analysis. This search, which is on file with the City of Newport Beach, determined that the subject property is not included on any lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, project implementation will not create a significant hazard either to the public or the environment. No significant impacts are anticipated and no mitigation measures are required.

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

No Impact. The project site is located approximately 4.5 miles south of John Wayne Airport (JWA) and is not located within or subject to the airport land use plan for JWA or any other aviation facility. Operations at JWA will not pose a safety hazard for future residents due to the proximity of the project to the airport. Therefore, no significant impacts are anticipated and no mitigation measures are required.

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

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

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

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

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

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

VIII. HYDROLOGY AND WATER QUALITY

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

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

Potentially adverse water quality impacts during the construction phases would be avoided through compliance with existing regulatory programs administered by the City of Newport Beach and the Santa Ana Regional Water Quality Control Board (RWQCB). While it is impossible to anticipate all potential environmental issues that could arise on a daily basis during the course of the project, the site will be

designed to provide address sediment and erosion control for both temporary (i.e., construction) and long-term (i.e., operational) activities occurring on the subject property. In addition, site design will also address pollutants other than sediment, including those intended to control spills for hazardous materials, solid waste management, hazardous waste management, etc. A On-site retention and/or filtration or clarifiers would be required to meet water quality standards. The water quality features incorporated into the project will be selected to address the main pollutants of concern for a residential project, and for the impacted water body, i.e. Newport Bay. Newport Bay is listed as an "impaired" water body under Section 303(d) of the Clean Water Act, with respect to metals, pesticides and priority organics. Implementation of the water quality features by the City prior to issuance of the grading permit will ensure that this project does not violate any water quality standards during construction or over the long-term operating life of the developed site. As a result, no significant impacts are anticipated and no additional mitigation measures are required.

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

No Impact. This small-scale project would not result in a significant increase in water demand and all of the project's potable and non-potable water needs will be met through a connection to the City's domestic water system. The proposed single-family residence represents an insignificant increase in the demand for domestic water, which has been anticipated by the City in its long-range plans. No water wells are proposed or required to meet the water demands of this project. There are no water wells located on or near the site, and since this project would not affect any existing or require any new water wells, the project will not result in the lowering of the water table. No significant impacts are anticipated and no mitigation measures are required.

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

Less Than Significant Impact. No stream or river exists on site. Existing surface runoff generated on the subject property occurs as sheet flow and drains in a southerly direction over the bluff where it enters the City's storm drain system before discharging into Newport Bay, which has been identified as containing "environmentally sensitive areas" as defined by the 2003 Orange County Drainage Area Management Plan (DAMP) and the Water Quality Control Plans for the Santa Ana Basin. The actual amount of stormwater runoff generated from the building footprint and paved areas (totaling approximately 2,300 square feet) would be insignificant. Compliance with applicable building, grading and water quality codes and policies, which are performed during the plan check stage, will ensure that surface flows can be accommodate and water quality protected. As a result, no significant impacts are anticipated and no mitigation measures are required.

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

Less than Significant Impact. Refer to the discussion in Section VIII.c. As indicated above, project implementation will alter the existing drainage conditions on the site. However, the minor increase in impervious surfaces (i.e., approximately 2,300 square feet) will not be significant. The site will be graded and designed to facilitate post-development storm flows and may include on-site retention or other features, which would ensure that the increase in surface runoff can be accommodated by existing facilities in the project area. Therefore, no significant impacts are anticipated and no mitigation measures are required.

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

Less than Significant Impact. Project implementation will result in an increase in impervious surfaces on the site, which would generate additional surface runoff. However, the post-development impervious surfaces would be limited to approximately 2,300 square feet, which would not generate a significant amount of stormwater runoff. As previously indicated, the project will be designed to incorporate on-site retention or similar features. As a result, the existing storm drainage collection and conveyance facilities in the project area have adequate capacity to accommodate the proposed project. No significant impacts are anticipated and no mitigation measures are required.

