

**FINAL  
INITIAL STUDY/MITIGATED NEGATIVE  
DECLARATION  
NEWPORT BOULEVARD AND  
32ND STREET  
MODIFICATION PROJECT  
NEWPORT BEACH, CALIFORNIA**

*Prepared for:*

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The appendices may be accessed at the following webpage:

[http://www.newportbeachca.gov/pln/CEQA\\_DOCS.asp?path=/Newport Blvd and 32nd Street Modification](http://www.newportbeachca.gov/pln/CEQA_DOCS.asp?path=/Newport Blvd and 32nd Street Modification)

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## **SECTION 1.0 – INTRODUCTION**

### **1.1 PURPOSE OF THE INITIAL STUDY**

The City of Newport Beach proposes to widen Newport Boulevard and improve the intersection of Newport Boulevard and 32<sup>nd</sup> Street in order to increase vehicular capacity and reduce existing traffic congestion. The project would also introduce 6-foot-wide bike lanes along both sides of Newport Boulevard and construct a public parking lot.

Projects within the State of California (State) are required to undergo environmental review to determine the environmental impacts associated with implementation in accordance with the California Environmental Quality Act (CEQA) unless a project is exempt. CEQA was enacted in 1970 by the California Legislature to disclose to decision makers and the public the significant environmental effects of a proposed project and identify possible ways to avoid or minimize significant environmental effects of a project by requiring implementation of mitigation measures or recommending feasible alternatives. CEQA applies to all California public agencies at all levels, including local, regional, and State, as well as boards, commissions, and special districts. As such, the City of Newport Beach is required to conduct an environmental review to analyze the potential environmental effects associated with the proposed project.

The following Initial Study/Mitigated Negative Declaration (IS/MND) analyzes the potential for the Newport Boulevard and 32nd Street Modification project (proposed project) to result in environmental impacts. The environmental analysis conducted for this IS/MND determined that all impacts can be reduced to a level less than significant; potential impacts and mitigation measures are presented below. The City of Newport Beach will be the Lead Agency for purposes of CEQA, as it is the agency charged with carrying out or approving the project.

## SECTION 2.0 – PROJECT DESCRIPTION AND ENVIRONMENTAL SETTING

### 2.1 PROJECT PURPOSE

The proposed project, located in the City of Newport Beach (City), has been developed to improve the intersection of Newport Boulevard and 32<sup>nd</sup> Street in order to increase vehicular capacity and reduce existing traffic congestion to an acceptable level of service (LOS) (Figure 1). The proposed project would add an additional northbound through lane along Newport Boulevard from 30<sup>th</sup> Street to 32<sup>nd</sup> Street and add an additional southbound through lane along Newport Boulevard from Via Lido to 32<sup>nd</sup> Street, terminating as a right-turn only lane at 32<sup>nd</sup> Street (Figure 2). The proposed project would introduce 6-foot-wide bike lanes along both sides of Newport Boulevard, between 32<sup>nd</sup> Street and Via Lido, to provide a connection to existing bike lanes along 32<sup>nd</sup> Street west of Newport Boulevard. The proposed project would include a public parking lot on the west side of Newport Boulevard between 32<sup>nd</sup> Street and Finley Avenue with a minimum of 27 parking spaces. The new public parking lot would replace the 27 curbside public parking spaces on Newport Boulevard, which will be eliminated by the widening of the roadway. The proposed project would enhance the visual quality of the project area and improve safety by introducing raised landscape medians on Newport Boulevard.

### 2.2 PROJECT LOCATION AND SITE CHARACTERISTICS

#### 2.2.1 Project Site

The proposed project is located within a fully urbanized section of the City of Newport Beach and would improve a segment of Newport Boulevard that begins at the intersection with 30<sup>th</sup> Street and terminates at the intersection with Via Lido (Figure 1). This segment of Newport Boulevard is classified as a Major Road (Six Lane Divided) in the City of Newport Beach General Plan Circulation Element (City of Newport Beach 2006). The proposed project will also include improvements on a segment of 32<sup>nd</sup> Street that begins at the alley east of Newport Boulevard and terminates at Marcus Avenue west of Newport Boulevard. The segment of 32<sup>nd</sup> Street within the project area west of Newport Boulevard is classified as a Secondary Road (Four Lane Undivided). A recent City project has reconfigured this roadway segment into a two-lane road with bike lanes in each direction. The segment of 32<sup>nd</sup> Street east of Newport Boulevard is classified as a Commuter Roadway (Two Lane Undivided) in the circulation element. The proposed project would remove the westbound free-right turn lane at Newport Boulevard. Bus stops currently exist on both sides of Newport Boulevard within the proposed project area. The northbound bus stop is located immediately south of Finley Avenue, while the southbound bus stop is located immediately south of Short Street. Curbside metered parking spaces exist along Newport Boulevard and 32<sup>nd</sup> Street within the project area.

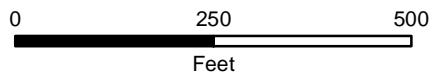




Service Layer Credits: Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013  
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 Sources: Esri, DeLorme, USGS, NPS

**Legend**

 Project Location

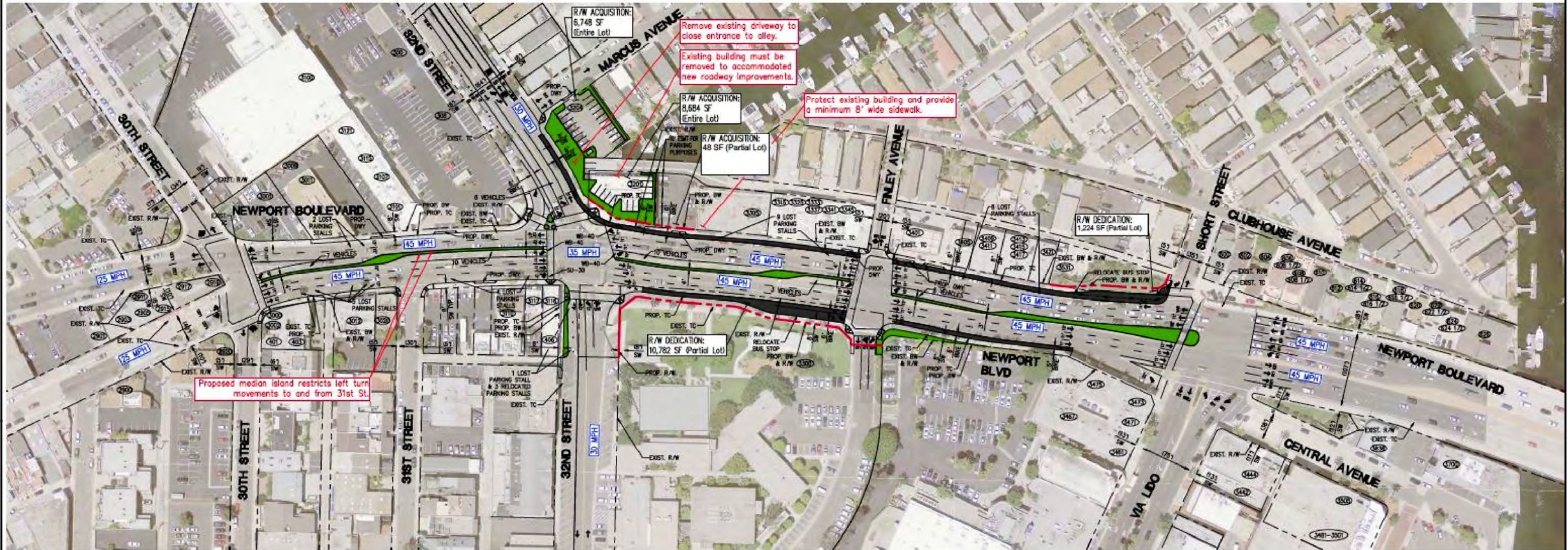


**Figure 1**  
 Newport Ave/32nd Street IS/MND  
 Project Location Map



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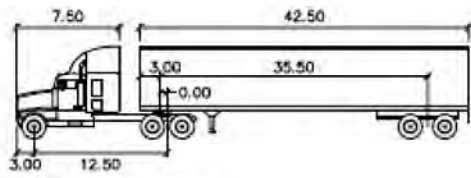


**LEGEND**

- XXXX STREET ADDRESS NUMBER
- PROPOSED LANDSCAPING
- PROPOSED CONCRETE BIKE LANE
- PROPOSED R/W

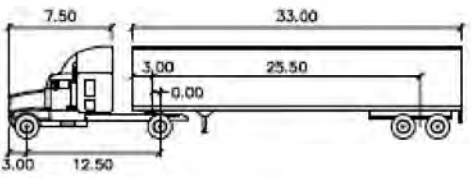
MINIMUM HORIZONTAL CURVE RADII				
DESIGN SPEED	-2%	-1%	1%	2%
25	299	279	248	233
30	431	402	356	335
35	631	586	550	490
40	825	766	670	631
45	1131	1044	905	848

BASED UPON CALTRANS FIGURE 202.2 "MAXIMUM COMFORTABLE SPEED ON HORIZONTAL CURVES".

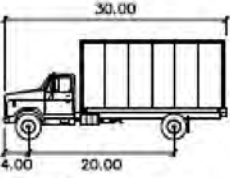


WB-50			
Tractor Width	Tractor Length	Tractor Wheelbase	Trailer Length
8.00	12.50	3.00	42.50

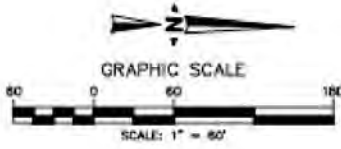
WB-50 USED AS DESIGN VEHICLE FOR ALL TURNING MOVEMENTS AT THE INTERSECTION OF NEWPORT BLVD AND 32ND ST UNLESS OTHERWISE SHOWN.



WB-40			
Tractor Width	Tractor Length	Tractor Wheelbase	Trailer Length
8.00	12.50	3.00	33.00



SU-30	
Width	Length
4.00	20.00



ROADWAY LEVEL OF SERVICE (LOS)				
NEWPORT BOULEVARD: 32ND STREET TO VIA LIDO				
CONDITION	CONFIGURATION	DAILY CAPACITY (VEHICLES/DAY)	VOLUME-TO-CAPACITY (V/C) RATIO	LOS
EXISTING	5-LANE DIVIDED	46,900	1.055	F
PROPOSED	6-LANE DIVIDED	56,300	0.879	D

**Figure 2**  
Newport Ave/32nd Street IS/MND  
Project Features Map



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## **2.2.2 Adjacent Land Uses and General Plan Designation/Zoning**

Land uses surrounding the proposed project predominately consist of commercial and retail businesses located along Newport Boulevard and 32<sup>nd</sup> Street. These surrounding parcels have Corridor Commercial, General Commercial, Neighborhood Commercial, and Visitor Serving Commercial General Plan Land Use and Zoning designations. The proposed project is also adjacent to the former City Hall campus, which is located on the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street. The former City Hall campus parcel has a General Plan Land Use and a Zoning designation of Public Facilities. Parcels south of 32<sup>nd</sup> Street adjacent to the proposed project have a General Plan Land Use Designation of Mixed-Use Horizontal and a Zoning Designation of Mixed-Use Cannery Village/15<sup>th</sup> Street. Parcels north of the former City Hall complex have a General Plan Land Use and Zoning designation of General Commercial.

## **2.3 PROJECT BACKGROUND**

The proposed project site is approximately 1,000 feet from the Pacific Ocean. During summer seasons, many visitors to Newport Beach travel southbound on Newport Boulevard and head west on 32<sup>nd</sup> Street to access the beach. Due to this significant increase of vehicles, Newport Boulevard is congested and currently operates at LOS F. In addition, a significant amount of bicycle traffic is also present due to the proximity to the beach. This proposed project will increase vehicular capacity and improve the level of service. In addition, it will also improve the safety and mobility of bicycle traffic.

The design, right-of-way (ROW) and construction phases are funded by the Orange County Measure M competitive funds as part of the Comprehensive Transportation Funding Program (Measure M CTFP) and Gas Tax funds.

## **2.4 PROJECT GOALS AND OBJECTIVES**

Implementation of the proposed project will improve traffic circulation and reduce existing traffic congestion to an acceptable level of service. Primary objectives of the proposed project include:

- Introducing an additional northbound through lane along Newport Boulevard from 30<sup>th</sup> Street to 32<sup>nd</sup> Street;
- Introducing an additional southbound through lane along Newport Boulevard from Via Lido to 32<sup>nd</sup> Street, terminating as a right-turn only lane at 32<sup>nd</sup> Street;
- Modifying the intersection of Newport Boulevard and 32<sup>nd</sup> Street to improve traffic operations;
- Introducing raised, landscaped medians to improve safety;
- Introducing 6-foot-wide bike lanes along both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido to provide a connection to the existing bike lanes along 32<sup>nd</sup> Street west of Newport Boulevard.

## **2.5 PROJECT CHARACTERISTICS**

### **2.5.1 Roadway and Signal Modifications**

The proposed project would introduce one additional northbound through lane on Newport Boulevard from 30<sup>th</sup> Street to 32<sup>nd</sup> Street and one additional southbound through lane on Newport Boulevard from Via Lido to 32<sup>nd</sup> Street, terminating as a right-turn only lane at 32<sup>nd</sup> Street. The proposed project would require traffic signal modifications at the intersections of 30<sup>th</sup> Street, 32<sup>nd</sup> Street, Finley Avenue and Via Lido. Introduction of a raised, landscaped median along Newport Boulevard would eliminate the existing left turning movements from southbound Newport Boulevard onto eastbound 31<sup>st</sup> Street and from westbound 31<sup>st</sup> Street onto southbound Newport Boulevard. Acquisition of the two existing bank properties and roadway modifications on 32<sup>nd</sup> Street would result in the closure of the alley access that bisects these properties. The alley would be reconfigured to connect to the proposed public parking lot, which will include an exit/entrance via Marcus Avenue.

The proposed project would also introduce 6-foot-wide bike lanes along both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido to provide a connection to existing bike lanes on 32<sup>nd</sup> Street west of Newport Boulevard. Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures.

Implementation of the proposed project would eliminate approximately 27 existing curbside metered parking spaces between 30<sup>th</sup> Street and Via Lido. These parking spaces will be replaced on properties to be acquired by the City as a part of the proposed project described below in Section 2.5.3. Both bus stops along Newport Boulevard would be relocated to a location near each existing bus stop.

### **2.5.2 Median, Landscaping, and Sidewalk Modifications**

The proposed improvements of Newport Boulevard north and south of the 32<sup>nd</sup> Street intersection would include construction of raised, landscaped medians that would improve safety and enhance the visual quality of the proposed project area. Additional visual enhancements associated with the proposed project include introduction of landscaping at the southeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street and northeast corner of the intersection of Newport Boulevard and Finley Avenue. The proposed project would also add landscaping to screen the proposed public parking lot at the northwest corner of Newport Boulevard and 32<sup>nd</sup> Street. Project landscaping must be found consistent with the Lido Village Design Guidelines prepared by the City of Newport Beach.

Project improvements would also include construction of new curb and gutters, curbs, sidewalks, curb ramps, driveway approaches, storm drain catch basins, street lights, signs, striping, signals, utility meters, Southern California Edison (SCE) air vents, and other items within the project area. Parking meters and several large palm trees will need to be removed and salvaged or disposed as directed by City staff.

Existing pavement within the proposed project area is generally in fair condition with the exception of a portion of Newport Boulevard between Finley Avenue and 32<sup>nd</sup> Street that appears to be in poor condition in both the northbound and southbound lanes. Pavement treatment for the proposed project would consist of isolated full-depth reconstruction and cold mill and overlay.

### 2.5.3 Right-of-Way Acquisitions

Current project design as presented in Figure 2 anticipates that the proposed project would require ROW acquisitions from three privately-owned parcels and two partial property dedications from two City-owned parcels. The environmental evaluation presented in this IS/MND includes the ROW acquisitions and dedications listed below in Table 1 in order to present the most conservative analysis. Private property ROW acquisitions under current project design would include a full property acquisition of the vacant Wachovia Bank building located at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection and the property west of the vacant Wachovia Bank Building currently configured as a parking lot for the bank. The existing structure and parking lot on both of these parcels would be demolished, and the two parcels would be converted to a public parking lot to provide replacement parking for the loss of on-street curbside parking. Current project design would require a partial ROW acquisition of the commercial property north of the vacant Wachovia Bank building.

**Table 1: Right-of-Way Acquisitions**

Address No.	Ownership	Existing Use	ROW Acquisition
3201	Private	Vacant Wachovia Bank Building	8,684 SF (Full Acquisition)
3204	Private	Parking Lot for Vacant Wachovia Bank Building	6,748 SF (Full Acquisition)
3305	Private	Commercial with Parking Lot	48 SF (Partial Acquisition)
3300	City	Former City Hall	10,782 SF (Partial Dedication)
3531	City	Passive Recreation	1,224 SF (Partial Dedication)

Current project design would require dedication of 0.25 acre of land from the former City Hall parcel located at the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street (3300 Newport Boulevard). This segment of the former City Hall parcel would be incorporated into the expanded ROW of Newport Boulevard. Similarly, current project design would require dedication of 0.03 acre of the City-owned Gateway Park located at the southwest corner of Newport Boulevard and Short Street (3531 Newport Boulevard) that would be incorporated into the expanded ROW of Newport Boulevard.

### 2.5.4 Project Schedule

Construction of the proposed project is expected to occur over a six-month period, beginning September 2015 and ending March 2016. To minimize public inconvenience, the construction phase will need to be completed prior to the start of Summer 2016. Construction activities will typically take place between the hours of 7:00 a.m. and 4:30 p.m., Monday thru Friday.

## 2.6 REQUIRED PERMITS AND APPROVALS

As required by the CEQA Guidelines, this section provides, to the extent of the information known to the City, the CEQA Lead Agency, a list of agencies that are expected to use this IS/MND in their decision making, and a list of permits and other approvals required to implement the proposed project.

