ADDENDUM NO. 2 TO THE CITY OF NEWPORT BEACH GENERAL PLAN 2006 UPDATE FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (EIR)

SCH No. 2006011119

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LIST OF ACRONYMS

Acronym	Definition
AB	Assembly Bill
ADT	Average Daily Traffic
AELUP	Airport Environs Land Use Plan
AFY	Acre-Feet per Year
AHIP	Affordable Housing Implementation Plan
ALUC	Airport Land Use Commission
APS	Alternative Planning Strategy
AQMP	Air Quality Management Plan
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CARB	California Air Resources Board
CBC	California Building Code
CDC	California Department of Conservation
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CH_4	Methane
CGS	California Geological Survey
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
DAMP	(Orange County) Drainage Area Master Plan
dB	Decibels
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
GCC	Global Climate Change
GHG	Greenhouse Gas(es)
GWP	Global Warming Potential
HCP	Habitat Conservation Plan
HFC	Hydrofluorocarbon
ICU	Intersection Capacity Utilization
IPPC	Intergovernmental Panel on Climate Change
JWA	John Wayne Airport

LIST OF ACRONYMS (cont'd)

Acronym	Definition
Leq	Equivalent Level (noise)
LOS	Level of Service
MFR	Multi-Family Residential Uses
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MPO	Metropolitan Planning Organization
MRZ-3	Mineral Resources Zone 3
MTCO2e	Metric Tons of Carbon Dioxide Equivalent
MU-H3	Mixed-Use Horizontal 3
MWDOC	Municipal Water District of Orange County
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NAVD 88	North American Vertical Datum of 1988
NBFD	Newport Beach Fire Department
NBPD	Newport Beach Police Department
NBPL	Newport Beach Public Library
NCCP	Natural Community Conservation Plan
NMUSD	Newport Mesa Unified School District
NNCPC	North Newport Center Planned Community
NO_X	Oxides of Nitrogen
NPDES	National Pollutant Discharge Elimination System
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OCWD	Orange County Water District
PC-56	North Newport Center Planned Community
PFC	Perfluorocarbon
$PM_{2.5}$	Fine Particulate Matter
PM_{10}	Inhalable Particulate Matter
pph	person(s) per household
REMEL	Reference Energy Mean Emission Level
RM	Multiple Residential
RTP	Regional Transportation Plan
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCGC	Southern California Gas Company
SCH	State Clearinghouse (Governor's Office of Planning & Research)
SCS	Sustainable Communities Strategy
SIP	State Implementation Plan

LIST OF ACRONYMS (cont'd)

Acronym	Definition
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TPO	Traffic Phasing Ordinance
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
V/C	Volume to Capacity Ratio
VdB	Vibration Decibels
VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
vph	vehicles per hour
WQMP	Water Quality Management Plan

1.0 Introduction

The City of Newport Beach (hereafter "City") received an application from the Irvine Company (hereafter "Project Applicant") in February 2012 requesting to assign un-built development intensity permitted by the City's General Plan to the North Newport Center Planned Community (NNCPC) and to vest that development intensity to the NNCPC subarea named "San Joaquin Plaza" (hereafter "proposed Project site"). Specifically, the application (hereafter "Project" or "proposed Project") proposes the following: 1) convert 79 un-built hotel units to 79 multi-family residential units and transfer and vest those 79 units to the San Joaquin Plaza portion of the NNCPC; 2) assign and vest 15 un-built multi-family residential units to the San Joaquin Plaza portion of the NNCPC; and 3) reallocate 430 units already allowed within the NNCPC's Block 500, Block 600 and the San Joaquin Plaza, solely to the San Joaquin Plaza. The proposed Project is the subject of analysis in this document pursuant to the California Environmental Quality Act (CEQA). Pursuant to CEQA Guidelines Section 15367, the City is the lead agency with principal responsibility for considering the proposed Project for approval.