- f) **Would the project otherwise substantially degrade water quality?**

Less than Significant Impact. As indicated previously, Newport Bay is listed as an "impaired" water body under Section 303(d) of the Clean Water Act, with respect to metals, pesticides and priority organics. Changes in surface runoff are anticipated as a result of the development of the subject property with one residence that could result in potential impacts to water quality. However, the project will be designed to comply with all relevant building, grading and water quality codes and policies to ensure that there will not be an adverse effect on water quality, either during construction or during the operational life of the project. Final plan check include the preparation of an adequate drainage and erosion control plan that must be found to meet applicable standards. Therefore, no significant impacts are anticipated and no mitigation measures are required.

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

No Impact. The subject property is not located within the 100-year flood plain as delineated on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA) for the City of Newport Beach. No homes would be placed within the 100-year flood plain and no significant impacts are would occur.

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

No Impact. Refer to the response to Section VIII.g.

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

No Impact. As indicated above, the project site is not within a flood hazard area or within an area subject to flooding due to dam or levee failure. Therefore, project implementation will not result in a potentially significant impact; no mitigation measures are required.

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

Less than Significant Impact. The subject property is located near the coastal margin of the Pacific Ocean, at the southern end of Newport Beach, within the Newport Harbor area. While this area is protected by jetty emplacement at the harbor mouth, long water waves generated by offshore mechanisms such as tectonic displacement present a potential for tsunamis, which could pose a danger to life and/or property. Tsunamis (i.e., seismic sea waves) are generated on offshore faults by movement that is primarily vertical in nature. The area located below the subject property is within a Tsunami hazard Zone. In the event of a tsunami, surge waves would focus in this area and could threaten the lower elevations of the property. The likelihood of a tsunami large enough to threaten the proposed home is extremely low and, therefore, is considered to be less than significant; however, the future residents should be made aware of the potential threat.

Seiche is defined as a standing wave oscillation effect generated in a closed or semi-closed body of water caused by wind, tidal current, and earthquake. Seiche potential is highest in large, deep, steep-sided reservoirs or water bodies. Newport Bay lacks significant potential for damaging seiche because it is very shallow. Considering the proposed finish floor elevation of the lowest floor (i.e., approximately 35 feet above mean sea level), the potential for seiche effects to the project site is considered remote; no significant impacts are anticipated and no mitigation measures are required.

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

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

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

Less than Significant Impact. Stormwater discharge from the site will be that typically associated with residential use. Although some temporary impacts associated with construction of the proposed residential structure may occur (refer to Sections VIII.a through f.), no long-term outdoor storage, maintenance, fueling or work areas are proposed. Vehicle parking areas are to be fully enclosed. The project will be designed to comply with all requisite codes and policies prescribed by the City of Newport Beach to ensure that stormwater impacts during or after construction are minimized or eliminated to the maximum extent possible. For example, the City's standard practice is to require street sweeping as a construction control measure, rather than washing down the street surface, to avoid runoff of construction wastes, sediment and debris into the storm drain system or the bay. With the project's compliance with the requirements imposed by the City, no significant impacts are anticipated and no mitigation measures are required.

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

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

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

Less than Significant Impact. Project implementation will result in the addition of impervious surfaces on the site, which would increase the volume and velocity of storm flows generated on the subject property. However, the site would be graded in order to ensure that post-development runoff is minimized and, further, is directed to existing storm drain facilities that have adequate capacity to accommodate the increase flows. As a result, this project would not result in adverse impacts due to changes in the flow velocity or volume of storm water runoff.

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

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

IX. LAND USE AND PLANNING

a) Would the project divide an established community?

No Impact. The project proposes the development of a single family residence on the 4,400 square foot lot. The site is bounded by Pacific Avenue on the north. As indicated previously, the area surrounding the subject property is entirely developed with residential development. Development of the site as proposed would not directly affect adjacent properties because it is consistent with the applicable development standards and requirements for site development. In particular, project implementation does not include features (e.g., roadways, flood control channels, etc.) that would physically divide or otherwise adversely affect or change an established community. The proposed residential dwelling unit is in keeping with the intensity of development and existing character in the project environs. No significant impacts will occur and no mitigation measures are required.

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

Potentially Significant Impact. The Newport Beach General Plan, the Coastal Land Use Plan and the Newport Beach Zoning Code contain land use goals, policies and regulations of concern with respect to avoiding or mitigating an environmental effect. Consistency of the proposed project with applicable provisions and/or policies of each the long-range plans adopted by the City of Newport Beach will be evaluated in the Draft EIR.