### **2.6.1 Lead Agency Approval**

This IS/MND must be approved by the City Council as to its adequacy in complying with the requirements of CEQA before any action on the proposed project is taken. The analysis presented in the IS/MND is intended to provide a full disclosure of the proposed project's environmental impacts and mitigation measures to reduce those impacts to a level less than significant.

### **2.6.2 Other Required Permits and Approvals**

The proposed project would require a Coastal Development Permit (CDP). The City of Newport Beach does not have a certified Local Coastal Program (LCP) and, therefore, does not have the jurisdiction to issue CDPs. The City does, however, have a Coastal Land Use Plan that has been certified by the California Coastal Commission (CCC). Since the City does not have permit jurisdiction, the City reviews pending development projects for consistency with the City's General Plan, Coastal Land Use Plan, and Zoning regulations before an applicant can file for a CDP with the CCC. The City would apply for a CDP with the South Coast District Office of the CCC, located at 200 Oceangate, 10<sup>th</sup> Floor, Long Beach, California 90802-4416.

The proposed project would require preparation of a Storm Water Pollution Prevention Plan (SWPPP) that would document best management practices (BMPs) to prevent stormwater pollution during construction. Operational BMPs to prevent stormwater pollution over the course of the life of the project would be documented in the water quality management plan (WQMP) to be prepared for the proposed project.

### **2.6.3 Reviewing Agencies**

Reviewing Agencies include those agencies that do not have discretionary powers but that may review the IS/MND for adequacy and accuracy. Potential Reviewing Agencies include the following:

#### **State of California**

- Office of Planning and Research
- Office of Historic Preservation
- Native American Heritage Commission
- California Department of Fish and Wildlife

#### **Regional Agencies**

- South Coast Air Quality Management District



**SECTION 3.0 – ENVIRONMENTAL DETERMINATION**

**3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**3.2 DETERMINATION**

On the basis of this initial evaluation:

1. I find that the project **could not** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
3. I find the proposed project **may have a significant effect** on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
4. I find that the proposed project **may have a "potentially significant impact" or "potentially significant unless mitigated impact"** on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
5. I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Signature

6-24-14  
 Date

Andy Tran, P.E.  
 Name

Senior Civil Engineer, Public Works Department  
 Title

#### SECTION 4.0 – EVALUATION OF ENVIRONMENTAL IMPACTS

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

8. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. the mitigation measure identified, if any, to reduce the impact to less than significant.

\*Note: Instructions may be omitted from final document.

**SECTION 5.0 – CHECKLIST OF ENVIRONMENTAL ISSUES**

**5.1 AESTHETICS**

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

**5.1.1 Impact Analysis**

- (a) The proposed project site is located within a fully urbanized section of the City of Newport Beach and does not offer any scenic views of Newport Bay or other scenic features within Newport Beach. Furthermore, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new structures that would block any existing views. Therefore, the proposed project would not have a substantial adverse effect on a scenic vista, and impacts would be less than significant.
- (b) The proposed project site consists of a paved roadway intersection surrounded by commercial and retail businesses within a fully urbanized section of the City of Newport Beach. The proposed project site does not possess any scenic resources such as trees or rock outcroppings and is typical of an urbanized roadway intersection. Research conducted in support of the Cultural Resources Letter Report prepared for the proposed project determined that the vacant Wachovia Bank Building that would be demolished in order to construct a new public parking lot is not eligible for listing to the California Register of Historical Resources (See Section 5.5-2(a) below). No officially designated scenic vistas or scenic highways are located within Newport Beach. Although State Route 1(SR-1) is identified as Eligible for State Scenic Highway designation, views of the project site from SR-1 would not be impacted by roadway and intersection improvements. Therefore, impacts on scenic resources would be less than significant.
- (c) The proposed project consists of a paved roadway intersection surrounded by commercial and retail businesses within a fully urbanized section of the City of Newport Beach. The visual character of the proposed project site is typical of an urbanized roadway intersection that does not possess any unique scenic resources. Widening of Newport Boulevard and improving the intersection with 32<sup>nd</sup> Street would not dramatically alter the existing visual character of the project site. Furthermore, the vacant Wachovia Bank Building that would be demolished in order to construct a new public parking lot does not possess high visual quality; loss of the

vacant Wachovia Bank Building would not degrade the existing visual character of the project site.

The proposed project would introduce landscaping features that would enhance the visual quality of the proposed project area. Visual enhancements associated with the proposed project include introduction of raised, landscaped medians and new landscaping to screen the proposed public parking lot at the northwest corner of Newport Boulevard and 32<sup>nd</sup> Street. Additional visual enhancements associated with the proposed project include landscaping at the southeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street and northeast corner of the intersection of Newport Boulevard and Finley Avenue. Project landscaping is intended to be consistent with the approved plant palette presented in the Lido Village Design Guidelines prepared by the City of Newport Beach. Therefore, the proposed project would improve the existing visual character of the proposed project site, and impacts would be less than significant.

- (d) Existing light sources within the proposed project site consist of intersection signals and street lights. The proposed project would relocate existing intersection signals and street lights if necessary to conform to the improved intersection configuration but would not introduce any sources of light. The expanded roadway and landscaping features would not be constructed of reflective materials that could introduce new sources of glare. Additionally, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new structures that would introduce new sources of light or glare. Therefore, no impacts would occur.

## 5.2 AGRICULTURE & FOREST RESOURCES

2.	<b>AGRICULTURE &amp; FOREST RESOURCES.</b> (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) <b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in the loss of forest land or conversion of forest land to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to nonforest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 5.2.1 Impact Analysis

- (a) The proposed project is located within a fully urbanized section of the City of Newport Beach and does not consist of any active farmland or land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (farmland) by the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, the proposed project would not convert any farmland to nonagricultural uses. No impacts would occur.
- (b) The proposed project site and surrounding land uses are not zoned for agricultural use. The proposed project site consists of portions of the existing Newport Boulevard and 32<sup>nd</sup> Street roadways, existing land uses zoned for commercial use, and portions of properties zoned for

commercial and public use. Land uses surrounding the proposed project consist of properties zoned for commercial, public, and mixed use. Therefore, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impacts would occur.

- (c) The proposed project site and surrounding land uses are not zoned for forest land, timberland, or timberland production. Therefore, the proposed project would not conflict with existing zoning for forest land or timberland. No impacts would occur.
- (d) The proposed project is located within a fully urbanized section of the City of Newport Beach and does not consist of forest land. Therefore, the proposed project would not convert any forest land to nonforest uses. No impacts would occur.
- (e) The proposed project is located within a fully urbanized section of the City of Newport Beach and does not consist of any active farmland or forest land. Therefore, the proposed project would not convert any farmland to nonagricultural use or forest land to nonforest use. No impacts would occur.

### 5.3 AIR QUALITY

3.	<b>AIR QUALITY.</b> (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) <b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Violate any air quality standard or contribute substantially 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 nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The impact evaluation presented in Section 5.3 is based on the air quality impact analysis prepared by Vista Environmental utilizing the CalEEMod model. Output files for the CalEEMod Model prepared for the proposed project are included as Appendix A of this IS/MND.

#### 5.3.1 Environmental Setting

The proposed project site is located in the City of Newport Beach, which is located within the South Coast Air Basin (SCAB). Air quality regulation within the SCAB is administered by the South Coast Air Quality Management District (SCAQMD), which implements the programs and regulations required by the federal and State Clean Air acts.

#### Atmospheric Setting

The SCAB lies in the semi-permanent high-pressure zone of the eastern Pacific that results in a semi-arid regional climate characterized by warm summers, mild winters, infrequent seasonal rainfall, moderate daytime onshore breezes, and moderate humidity. The local climate is primarily influenced by the proximity of the project site to the Pacific Ocean, which usually provides mild-tempered sea breezes and a shallow marine layer. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds. Average temperatures for Newport Beach, which is the nearest monitored location, range from a low of 49 degrees Fahrenheit (°F) in December to highs of 72 °F in August. Rainfall averages approximately 11 inches a year, with almost all annual rainfall coming from the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry.



## **Regulatory Setting**

National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone, sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), inhalable particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead. The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Areas are classified under the Federal Clean Air Act as either “attainment” or “nonattainment” areas for each criteria pollutant, based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by CARB. The SCAB has been designated by the Federal Environmental Protection Agency (EPA) as a nonattainment area for ozone (O<sub>3</sub>) and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Currently, the SCAB is in attainment with the ambient air quality standards for carbon monoxide (CO), lead, sulfur dioxide (SO<sub>2</sub>), and nitrogen dioxide (NO<sub>2</sub>).

The EPA has designated SCAB as extreme nonattainment for the 8-hour average ozone standard. On March 12, 2008, the EPA strengthened its 8-hour “primary” and “secondary” ozone standards to 0.075 ppm. The previous standard set in 1997, was 0.08 ppm. The SCAQMD, the agency principally responsible for comprehensive air pollution control in the SCAB, has developed a plan incorporated in the 2007 Air Quality Management Plan (AQMP) that shows measures to reduce 8-hour ozone levels to below the federal standard by June 15, 2021.

The EPA has designated SCAB as nonattainment for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>. In 1997, the EPA established standards for PM<sub>2.5</sub> (particles less than 2.5 micrometers), which were not implemented until March 2002. PM<sub>2.5</sub> is a subset of the PM<sub>10</sub> emissions whose standards were developed to complement the PM<sub>10</sub> standards that cover a full range of inhalable particle matter. The SCAQMD has developed a plan that shows measures to reduce PM<sub>2.5</sub> levels to below the federal standard by 2014. For the PM<sub>10</sub> health standards, the annual PM<sub>10</sub> standard was revoked by the EPA on October 17, 2006; and the 24-hour average PM<sub>10</sub> standard was to be achieved by December 31, 2006. The SCAB has met the PM<sub>10</sub> standards at all monitoring stations, and a request for redesignation is pending with the EPA.

PM<sub>2.5</sub> concentrations in the SCAB have improved in recent years, with 2010 and 2011 being the cleanest years on record. In 2011, only one station in the SCAB (Metropolitan Riverside County at Mira Loma) exceeded the annual PM<sub>2.5</sub> NAAQS and the 98th percentile form of the 24-hour PM<sub>2.5</sub> NAAQS, as well as the 3-year design values for these standards. SCAB-wide, the federal PM<sub>2.5</sub> 24-hour standard level was exceeded in 2011 on 17 sampling days.

The SCAB is currently in attainment for the federal standards for SO<sub>2</sub>, CO, and NO<sub>2</sub>. While the concentration level of the new 1-hour NO<sub>2</sub> federal standard (100 ppb) was exceeded in the SCAB at two stations (Central Los Angeles and Long Beach) on the same day in 2011, the NAAQS NO<sub>2</sub> design value has not been exceeded. Therefore, the SCAB remains in attainment of the NO<sub>2</sub> NAAQS.

The SCAB has been designated by CARB as a nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. Currently, the SCAB is in attainment with the ambient air quality standards for CO, lead, SO<sub>2</sub>, NO<sub>2</sub>, and sulfates and is unclassified for visibility reducing particles and hydrogen sulfide.

On June 20, 2002, the CARB revised the PM<sub>10</sub> annual average standard to 20 micrograms per cubic meter (µg/m<sup>3</sup>) and established an annual average standard for PM<sub>2.5</sub> of 12 µg/m<sup>3</sup>. These standards were approved by the Office of Administrative Law in June 2003 and are now effective. On September 27,

2007, CARB approved the SCAB and the Coachella Valley 2007 Air Quality Management Plan for Attaining the Federal 8-hour Ozone and PM<sub>2.5</sub> Standards. The plan projects attainment for the 8-hour Ozone standard by 2024 and the PM<sub>2.5</sub> standard by 2015. A revised draft of the 2012 AQMP was released in September, 2012, was adopted by the SCAQMD Board on December 7, 2012, and was adopted by CARB via Resolution 13-3 on January 25, 2013. The 2012 AQMP was prepared in order to meet the federal Clean Air Act requirement that all 24-hour PM<sub>2.5</sub> nonattainment areas prepare a State Implementation Plan (SIP), that was required to be submitted to the U.S. EPA by December 14, 2012, and demonstrate attainment with the 24-hour PM<sub>2.5</sub> standard by 2014. The 2012 AQMP demonstrates attainment of the federal 24-hour PM<sub>2.5</sub> standard by 2014 in the SCAB through adoption of all feasible measures; and therefore, no extension of the attainment date is needed. Table 2 presents the designations and classifications applicable to the proposed project area.

### Monitored Air Quality

The air quality at any site is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout the SCAB. Estimates of the existing emissions in the SCAB provided in the 2012 Air Quality Management Plan, December 2012, indicate that collectively, mobile sources account for 59 percent of the volatile organic compounds (VOCs), 88 percent of the NO<sub>x</sub> emissions, and 40 percent of directly emitted PM<sub>2.5</sub>, with another 10 percent of PM<sub>2.5</sub> from road dust.

The SCAQMD has divided the SCAB into 38 air-monitoring areas with a designated ambient air monitoring station representative of each area. The project site is located in air monitoring area 18, which covers the northern coastal area of Orange County. Since not all air monitoring stations measure all of the tracked pollutants, the data from the following two monitoring stations, listed in the order of proximity to the project site, have been used: Costa Mesa-Mesa Verde Monitoring Station (Costa Mesa Station) and Mission Viejo Monitoring Station (Mission Viejo Station).

The Costa Mesa Station is located approximately 3.7 miles north of the project site at 2850 Mesa Verde Drive East, Costa Mesa; and the Mission Viejo Station is located approximately 15 miles east of the project site at 26081 Via Pera, Mission Viejo. Table 3 presents the monitored pollutant levels from these monitoring stations. Ozone, CO, NO<sub>2</sub>, and were measured at the Costa Mesa Station; and PM<sub>10</sub> and PM<sub>2.5</sub> were measured at the Mission Viejo Station. It should be noted, however, that due to the air monitoring stations' distances from the project site, recorded air pollution levels at the air monitoring stations reflect local air quality conditions at the project site with varying degrees of accuracy. Table 3 presents the composite of gaseous pollutants monitored from 2010 through 2012 at the Costa Mesa and Mission Viejo stations.

**Table 2: Designations/Classifications for the Project Area**

Pollutant	Averaging Time	National Standards Attainment Date <sup>1</sup>	California Standards <sup>2</sup>
1979 1-Hour Ozone (O <sub>3</sub> ) <sup>3</sup>	1-Hour (0.12 ppm)	Nonattainment (Extreme) 11/15/2010 (not attained)	Nonattainment
1997 8-Hour Ozone (O <sub>3</sub> ) <sup>4</sup>	8-Hour (0.08 ppm)	Nonattainment (Extreme) 6/15/2024	
2008 8-Hour Ozone (O <sub>3</sub> )	8-Hour (0.075 ppm)	Nonattainment (Extreme) 12/31/2032	
Carbon Monoxide (CO)	1-Hour (35 ppm) 8-Hour (9 ppm)	Attainment (Maintenance) 6/11/2007 (attained)	Maintenance
Nitrogen Dioxide (NO <sub>2</sub> ) <sup>5</sup>	1-Hour (100 ppb)	Unclassifiable/Attainment Attained	Nonattainment
	Annual (0.053 ppm)	Attainment (Maintenance) 9/22/1998	
Sulfur Dioxide (SO <sub>2</sub> ) <sup>6</sup>	1-Hour (75 ppb)	Designation Pending/ Pending	Attainment
	24-Hour (0.14 ppm) Annual (0.03 ppm)	Unclassifiable/Attainment 3/19/1979 (attained)	
Particulate Matter (PM <sub>10</sub> )	24-Hour (150 µg/m <sup>3</sup> )	Nonattainment (Serious) 12/31/2006 (redesignation submitted) <sup>7</sup>	Nonattainment
Particulate Matter (PM <sub>2.5</sub> )	24-Hour (35 µg/m <sup>3</sup> )	Nonattainment 12/14/2014	Nonattainment
	Annual (15.0 µg/m <sup>3</sup> )	Nonattainment 4/5/2015	
Lead (Pb)	3-Months Rolling (0.15 µg/m <sup>3</sup> )	Nonattainment (Partial) <sup>8</sup> 12/31/2015	Nonattainment

<sup>1</sup> Obtained from 2012 AQMP, SCAQMD, 2012. A design value below the NAAQS for data through the full year or smog season prior to the attainment date is typically required for attainment demonstration.

<sup>2</sup> Obtained from <http://www.arb.ca.gov/desig/adm/adm.htm>.

<sup>3</sup> 1-hour O<sub>3</sub> standard (0.12 ppm) was revoked, effective June 15, 2005; however, the SCAB has not attained this standard based on 2008-2010 data has some continuing obligations under the former standard.

<sup>4</sup> 1997 8-hour O<sub>3</sub> standard (0.08 ppm) was reduced (0.075 ppm), effective May 27, 2008; the 1997 O<sub>3</sub> standard and most related implementation rules remain in place until the 1997 standard is revoked by U.S. EPA.

<sup>5</sup> New NO<sub>2</sub> 1-hour standard, effective August 2, 2010; attainment designations January 20, 2012; annual NO<sub>2</sub> standard retained.

<sup>6</sup> The 1971 annual and 24-hour SO<sub>2</sub> standards were revoked, effective August 23, 2010; however, these 1971 standards will remain in effect until one year after U.S. EPA promulgates area designations for the 2010 SO<sub>2</sub> 1-hour standard.

<sup>7</sup> Annual PM<sub>10</sub> standard was revoked, effective December 18, 2006; redesignation request to Attainment of the 24-hour PM<sub>10</sub> standard is pending with U.S. EPA

<sup>8</sup> Partial Nonattainment designation – Los Angeles County portion of SCAB only.