This Introduction will discuss: 1) the requirements of CEQA; 2) the Final Program Environmental Impact Report (EIR) (State Clearinghouse No. 20060l119) certified by the Newport Beach City Council for the General Plan 2006 Update (hereafter "General Plan EIR") in compliance with CEQA; 3) Addendum No. 1 to the General Plan EIR that supported the approval of the NNCPC Development Plan and associated actions; 4) the primary purpose of an EIR Addendum; 5) the standards for adequacy of an EIR Addendum pursuant to the State CEQA Guidelines; 6) the format and content of this EIR Addendum; and 7) the City's processing requirements to consider the proposed Project for approval.

1.1 Project Summary

The proposed Project evaluated in this EIR Addendum is located in the City's Newport Center Statistical Area (Statistical Area L1). This area is commonly known as Newport Center/Fashion Island, which is a mixed use district that includes major retail, professional office, entertainment, recreation, and residential uses in a master-planned development.

The Newport Beach General Plan 2006 Update (hereafter, "General Plan" or "2006 General Plan") describes the City's existing and planned development pattern. It includes maps and tables that specify where certain land uses can occur and assigns maximum development limits (also called development "intensity") to specific locations. The General Plan recognizes that although Newport Beach is mostly built-out, growth and change will continue to occur; therefore, to allow flexibility, the City Council may allow transfers of un-built development intensity.

The Project Applicant is requesting the following:

a. The conversion of development intensity associated with 79 un-built hotel rooms in Statistical Area L1 from "hotel rooms" to "multi-family residential units" and the transfer and vesting of the converted units to the San Joaquin Plaza portion of the NNCPC;

b. The assignment and vesting of 15 un-built multi-family residential units currently allowed by the General Plan within the MU-H3 portions of Newport Center to the San Joaquin Plaza portion of the NNCPC; and

c. The reallocation of the 430 residential units currently allocated to the Mixed-Use Horizontal 3 (MU-H3) portions of the NNCPC (Block 500, Block 600, and San Joaquin Plaza) solely to the San Joaquin Plaza portion of the NNCPC.

The above actions, combined, would result in a net increase in the number of multi-family residential dwelling units allowed within San Joaquin Plaza by 94 dwelling units (from 430 units to 524 units) and would eliminate residential unit allocations from NNCPC Blocks 500 and 600. The above actions do not, however, increase the overall intensity currently allowed by the General Plan. A General Plan Amendment is not required to accomplish transfers of development intensity, but the transfers must be approved by the City Council pursuant to Land Use Policy LU 6.14.3 of the General Plan (Transfers of Development Rights).

The following actions require consideration by the Newport Beach City Council in order to approve the proposed Project:

1) Convert un-built non-residential development intensity (79 hotel rooms) to multi-family residential development intensity (79 multi-family units) and transfer the converted development intensity into the NNCPC;
2) Assign 15 residential units currently allowed by the General Plan within the MU-H3 portions of the Newport Center to San Joaquin Plaza;
3) Amend the NNCPC Development Plan to increase the allowable residential development intensity by a total of 94 units and to allocate the 94 units plus the 430 residential units currently allocated to the MU-H3 portions of the NNCPC solely to San Joaquin Plaza;
4) Amend the Zoning Implementation and Public Benefit Agreement between the City of Newport Beach and the Irvine Company concerning North Newport Center to vest the revised development intensities and allocations;
5) Approve a traffic study for 94 units pursuant to the City's Traffic Phasing Ordinance; and
6) Amend the Affordable Housing Implementation Plan (AHIP).

Additional detail regarding the proposed Project and the six (6) actions listed above is provided in Section 2.0 of this document.

1.2 The California Environmental Quality Act

CEQA, a statewide environmental law contained in Public Resources Code §§21000-21177, applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. The overarching goal of CEQA is to protect the physical environment. To achieve that goal, CEQA requires that public agencies inform themselves of the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts when avoidance or reduction is feasible. It also gives other public agencies and the general public an opportunity to comment on the information. If significant adverse impacts cannot be avoided, reduced, or mitigated to below a level of significance, the public agency is required to prepare an EIR and balance the project's environmental concerns with other goals and benefits in a statement of overriding considerations.