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

Potentially Significant Impact. Although the project site is not subject to a habitat conservation plan area or natural community conservation plan area, cursory biological surveys of the site revealed that a portion of the site supports coastal bluff scrub habitat, a plant community identified as rare by the California Department of Fish and Game. The property could also support listed or otherwise sensitive plant species. As a result, potential conflicts with adopted General Plan policies could occur. The relevant General Plan policies related to habitat conservation will be evaluated in the Draft EIR.

X. MINERAL RESOURCES

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

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

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

No Impact. As indicated above, the Newport Beach General Plan does not identify the project environs as having potential value as a locally important mineral resource site. Project implementation (i.e., construction of a single-family residence) as proposed will not result in the loss of any locally important mineral resource site and, therefore, no significant impacts will occur.

XI. NOISE

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

Less than Significant Impact. Noise sources in the study area include traffic on the local streets, aircraft operations at John Wayne Airport, and general residential activities in the area. Ambient noise levels in the project area would be the same as other similar single-family residential neighborhoods in Corona del Mar. Residents of the proposed single-family residence, therefore, would not be exposed to significant long-term noise sources, either resulting from the increase in vehicular trips (estimated to be approximately 10 trips/day) or from on-site activities that would occur on the site. The proposed residence is similar in nature as other single-family residences in the immediate project vicinity. Although on-site noise levels associated with residential activities (where none currently exist) would increase, it is anticipated that any such increase in long-term noise associated with the residential use would be those occurring as a result of outdoor activities and would be typical of noise levels in similar residential neighborhoods. If future residents and their guests should engage in activities that result in temporary, loud noise levels that exceed the limits set forth in Chapter 10.26 of the City's Municipal Code, the City is empowered to take actions to abate that activity. This project would not result in exposure of neighboring residents or future residents on site to noise levels that exceed City standards. Therefore, no significant long-term noise impacts are anticipated and no mitigation measures are required.

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

Less than Significant Impact. Construction activities can generate varying degrees of ground vibration, depending on the construction procedures, construction equipment used, and proximity to vibration-sensitive uses. The effect of vibration on buildings near a construction site varies depending on the magnitude of vibration, geology, and receptor building construction. The generation of vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibrations at moderate levels, to minor cosmetic damage at the highest levels. Ground vibrations from construction activities rarely reach levels that can damage structures, but can achieve the audible and perceptible ranges in buildings close to a construction site. It is anticipated that vibration levels generated by construction vehicles and during such activities as caisson drilling and excavation may exceed the Federal Transportation Agency annoyance threshold (i.e., 78 VdB) for residential uses. Therefore, potential short-term impacts from vibration-induced annoyance may occur at residences within 50 feet of the most vibration intensive construction equipment. However, these temporary annoyances will be less than significant and would cease upon completion of the grading/excavation and foundation. No significant impacts are anticipated and no mitigation measures are required.

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

Less Than Significant Impact. As discussed above in XI.a, development of this property with a single-family residential dwelling unit would not result in any changes in land use that include significant new noise sources. Long-term noise associated with outdoor recreation activities and vehicular traffic generated by one home would be minor and compatible with adjacent and nearby residential uses. Long-term noise levels would not be expected to increase as a result of the additional vehicular trips when compared to existing conditions. Therefore, no significant long-term noise impacts are anticipated and no mitigation measures are required.

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

Less than Significant with Mitigation Incorporated. Typically, the estimated construction noise levels are governed primarily by the piece of equipment that produces the highest noise levels. The character of the noise levels surrounding the construction site will change as work progresses, depending on the noise

levels of the loudest piece of construction equipment in use. A combination of construction vehicles, power tools, and handheld tools would be used depending on the construction phase. Construction noise levels are based on those reported by the Federal Highway Administration (FHWA) using the Roadway Construction Noise Model (RCNM version 1.1, 2008). Noise levels for construction equipment from the RCNM are identified below, which indicated that typical noise levels range up to 83.3 dBA L_{eq} at 50 feet during the noisiest construction phases. The site preparation phase, which includes excavation and grading of the site, caisson drilling, and concrete pouring tends to generate the highest noise levels, because the noisiest construction equipment is typically associated with these activities. Most importantly, all of the significant noise generating construction activities are limited to the normal working hours by the municipal code, which minimizes the effect of those activities.