**Table 3: Ambient Air Quality Monitoring Summary**

Air Pollutant	2010	2011	2012
<b>Ozone (O<sub>3</sub>)</b>			
Max 1 Hour (ppm)	<b>0.097</b>	0.093	0.090
Days > CAAQS (0.09 ppm)	1	0	0
Max 8 Hour (ppm)	<b>0.076</b>	<b>0.077</b>	<b>0.076</b>
Days > NAAQS (0.08 ppm)	1	1	1
Days > CAAQS (0.070 ppm)	2	2	1
<b>Carbon Monoxide (CO)</b>			
Max 1 Hour (ppm)	2.4	2.9	2.0
Days > NAAQS (20 ppm)	0	0	0
Max 8 Hour (ppm)	2.09	2.22	1.71
Days > NAAQS (9 ppm)	0	0	0
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>			
Max 1 Hour (ppb)	70.0	60.5	74.4
Days > NAAQS (100 ppb)	0	0	0
<b>Particulate Matter (PM<sub>10</sub>)</b>			
Max Daily California Measurement	34	48	37
Days > NAAQS (150 µg/m <sup>3</sup> )	0	0	0
Days > CAAQS (50 µg/m <sup>3</sup> )	0	0	0
State Average (20 µg/m <sup>3</sup> )	ND	18.8	17.0
<b>Particulate Matter (PM<sub>2.5</sub>)</b>			
Max Daily National Measurement	19.9	33.4	27.6
Days > NAAQS (35 µg/m <sup>3</sup> )	0	0	0
National Average (15.0 µg/m <sup>3</sup> )	7.9	8.5	7.9
State Average (12 µg/m <sup>3</sup> )	ND	ND	7.9

Abbreviations:

> = exceed      ppm = parts per million      ppb=parts per billion      µg/m<sup>3</sup> = micrograms per cubic meter

CAAQS = California Ambient Air Quality Standard      NAAQS = National Ambient Air Quality

ND = Insufficient or No Data

**Bold** = exceedance

Source: <http://www.arb.ca.gov/adam/>

### 5.3.2 Impact Analysis

- (a) CEQA requires a discussion of any inconsistencies between a proposed project and applicable general plans (GPs) and regional plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed project includes the SCAQMD Air Quality Management Plan (AQMP). Therefore, this section discusses any potential inconsistencies of the proposed project with the AQMP.

The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed project would interfere with the region's ability to comply with federal and State air quality standards. If the decision-makers determine that the proposed project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that “New or amended GP Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP.” Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP (except as provided for CO in Section 9.4 for relocating CO hot spots).
- (2) Whether the project will exceed the assumptions in the 2012 AQMP or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

### **Criterion 1 - Increase in the Frequency or Severity of Violations?**

Based on the air quality modeling analysis conducted for the proposed project, short-term construction impacts would not result in significant impacts based on the SCAQMD’s regional and local thresholds of significance. The air quality impact analysis also found that long-term operations impacts will not result in significant impacts based on the SCAQMD regional, local, and toxic air contaminant thresholds of significance. Therefore, the proposed project is not projected to contribute to the exceedance of any air pollutant concentration standards and is found to be consistent with the AQMP for the first criterion.

### **Criterion 2 - Exceed Assumptions in the AQMP?**

Consistency with the AQMP assumptions is determined by performing an analysis of the proposed project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed project are based on the same forecasts as the AQMP. The Regional Comprehensive Plan and Guide consists of three sections: Core Chapters, Ancillary Chapters, and Bridge Chapters. The Growth Management, Regional Mobility, Air Quality, Water Quality, and Hazardous Waste Management chapters constitute the Core Chapters of the document. These chapters currently respond directly to federal and State requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this project, the City of Newport Beach General Plan Land Use Plan defines the assumptions that are represented in the AQMP.

The proposed project consists of widening Newport Boulevard through adding a northbound through lane from 30<sup>th</sup> Street to 32<sup>nd</sup> Street, adding a southbound through lane from Via Lido to 32<sup>nd</sup> Street, adding 6-foot-wide bike lanes on both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido, and providing a connection to the existing bike lanes on 32<sup>nd</sup> Street. The proposed project would also include the construction of a public parking lot on the west side of Newport Boulevard with a minimum of 27 parking spaces, which would include reconfiguration of the existing alley. The proposed project would not generate any additional traffic, and the

only alteration to traffic patterns would occur from the minor reconfiguration of an existing alley. The proposed project would not require a General Plan Amendment or zone change. Therefore, the proposed project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion.

Based on the above, the proposed project will not result in an inconsistency with the SCAQMD AQMP. Accordingly, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan, and impacts would be less than significant.

- (b) As shown above in Table 2, the proposed project area is designated as a federal and State nonattainment area for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. To estimate if the proposed project may adversely affect the air quality in the region, the SCAQMD has prepared the CEQA Air Quality Handbook to provide guidance to those who analyze the air quality impacts of proposed projects. The SCAQMD CEQA Handbook states that any project in the SCAB with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For the purposes to this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in Table 4.

**Table 4: Regional Thresholds of Significance**

	Pollutant Emissions (Pounds/Day)						
	VOC	NOx	CO	SOx	PM <sub>10</sub>	PM <sub>2.5</sub>	Lead
Construction	75	100	550	150	150	55	3
Operation	55	55	550	150	150	55	3

Source: SCAQMD, <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>

Project-related construction air emissions may have the potential to exceed the State and federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the SCAB. In order to assess local air quality impacts, the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the project-related air emissions in the project vicinity. The SCAQMD has also provided Final Localized Significant Threshold Methodology, which details the methodology to analyze local air emission impacts. The Localized Significant Threshold Methodology found that the primary emissions of concern are NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>.

The significance thresholds for the local emissions of NO<sub>2</sub> and CO are determined by subtracting the highest background concentration from the last three years of these pollutants from Table 3 above, from the most restrictive ambient air quality standards for these pollutants that are outlined in the Localized Significant Thresholds<sup>3</sup>. Since PM<sub>10</sub> and PM<sub>2.5</sub> currently exceed the most restrictive ambient air quality standards in the SCAB, their thresholds are based on SCAQMD's Rule 403 allowable fugitive dust emissions limits; and background concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are not factored into the threshold. Table 5 below shows the Localized Significant Thresholds for NO, CO, and PM<sub>10</sub> and PM<sub>2.5</sub> as well as the background concentrations and resultant significance concentrations.

**Table 5: Local Thresholds of Significance**

Pollutant	SCAQMD LSTs	Background Level <sup>1</sup>	Significance Threshold <sup>2</sup>
NO <sub>2</sub> – 1 Hour Average (State)	0.18 ppm (338 µg/m <sup>3</sup> )	0.074 ppm (140 µg/m <sup>3</sup> )	198 µg/m <sup>3</sup>
CO – 1 Hour Average (State)	20 ppm (23,000 µg/m <sup>3</sup> )	2.9 ppm (3,335 µg/m <sup>3</sup> )	19,665 µg/m <sup>3</sup>
CO – 8 Hour Average (State/Federal)	9.0 ppm (10,000 µg/m <sup>3</sup> )	2.22 ppm (2,467 µg/m <sup>3</sup> )	7,533 µg/m <sup>3</sup>
PM <sub>10</sub> – 24 Hour Average <sup>3</sup>	10.4 µg/m <sup>3</sup>	-	10.4 µg/m <sup>3</sup>
PM <sub>2.5</sub> – 24 Hour Average <sup>3</sup>	10.4 µg/m <sup>3</sup>	-	10.4 µg/m <sup>3</sup>

<sup>1</sup> Obtained from Table 3 above and based on the highest measured concentrations from the last 3 years at the Santa Clarita Station.

<sup>2</sup> Represents the maximum offsite concentrations allowed during construction.

<sup>3</sup> Ambient air quality threshold based on SCAQMD Rule 403. Source: SCAQMD, <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>

Construction of the proposed project would create air emissions primarily from equipment exhaust. The air emissions from the proposed project were analyzed through use of the CalEEMod model (Appendix A).

Current project design would include the acquisition of approximately one acre of area that includes land that currently includes the Wachovia Bank building, parking lots, and City property including portions of a passive park and former City Hall property. The roadway area that would be disturbed consists of approximately 4 acres and includes portions of Newport Boulevard, 32<sup>nd</sup> Street, Finley Avenue, and Short Street. This results in a total area of approximately 5 acres that would be disturbed/improved through development of the proposed project. Demolition activities would include demolition of the existing vacant Wachovia Bank building, which consists of approximately 11,700 square feet of building space. Grading and paving activities have been based on a worst-case analysis of all 5 acres of the project site being graded and paved.

Construction of the proposed project is anticipated to occur over a six-month period, beginning September 2015 and ending March 2016. The grading and paving activities would occur over multiple phases to allow for the continued use of the roadways as much as practical during construction; however, in order to provide a worst-case scenario, this analysis is based on all grading and paving occurring in one phase. Furthermore, the air quality analysis provided a worst-case scenario by utilizing 2014 construction emissions regulations in the CalEEMod Model prepared for the proposed project. Construction that is scheduled to begin in September 2015 may be subject to more stringent construction emissions regulations than were assumed in the CalEEMod Model, and therefore, may emit less harmful emissions than under a construction scenario beginning in 2014. Table 6 shows the estimated worst-case daily emissions that would be predicted from each phase of the project.



**Table 6: Construction-Related Regional Emissions from the Proposed Project**

Activity	Pollutant Emissions in pounds/day					
	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Demolition	4.73	50.56	37.90	0.04	3.31	2.51
Grading	3.94	41.19	27.75	0.03	9.09	5.60
Paving	2.62	25.26	15.89	0.02	1.58	1.35
SCAQMD Regional Threshold	75.00	100.00	55.000	150.00	150.00	55.00
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod Version 2013.2.2.

As shown in Table 6, construction-related emissions would not exceed SCAQMD regional thresholds. In addition, construction emissions would be short-term, limited only to the period when construction activity is taking place. As such, construction-related regional emissions would be less than significant for the proposed project.

The proposed project’s construction-related air emissions from fugitive dust and onsite diesel emissions may have the potential to exceed the State and federal air quality standards in the project vicinity even though these pollutant emissions may not be significant enough to create a regional impact to the SCAB. The nearest sensitive receptors to the proposed project are homes located adjacent to the parking lot for the vacant Wachovia Banking building, which would be redesigned as a public parking lot.

The local air quality emissions from construction were analyzed using the SCAQMD’s Mass Rate LST Look-up Tables and the methodology described in Localized Significance Threshold Methodology, prepared by SCAQMD, revised July 2008. The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily emissions of CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> from the proposed project could result in a significant impact to the local air quality. The emission thresholds were calculated based on the North Orange County Coastal source receptor area, a disturbance of 5 acres, and the allowable emissions thresholds for CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> at 25 meters (82 feet), which is based on the LST Methodology that recommends using the 25-meter threshold for any receptor located within 25 meters of construction activities. Table 7 shows the onsite emissions from the CalEEMod model for the different construction phases and the calculated emissions thresholds.



**Table 7: Construction-Related Local Emissions**

Activity	Onsite Pollutant Emissions in pounds/day			
	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Demolition	49.54	36.29	3.08	2.44
Grading	41.10	26.75	8.92	5.55
Paving	25.18	14.98	1.41	1.30
SCAQMD Threshold for 25 meters (82 feet) or less <sup>1</sup>	197.00	1,711.00	14.00	9.00
<b>Exceed Threshold?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Notes:

<sup>1</sup> The nearest sensitive receptors are homes located adjacent to the project site. According to LST methodology any receptor closer than 25 meters should be based on the 25 meter threshold.

Source: CalEEMod Version 2013.2.2, SCAQMD, 2010.

The data provided in Table 7 shows that none of the criteria pollutants would exceed the SCAQMD local emissions thresholds at the nearest sensitive receptors. Therefore, impacts associated with construction-related local emissions would be less than significant.

- (b) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not generate any additional traffic; the only alteration to traffic patterns would occur from the minor reconfiguration of an existing alley, which has minimal traffic volumes. Since the proposed project would not introduce any new sources of emissions, the proposed project is not anticipated to create a net increase in operational emissions. Accordingly, the proposed project would not violate an air quality standard or contribute substantially to an existing or project air quality violation; and impacts would be less than significant.
- (c) Cumulative projects include local development as well as general growth within the SCAB; however, the greatest source of emissions in the SCAB is from mobile sources. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and, when wind patterns are considered, would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic by nature. The project area is out of attainment for ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>.

As discussed above in Section 5.3-2(a), construction emissions from the proposed project would not exceed the SCAQMD regional thresholds of significance for criteria pollutants. Operation of the proposed project would not generate any additional traffic, would only minimally alter traffic patterns, and is not anticipated to create a net increase in operational emissions. Therefore, cumulative net increases of nonattainment criteria pollutants would be less than significant.

- (d) As discussed above in Section 5.3-2(a), local concentrations of construction emissions from the proposed project would not exceed the SCAQMD local thresholds of significance for criteria pollutants. The proposed project consists of a roadway widening project that includes the relocation of public parking spaces and would not generate any additional traffic; the only alteration to traffic patterns would occur from the minor reconfiguration of an existing alley,

which has minimal traffic volumes. The proposed project would result in improving the LOS on Newport Boulevard between Via Lido and 32<sup>nd</sup> Street from LOS F to LOS D and between 32<sup>nd</sup> Street and 30<sup>th</sup> Street from LOS D to LOS B. The improvements to LOS would reduce the amount of engine idling in the vicinity of the project site, which would reduce local concentrations of carbon monoxide and toxic air contaminants. Accordingly, the proposed project would not expose sensitive receptors to substantial pollutant concentrations; and impacts would be less than significant.

- (e) Minor sources of odors associated with the proposed project would primarily be associated with the diesel equipment and application of asphalt pavement. Exhaust odors from diesel engines, as well as emissions, may be considered offensive to some individuals. The diesel equipment used during demolition and construction activities would be mobile equipment that would constantly be changing locations, which would allow for the odors to disperse rapidly and not impact any nearby receptors. The odors emissions from the application of asphalt pavement would cease within a few hours upon the drying and hardening of the asphalt pavement. Furthermore, the CEQA threshold of significance is set at a “substantial number of people” and, due to the limited number of homes immediately adjacent to the proposed improvements, it is unlikely that substantial number of people would be within an effective range of construction activities. Therefore, impacts associated with odor during construction would be less than significant.

The proposed project would consist of roadway improvements, would not generate any additional traffic, and would only minimally alter traffic patterns. Therefore, a less than significant odor impact would occur from operation of the proposed project. Accordingly, impacts associated with odor during operation of the proposed project would be less than significant.

**5.4 BIOLOGICAL RESOURCES**

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

**5.4.1 Impact Analysis**

(a) The proposed project site consists of a paved roadway intersection within a fully urbanized section of the City of Newport Beach and does not possess any habitat that would support species identified as a candidate, sensitive, or special status species. Similarly, land surrounding the proposed project site is also fully urbanized and does not possess any habitat that would support species identified as a candidate, sensitive, or special status species. Potential natural habitat is limited to the aquatic environment within the Rivo Alto channel adjacent to the western segment of 32<sup>nd</sup> Street. Construction of the proposed project would implement Best Management Practices (BMPs) to prevent erosion from entering the waters of the Rivo Alto channel adjacent to the proposed project that could impact aquatic species. No impacts would occur.

- (b) The proposed project site consists of a paved roadway intersection within a fully urbanized section of the City of Newport Beach and does not possess any riparian habitat or other sensitive natural communities. No impacts would occur.
- (c) The proposed project site consists of a paved roadway intersection within a fully urbanized section of the City of Newport Beach and does not possess any federally protected wetlands. No impacts would occur.
- (d) The proposed project site consists of a paved roadway intersection surrounded by commercial and retail businesses within a fully urbanized section of the City of Newport Beach and does not possess any wildlife corridors. No impacts would occur.
- (e) The proposed project would not impact any mature trees or other biological resources protected by the Newport Beach General Plan or Municipal Code. No impacts would occur.
- (f) The City of Newport Beach is a signatory to the County of Orange Central & Coastal Subregion Natural Community Conservation Plan & Habitat Conservation Plan (NCCP/HCP), which provides guidance for the creation of a multispecies/multihabitat preserve system and implementation of a long-term management program. The primary goal of the NCCP/HCP is to preserve coastal sage scrub and the species that utilize that habitat. The proposed project is located within a fully urbanized area that does not possess any sensitive habitat and does not support any vegetation or wildlife species subject to the provisions of the NCCP/HCP. Existing vegetation on the project site consists of introduced landscaping that does not qualify as sensitive habitat. Additionally, the proposed project site is not located within the boundaries of any of the biological resource preserves or environmental study areas documented in the Natural Resource Element of the City of Newport Beach General Plan. Therefore, the proposed project would not conflict with the NCCP/HCP or Newport Beach General Plan. No impacts would occur.

## 5.5 CULTURAL RESOURCES

5.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Chambers Group prepared a Cultural Resources Letter Report documenting potential impacts to historical and archaeological resources, which is included as Appendix B of this IS/MND.

### 5.5.1 Environmental Setting

#### Regulatory Framework

The Cultural Resources Letter Report was prepared consistent with the provisions of CEQA, including CEQA Statutes (Public Resources Code [PRC] §§ 21083.2 and 21084.1), CEQA Guidelines (Title 14 California Code of Regulations [CCR], § 15064.5), and PRC § 5024.1 (Title 14 CCR § 4850 et seq.). These statutes and regulations, as amended, are summarized in an annually updated handbook (Association of Environmental Professionals 2012). Properties expected to be directly or indirectly affected by a proposed project must be evaluated for California Register of Historical Resources (CRHR) eligibility (PRC § 5024.1). The purpose of the CRHR is to maintain listings of the state’s historical resources and to indicate which properties are to be protected, to the extent prudent and feasible, from material impairment and substantial adverse change.

The term historical resources includes a resource listed in, or determined to be eligible for listing in, the CRHR; a resource included in a local register of historical resources; and any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (CCR § 15064.5[a]). The criteria for listing properties in the CRHR were expressly developed in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP).