1.3 Newport Beach General Plan 2006 Update and Final Program EIR

In 2006, the City of Newport Beach prepared an update to its General Plan, which required the preparation of a program EIR. As defined by CEQA Guidelines Section 15168, a program EIR is *" an EIR which may be prepared on a series of actions that can be characterized as one large project and are related…."* To reduce duplicative paperwork, program EIRs are intended to be used with later activities if the CEQA lead agency finds that no new adverse environmental effects could occur or no new mitigation measures would be required. *See* CEQA Guidelines § 15168. In that case, the agency can approve the

implementing activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required.

The City's General Plan EIR (SCH No. 2006011119) was certified by the Newport Beach City Council on July 25, 2006, as adequately addressing the potential environmental impacts associated with planned buildout of the City of Newport Beach, inclusive of the property encompassing the NNCPC and the specific area of the NNCPC that is the subject of evaluation in this document (San Joaquin Plaza). The location of the NNCPC, previous approvals granted, and the actions addressed as part of the proposed Project evaluated in this EIR Addendum are further addressed in Section 2.0, Project Description.

On July 25, 2006, the Newport Beach City Council adopted Resolution No. 2006-75 in association with certifying the General Plan EIR, making associated Findings and Statement of Facts, and adopting a Statement of Overriding Considerations in compliance with CEQA. The General Plan EIR and Resolution No. 2006-75 are herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663 and online at www.newportbeachca.gov.

1.4 Addendum No. 1 to the Newport Beach General Plan 2006 Update and Final Program EIR

When the 2006 General Plan was adopted by the City, a certain amount of development intensity was allocated to the Newport Center Statistical Area (Statistical Area L1). In 2007, the Irvine Company proposed to assign a portion of the development intensity allocated to Statistical Area L1 through the approval of a zoning amendment that would result in the City adopting the NNCPC Development Plan. Associated actions also were proposed, including but not limited to a Zoning Implementation and Public Benefit Agreement between the City and the Irvine Company concerning North Newport Center and an AHIP. In compliance with CEQA, the City prepared and approved Addendum No. 1 to the General Plan EIR (hereafter, "Addendum No. 1") in association with the City's approval of that project. Addendum No. 1 is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

1.5 California Environmental Quality Act Requirements

The CEQA Guidelines allow for the updating and use of a previously certified EIR for projects that have changed or are different from the previous project or conditions analyzed in the certified EIR. In cases where changes or additions occur with no new significant environmental impacts, an Addendum to a previously certified EIR may be prepared. *See* CEQA Guidelines § 15164.

The following describes the requirements of an Addendum, as defined by CEQA Guidelines Section 15164:

a. The lead agency or responsible agency shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred.

b. An Addendum need not be circulated for public review but can be included in or attached to the Final EIR.

c. The decision-making body shall consider the Addendum with the Final EIR prior to making a decision on the project.

d. A brief explanation of the decision not to prepare a Subsequent EIR pursuant to Section 15162 should be included in an Addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

As noted above, CEQA Guidelines Section 15164(a) allows for the preparation of an Addendum if none of the conditions described in Section 15162 are met. CEQA Guidelines Section 15162 describes the conditions under which a Subsequent EIR must be prepared, as follows:

a. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of environmental effects or a substantial increase in the severity of previously identified significant effects;

b. Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

c. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

   1. The project will have one or more significant effects not discussed in the previous EIR;
   2. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
   3. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternatives; or
   4. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If none of these circumstances are present, and only minor technical changes or additions are necessary to update the previously certified EIR, an Addendum may be prepared. *See* CEQA Guidelines § 15164. As described in detail herein, none of the above circumstances that warrant the preparation of a Subsequent EIR are present.

1.6 Type of CEQA Compliance Document and Level of Analysis

This document is Addendum No. 2 to the previously-certified City of Newport Beach General Plan EIR (SCH No. 200601119). As such, this Addendum analyzes the potential differences between the impacts in the General Plan EIR and those that would be associated with the proposed Project described in Section 2.0, Project Description.