Typical Construction Equipment Noise Levels

Type of Equipment	Average Sound Levels (dBA L_{eq} at 50 feet)
Backhoe	73.6
Concrete Mixer Truck	74.8
Concrete Pump Truck	74.4
Excavator	76.7
Front End Loader	75.1
Jackhammer	81.7
Drill Rig Truck	72.2
Hydra Break Ram	80.0
Tractor	80.0
Vibratory Concrete Mixer	73.0
Flat Bed Truck	70.3
Auger Drill Rig	77.4
Mounted Impact Hammer (Hoe Ram)	83.3
Dozer	77.7

SOURCE: Roadway Construction Noise Model (version 1.1)

Short-term (construction) noise level increases will occur from the use of construction equipment associated with grading and excavation, and building and construction activities. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Potential noise impacts vary markedly because the noise strength of construction equipment ranges widely as a function of the equipment used and its activity level. The exposure of persons to the periodic increase in noise levels will be short-term and will cease after construction is completed. Short-term construction noise impacts tend to occur in discrete phases dominated initially by earthmoving sources, then by foundation construction, and, finally, for building construction. Heavy equipment noise can average about 80 dB(A) at 50 feet from the source when the equipment is operating at typical loads.

A variety of noise sources and noise levels would occur on and in the immediate vicinity of the project site over the site preparation and construction phase anticipated for the proposed project. Noise levels would vary, depending upon the type and number of construction machinery and vehicles in use and their location within the project site. The types of machinery to be active will vary with the construction phases, which would include:

- Drill shoring caissons
- Excavation and installation of lagging
- Shotcrete shoring walls
- Install foundations
- Build structure
- Install plumbing, electrical, mechanical, finish exterior/interior, etc.
- Hardscape and landscape

It is important to note that all equipment is not generally operated continuously or used simultaneously. The number, type, distribution, and usage of construction equipment will differ from phase to phase. The noise generated is both temporary in nature and limited in hours by the City's Noise Ordinance (Section 10.28.040). Compliance with the existing noise control ordinance and hours of construction prescribed in the ordinance will minimize the potential noise impacts associated with project implementation. Other measures have been identified to ensure that construction noise is minimized. Typically, construction of single-family residential dwelling units on an individual basis in the City of Newport Beach, including on bluffs in the City, does not result in significant noise impacts because of their small size and the duration of construction is not anticipated to occur over a long period of time (e.g., less than two years for custom home construction). Furthermore, the highest noise levels occur from excavation and caisson drilling associated with bluff development, which takes place during the initial stage of development and does not last more than 5 to 6 months). Therefore, because the project encompasses only one single-family residence, which would employ typical construction techniques and be constructed in approximately 20 months like most single-family residential construction in the City, potential construction noise impacts will be less than significant with the incorporation of the prescribed mitigation measures.

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

No Impact. John Wayne Airport is located approximately 4.5 miles north of the subject property. The project site is not within an airport land use plan nor is the site within two miles of an airport. Noise in the vicinity of the project site associated with aircraft operations occurring at John Wane Airport is below 60 dBA CNEL and therefore, future residents will not be subjected 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?**

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

Mitigation Measures

As indicated in the preceding analysis, potentially significant short-term, construction noise impacts are anticipated as a result of project implementation. The following measures are recommended to ensure that potential construction noise impacts are minimized.

- MM-4 All construction equipment, stationary and mobile, shall be equipped with properly operating and maintained muffling devices. All construction equipment shall be located or operated as far as possible away from nearby residential units.
- MM-5 A construction schedule shall be developed that minimizes the duration of potential project-related and cumulative construction noise levels.
- MM-6 The construction contractor shall notify the residents of the construction schedule for the proposed project, and shall keep them informed on any changes to the schedule. The notification shall also identify the name and phone number of a contact person in case of complaints. The contact person shall take all reasonable steps to resolve the complaint.