The California Office of Historic Preservation (OHP 1995:2) regards “any physical evidence of human activities over 45 years old” as meriting recordation and evaluation. According to PRC § 5024.1(c) (1–4), a resource may be considered historically significant if it retains integrity and meets at least one of the following criteria. A property may be listed in the CRHR if the resource:

- is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

- is associated with the lives of persons important in our past;
- embodies the distinctive characteristics of a type, period, region, or method of installation, or represents the work of an important creative individual, or possesses high artistic values; or
- has yielded, or may be likely to yield, information important in prehistory or history.

Under CEQA, if an archeological site is not a historical resource but meets the definition of a “unique archeological resource” as defined in PRC § 21083.2, then it should be treated in accordance with the provisions of that section. A unique archaeological resource is defined as follows:

- An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, it has a high probability of meeting any of the following criteria:
  - Contains information needed to answer important scientific research questions and that the public has a demonstrable interest in that information
  - Has a special and particular quality, such as being the oldest of its type or the best available example of its type
  - Is directly associated with a scientifically recognized important prehistoric or historic event or person

Resources that neither meet any of these criteria for listing in the CRHR nor qualify as a “unique archaeological resource” under CEQA PRC § 21083.2 are viewed as not significant. Under CEQA, “A non-unique archaeological resource need be given no further consideration, other than the simple recording of its existence by the lead agency if it so elects” (PRC § 21083.2[h]).

Impacts that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. Impacts to historical resources from a proposed project are thus considered significant if the project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the setting of the resource, which contributes to its significance; or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

### **Field Survey**

Chambers Group established the Area of Potential Effect (APE) for the project by examining the project footprint and the potential for impacts to cultural resources, including archaeological and built environment resources, within and adjacent to the proposed project area. Based on these criteria, the APE encompasses the project footprint, including the extent of construction activities such as staging or laydown areas.

In accordance with regulations put forth by the State Office of Historic Preservation, any properties within or near the project APE were subject to an intensive field investigation. Chambers Group conducted an intensive cultural resources survey of the APE on November 11, 2013. During the field

survey, each of the properties within or adjacent to the project area was analyzed, photographed, and recorded.

### **Records Search**

In addition to the field survey, investigators executed general contextual and site-specific research for the relevant properties and the project area. Sources used to conduct this research effort include the City of Newport Beach Planning Department, the Newport Beach Historical Society, the Newport Beach Public Library, and Los Angeles Public Library databases. Investigators also consulted the Caltrans Historic Bridge Survey, California Historic Resources Inventory, and NPS Focus to determine if any properties had been previously surveyed or evaluated.

A cultural resources records search for the project area and a 0.5-mile search radius around the project area was also performed at the South Central Coastal Information Center (SCCIC), at California State University, Fullerton on October 30, 2013 (SCCIC# 13463.0150). The SCCIC search included a review of all recorded sites and cultural resources reports on file for that specific area. The results from the information center indicated eight previously-conducted investigations (OR643, OR644, OR666, OR1907, OR2622, OR3709, OR4160, and OR4269) within the 0.5-mile search radius. Of the eight previous investigations, the SCCIC indicated that none of the studies overlapped with the project area.

The SCCIC identified two archaeological sites (30-000059, 30-000060) located within the 0.5-mile search radius. The site form for 30-000059 describes the resource as traces of a camp site. Similarly, the site form for 30-000060 describes the resource as a camp site with “[c]lam, oyster, and a small univalve shell form[ing] the bulk of the material.” No archaeological sites are located within the project area.

In addition, the SCCIC search identified two aboveground historic resources (30-177134, 30-179867) within the 0.5-mile search radius. The site form for 30-177134 describes the property as the Newport Beach Harbor Tower, located at 3333 Pacific Coast Highway. The building was evaluated in 2011 and was recommended for Status Code 6Y, indicating the property was determined ineligible for the National Register of Historic Places (NRHP) by consensus through the Section 106 process, but it was not evaluated for the California Register of Historical Resources (CRHR) or for local listing. The site form for 30-179867 describes the property as the South Coast Shipyard, located at 2300 Newport Boulevard. The building was evaluated in 2005 and was recommended for Status Code 3CD, indicating the property appears eligible for the CRHR as a contributor to a CRHR-eligible historic district through a survey evaluation. According to the SCCIC search, no aboveground historic resources were mapped within the proposed project area.

The California Historic Resources Inventory (HRI) also lists 14 historic resources in the Historic Property Data File (HPDF) that are located in Newport Beach. Of these resources, it appears that only one, Bridge #55-01, is located within the 0.5-mile search radius. The bridge is listed in the HPDF under status code 7R as a property identified in a survey but not evaluated. None of the remaining 13 properties appear to be located in the project area or the 0.5-mile search radius. A list of the 14 historic resources identified in the HPDF is provided in Table 8 below.

**Table 8: Historic Property Data File Listings**

Primary Number	Name/Property Type	Address	Eligibility Status
30-162284	1953 National Boy Scout Jamboree Site	NA	7L – State Historical Landmark, Needs to be reevaluated using current standards.
30-158591	Bank of Balboa/Bank of America	611 East Balboa Blvd.	1S – Individual Property Listed in the NR by Keeper. Listed in the California Register of Historic Resources (CRHR).
NA	NA	4302 Ford Street	6Y – Determined ineligible for National Register of Historic Places (NRHP) by consensus through Section 106 process – Not evaluated for CRHR or Local Listing.
30-162257	First Water-to-Water Flight Site	Main St.	1CL – Automatically listed in the CRHR.
30-158590	Balboa Inn	105 Main St.	1S – Individual Property listed in the NRHP by Keeper. Listed in the CRHR.
NA	Balboa Island Fire House #4	323 Marine Ave.	2CS – Individual Property determined eligible for listing in the CRHR by the SHRC.
30-162261	Old Landing Site	State Route 1	7L – State Historical Landmark, Needs to be reevaluated using current standards.
NA	Our Lady of Mount Carmel Church	1441 West Balboa Blvd.	6Y – Determined ineligible for NRHP by consensus through Section 106 process – Not evaluated for CRHR or Local Listing.
NA	Wild Goose Historic Vessel	2431 West Coast Dr.	1S – Individual Property listed in the NRHP by Keeper. Listed in the CRHR.
30-162258	McFadden Wharf	West Ocean Front	1CL – Automatically listed in the CRHR.
30-158585	Lovell Beach House	1242 West Ocean Front	1S – Individual Property listed in the NRHP by Keeper. Listed in the CRHR.
30-158589	B.K. Stone Building, McFadden Building	2100 West Ocean Front	5S2 – Individual Property that is eligible for Local Listing or designation.
30-158587	Bridge #55-21	State Route 1	7R – Individual Property that is eligible for Local Listing or designation.
30-158586	Bridge #55-01	State Route 1	7R – Individual Property that is eligible for Local Listing or designation.

According to the California Points of Historical Interest (CPHI), the CRHR, the NRHP and other records available for this proposed project, no eligible or listed historical resources appear to be located within or immediately adjacent to the project area.

### 5.5.2 Impact Analysis

- (a) Review of site survey data and background research determined that the properties located within the proposed project area do not appear to meet the criteria of eligibility for inclusion in the CRHR or to be considered historical resources for purposes of CEQA. Initial research has yielded no information indicating an association with significant historic events or people instrumental to the development of Balboa Peninsula, the City of Newport Beach, Orange County, or the State of California (Criteria 1 and 2). While Newport Boulevard currently extends in a manner roughly similar to the historic Pacific Electric Railroad alignment, all track features have been removed, and the surrounding area has undergone extensive nonhistoric-period



development that has significantly undermined any potential historic integrity of the project area.

The proposed project site does not significantly embody the distinctive characteristics of a style, type, or period or represent the work of a master (Criterion 3). Instead, the present streetscape appears to have numerous and significant alterations, including nonhistoric-period changes to its form and massing as well as the addition of modern streetlights and adjacent commercial construction. Additionally, the proposed project site lacks the character-defining features, such as large signage or the generous use of concrete masonry exteriors and glass-enclosed showrooms to be considered a distinctive example of a historic automotive corridor or route.

The proposed project would require a full property acquisition of the vacant Wachovia Bank building located at 3201 Newport Boulevard and the adjacent property currently configured as a parking lot. The vacant Wachovia Bank building would be demolished, and both properties would be converted to a public parking lot. The vacant Wachovia Bank building was constructed in 1974 and does not appear to be eligible for listing to the CRHR.

The proposed project site has neither yielded, nor appears likely to yield, information important in prehistory or history (Criterion 4). Finally, the project area does not appear to contribute to the significance of a larger historic district. While portions of the project area were once part of the land used for the Pacific Electric Railway, the alignment was converted into a roadway in the mid-twentieth century and has since been modified through the introduction of nonhistoric-period elements, including commercial construction and streetscape improvements. As a result of these significant alterations and loss of integrity, the project area does not appear to meet the criteria of eligibility for inclusion in the CRHR as an individual property or as a contributor to a potentially eligible historic district. Accordingly, the project is not expected to directly or indirectly affect any CRHR-eligible properties or historical resources for purposes of CEQA, and impacts would be less than significant.

- (b) The SCCIC identified two archaeological sites (30-000059, 30-000060) within 0.5-mile of the proposed project; however, these archaeological resources are outside the APE and would not be impacted by project construction. Additionally, the field survey conducted for the proposed project site did not identify any archaeological resources. Pursuant to the revised implementing regulations of the National Historic Preservation Act (NHPA) found at 36 CFR 800.4(a) (4), Chambers Group contacted the California Native American Heritage Commission (NAHC) on November 20, 2013, to request a review of their Sacred Lands Files. The NAHC responded on November 21, 2013, stating that the Sacred Lands File search failed to identify Native American cultural resources at the specified site.

As an additional measure in the tribal consultation process, the NAHC provided a list of tribal governments and individuals to determine if any cultural places might be impacted by the proposed action. Chambers Group sent an informational letter to the groups and/or individuals identified by the NAHC and received two responses from the informational letter recipients, both of which are presented in Exhibit 3 of Appendix B of this IS/MND. Chambers Group received an email from the Tongva Ancestral Territorial Tribal Nation, expressing concern over the presence of archaeological and cultural resources on the project site. However, the email did not specify the locations of any known archaeological or cultural resources, nor did the email

identify any specific measures to address potential impacts to archaeological and cultural resources.

Chambers Group also received a letter from the United Coalition to Protect Panhe, stating that undisturbed areas of the project area were considered culturally sensitive. However, the letter did not identify any known archaeological or cultural resources within the APE. The letter requested that a literature review, SCCIC record search, and an archaeological survey be conducted. As described above, Chambers Group completed the requested cultural resources investigations and did not identify any significant cultural resources that would be impacted by the proposed project.

Although no archaeological resources were identified within the project APE, construction of the proposed project would have the potential to unearth unknown archaeological resources, which may result in a significant impact. Implementation of CUL-1 would reduce impacts to archaeological resources to a level less than significant. Implementation of CUL-1 would also address the concerns expressed by tribal representatives regarding unknown archaeological resources.

CUL-1: In the event that a cultural or paleontological resource is exposed during ground-disturbing activities, construction activities (e.g., grading, grubbing, or vegetation clearing) should be halted immediately near the discovery. A cultural resource specialist and/or paleontological resource specialist who meet the Secretary of the Interior's Professional Qualifications Standards (United States National Park Service 1983) should then be retained to evaluate the find's significance under CEQA. If the discovery proves to be significant, additional work, such as data recovery excavation, may be warranted and should be discussed in consultation with the lead agency.

- (c) Construction of the proposed project would have the potential to unearth unknown paleontological resources, which may result in a significant impact. Implementation of CUL-1 would reduce impacts to paleontological resources to a level less than significant.
- (d) Construction of the proposed project would have the potential to unearth human remains, which may result in a significant impact. Implementation of CUL-2 would reduce impacts to archaeological resources to a level less than significant.

CUL-2: The discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 addresses these findings. This code section states that no further disturbance shall occur until the Orange County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

**5.6 GEOLOGY AND SOILS**

6.	<b>GEOLOGY AND SOILS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**5.6.1 Impact Analysis**

(a)

(i) through (iii) Because southern California is a seismically active region, it is highly likely that regional earthquakes would occur in the vicinity of the proposed project site. The southern segment of the proposed project is identified as being located on the Newport-Inglewood Fault Zone in the Safety Element of the Newport Beach General Plan. Therefore, the proposed project site has the potential to be exposed to rupture of a known earthquake fault and strong ground shaking during a seismic event associated with the Newport-Inglewood Fault Zone or other faults in southern California. The proposed project site is also identified as being susceptible to liquefaction in the Safety Element of the Newport Beach General Plan.

The proposed project is limited, however, to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new

structures that could expose people to danger associated with seismic ground shaking or liquefaction during a seismic event. Therefore, impacts would remain unchanged from the existing condition.

- iv) Topography of the proposed project site is relatively flat, with ground surface elevations ranging from approximately 4 to 8 feet above mean sea level, and does not have the potential for landslides. No impact would occur.
- (b) The proposed project is located within a fully urbanized area that does not possess any exposed soil. Construction of the proposed project would incorporate best management practices (BMPs) to prevent erosion during excavation activities. Therefore, implementation of the proposed project would not result in substantial soil erosion or the loss of topsoil, and impacts would be less than significant.
- (c) Topography of the proposed project site is relatively flat, with ground surface elevations ranging from approximately 4 to 8 feet above mean sea level, and does not have the potential for landslides. Ninyo & Moore prepared a geotechnical investigation which determined that the proposed project site is underlain by fill and alluvium generally consisting of very loose to medium dense, silty sand with minor amounts of clayey sand and sandy to clayey silt (Appendix C). Granular soils at the project site were found to be generally suitable for use as structural backfill, provided deleterious materials were removed. Groundwater was encountered at depths ranging from approximately 3 to 5 feet below the existing ground surface during the geotechnical investigation, and it should be anticipated that groundwater would be encountered at depths of approximately 3 feet or less. Soils beneath groundwater levels would be wet and could potentially be unstable. Additionally, the proposed project site is identified as being susceptible to liquefaction in the Safety Element of the Newport Beach General Plan. Consequently, the proposed project would be constructed on soils that may be unstable, resulting in the potential for lateral spreading, subsidence, liquefaction, or collapse. The proposed project is limited, however, to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not introduce new structures that could be susceptible to lateral spreading, subsidence, liquefaction, or collapse. Potential impacts would be based on whether soils beneath the improved roadway could be stabilized during construction to provide a stable foundation. Providing a stable roadway foundation would ensure that the potential for lateral spreading, subsidence, liquefaction, or collapse during seismic events did not increase over the potential in the existing condition. Implementation of mitigation measures GEO-1 through GEO-4 would reduce impacts to a level less than significant.

GEO-1: Project construction should incorporate the recommendations presented in the geotechnical investigation prepared by Ninyo & Moore for the proposed project.

GEO-2: Soil excavated from below groundwater levels would be wet and would require drying in order to be suitable for compaction. Similarly, trench excavations that extend below groundwater would require dewatering in order to construct the proposed improvements under a dry condition. Dewatering may include pumping groundwater from well points within or outside the shored excavation. Dewatering should be limited to no more than approximately 2 feet below the bottom of excavations. It is recommended that the dewatering system design should be performed by a specialty

dewatering contractor. Disposal of groundwater should be performed in accordance with guidelines of the Regional Water Quality Control Board. Wet soils should be processed to near-optimum moisture content prior to their placement as trench backfill. Fill material imported to the site (if any) should be granular, nonexpansive soil and free of trash, debris, roots, vegetation, or other deleterious materials. "Nonexpansive" soils can be defined as having a "very low" expansion potential in accordance with the California Building Code (CBC) (an expansion index ranging from 0 to 20). Fill should generally be free of rocks or hard lumps of material in excess of 4 inches in diameter. Rocks or hard lumps larger than approximately 4 inches in diameter should be broken into smaller pieces or should be removed from the site. Materials for use as imported structural fill should be evaluated by a qualified and experienced engineer prior to importing.

GEO-3: Trenches or other excavations that extend below groundwater and/or deeper than approximately 4 feet should be shored. Shoring systems should be installed prior to excavating below groundwater to avoid caving and undermining of adjacent improvements. The contractor should retain a qualified and experienced engineer to design the shoring system consistent with the parameters presented in the geotechnical investigation prepared by Ninyo & Moore.

GEO-4: A qualified and experienced engineer should observe and test fill placement and compaction. The frequency of testing and the time of observation will vary depending on the contractor's method of operation and quality of work, as well as the requirements of the governing agency.

- (d) As described in section 5.6.1(c) above, it should be anticipated that groundwater would be encountered at depths of approximately 3 feet or less. Soils beneath groundwater levels would be wet and have the potential for expansion; however, implementation of mitigation measures GEO-1 through GEO-4 would reduce impacts to a level less than significant.
- (e) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new structures that would require septic tanks or alternative waste water disposal systems. No impacts would occur.

**5.7 GREENHOUSE GAS EMISSIONS**

7.	<b>GREENHOUSE GAS EMISSIONS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The impact evaluation presented in Section 5.7 is based on the Greenhouse Gas (GHG) impact analysis prepared by Vista Environmental utilizing the CalEEMod model. Output files for the CalEEMod Model prepared for the proposed project are included as Appendix D of this IS/MND.

**5.7.1 Impact Analysis**

- (a) A large amount of legislative and regulatory activities directly and indirectly affect climate change and GHGs in California. The primary climate change legislation in California is AB 32, the California Global Warming Solutions Act of 2006. AB 32 focuses on reducing GHG emissions in California and requires that GHGs emitted in California be reduced to 1990 levels by the year 2020.