CEQA Guidelines Section 15168(a) states that a Program EIR is appropriate for a series of actions that can be characterized as one large project and are related either:

1) Geographically,

2) A logical parts *[sic]* in the chain of contemplated actions,

3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or

4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

CEQA Guidelines Section 15168(c) states that subsequent activities undertaken pursuant to a Program EIR must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared. Pursuant to CEQA Guidelines Section 15168(c)(4), "Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the Program EIR."

This EIR Addendum provides the environmental information necessary for the City to make an informed decision about the proposed Project, which consists of the actions summarized above in Section 1.1 and more fully described in Section 2.0, *Project Description*. The City has determined that an Addendum to the General Plan EIR should be prepared, rather than a Supplemental or Subsequent EIR, based on the following facts:

a. As demonstrated in the accompanying Environmental Checklist Form and its associated analyses (refer to Section 4.0), the proposed Project would not require major revisions to the previously-certified Program EIR because the Project would not result any new significant impacts to the physical environment nor would it create substantial increases in the severity of the environmental impacts previously disclosed in the General Plan EIR. In summary, the proposed Project consists of assigning un-built development intensity within the General Plan's Newport Center Statistical Area (Statistical Area L1), as summarized above in Section 1.1 and described in detail in Section 2.0. Although the total number of multi-family residential dwelling units allowed within the NNCPC would increase by 94 units, the total number of dwelling units (including hotel rooms) allowed within the Newport Center Statistical Area would remain unchanged.

b. Although the Project would convert 79 un-built hotel rooms to 79 multi-family residential units, hotel rooms have a higher peak hour traffic generation rate as compared to multi-family residential; thus, the conversion of un-built hotel rooms to multi-family residential dwelling units would have a reduced impact on transportation and traffic as compared to that evaluated in the General Plan Update Final Program EIR.

c. The Project's related discretionary actions, including but not limited to an amendment to the NCCP Development Plan, an amendment to the Zoning Implementation and Public Benefit Agreement between the City and the Irvine Company, and an amendment to an existing AHIP, would not result in any new significant environmental impacts beyond those disclosed in the General Plan EIR.

d. Subsequent to the certification of the General Plan EIR, no substantial changes in the circumstances under which the Project is undertaken have occurred.

e. Subsequent to the certification of the General Plan EIR, no new information of substantial importance has become available which was not known at the time the General Plan EIR was prepared.

f. Technical reports that evaluate the proposed Project were prepared for the subject areas of air quality, greenhouse gas emissions, noise, traffic, water supply, and local sewer capacity. Copies of these reports are contained within the appendix of this document. These technical reports do not identify any new impacts or substantial increases in impacts to the environment beyond that which was disclosed in the General Plan EIR. Specifically, these technical reports concluded as follows:

1. The *Air Quality Impact Analysis* (Technical Appendix A), prepared by Urban Crossroads, Inc. and dated June 6, 2012, concludes that the proposed Project would not result in any new impacts or more severe impacts associated with air quality than previously disclosed in the General Plan EIR;

2. The *Greenhouse Gas Analysis* (Technical Appendix B), prepared by Urban Crossroads, Inc. and dated June 6, 2012, concludes that the proposed Project would not generate substantial amounts of greenhouse gases that could result in a new impact or more severe significant impact on the environment than would otherwise occur with implementation of the City's General Plan, nor would the Project conflict with any plans, policies, or regulations adopted for the purpose of reducing greenhouse gas emissions;

3. The *Noise Impact Analysis* (Technical Appendix C), prepared by Urban Crossroads, Inc. and dated June 6, 2012, concludes that the proposed Project would not generate a new impact or more severe impact related to construction or operational noise than previously disclosed in the General Plan EIR. Additionally, the Project would not generate a substantial permanent increase in transportation-related ambient noise levels or expose persons to noise levels in excess of City standards;

4. The *North Newport Center San Joaquin Plaza TPO Traffic Analysis* (Technical Appendix D), prepared by Stantec Consulting Services, Inc. and dated May 2012, concludes that the proposed Project would not result in a significant impact to any study area intersection and finds that the proposed Project would generate less traffic than currently allowed under the General Plan;

5. The *Water Supply Assessment* (Technical Appendix E), prepared by T&B Planning, Inc. and dated June 13, 2012, concludes that the City will receive a sufficient supply of water from imported, groundwater, and recycled sources in average year, single dry year, and multiple dry year conditions to service the proposed Project and other existing and planned development in the City with domestic water through the horizon analysis year of 2035. As such, the Project would not create a new impact or more severe impact than previously disclosed in the General Plan EIR.