XII. POPULATION AND HOUSING

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

No Impact. The proposed project is consistent with the adopted land use designation and zoning applicable to the subject property. Development of the site with one single-family residence in accordance with the adopted long-range plans for the subject property would not result in significant growth and, furthermore, would not result in the potential for unanticipated growth because the project is located in an area that is virtually built out. As "in-fill" development, construction of the proposed project would not necessitate the implementation of new infrastructure such as major roadway improvements and/or the extension of infrastructure that could induce unanticipated growth and development. All of the infrastructure, including sewer and water facilities, storm drains, roadways, etc., exist in the immediate vicinity of the project site and have adequate capacity to serve the proposed project. Therefore, no significant growth-inducing impacts will occur as a result of project implementation.

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

No Impact. As previously indicated, the project site is vacant. Project implementation, therefore, will not result in the displacement of any existing residential dwelling units that would necessitate replacement elsewhere in the City. No significant impacts will occur and no mitigation measures are required.

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

No Impact. As indicated above, the subject property is vacant; therefore, no displacement of occupants will occur and no mitigation measures are required.

XIII. PUBLIC SERVICES

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

Fire protection?

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

Police protection?

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

Schools?

Less than Significant Impact. The provision of educational facilities and services in the City of Newport Beach is the responsibility of the Newport-Mesa Unified School District. Residential and non-residential development is subject to the imposition of school fees. Payment of the State-mandated statutory school fees is the manner by which potential impacts to the District's educational facilities are mitigated. The proposed project would not generate a significant number of new students in the District. New or expanded school facilities would not be required to provide classroom and support space for these low numbers of school age children. However, as indicated above, the project applicant must pay the applicable school fee to the school district, pursuant to Section 65995 of the California Government Code, in order to offset the incremental cost impact of expanding school resources to accommodate the increased student enrollment associated with one new residence. With the payment of the mandatory school fees, no significant impacts would occur as a result of project implementation.

Other public facilities?

No Impact. No increased demand for other public services is anticipated and there would be no need to construct any new public facilities. No significant impacts are anticipated and no mitigation measures are required.

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?**

Less Than Significant Impact. The project will result in the construction of only one single-family residence on the site on the 4,400 square foot lot. Although residents of the proposed project would occasionally visit local and regional parks and beaches, use of those public facilities by the future residents would not represent a substantial change in the intensity of usage and the impact would not result in substantial physical deterioration of those park areas. No significant impact to recreational facilities are anticipated and no mitigation measures are required.

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

No Impact. The proposed project does not include any recreational facilities. Development of the site with one single-family residence will not require the construction of new or the expansion of existing recreational facilities in the City of Newport Beach given the small increase in population. Therefore, no significant impacts are anticipated and no mitigation measures are required.

XV. TRANSPORTATION/TRAFFIC

- a) **Would the project 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)?**

Less Than Significant with Mitigation Incorporated. Short-term traffic impacts are those resulting from site preparation (i.e., grading and site preparation) and construction activities. With the exception of heavy trucks traveling to and from the site in the morning and afternoon to be used during site preparation and construction that occurs on-site. During the construction phase, there will be periods of time when a heavy truck traffic would occur that could result in some congestion on Pacific Drive and nearby local/residential street system. It is estimated that a total of 52 heavy trucks would be generated as a result of the grading that would be necessary to haul the estimated 630 cubic yards of soil export from the site. However, once grading has been completed, the number of heavy trucks entering and leaving the project area would be limited to those transporting equipment and materials to the site. Other construction-related traffic impacts are associated with vehicles carrying workers to and from the site and medium and heavy trucks carrying construction materials to the project site, which may result in some minor traffic delays; however, potential traffic interference caused by construction vehicles would create a temporary/short-term impact to vehicles using neighboring streets in the morning and afternoon hours. Therefore, aside from potentially minor impacts resulting from the increase in traffic that will occur as a result of construction-related traffic (e.g., construction materials, construction workers, etc.), no significant short-term impacts are anticipated to occur as a result of project implementation. Nonetheless, the construction traffic impacts would be adequately addressed through the implementation of a Construction Traffic Control Plan.

Long-term traffic impacts would not occur as a result of project implementation. The trip generation associated with one home is less than 10 trips per day. The addition of 10 trips on the City's circulation system would not result in potentially significant impacts to either roadway segments or intersections. No mitigation measures are required.