The California Air Resources Board (CARB) is the State agency charged with monitoring and regulating sources of emissions of GHGs in California that contribute to global warming in order to reduce emissions of GHGs. The CARB Governing Board approved the 1990 GHG emissions level of 427 million metric tons of CO<sub>2</sub> equivalent (MMTCO<sub>2</sub>e) on December 6, 2007. Therefore, in 2020, annual emissions in California are required to be at or below 427 MMTCO<sub>2</sub>e. The CARB Board approved the Climate Change Scoping Plan (Scoping Plan) in December 2008. The Scoping Plan defines a range of programs and activities that will be implemented primarily by State agencies but also include actions by local government agencies. Primary strategies addressed in the Scoping Plan include new industrial and emission control technologies; alternative energy generation technologies; advanced energy conservation in lighting, heating, cooling, and ventilation; reduced-carbon fuels; hybrid and electric vehicles; and other methods of improving vehicle mileage. Local government will have a part in implementing some of these strategies. The Scoping Plan also calls for reductions in vehicle-associated GHG emissions through smart growth that will result in reductions in vehicle miles traveled (CARB 2008).

The CalEEMod model used to calculate the criteria pollutant emissions presented in Section 5.3 Air Quality was also utilized to calculate the GHG emissions associated with construction of the proposed project (Appendix D). The CalEEMod model calculated that construction activities would generate 154.14 metric tons of CO<sub>2</sub> equivalent (MTCO<sub>2</sub>e). The proposed project consists of a roadway widening project that includes the relocation of public parking spaces and would not generate any additional traffic; the only alteration to traffic patterns would occur from the minor reconfiguration of an existing alley, which has minimal traffic volumes. The proposed project would result in improving the LOS on Newport Boulevard between Via Lido and 32<sup>nd</sup> Street from LOS F to LOS D and between 32<sup>nd</sup> Street and 30<sup>th</sup> Street from LOS D to LOS B. The

improvements to LOS would reduce the amount of engine idling on Newport Boulevard and reduce vehicle trip travel times, which would result in a net reduction in GHG emissions from operation of the proposed project. Even though the City of Newport Beach does not have an established threshold for GHGs, this analysis proposes to use the “Tier 3” quantitative threshold for residential and commercial projects as recommended by the SCAQMD (SCAQMD 2010). The SCAQMD proposes that if a project generates GHG emissions below 3,000 MTCO<sub>2</sub>e, it could be concluded that the project’s GHG contribution is not “cumulatively considerable” and is therefore less than significant under CEQA. Therefore, the proposed project’s GHG contribution is not “cumulatively considerable” and impacts would be less than significant.

- (b) Neither the City of Newport Beach nor SCAQMD have any specific plans, policies, or regulations adopted for reducing the emissions of GHGs. Construction emissions would be short-term and within the SCAQMD’s draft thresholds, and operation of the proposed project would not create an increase in GHG emissions. Therefore, the proposed project would not conflict with any applicable plan, policy, or regulation adopted for reducing the emissions of GHGs; and impacts would be less than significant.

**5.8 HAZARDS AND HAZARDOUS MATERIALS**

8.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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 reasonable 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 type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e)	For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h)	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**5.8.1 Impact Analysis**

(a) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not introduce new land uses that would require the routine transport, use, or disposal of hazardous materials. Construction of the proposed project would be short-term and would involve the limited transport, use, disposal, and storage of hazardous materials. Some examples of the hazardous materials that may be handled include fuels, lubricating fluids, and solvents. These types of materials, however, are not acutely hazardous. Adherence to regulations set forth by county, State, and federal agencies regarding storage, handling, and disposal of these materials would reduce the potential for hazardous materials impacts during construction to a level less than significant.



- (b) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not introduce new structures that could create an accident condition involving the release of hazardous materials into the environment. The existing roadway configuration within the proposed project site does not possess any identified safety deficiencies. The proposed project would widen the existing Newport Boulevard roadway and would not introduce any new curves that could create an accident condition. Furthermore, the proposed project has been designed consistent with existing safety standards and would not create unsafe conditions that could increase the risk of an accident. Therefore, the proposed project would not create accident conditions that could result in the release of hazardous materials. Adherence to regulations set forth by county, State, and federal agencies regarding storage, handling, and disposal of hazardous materials would reduce the potential for impacts associated with accident conditions during construction to a level less than significant.
- (c) The proposed project site is not located within one-quarter mile of an existing or proposed school. Ensign Middle School is located approximately 0.80 mile northeast of the proposed project site, while Newport Elementary School is located approximately 0.85 mile southeast of the proposed project site. No impact would occur.
- (d) Ninyo & Moore prepared an Initial Site Assessment (ISA) to identify recognized environmental conditions (RECs), which are defined by ASTM as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property” (Appendix E). The ISA identified the following RECs within the project site and surrounding area:
- **Newport Boulevard:** The segment of Newport Boulevard within the proposed project site has been a paved roadway since at least 1929 to the present. The road was identified as Central Avenue from at least 1929 until 1945. From 1945 to the present the roadway was identified as Newport Boulevard. The long-term use of the site as a roadway prior to the ban on leaded gasoline in 1992 represents a REC based on the potential presence of aerially deposited lead (ADL). In addition, lead is suspected to be present in the street paint striping.
  - **3201 Newport Boulevard (Vacant Wachovia Bank Building):** The property located at 3201 Newport Boulevard was occupied by a Southern Pacific Railroad ROW from at least 1929 to 1945. From approximately 1945 to at least 1966 this portion of the site was occupied by a gasoline station. From approximately 1966 to at least 2008 this portion of the site was occupied by a commercial building used as offices, a video rental store, and most recently, as a bank. At the time of the site reconnaissance, the site building was unoccupied. The presence of the Southern Pacific Railroad adjacent to the west of the site and crossing the 3201 Newport Boulevard portion of the site represents a REC based on the common applications of pesticides, petroleum hydrocarbons, and metals in railroad ROWs. The presence of a gasoline service station from approximately 1945 to at least 1966 also represents a REC. Additionally, this building is suspected to contain asbestos-containing materials (ACMs), lead-based paint (LBP), and universal waste based on the age of construction.

- **3305 Newport Boulevard:** The property located at 3305 Newport Boulevard was occupied by a Southern Pacific railroad ROW from at least 1929 to 1945. From approximately 1945 to the present, this property was occupied by commercial businesses including hair dressers and restaurants. During the period from at least 1993 to 2002, Suite M of this property was occupied by a dry cleaner. The presence of the Southern Pacific Railroad ROW and the dry cleaner represent RECs.
- **2920 Newport Boulevard:** The property located at 2920 Newport Boulevard was occupied by a gasoline station, which represents a REC.
- **3020 Newport Boulevard:** The property located at 3020 Newport Boulevard was occupied by a gasoline station, which represents a REC.
- **3201 Newport Boulevard:** The property located at 3201 Newport Boulevard was occupied by a gasoline station, which represents a REC.
- **3010 Newport Boulevard:** The property located at 3010 Newport Boulevard was occupied by a printing business, which represents a REC.
- **3011 Newport Boulevard:** The property located at 3011 Newport Boulevard was occupied by an auto repair shop, which represents a REC.
- **3001 Newport Boulevard:** The upgradient former UNOCAL #5301 facility located at 3001 Newport Boulevard was listed on the Leaking Underground Storage Tank (LUST) database. Multiple monitoring wells were observed on the facility, and one monitoring well was located in Newport Boulevard on the site. The facility is associated with a LUST case with the status “Open – Eligible for Closure” as of 2013. The most recent maximum reported concentrations of total petroleum hydrocarbons as gasoline (TPHg) (3,700 micrograms per liter [mg/l]) and benzene (780 mg/l) exceed the cleanup goals for the site and pose a potential vapor encroachment condition (VEC). Based on the reported concentrations of TPHg and benzene in groundwater, the shallow depth to groundwater in the vicinity, and the location of the facility adjacent to the west and upgradient of the site, this facility represents a REC.

Each of the RECs described above may contain hazardous materials that could be exposed during project construction, potentially resulting in a significant impact. Implementation of mitigation measures HAZ-1 through HAZ-3 would reduce these impacts to a level less than significant.

HAZ-1: Perform a subsurface investigation and human health risk assessment at the site to determine if hazardous materials are present due to past land uses. The subsurface investigation and human health risk assessment shall be performed by a hazardous materials specialist prior to construction. If the subsurface investigation identifies hazardous materials that pose a significant risk to the environment or human health, the project site would need to be remediated consistent with appropriate regulatory standards.

HAZ-2: Conduct ADL and traffic paint stripe surveys for the site.

HAZ-3: Survey for ACMs, LBP, and universal waste should be conducted for the building at 3201 Newport Boulevard, prior to demolition.

- (e) The proposed project is not located within an airport land use plan or within 2 miles of a public airport or public use airport. Furthermore, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new structures that could that could disrupt air traffic patterns or place people at risk in the event of an aircraft mishap. Therefore, implementation of the proposed project would not result in a safety hazard for people residing or working in the proposed project area. No impact would occur.
- (f) No private airstrips are located within the City of Newport Beach. No impact would occur.
- (g) Newport Boulevard is identified as a tsunami evacuation route in the City of Newport Beach Emergency Management Plan (City of Newport Beach 2004). Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures and maintain access for emergency response and evacuation. Once constructed, the increased vehicular capacity and reduced traffic congestion on Newport Boulevard could potentially improve emergency response and evacuation. Therefore, impacts would be less than significant.
- (h) The proposed project site is located within a fully urbanized section of the City of Newport Beach near Newport Bay and the Pacific Ocean and is not located near any wildlands. The proposed project site is identified as having a fire susceptibility of “Low/None” in the Safety Element of the Newport Beach General Plan. Furthermore, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new structures that could expose people to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

## 5.9 HYDROLOGY AND WATER QUALITY

9.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements?	<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 a net deficit would occur 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 a 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 the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

### 5.9.1 Impact Analysis

- (a) Implementation of BMPs during project construction would limit erosion and siltation to the maximum extent practicable. Furthermore, the Water Quality Management Plan (WQMP) prepared for the proposed project identified operational BMPs that would prevent impacts to water quality in the post-project condition. These operational BMPs include, but are not limited to, common area litter control, common area catch basin inspection, street sweeping, storm drainage system stenciling and signage, and use of efficient irrigation system and landscape design. Additional operational BMPs are documented in the WQMP included as Appendix F of

the IS/MND. Implementation of construction and operational BMPs would prevent impacts to water quality standards and waste discharge requirements, and impacts would be less than significant.

- (b) Current project design would reduce the amount of impervious surfaces within the proposed project site from 4.03 acres to 3.81 acres. This reduction of impervious surfaces would increase the amount of stormwater percolating into the ground and improve groundwater recharge. Furthermore, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct any new structures that would use groundwater supplies. No impact would occur.
- (c) The proposed project site is not located within, or near, the course of a stream or river. The Hydrology Report prepared for the proposed project determined that runoff generated by surrounding development mostly sheet flows onto the street, where it is conveyed by the street gutters into the existing storm drain system (Appendix G). Some runoff from the surrounding residential areas and commercial lots is conveyed by v-gutters located in the surrounding alleys and is collected by the existing catch basins. The existing drainage pattern within the project site is divided into two subareas. The southerly portion of the proposed project site generally flows southeasterly towards Newport Boulevard and enters existing catch basins located in Newport Boulevard. The existing storm drain located in 30<sup>th</sup> Street conveys the flow easterly in an existing 36-inch Reinforced Concrete Pipe (RCP) and ultimately discharges into Lower Newport Bay. The runoff generated from the northerly portion of the proposed project site flows onto Newport Boulevard and enters existing catch basins. The flow is conveyed by an existing 36-inch storm drain system located at the intersection with 32<sup>nd</sup> Street and is discharged into the boat channel that is a part of the Lower Newport Bay.

Implementation of the proposed project would not alter the general flow pattern and major drainage boundary of the proposed project site. The existing catch basins will be relocated to align with the new proposed curb and gutters to convey runoff to the existing storm drain system in the post-project condition. Furthermore, implementation of BMPs during project construction would limit erosion and siltation to the maximum extent practicable. Therefore, the proposed project would not substantially alter the existing drainage pattern of the proposed project site and would not result in substantial erosion or siltation on- or offsite, and impacts would be less than significant.

- (d) As described in Section 5.9.1(c) above, the proposed project would not substantially alter the existing drainage pattern of the proposed project site. As described in Section 5.9.1(b) above, the proposed project would reduce the amount of impervious surfaces within the proposed project site and reduce the amount of stormwater sheet flow traveling to stormwater catch basins. Therefore, the proposed project would not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. No impacts would occur.
- (e) As described in Section 5.9.1(b) above, the proposed project would reduce the amount of impervious surfaces within the proposed project site and reduce the amount of stormwater sheet flow traveling to stormwater catch basins. Additionally, the proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct any new structures that could generate runoff. Therefore, the

proposed project would not 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. No impact would occur.

- (f) As described in Section 5.9.1(a) above, implementation of construction and operational BMPs would prevent impacts to water quality, and impacts would be less than significant.
- (g) The proposed project would not construct any new housing. No impacts would occur.
- (h) The proposed project would not construct any new structures that could impede or redirect flood flows. No impacts would occur.
- (i) The proposed project is not located within a dam or levee inundation area. No impacts would occur.
- (j) Topography of the proposed project site is relatively flat, with ground surface elevations ranging from approximately 4 to 8 feet above mean sea level, and does not have the potential to be subject to mudflow from landslides. The proposed project site is located within the 100-year flood zone and could be subject to a tsunami. Additionally, the proposed project could be subject to a seismically induced seiche due to its location near the West Lido Channel. The proposed project, however, would not introduce new structures that could expose people to a tsunami or seiche. Therefore, impacts would remain unchanged from the existing condition.

**5.10 LAND USE AND PLANNING**

10.	LAND USE/PLANNING Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**5.10.1 Impact Analysis**

- (a) The proposed project is limited to roadway and intersection improvements and construction of a public parking lot. Implementation of the proposed project would not permanently sever an existing road or construct any new structures that could divide an established community. The proposed project would improve connectivity within Newport Beach by introducing 6-foot-wide bike lanes along both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido that would provide a connection to existing bike lanes along 32<sup>nd</sup> Street west of Newport Boulevard. Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures. Once constructed, the increased vehicular capacity and reduced traffic congestion on Newport Boulevard could potentially improve access and connectivity to the proposed project site and surrounding land uses.

Implementation of the proposed project would eliminate 27 existing curbside public parking spaces on Newport Boulevard due to the roadway widening and introduction of bike lanes. However, the proposed project would construct a new public parking lot with a minimum of 27 parking spaces at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection to replace curbside public parking spaces eliminated on Newport Boulevard. Current project design of the new public parking lot would require full property acquisitions of the vacant Wachovia Bank building located at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection and the adjacent property currently configured as a parking lot. Acquisition and conversion of these two parcels to a public parking lot would not significantly impact existing land uses since the Wachovia Bank building is currently unoccupied and for sale. Furthermore, conversion of these properties would not significantly alter the existing land use pattern due to the large number of commercial properties surrounding the proposed project site. Current project design would also require a partial ROW acquisition of the commercial property north of the vacant Wachovia Bank building. However, this partial ROW acquisition would not impact the existing structure or any parking spaces currently located on the property.

Current project design would require dedication of 0.25 acre of land from the former City Hall parcel located at the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street



(3300 Newport Blvd). This partial property dedication would not impact use of the property since it is currently unoccupied, and dedication of 0.25 acre at the edge of property would not affect future conversion of the former City Hall parcel to a new use. Similarly, current project design would require dedication of 0.03 acre of the City-owned Gateway Park located at the southwest corner of Newport Boulevard and Short Street (3531 Newport Boulevard). This partial dedication would not negatively impact Gateway Park since the park has no existing recreational amenities that could be affected, and the parcel would continue to offer opportunities for passive recreation. Therefore, the proposed project would not dramatically change the surrounding land use pattern or reduce parking, and impacts would be less than significant.

Implementation of the proposed project would result in some minor changes to access to the existing circulation system. Acquisition of the two existing bank properties and roadway modifications on 32<sup>nd</sup> Street would result in the closure of the alley access that bisects these properties. However, the proposed project would preserve access to 32<sup>nd</sup> Street by reconfiguring the alley to connect to the proposed public parking lot, which will include an exit/entrance via Marcus Avenue. Additionally, the proposed project would remove the westbound free-right turn lane on 32<sup>nd</sup> Street at Newport Boulevard. However, right turns onto Newport Boulevard from westbound 32<sup>nd</sup> Street would be preserved on the modified intersection. Construction of the proposed project may require relocation of the existing bus stops on the segment of Newport Boulevard within the proposed project site; however, these would be relocated within the proposed project site in close proximity to the existing bus stops if it is determined that an alternative location(s) would be necessary. Furthermore, bus stops would be preserved on both sides of Newport Boulevard within the proposed project site. Therefore, project design would preserve access to the existing circulation system, and impacts would be less than significant.

- (b) The proposed project would be consistent with the applicable policies of the City of Newport Beach General Plan. The intersection of Newport Boulevard and 32<sup>nd</sup> Street has been identified in the Circulation Element in Figure CE3 as an intersection to be improved to meet the Circulation Element LOS Standards found in CE 2.1.1. The addition of one northbound and southbound through lane to Newport Boulevard would be consistent with the existing designation for this segment of Newport Boulevard as a Major Road (Six Lane Divided) in the circulation element. Similarly, improvements and modifications to 32<sup>nd</sup> Street would be consistent with the existing designation in the circulation element as a Commuter Roadway (Two Lane Undivided) east of Newport Boulevard and a Secondary Road (Four Lane Undivided) west of Newport Boulevard. The proposed project would be consistent with parking requirements in the General Plan by constructing a new public parking lot to mitigate for loss of the 27 existing curbside public parking spaces on Newport Boulevard. Furthermore, introduction of 6-foot-wide bike lanes along both sides of Newport Boulevard would be consistent with Circulation Element Policy CE 5.1.6 pertaining to alternative transportation. Additionally, the proposed project would improve access to coastal resources and would not impact any resources that qualify for protection in the Newport Beach Coastal Land Use Plan. Therefore, the proposed project would be consistent with the City of Newport Beach General Plan and Coastal Land Use Plan, and impacts would be less than significant.
- (c) As described in Section 5.4.1(f) above, the City of Newport Beach is a signatory to the County of Orange Central & Coastal Subregion NCCP/HCP, which provides guidance for the creation of a multi-species/multi-habitat preserve system and implementation of a long-term management



program. The proposed project is located within a fully urbanized area that does not possess any sensitive habitat and does not support any vegetation or wildlife species subject to the provisions of the NCCP/HCP. Existing vegetation on the project site consists of introduced landscaping that does not qualify as sensitive habitat. Additionally, the proposed project is not located within the boundaries of any of the biological resource preserves or environmental study areas documented in the Natural Resource Element of the City of Newport Beach General Plan. Therefore, the proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. No impacts would occur.

**5.11 MINERAL RESOURCES**

11.	MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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"/>

**5.11.1 Impact Analysis**

- (a) The proposed project site is located on land identified as the Newport Oil Field on the City of Newport Beach General Plan EIR (City of Newport Beach 2006b); however, the proposed project site and surrounding land uses do not include an oil well extracting oil from the Newport Oil Field. Furthermore, construction of the proposed project would not affect the Newport Oil Field due to the existing oil's presence well below the ground surface. Therefore, the proposed project would not result in the loss of availability of a known mineral resource. No impacts would occur.
- (b) The proposed project site and surrounding land uses are not delineated for mineral resource recovery. The proposed project site consists of portions of the existing Newport Boulevard and 32<sup>nd</sup> Street roadways, a vacant bank and parking lot, and portions of commercial and public use properties. Land uses surrounding the proposed project consist predominantly of commercial and retail businesses. Therefore, the proposed project would not result in the loss of availability of a designated locally important mineral resource recovery site. No impacts would occur.

**5.12 NOISE**

12.	NOISE Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 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"/>

The impact evaluation presented in Section 5.12 is based on the noise impact analysis prepared by Vista Environmental, which is included as Appendix H of this IS/MND.

**5.12.1 Environmental Setting**

**Noise and Groundbourne Vibration Fundamentals**

Noise

Noise is defined as unwanted sound. Sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm, or when it has adverse effects on health. The vibration of sound pressure waves in the air produces sound. Sound pressure levels are used to measure the intensity of sound and are described in terms of decibels. The decibel (dB) is a logarithmic unit that expresses the ratio of the sound pressure level being measured to a standard reference level. A-weighted decibels (dBA) approximate the subjective response of the human ear to a broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum. They are adjusted to reflect only those frequencies that are audible to the human ear.

Noise Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in dBA. The equivalent sound level (Leq) represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. The peak traffic hour Leq is the noise metric used by the Caltrans for all traffic noise impact analyses.

The Day-Night Average Level (Ldn) is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours. The time of day corrections require the addition of 10 decibels to sound levels at night between 10:00 p.m. and 7:00 a.m. The Community Noise Equivalent Level (CNEL) is similar to the Ldn except that it has adds another 4.77 dB to sound levels during the evening hours between 7:00 p.m. and 10:00 p.m. These additions are made to the sound levels at these time periods because during the evening and nighttime hours, when compared to daytime hours, ambient noise levels decrease, creating an increased sensitivity to sounds in the receptors. For this reason the sound seems louder in the evening and nighttime hours and is weighted accordingly. The City of Newport Beach relies on the CNEL noise standard to assess transportation-related impacts on noise sensitive land uses.

Another noise descriptor that is used primarily for the assessment of aircraft noise impacts is the Sound Exposure Level, which is also called the Single Event Level (SEL). The SEL descriptor represents the acoustic energy of a single event (i.e., an aircraft overflight) normalized to one-second event duration. This is useful for comparing the acoustical energy of different events involving different durations of the noise sources. The SEL is based on an integration of the noise during the period when the noise first rises within 10 dBA of its maximum value and last falls below 10 dBA of its maximum value. The SEL is often greater than 10 dBA or more than the Maximum noise level ( $L_{MAX}$ ) since the SEL logarithmically adds the Leq for each second of the duration of the noise.

### Vibration

Groundborne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of groundborne vibrations typically only cause a nuisance to people, but at extreme vibration levels damage to buildings may occur. Although groundborne vibration can be felt outdoors, it is typically only an annoyance to people indoors although the associated effects of the shaking of a building can be notable. Groundborne noise is an effect of groundborne vibration and exists only indoors, since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves.

Several different methods are used to quantify vibration amplitude such as the maximum instantaneous peak in the vibrations velocity, which is known as the peak particle velocity (PPV) or the root mean square (rms) amplitude of the vibration velocity. Due to the typically small amplitudes of vibrations, vibration velocity is often expressed in decibels and is denoted as ( $L_v$ ) and is based on the rms velocity amplitude. A commonly used abbreviation is “VdB,” when  $L_v$  is based on the reference quantity of 1 micro inch per second.

Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. These continuous vibrations are not noticeable to humans, whose threshold of perception is around 65 VdB. Offsite sources that may produce perceptible vibrations are usually caused by construction equipment, steel-wheeled trains, and traffic on rough roads, while smooth roads rarely produce perceptible groundborne noise or vibration.

Additional details regarding the fundamentals of noise and vibration can be found in Appendix H.

## Regulatory Setting

### State Regulations

#### *Noise*

#### California Department of Health Services Office of Noise Control

Established in 1973, the California Department of Health Services Office of Noise Control (ONC) was instrumental in developing regulatory tools to control and abate noise for use by local agencies. One significant model is the “Land Use Compatibility for Community Noise Environments Matrix,” which allows the local jurisdiction to clearly delineate compatibility of sensitive uses with various incremental levels of noise and which is shown below in Figure 3.

#### California Administrative Code

Title 24, Chapter 1, Article 4 of the California Administrative Code (California Noise Insulation Standards) requires noise insulation in new hotels, motels, apartment houses, and dwellings (other than single-family detached housing) that provides an annual average noise level of no more than 45 dBA CNEL. When such structures are located within a 60-dBA CNEL (or greater) noise contour, an acoustical analysis is required to ensure that interior levels do not exceed the 45-dBA CNEL annual threshold. In addition, Title 21, Chapter 6, Article 1 of the California Administrative Code requires that all habitable rooms, hospitals, convalescent homes, and places of worship shall have an interior CNEL of 45 dB or less due to aircraft noise.

#### *Vibration*

Title 14 of the California Administrative Code Section 15000 requires that all state and local agencies implement CEQA Guidelines, which requires the analysis of exposure of persons to excessive groundborne vibration; however, no statute has been adopted by the state that quantifies the level at which excessive groundborne vibration occurs.

Caltrans issued the *Transportation- and Construction-Induced Vibration Guidance Manual* in 2004. The manual provides practical guidance to Caltrans engineers, planners, and consultants who must address vibration issues associated with the construction, operation, and maintenance of Caltrans projects. This manual is also used as a reference point by many lead agencies and CEQA practitioners throughout California, as it provides numeric thresholds for vibration impacts. Thresholds are established for continuous (construction-related) and transient (transportation-related) sources of vibration, which found that the human response becomes distinctly perceptible at 0.25-inch-per-second PPV for transient sources and 0.04-inch-per-second PPV for continuous sources.

**Table N2 Land Use Noise Compatibility Matrix**

Land Use Categories		Community Noise Equivalent Level (CNEL)						
Categories	Uses	<55	55-60	60-65	65-70	70-75	75-80	>80
Residential	Single Family, Two Family, Multiple Family	A	A	B	C	C	D	D
Residential	Mixed Use	A	A	A	C	C	C	D
Residential	Mobile Home	A	A	B	C	C	D	D
Commercial Regional, District	Hotel, Motel, Transient Lodging	A	A	B	B	C	C	D
Commercial Regional, Village District, Special	Commercial Retail, Bank, Restaurant, Movie Theatre	A	A	A	A	B	B	C
Commercial Industrial Institutional	Office Building, Research and Development, Professional Offices, City Office Building	A	A	A	B	B	C	D
Commercial Recreational Institutional Civic Center	Amphitheatre, Concert Hall Auditorium, Meeting Hall	B	B	C	C	D	D	D
Commercial Recreation	Children's Amusement Park, Miniature Golf Course, Go-cart Track, Equestrian Center, Sports Club	A	A	A	B	B	D	D
Commercial General, Special Industrial, Institutional	Automobile Service Station, Auto Dealership, Manufacturing, Warehousing, Wholesale, Utilities	A	A	A	A	B	B	B
Institutional	Hospital, Church, Library, Schools' Classroom	A	A	B	C	C	D	D
Open Space	Parks	A	A	A	B	C	D	D
Open Space	Golf Course, Cemeteries, Nature Centers Wildlife Reserves, Wildlife Habitat	A	A	A	A	B	C	C
Agriculture	Agriculture	A	A	A	A	A	A	A

SOURCE: Newport Beach, 2006

**Zone A: Clearly Compatible**—Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.

**Zone B: Normally Compatible\*\***—New construction or development should be undertaken only after detailed analysis of the noise reduction requirements and are made and needed noise insulation features in the design are determined. Conventional construction, with closed windows and fresh air supply systems or air conditioning, will normally suffice.

**Zone C: Normally Incompatible**—New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of noise reduction requirements must be made and needed noise insulation features included in the design.

**Zone D: Clearly Incompatible**—New construction or development should generally not be undertaken.

SOURCE: City of Newport Beach General Plan, 2006.

**Figure 3**  
Newport Ave/32nd Street IS/MND  
Land Use Compatibility Matrix



Local Regulations

*The City of Newport Beach*

The Noise Element of the City of Newport Beach General Plan establishes acceptable noise levels within the proposed project area. Relevant goals and policies from the noise element are presented below.

Goal N1            Noise Compatibility – Minimize land use conflicts between various noise sources and other human activities.

Policy N1.8        Significant Noise Impacts

Require the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when an increase in the ambient CNEL is produced by new development impacting existing sensitive uses. The CNEL increase is shown in Table 9 below

**Table 9: City of Newport Beach Significant Noise Impacts**

CNEL (dBA)	dBA Increase
55	3
60	2
65	1
70	1
Over 75	Any increase is considered significant

Source: City of Newport Beach.

Goal N2            Minimize motor vehicle traffic and boat noise impacts on sensitive noise receptors.

Policy 2.6            Barrier Construction Funding

Establish a program to secure funding for the construction of noise barriers to protect private outdoor yard areas along arterial roadways where existing homes are exposed to noise levels above the City noise standards and develop a priority program for the construction of such barriers. A potential source of such funding may be a fee for new projects which generate new traffic within the City as well as road improvement funds where road improvements are made. The amount of these fees should be proportional to the amount of the new traffic that is caused by the new project. It should be recognized that noise barriers will not always be feasible mitigation to roadway noise. Noise barriers are most feasible for single-family homes where the rear yards are adjacent to the roadway. The feasibility of other situations should be evaluated on a case-by-case basis.

Goal N5            Minimize excessive construction-related noise.

Policy N5.1 Limiting Hours of Activity

Enforce the limits on hours of construction activity.

*City of Newport Beach Municipal Code*

The City of Newport Beach Municipal Code establishes the following applicable standards related to noise.

Section 10.28.040 Construction Activity – Noise Regulations.

- A. Weekdays and Saturdays. No person shall, while engaged in construction, remodeling, digging, grading, demolition, painting, plastering or any other related building activity, operate any tool, equipment or machine in a manner which produces loud noise that disturbs, or could disturb, a person of normal sensitivity who works or resides in the vicinity, on any weekday except between the hours of seven a.m. and six-thirty p.m., nor on any Saturday except between the hours of eight a.m. and six p.m.
- B. Sundays and Holidays. No person shall, while engaged in construction, remodeling, digging, grading, demolition, painting, plastering or any other related building activity, operate any tool, equipment or machine in a manner which produces loud noise that disturbs, or could disturb, a person of normal sensitivity who works or resides in the vicinity, on any Sunday or any federal holiday.
- C. No landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control to operate any tool, equipment or machine in violation of the provisions of this section.
- D. Exceptions.
  - 1. The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the Building Director or designee.
  - 2. The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public agency; provided, however, this exception shall not apply to the City of Newport Beach, or its employees, contractors or agents, unless:
    - a. The City Manager or department director determines that the maintenance, repair or improvement is immediately necessary to maintain public services;
    - b. The maintenance, repair or improvement is of nature that cannot feasibly be conducted during normal business hours;
    - c. The City Council has approved project specifications, contract provisions, or an environmental document that specifically authorizes construction during hours of the day which would otherwise be prohibited pursuant to this section.

## Existing Noise Conditions

Noise measurements were taken in the vicinity of the proposed project site to determine the existing noise level environment. The field survey noted that noise within the proposed project area is generally characterized by vehicular traffic on the nearby roadways as well as from activities at the nearby commercial uses. Three noise monitoring locations were selected in order to obtain noise measurements of the current noise levels in the proposed project area and to provide a baseline for any potential noise impacts that may be created by development of the proposed project. The noise measurement sites were selected to provide a representative sampling of the noise levels created by nearby noise sources as well as experienced by nearby sensitive receptors. Descriptions of the noise monitoring sites are provided below in Table 10, and Figure 4 shows the noise monitoring site locations. Appendix H includes a photo index of the proposed project area and noise level measurement locations.

The results of the noise level measurements are presented in Table 10. The measured sound pressure levels in dBA have been used to calculate the minimum and maximum  $L_{eq}$  averaged over 1-hour intervals. Table 10 also shows the  $L_{eq}$ ,  $L_{max}$ , and CNEL, based on the entire measurement time. Noise monitoring data printouts are included in Appendix H.

**Table 10: Existing (Ambient) Noise Level Measurements**

Site No.	Site Description	Average (dBA Leq)	Maximum (dBA Lmax)	Min. 1-Hour Interval (dBA Leq/Time)	Max. 1-Hour Interval (dBA Leq/Time)	Average (dBA CNEL)
A	Located on a tree across the alley from the home at 522 ½ Clubhouse Avenue, approximately 75 feet south of Short Street centerline and 90 feet west of Newport Boulevard centerline.	66.4	96.3	56.0 3:15 a.m.	69.8 2:49 p.m.	71.3
B	Located on a power pole near the proposed public parking lot, approximately 15 feet southwest of Marcus Avenue centerline and 60 feet northwest of 32 <sup>nd</sup> Street centerline.	63.6	94.2	48.8 3:16 a.m.	72.4 1:22 p.m.	67.6
C	Located on a tree in front of the former City Hall approximately 140 feet east of Newport Boulevard centerline.	66.6	97.6	55.2 3:28 a.m.	71.4 1:16 p.m.	71.0

Source: Noise measurements taken with three Extech Model 407780 Type 2 integrating sound level meters between Thursday November 7, 2013, and Friday November 8, 2013.

Table 10 shows that all noise measurements currently exceed the City of Newport Beach’s normally acceptable residential and hotel noise standard of 60 dBA CNEL.





**LEGEND**

● A Noise Measurement Location

**Figure 4**  
Newport Ave/32nd Street IS/MND  
Noise Measurement Locations



### 5.12.2 Impact Analysis

#### (a) Construction Noise

Impacts associated with project construction were calculated with the Federal Highway Administration’s (FHWA) Roadway Construction Noise Model (RCNM), which is based on compiled noise measurement data regarding the noise-generating characteristics of several different types of construction equipment. Table 11 below provides a list of the construction equipment anticipated to be used for each phase of construction.

**Table 11: Construction Equipment Noise Emissions and Usage Factors**

Equipment Description	Number of Equipment	Acoustical Use Factor <sup>1</sup> (percent)	Spec 721.560 Lmax at 50 feet <sup>2</sup> (dBA, slow <sup>3</sup> )	Actual Measured Lmax at 50 feet <sup>4</sup> (dBA, slow <sup>3</sup> )
<b>Demolition</b>				
concrete/industrial saw	1	20	90	90
excavator	3	40	85	81
bulldozer	2	40	85	82
<b>Grading</b>				
excavator	1	40	85	81
grader	1	40	85	N/A
bulldozer	1	40	85	82
tractor, loader or backhoe <sup>5</sup>	3	40	84	N/A
<b>Paving</b>				
paver	2	50	85	77
paving equipment	2	50	85	77
roller	2	20	85	80

Notes:

- <sup>1</sup> Acoustical use factor is the percentage of time each piece of equipment is operational during a typical workday.
- <sup>2</sup> Spec 721.560 is the equipment noise level utilized by the RCNM program.
- <sup>3</sup> The “slow” response averages sound levels over 1-second increments. A “fast” response averages sound levels over 0.125-second increments.
- <sup>4</sup> Actual Measured is the average noise level measured of each piece of equipment during the Central Artery/Tunnel project in Boston, Massachusetts, primarily during the 1990s.
- <sup>5</sup> For the tractor/loader/backhoe, the tractor noise level was utilized, since it is the loudest of the three types of equipment.

Source: Federal Highway Administration 2006 and Vista Environmental 2013.

Construction noise impacts to the nearby sensitive receptors have been calculated according to the equipment noise levels and usage factors listed in Table 11 and through use of the RCNM. For each phase of construction, the nearest piece of equipment was placed at the shortest distance of the proposed activity to the nearest home; and each subsequent piece of equipment was placed an additional 50 feet away.

Construction of the proposed project would include demolition of an existing structure and roadway areas; partial regrading of roads; and paving of roads, parking lots, and sidewalks. The

nearest sensitive receptor to the proposed improvements is a home located adjacent to the proposed public parking lot on Marcus Avenue. Section 10.28.040 of the City’s Municipal Code exempts from the City’s noise standards construction activities that occur between 7:00 a.m. and 6:30 p.m. on weekdays and between 8:00 a.m. and 6:00 p.m. on Saturdays, and no construction is allowed on Sundays and holidays. Section 10.28.040 provides an exception for public work projects, provided the City Manager or department director determines that the construction activity cannot be feasibly conducted during normal business hours. Through adherence to the limitation of allowable construction times provided in Section 10.28.040, the construction noise levels would not exceed any standards; and impacts would be less than significant.