- b) **Would the project exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?**

No Impact. There are no CMP roadways in the project vicinity and, as noted above, project-related traffic would have a negligible effect (i.e., 10 trips/day) on traffic conditions. No significant individual or cumulative traffic impacts would occur as a result of project implementation.

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

No Impact. The proposed residential structure is under the 24-foot height limit and would not encroach into any aviation-related air space. The proposed project is located approximately 4.5 miles from John Wayne Airport and is not located within an area that is affected by aircraft operations. This project would have no effect on the volumes of air traffic occurring at John Wayne Airport or any other airports in the region.

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

No Impact. During the construction phases, a variety of construction vehicles, including large delivery trucks, concrete pumers, dump trucks, and a variety of passenger vehicles, will travel to and from the subject property. On some occasions, there will be a number of medium and heavy trucks that could add to local congestion levels and possibly affect through-traffic for short periods of time. Vehicular sight distance of vehicles entering and exiting the site must be found consistent at the time of building permit issuance with Standard Drawing 110-L prescribed in the Public Works Design Manual to ensure safe

vehicular access. Compliance with this standard will ensure that the project driveway will be designed safely. Traffic associated with the proposed single-family residence would include the same automobile trip characteristics typically associated with similar residential development in the project area and would be compatible with the existing mixture of vehicular traffic. No significant impacts are anticipated and no mitigation measures are required.

e) Would the project result in inadequate emergency access?

Less than Significant Impact. The Newport Beach Fire Department will review the site plan and will conduct a code compliance analysis with the City's Building Department to ensure that adequate emergency access is provided to the residence. During construction, portions of Pacific Avenue fronting the project site will be disrupted by construction activities including construction vehicles. However, the use of flagmen would be required to facilitate circulation in the area. Pacific Avenue will remain open to vehicular and emergency traffic. No significant impacts are anticipated and no mitigation measures are required.

f) Would the project result in inadequate parking capacity?

Less Than Significant Impact. During the construction phases, temporary displacement of public on-street parking may occur caused by construction crew members and possibly while large truck delivery and pick up of machinery and construction materials. This will occur during construction and will cease when construction concludes. The project provides parking in accordance with the Zoning Code (two enclosed spaces). No public parking is presently afforded along the curb in front of the project site as it is painted as a "red curb;" therefore, construction of the proposed driveway approach will not displace any existing public parking.

g) Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The proposed residential project will be constructed on a vacant parcel that is zoned for residential development. Although there are no transit facilities or service on or along the frontage of this site (i.e., Pacific Avenue), public transit provided by the Orange County Transportation Authority (OCTA) is available throughout the City, including the Corona del Mar area, which can serve future residents of the proposed home. This project will not necessitate the realignment of any existing streets or the construction of new public transportation facilities in the vicinity. Project implementation would not create a significant demand for public transit. No significant impacts are anticipated and no mitigation measures are required.

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

MM-7 Prior to commencement of each major phase of construction, the Contractor shall submit a construction staging, parking and traffic control plan for approval by the Public Works Department, which shall address issues pertaining to potential traffic conflicts during peak traffic periods, potential displacement of on-street parking, and safety.

- This plan shall identify the proposed construction staging area(s), construction crew parking area(s), estimated number and types of vehicles that will occur during that phase, the proposed arrival/departure routes and operational safeguards (e.g. flagmen, barricades, shuttle services, etc.) and hourly restrictions, if necessary, to avoid traffic conflicts during peak traffic periods, displacement of on-street parking and to ensure safety.
- If necessary, the construction staging, parking and traffic control plan shall provide for an off-site parking lot for construction crews which will be shuttled to and from the project site at the beginning and end of each day until such time that the project site can

accommodate off-street construction vehicle parking. Until that time, construction crews shall be prohibited from parking in the adjacent residential neighborhood.

- The plan shall identify all construction traffic routes, which shall avoid narrow residential streets unless there is no alternative, and the plan shall not include any streets where some form of construction is underway within or adjacent to the street that would impact the efficacy of the proposed route.
- Dirt hauling shall not be scheduled during weekday peak hour traffic periods or during the summer season (Memorial Day holiday weekend through and including the Labor Day holiday weekend).
- The approved construction staging, parking traffic control plan shall be implemented throughout each major construction phase.