**Operations-Related Noise**

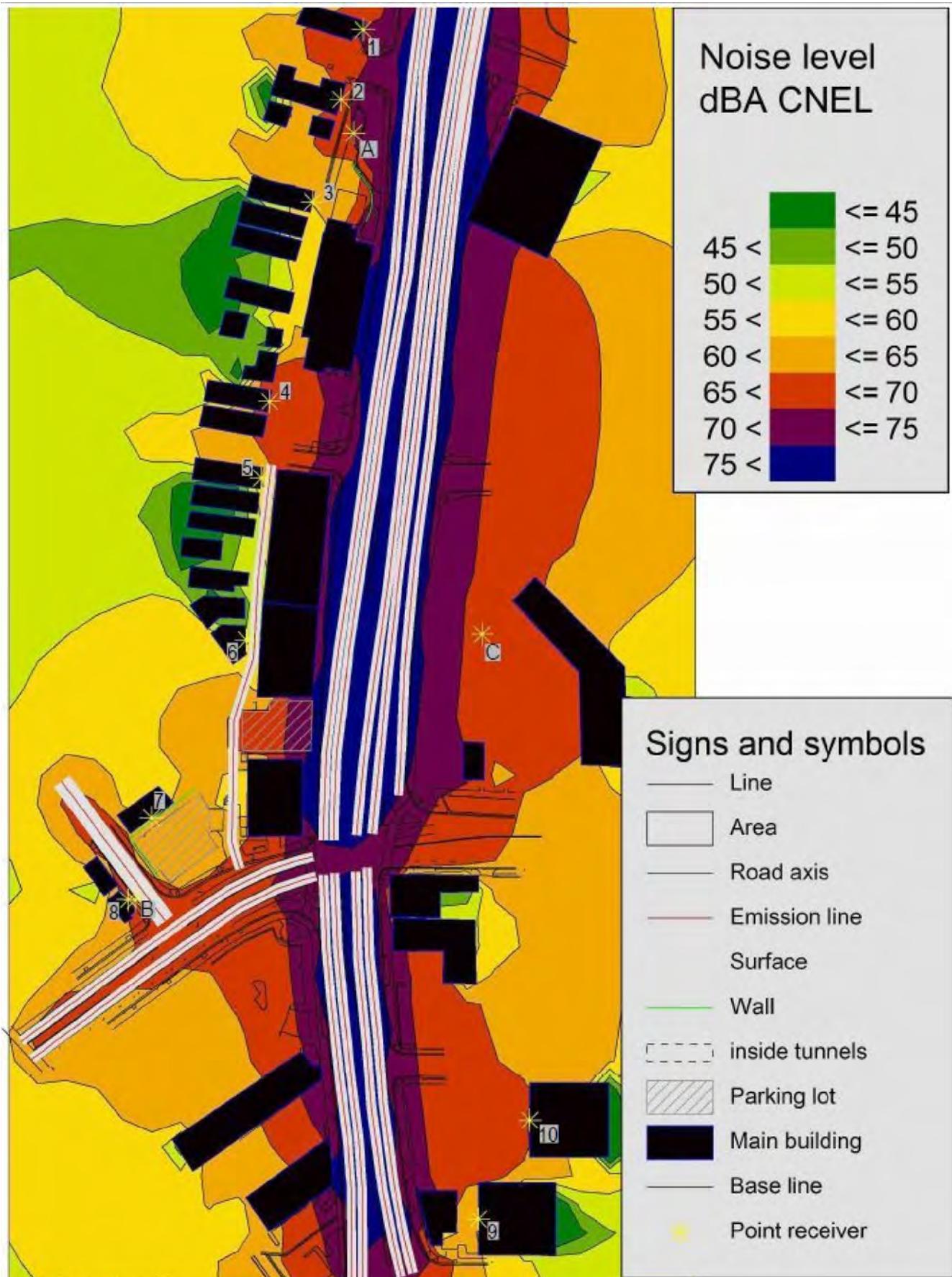
The proposed project would result in additional vehicular lanes and off-street parking spaces, which may result in an increase in operational noise in excess of City standards for nearby residential uses. Policy N1.8 of the General Plan details the noise increases allowed from a project before a significant impact would occur, which consists of a 3-dBA increase where the ambient noise is 55 dBA CNEL or less, a 2-dBA CNEL increase where the ambient noise is between 55 and 60 dBA CNEL, a 1-dBA CNEL increase where the ambient noise is between 60 and 70 dBA CNEL, and any increase where the ambient noise exceeds 75 dBA CNEL.

In order to quantify operational noise impacts at the nearby homes, the noise levels were calculated through use of the SoundPlan noise prediction model. The SoundPlan model analyzed the exterior noise levels at representative homes in the vicinity of the proposed project. The results are provided below in Table 12. The SoundPlan model printouts are provided in Appendix H. Figure 5 shows the existing noise contours, and Figure 6 shows the existing with project noise contours.

**Table 12: Proposed Project Noise Impacts at Nearby Homes Prior to Mitigation**

Receiver	Location of Home	Existing (dBA CNEL)	With Project (dBA CNEL)	Increase (dBA)	City Standard
1	On Clubhouse Drive north of Short Street	68.6	69.4	0.8	+1 dBA
2	On Clubhouse Drive south of Short Street	68.3	68.8	0.5	+1 dBA
3	On Clubhouse Drive south of parking lot	65.1	65.3	0.2	+1 dBA
4	On Clubhouse Drive north of Finley Ave	66.0	66.5	0.5	+1 dBA
5	On Clubhouse Drive south of Finley Ave	60.9	61.5	0.6	+1 dBA
6	On Alley west of Las Fajitas	53.4	53.8	0.4	+3 dBA
7	On Marcus Ave north of parking lot	61.3	63.9	<b>2.6</b>	+1 dBA
8	On 32 <sup>nd</sup> Street and Marcus Avenue	65.1	65.8	0.7	+1 dBA
9	On 30 <sup>th</sup> Street	59.9	60.2	0.3	+2 dBA
10	On 31 <sup>st</sup> Street	63.9	63.9	0.0	+1 dBA

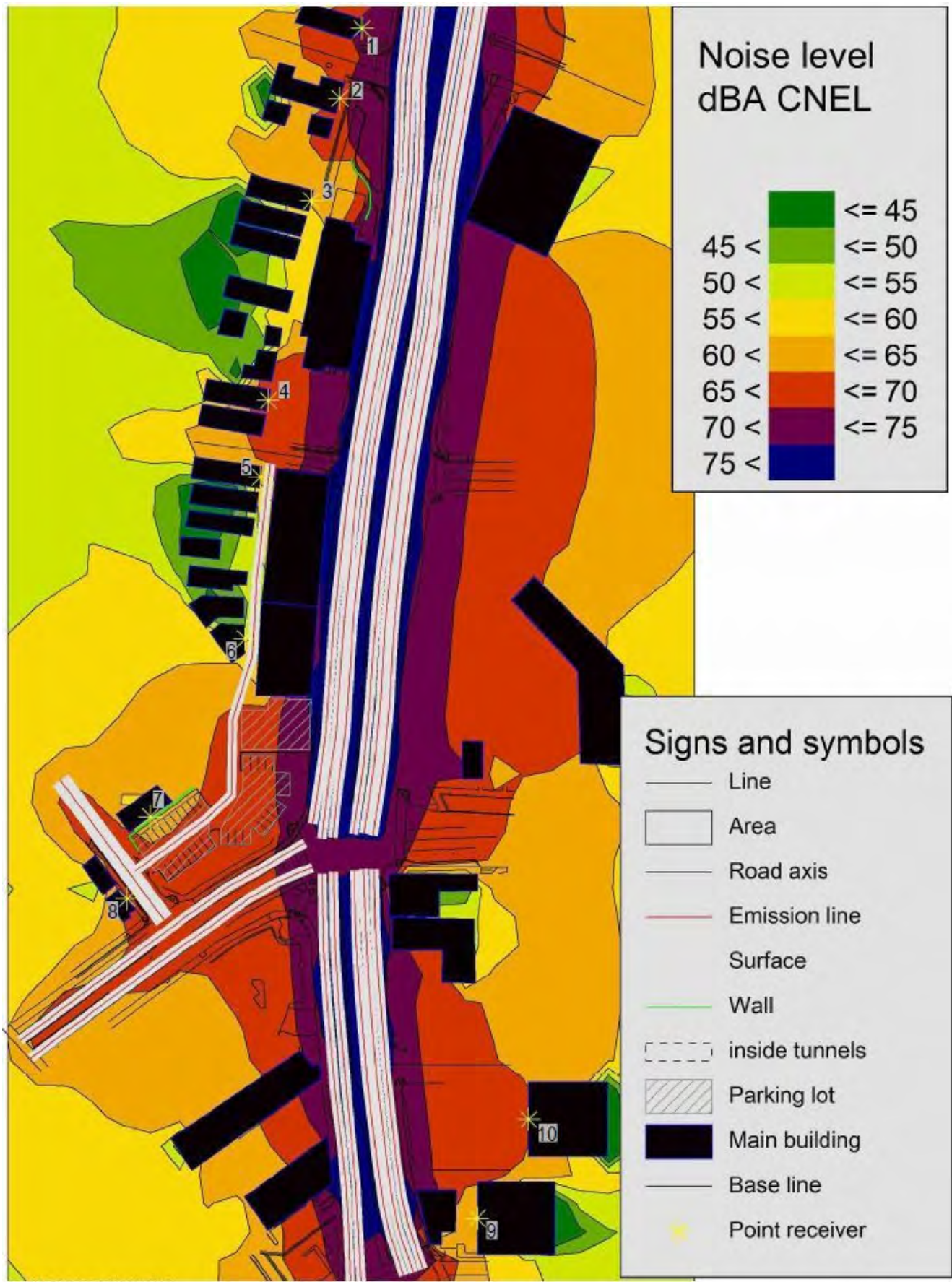
Source: SoundPlan Version 7.2.



SOURCE: SoundPlan Version 7.2.

**Figure 5**  
Newport Ave/32nd Street IS/MND  
Existing Noise Contours





SOURCE: SoundPlan Version 7.2.

**Figure 6**  
 Newport Ave/32nd Street IS/MND  
 Existing with Project Noise Contours

Table 12 shows that the noise level contributions from the proposed project would range from 0.0 to 2.6 dBA. Table 12 also shows that the project noise contribution to Receiver 7 would exceed the noise contribution standard of plus one dBA detailed in Policy N1.8 of the General Plan. This would be considered a significant impact.

Mitigation measure NOI-1 would require the project applicant to raise the existing wall along the shared property line of the proposed public parking lot and the home at 3206 Marcus Avenue to a minimum of 6 feet high. The proposed project's noise impacts have been recalculated, based on the 6-foot-high sound wall, and the results are shown below in Table 13.

**Table 13: Mitigated Proposed Project Noise Impacts at Nearby Homes**

Receiver	Location of Home	Existing (dBA CNEL)	With Project (dBA CNEL)	Increase (dBA)	City Standard
1	On Clubhouse Drive north of Short Street	68.6	69.4	0.8	+1 dBA
2	On Clubhouse Drive south of Short Street	68.3	68.8	0.5	+1 dBA
3	On Clubhouse Drive south of parking lot	65.1	65.3	0.2	+1 dBA
4	On Clubhouse Drive north of Finley Ave	66.0	66.5	0.5	+1 dBA
5	On Clubhouse Drive south of Finley Ave	60.9	61.5	0.6	+1 dBA
6	On Alley west of Las Fajitas	53.4	53.8	0.4	+3 dBA
7	On Marcus Ave north of parking lot	61.3	61.4	0.1	+1 dBA
8	On 32 <sup>nd</sup> Street and Marcus Avenue	65.1	65.7	0.6	+1 dBA
9	On 30 <sup>th</sup> Street	59.9	60.2	0.3	+2 dBA
10	On 31 <sup>st</sup> Street	63.9	63.8	0.0	+1 dBA

Source: FHWA RD-77-108 Model.

Table 13 shows that implementation of NOI-1 would reduce the project contribution to Receiver 7 to a less than significant level.

NOI-1: The project applicant shall either raise the existing wall along the shared property line of the proposed public parking lot and the home at 3206 Marcus Avenue to a minimum of 6 feet high or construct a new 6-foot high wall immediately south of the existing wall and located entirely on City property. The sound wall shall be constructed prior to the start of any demolition or construction activities.

(b) Construction Vibration

Construction activities can produce vibration that may be felt by adjacent uses. Construction activities associated with the proposed project would include demolition of an existing structure and roadway areas; partial regrading of roads; and paving of roads, parking lots, and sidewalks. The primary source of vibration during construction would be from the operation of a bulldozer, which may operate as near as 15 feet to existing homes. Table 14 provides approximate vibration levels which have been used to calculate construction-related vibration impacts for particular construction activities.



**Table 14: Vibration Source Levels for Construction Equipment**

Equipment		Peak Particle Velocity (inches/second)	Approximate Vibration Level (Lv)at 25 feet
pile driver (impact)	Upper range	1.518	112
	typical	0.644	104
pile driver (sonic)	Upper range	0.734	105
	typical	0.170	93
clam shovel drop (slurry wall)		0.202	94
vibratory roller		0.210	94
hoe ram		0.089	87
large bulldozer		0.089	87
caisson drill		0.089	87
loaded trucks		0.076	86
jackhammer		0.035	79
small bulldozer		0.003	58

Source: Federal Transit Administration, May 2006.

Based on the approximate vibration levels presented in Table 14 above, a large bulldozer would create a vibration level of 0.089-inch-per-second PPV at 25 feet. Based on typical propagation rates, the vibration level at 15 feet, which is the distance to the nearest home, would be 0.16-inch-per-second PPV. Consequently, the vibration level at the nearest home receptor is below the 0.25-inch-per-second PPV threshold of perception for transient sources presented in Section 5.12.1 above. Therefore, construction of the proposed project would not expose people to excessive groundborne vibration; and impacts would be less than significant.

#### Operation-Related Vibration

Operation of the proposed project would not introduce any new sources of vibration, and impacts would be less than significant.

- (c) Operation of the proposed project may result in a potential substantial permanent increase in ambient noise levels for the area surrounding the proposed project site. Potential noise impacts associated with the operations of the proposed project would be from the widening and realignment of Newport Boulevard and 32<sup>nd</sup> Street and the addition of off-street public parking.

Policy N1.8 of the General Plan details the noise increases allowed from a project before a significant impact would occur, which consists of a 3-dBA increase where the ambient noise is 55 dBA CNEL or less, a 2-dBA CNEL increase where the ambient noise is between 55 and 60 dBA CNEL, a 1-dBA CNEL increase where the ambient noise is between 60 and 70 dBA CNEL, and any increase where the ambient noise exceeds 75 dBA CNEL.

The proposed project's operational noise impacts to the nearby homes has been analyzed above in Section 5.12.2(a), which found that the noise level contributions from the proposed project

would range from 0.0 to 2.6 dBA. The analysis in Section 5.12.2(a) also found that the project noise contribution to Receiver 7 would exceed the noise contribution standard of plus one dBA detailed in Policy N1.8 of the General Plan. This would be considered a significant impact.

Implementation of mitigation measure NOI-1 would require the applicant to raise the existing wall along the shared property line of the proposed public parking lot and the home at 3206 Marcus Avenue to a minimum of 6 feet high. The analysis presented in Section 5.12.2(a) found that implementation of mitigation measure NOI-1 would reduce the proposed project’s noise contribution to Receiver 7 to a level less than significant.

- (d) The proposed project would not create a substantial temporary or periodic increase in ambient noise levels in the proposed project area above existing noise levels. Construction activities associated with the proposed project would include demolition of an existing structure and roadway areas; partial regrading of roads; and paving of roads, parking lots, and sidewalks. The nearest sensitive receptor to the proposed improvements is a home located adjacent to the proposed public parking lot on Marcus Avenue.

Section 10.28.040 of the City’s Municipal Code exempts from the City’s noise standards construction activities that occur between 7:00 a.m. and 6:30 p.m. on weekdays and between 8:00 a.m. and 6:00 p.m. on Saturdays, and no construction is allowed on Sundays and holidays. Section 10.28.040 provides an exception for public work projects, provided the City Manager or department director determines that the construction activity cannot be feasibly conducted during normal business hours. The City construction noise standards, however, do not provide any limits to the noise levels that may be created during construction activities at the nearby sensitive receptors; and even with adherence to the City standards, the resultant construction noise levels may result in a significant substantial temporary noise increase at the nearby sensitive receptors.

In order to determine if the proposed construction activities would create a significant substantial temporary noise increase, the Occupational Safety and Health Administration (OSHA) agency limits for noise exposure have been utilized. The use of a significance threshold using an OSHA standard is considered conservative. The OSHA standard limits noise exposure of workers to 90 dB or less over 8 continuous hours, and this standard has been utilized to analyze the construction noise impacts to the sensitive receptors located at the nearby offsite residences. Construction noise impacts to the nearby sensitive receptors were calculated using the FHWA RCNM and are presented below in Table 15. RCNM printouts are provided in Appendix H.

**Table 15: Construction Noise Levels at Nearby Receptors**

Construction Phase	Distance to Nearest Home (feet)	Construction Noise Level (dBA Leq)
Demolition	50	84
Grading	15	89
Paving	10	89

Source: RCNM, Federal Highway Administration 2006

Table 15 shows that greatest noise impacts would occur during the grading and paving phases of construction, with noise levels as high as 89 dBA  $L_{eq}$  at the nearest home. Table 15 shows that the noise levels from each phase of construction activities would be within the 90-dB threshold detailed above. Therefore, construction of the proposed project would not result in substantial temporary or periodic increase in ambient noise levels in the proposed project vicinity above levels existing without the project; and impacts would be less than significant.

- (e) The proposed project is not located within an airport land use plan or within 2 miles of a public airport or public use airport. No impact would occur.
- (f) No private airstrips are located within the City of Newport Beach. No impact would occur.

**5.13 POPULATION AND HOUSING**

13.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<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"/>

**5.13.1 Impact Analysis**

- (a) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new housing or new roads that could induce future growth. No impact would occur.
- (b) As described in Section 5.10.1(a), full property acquisitions associated with current project design would be limited to the vacant Wachovia Bank building located at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection and the adjacent property currently configured as a parking lot. The proposed project would not displace any housing. No impact would occur.
- (c) As described in Section 5.10.1(a), full property acquisitions associated with current project design would be limited to the vacant Wachovia Bank building located at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection and the adjacent property currently configured as a parking lot. The proposed project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. No impact would occur.

**5.14 PUBLIC SERVICES**

14.	<b>PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services::	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**5.14.1 Impact Analysis**

- (a) Fire protection services are provided by the Newport Beach Fire Department (NBFD), which operates Fire Station #2 – Lido Beach, located approximately 300 feet east of the proposed project site at 475 32<sup>nd</sup> Street. Implementation of the proposed project would not physically impact Fire Station #2 – Lido Beach. Furthermore, the proposed project would not introduce new structures requiring fire protection services.

Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures and maintain emergency access for fire protection services. The traffic control plan would include provisions to maintain adequate access for Fire Station #2 – Lido Beach to 32<sup>nd</sup> Street for the entire duration of project construction. Once constructed, the increased vehicular capacity and reduced traffic congestion on Newport Boulevard could potentially reduce response times for fire and emergency service responders traveling from Station #2 – Lido Beach. Therefore, impacts would be less than significant.

- (b) The Newport Beach Police Department (NBPD) provides police protection services for the City of Newport Beach. The NBPD station is located approximately 3 miles east of the proposed project site in the central portion of the City of Newport Beach at 870 Santa Barbara Drive. Implementation of the proposed project would not physically impact the NBPD station. Furthermore, the proposed project would not introduce new structures requiring police protection services.

Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures and maintain emergency access for police protection services. Once constructed, the increased vehicular capacity and reduced traffic congestion on Newport Boulevard could potentially reduce response times for police responders traveling on these roadways. Therefore, impacts would be less than significant.

- (c) The Newport-Mesa Unified School District provides educational services for the City of Newport Beach. Ensign Middle School is located approximately 0.80 mile northeast of the proposed project site, while Newport Elementary School is located approximately 0.85 mile southeast of the proposed project site. Implementation of the proposed project would not physically impact either Newport Elementary School or Ensign Middle School. Furthermore, the proposed project would not introduce new housing that would increase demand for school services within Newport Beach. No impact would occur.
  
- (d) The proposed project is located adjacent to Gateway Park, which consists of two separate parcels of open space offering passive recreational opportunities. One parcel is located at the southwest corner of Newport Boulevard and Short Street; the other parcel is located at the northeast corner of Newport Boulevard and Via Lido. No recreational amenities exist on either Gateway Park parcel. Current project design would require dedication of approximately 0.03 acre of the Gateway Park parcel located at the southwest corner of Newport Boulevard and Short Street; however, this partial dedication would not negatively impact Gateway Park since no recreational amenities exist that could be affected, and the parcel would continue to offer opportunities for passive recreation. Furthermore, the proposed project would not introduce new residential uses that would increase demand for recreational facilities within Newport Beach. Therefore, impacts would be less than significant.
  
- (e) The proposed project would not introduce new residential or commercial uses that would increase demand for other public services. No impact would occur.



**5.15 RECREATION**

15.	<b>RECREATION. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5.15.1 Impact Analysis**

(a) As described in Section 5.14.1(d) above, the proposed project is located adjacent to Gateway Park. Additionally, Lido Park, 38<sup>th</sup> Street Park, and Newport Island Park are all located within 0.25 mile of the proposed project. Lido Park is a passive recreation park located at the southeast corner of the intersection of Via Lido and Lafayette Avenue that offers views of West Lido Channel and Newport Bay. 38<sup>th</sup> Street Park is bounded by 38<sup>th</sup> Street, Balboa Boulevard, Park Lane, and 36<sup>th</sup> Street and includes a basketball court, picnic tables, and children’s playground equipment. Newport Island Park is located at the intersection of Marcus Avenue and 39<sup>th</sup> Street and includes a basketball court, picnic tables, children’s playground equipment, and barbeque facilities and offers views of Rivo Alto. The proposed project is also located adjacent to Rivo Alto, which includes numerous boat slips adjacent to residences on the land side of the small channel. Additional boat slips adjacent to residences are located on West Lido Channel and throughout Newport Bay further from the proposed project site.

The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not introduce new residential development that would increase use of existing recreational facilities. The proposed project has been designed to reduce existing and future traffic congestion from growth that has already occurred, is planned, or is projected to occur. Additional physical deterioration at Gateway Park, Lido Park, 38<sup>th</sup> Street Park, Newport Island Park, or within Newport Bay would be the result of future population growth within the City of Newport Beach that would occur independently of the proposed project. No impact would occur.

(b) The proposed project would introduce 6-foot-wide bike lanes along both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido to provide a connection to the existing bike lanes along 32<sup>nd</sup> Street west of Newport Boulevard. Potential environmental impacts associated with introduction of these bike lanes has been included in the analysis presented in this IS/MND. Furthermore, the proposed project would not introduce new residential uses that would necessitate the construction or expansion of recreational facilities. Therefore, impacts would be less than significant.

**5.16 TRANSPORTATION AND TRAFFIC**

16.	TRANSPORTATION/TRAFFIC. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and nonmotorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Substantially increase hazards due to a design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input 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)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5.16.1 Impact Analysis**

(a) and (b) As described in Section 5.10.1 (a), implementation of the proposed project would eliminate 27 existing curbside public parking spaces on Newport Boulevard due to the roadway widening and introduction of bike lanes. However, the proposed project would construct a new public parking lot with a minimum of 27 parking spaces at the northwest corner of the Newport Boulevard and 32nd Street intersection to replace curbside public parking spaces eliminated on Newport Boulevard. Policy CE 2.1.1 of the Circulation Element of the City of Newport Beach General Plan has established LOS D as the goal for all traffic operations. The circulation element has established LOS E for acceptable operations at several locations in the City of Newport Beach, including intersections near John Wayne Airport, Coast Highway through Mariners’ Mile, and Corona Del Mar. The proposed project is not located within any of these locations, and LOS D serves as the established standard.

Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures and maintain circulation. Upon completion, the proposed project would improve traffic level of service on Newport Boulevard by increasing vehicular capacity and reducing existing traffic congestion. As shown in Table 16 below, the segment of Newport Boulevard between Via Lido and 32<sup>nd</sup> Street currently operates at LOS F, while the segment between 32<sup>nd</sup> Street and 30<sup>th</sup> Street currently operates at LOS D. Implementation of the proposed project would improve segment operations between Via Lido and 32<sup>nd</sup> Street to LOS D and operations between 32<sup>nd</sup> Street and 30<sup>th</sup> Street to LOS B (Table 16). Additionally, the proposed project would improve the volume to capacity (V/C) ratio between Via Lido and 32<sup>nd</sup> Street from 1.055 to 0.879 and improve the V/C ratio between 32<sup>nd</sup> Street and 30<sup>th</sup> Street from 0.853 to 0.682. Therefore, implementation of the proposed project would improve traffic operations on Newport Boulevard to be consistent with the established LOS standards identified in the Circulation Element of the City of Newport Beach General Plan, and impacts would be less than significant.

**Table 16: Traffic Operations on Newport Boulevard**

Roadway Segment	Existing LOS	Existing V/C Ratio	LOS with Project	V/C Ratio with Project
Newport Boulevard between Via Lido and 32 <sup>nd</sup>	F	1.055	D	0.879
Newport Boulevard between 32 <sup>nd</sup> Street and 30 <sup>th</sup> Street	D	0.853	B	0.682

- (c) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct any new structures that could disrupt air traffic patterns. Furthermore, the proposed project would not construct housing that could increase travel demand. Therefore, implementation of the proposed project would not result in a change in air traffic patterns. No impact would occur.
- (d) The existing roadway configuration within the proposed project site does not possess any identified safety deficiencies. The proposed project would widen the existing Newport Boulevard roadway and would not introduce any new curves that could introduce a safety hazard. Furthermore, the proposed project has been designed to be consistent with existing safety standards and would not create unsafe conditions that could increase the risk of car accidents. Therefore, the proposed project would not increase hazards due to a design feature. No impact would occur.
- (e) Newport Boulevard is identified as a tsunami evacuation route in the City of Newport Beach Emergency Management Plan (City of Newport Beach 2004). Project construction would require temporary lane closures on both Newport Boulevard and 32<sup>nd</sup> Street; however, a traffic control plan would be implemented during construction to minimize disruptions due to lane closures and maintain access for emergency response and evacuation. Once constructed, the increased vehicular capacity and reduced traffic congestion on Newport Boulevard could potentially

improve access for emergency response and evacuation. Therefore, impacts would be less than significant.

- (f) The proposed project would improve access to alternative transportation within Newport Beach by introducing 6-foot-wide bike lanes along both sides of Newport Boulevard between 32<sup>nd</sup> Street and Via Lido, implementing Circulation Element Policy CE 5.1.6. These new bike lanes would provide a connection to existing bike lanes along 32<sup>nd</sup> Street west of Newport Boulevard. Construction of the proposed project may require relocation of the existing bus stops on the segment of Newport Boulevard within the proposed project site; however, these would be relocated within the proposed project site in close proximity to the existing bus stops if it is determined that an alternative location would be necessary. Furthermore, bus stops would be preserved on both sides of Newport Boulevard within the proposed project site. Therefore, the proposed project would be consistent with the goals of the Newport Beach General Plan Circulation Element pertaining to alternative transportation, and impacts would be less than significant.

**5.17 UTILITIES AND SERVICE SYSTEMS**

17.	UTILITIES/SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<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 (including sewer (waste water) collection 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 stormwater drainage 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"/>
(d)	Have sufficient water supplies available to serve the project (including large-scale developments as defined by Public Resources Code Section 21151.9 and described in Question No. 20 of the Environmental Information Form) from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Comply with federal, State, and local statutes and regulations related to solid wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**5.17.1 Impact Analysis**

(a) and (b) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new housing, commercial businesses, offices, or other structures that would require water services or generate wastewater requiring treatment. No impact would occur.

(c) Current project design would reduce the amount of impervious surfaces within the proposed project site from 4.03 acres to 3.81 acres. This reduction of impervious surfaces would increase the amount of stormwater percolating into the ground and reduce the amount of stormwater sheet flow traveling to stormwater catch basins. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. No impacts would occur.

(d) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new housing, commercial

businesses, offices, or other structures that would require water services. Project landscaping is intended to be consistent with the approved plant palette presented in the Lido Village Design Guidelines, which consists of “California friendly” plant species the City selected based partially on their durability and low water use requirements. Therefore, water required for irrigation of project landscaping would result in a negligible impact to existing water supplies, and impacts would be less than significant.

- (e) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new housing, commercial businesses, offices, or other structures that would generate wastewater requiring treatment. No impact would occur.
- (f) The proposed project is limited to roadway and intersection improvements, and construction of a public parking lot. The proposed project would not construct new housing, commercial businesses, offices, or other structures that would generate solid waste. Existing roadway materials removed during construction would be recycled when feasible; materials that could not be recycled would be disposed of at Frank R. Bowerman Sanitary Landfill, located at 11002 Bee Canyon Access Road in Irvine, which currently serves the City of Newport Beach. Therefore, impacts would be less than significant.
- (g) Disposal of existing roadway materials removed during construction would be required to comply with all federal, State, and local statutes and regulations related to solid waste. Compliance with these existing regulations would reduce impacts to a level less than significant.



**5.18 MANDATORY FINDINGS OF SIGNIFICANCE**

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

**5.18.1 Impact Analysis**

- (a) As described in Section 5.4, the proposed project site consists of a paved roadway intersection within a fully urbanized section of the City of Newport Beach and does not possess any riparian habitat, sensitive natural communities, wetlands, or habitat that supports species identified as a candidate, sensitive, or special status species. Potential natural habitat is limited to the aquatic environment within the Rivo Alto channel adjacent to the western segment of 32<sup>nd</sup> Street. Construction of the proposed project would implement BMPs to prevent erosion from entering the waters of the Rivo Alto channel adjacent to the proposed project that could impact aquatic species. As described in Section 5.5, the vacant Wachovia Bank building, located at the northwest corner of the Newport Boulevard and 32<sup>nd</sup> Street intersection, does not qualify as an historic resource. Therefore, impacts would be less than significant.
  
- (b) The proposed project is located adjacent to the former City Hall campus, which has been proposed for redevelopment as the Lido House Hotel. The Lido House Hotel project would consist of a 130-room luxury hotel and a landscaped public plaza along Newport Boulevard. The Lido House Hotel project Draft EIR released for public review on April 29<sup>th</sup>, 2014, determined that all impacts associated with the Lido House Hotel project would be mitigated to a level less than significant (Newport Beach 2014a). Similarly, all impacts associated with the proposed project would be reduced to a level of less than significant through implementation of mitigation measures described throughout this IS/MND. Furthermore, widening of Newport Boulevard and improving the intersection at 32<sup>nd</sup> Street is needed to reduce traffic congestion independent of the proposed Lido House Hotel project, and would improve segment operations between Via Lido and 32<sup>nd</sup> Street to LOS D and operations between 32<sup>nd</sup> Street and 30<sup>th</sup> Street to

LOS B. Construction of the Lido House Hotel project is not anticipated to begin until construction of the proposed project is completed.

The Lido Villas project proposes to construct a 23 townhouse-style, multi-family development on a 1.2-acre site. The Lido Villas project is located on the northwestern corner of the intersection of Via Lido and Via Malaga, approximately 0.1 mile east of the proposed project. The IS/MND prepared for the Lido Villas project determined that all impacts would be mitigated to a level less than significant (Newport Beach 2013a). The City of Newport Beach adopted the Lido Villas project IS/MND on November 13<sup>th</sup> 2013, and the project is currently under Coastal Commission review. If approved, construction of the Lido Villas project would not begin until summer 2016, after the completion of the proposed project.

The Orange County Sanitation District Balboa Trunk Sewer Rehabilitation project, completed in May 2014, rehabilitated the existing Balboa trunk sewer along Newport Boulevard and Balboa Boulevard between A Street and Finley Avenue. The Balboa Trunk Sewer Rehabilitation project also included installation of a new protective lining of approximately 12,600 feet of the existing sewer pipeline (OCSO 2014). A portion of the Balboa Trunk Sewer Rehabilitation project was located within the boundaries of the proposed project. The Balboa Trunk Sewer Rehabilitation project was approved under a CEQA Categorical Exemption because it would repair an existing facility and it was determined that it would not result in any significant impacts on the environment (Newport Beach 2014b).

The City of Newport Beach Water Transmission Main Replacement project would replace an aging city water transmission main on the northbound side of Newport Boulevard between Via Oporto and 19th Street. The Water Transmission Main Replacement project would also replace various cast iron mains between Finley Avenue and 32nd Street. A portion of the Water Transmission Main Replacement project would be located within the boundaries of the proposed project. Construction is scheduled to begin in October 2014, and be completed in summer 2015, prior to construction of the proposed project. The Water Transmission Main Replacement project was approved under a CEQA Categorical Exemption because it was determined that it would not result in any significant impacts on the environment (Newport Beach 2013b).

Based on the results of the environmental analyses of the proposed project presented in this IS/MND and the findings of the CEQA documentation for the projects described above, implementation of the proposed project would not incrementally contribute to cumulative environmental impacts. Implementation of mitigation measures presented in this IS/MND would reduce all impacts associated with the proposed project to a level less than significant. Furthermore, none of the past, present, or future projects located adjacent to the proposed project would result in any significant environmental impacts, and construction of all projects would occur prior to, or after construction of the proposed project. Therefore, the proposed project would not result in any significant impacts that could contribute to cumulative impacts resulting from past, present, or future projects.

- (c) Implementation of the proposed project would not result in substantial adverse effects on human beings, either directly or indirectly. The proposed project would not have significant impacts on air quality and would not displace any homes or divide an established community. Implementation of mitigation measures described in Section 5.8 would reduce impacts

associated with hazards and hazardous materials to a level less than significant. Implementation of mitigation measure NOI-1 described in Section 5.12 would reduce impacts associated with noise to a level less than significant. Therefore, the proposed project would not have environmental effects which will cause substantial adverse effects on human beings; and impacts would be less than significant.

## SECTION 6.0 – SOURCE REFERENCES

The following is a list of references used in the preparation of this document.

Association of Environmental Professionals

- 2012 California Environmental Quality Act (CEQA), Statutes and Guidelines. AEP, Palm Desert, California.

California Air Resources Board (CARB)

2008

Chambers Group, Inc. (Chambers Group)

- 2013 Cultural Resources CEQA Review for the Newport Boulevard and 32nd Street Modification Project – City of Newport Beach. November.

City of Newport Beach

- 2004 City of Newport Beach Emergency Management Plan

2006a Newport Beach General Plan. July 25.

2006b Newport Beach General Plan EIR. July 25.

2011 Lido Village Design Guidelines

2013a Lido Villas Project IS/MND Notice of Determination. Available Online: [http://www.newportbeachca.gov/pln/CEQA\\_REVIEW/Lido%20Villas/NOD\\_Filed\\_Record\\_ed\\_11-13-2013.pdf](http://www.newportbeachca.gov/pln/CEQA_REVIEW/Lido%20Villas/NOD_Filed_Record_ed_11-13-2013.pdf)

2013b City Council Staff Report, November 26, 2013. Agenda Item 13. Available Online: <http://ecms.newportbeachca.gov/Web/0/doc/549661/Page1.aspx>

2014a Draft Environmental Impact Report for the Lido House Hotel. April. Available Online: <http://www.newportbeachca.gov/index.aspx?page=1347>

2014b Zoning Administrator resolution No. ZA2014-003. Available Online: <http://ecms.newportbeachca.gov/Web/0/doc/566302/Page1.aspx>

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