XVI. UTILITIES & SERVICE SYSTEMS

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

No Impact. Wastewater generated by the proposed new residence would be disposed into the existing sewer system and would not exceed wastewater treatment standards of the Regional Water Quality Control Board. No significant impacts are anticipated and no mitigation measures are required.

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

No Impact. Water demand and wastewater generation will not increase significantly as a result of the development of one home on the site. The proposed project is consistent with the zoning and land use designations, which are the basis of future water demand demands and wastewater generation within the City. The project will connect to existing water and wastewater facilities in Pacific Avenue or other nearby roadways. No expansion of these facilities is necessary due to existing capacity. No significant impacts are anticipated and no mitigation measures are required.

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

Less than Significant Impact. The project site is vacant; however, it is zoned for single-family residential. The project will result in additional impervious surface areas by the new building, walkways and other hardscape. The additional hardscape will result in a slight increase in runoff during storm periods. The site will be designed in accordance with the California Building Code to ensure that stormwater runoff will be directed to existing facilities, which have capacity to collect and convey the runoff before its discharge into Newport Bay. Therefore, the slight increase in project-related storm flows will not result in a potentially significant impact and no mitigation measures are required.

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

Less than Significant Impact. See response to XVI.b above. Future water demand based on the General Plan projections would not be increased with the addition of one single-family residence. The demand created by the proposed project is consistent with the City's long-range projections for development that are the basis of water demands in Newport Beach. No significant impacts are anticipated and no mitigation measures are required.

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

No Impact. See response to XVI.b above. As indicated in that response, adequate sewer collection, conveyance and treatment facilities exist to accommodate the slight incremental increase in raw sewage resulting from the development of one single-family residence. No impacts are anticipated and no mitigation measures are required.

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

No Impact. Although project implementation could result in the generation of some refuse during the construction phase, it would be small and would not adversely affect existing capacities at the County's sanitary landfills. The project will not result in a significant increase in solid waste production due to the increase on one single-family residence. Existing landfills are expected to have adequate capacity to service the site and use. No significant impacts are anticipated and no mitigation measures are required.

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

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

MANDATORY FINDINGS OF SIGNIFICANCE

The environmental analysis conducted for the proposed project indicates that the proposed single-family residence could have the potential for significant adverse environmental impacts:

- 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?**

Potentially Significant Impact. The proposed project could have the potential to degrade the quality of the environment. Coastal bluff scrub habitat exists on the subject property that could support one or more sensitive plant species. As a result, the proposed project could reduce the habitat of a wildlife species and/or threaten to eliminate one or more sensitive plant species. No historic structures or sites are present in the project area, which may be affected by the proposed project. The proposed project would not eliminate important examples of the major periods of California history or prehistory. The Draft EIR will evaluate the potential effect of the proposed project on the existing biological resources that may occur on the subject property.

- 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.)**

Potentially Significant Impact. Development of the site with one single-family residence would result in a negligible difference in long-term environmental effects associated with occupancy of that home. Although most all of the effects related to energy consumption, traffic, water consumption, utility demand, solid waste disposal, use of public facilities, etc. would be less than significant and the proposed project would not generate new environmental impacts that are individually limited but cumulatively considerable, potentially cumulatively significant aesthetics may occur and will be evaluated in the Draft EIR.

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

Less than Significant Impact. The preceding analysis conducted for the proposed project indicated that project implementation would not result in significant environmental impacts on humans, either directly or indirectly. However, other potentially significant environmental effects (e.g., biological resources, aesthetics, and potential land use policy conflicts) may potentially significant.

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

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

1. Preliminary Geotechnical Report for New Residence; Borella Geology, Inc.; March 20, 2007.
2. Biological Assessment survey at 2333 Pacific Drive, Newport Beach, California; Chambers Group; October 9, 2008.
3. Megonigal Residence Design Package; David R. Olson Architects; August 112, 2008.
4. Planning Commission Staff Report; City of Newport Beach; August 21, 2008
5. City Council Staff Report; City of Newport Beach, September 23, 20080.
6. The EDR Radius Map Report with GeoCheck – Megonigal Residence; Environmental Data Resources, Inc.; March 4, 2009.