6. The *Assessment of Sewer Capacity Availability Relative to Increase Allocation of Residential Development* (Technical Appendix F), prepared by RBF Consulting and dated May 10, 2012, concludes that the proposed Project would not result in or require any physical upgrades to the local sewer system. As such, the Project would not create a new impact or more severe impact than previously disclosed in the General Plan EIR.

g. Mitigation measures identified in the General Plan EIR would be appropriate and feasible for the proposed Project.

Based on these facts, the City determined that an Addendum to the previously certified General Plan EIR is the appropriate type of CEQA document to prepare for the proposed Project. The purpose of this Addendum is to evaluate the proposed Project's level of impact on the environment in comparison to the approved 2006 General Plan and its accompanying Final Program EIR.

1.7 Format and Content of this EIR Addendum

The following components comprise the EIR Addendum in its totality:

a. This Introduction (Section 1.0) and the Project Description (Section 2.0).

b. The completed Environmental Checklist Form and its associated analyses (Sections 3.0 and 4.0), which concludes that the proposed Project would not result in any new significant environmental impacts or substantially increase the severity environmental impacts beyond the levels disclosed in the General Plan Update 2006 Final Program EIR.

c. Six (6) technical reports that evaluate the proposed Project, which are attached as EIR Addendum Technical Appendices A – F.

   Appendix A: Air Quality Analysis
   Appendix B: Greenhouse Gas Emissions Analysis
   Appendix C: Noise Study
   Appendix D: Traffic Report
   Appendix E: Water Supply Assessment
   Appendix F: Assessment of Sewer Capacity Availability

d. The General Plan EIR, accompanying Mitigation Monitoring and Reporting Program (MMRP), Technical Appendices to the General Plan EIR, Findings and Statement of Facts, Statement of Overriding Considerations, and City Council Resolution No. 2006-75, which are all herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663 and online at www.newportbeachca.gov.

e. Addendum No. 1 to the General Plan EIR, which is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

f. The Airport Land Use Commission for Orange County staff report, entitled "City of Newport Beach: Request for Consideration of Proposed Planned Community Zoning Amendment" and dated November 15, 2007, which is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

g. An analysis conducted by Stantec Consulting Services, Inc., entitled "San Joaquin Plaza – Trip Generation Comparison" and dated May 16, 2012, which is herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

1.8 Preparation and Processing of this EIR Addendum

The City of Newport Beach Planning Division directed and supervised the preparation of this EIR Addendum. Although prepared with assistance of the consulting firm T&B Planning, Inc., the content contained within and the conclusions drawn by this EIR Addendum reflect the sole independent judgment of the City.

This EIR Addendum will be forwarded for review, along with the previously certified General Plan EIR and Addendum No. 1 to the General Plan EIR, to the Newport Beach Planning Commission and City Council for review as part of their deliberations concerning the proposed Project. A public hearing(s) will be held before the City of Newport Beach Planning Commission, which will provide a recommendation to the City Council as to whether to approve, conditionally approve, or deny the proposed Project. A public hearing(s) will then be held before the City Council to consider the proposed Project and the adequacy of this EIR Addendum. Public comments will be heard at the hearing(s). At the conclusion of the public hearing process, the City Council will take action to approve, conditionally approve, or deny approval of the proposed Project. If approved, the City Council also will adopt findings relative to the Project's environmental effects.

2.0 Project Description

The Project evaluated by this EIR Addendum is located in the City of Newport Beach, within the City's Newport Center Statistical Area (Statistical Area L1). This area is commonly known as Newport Center/Fashion Island, which is a mixed use district that includes major retail, professional office, entertainment, recreation, and residential uses in a master-planned development. The Newport Center Statistical Area consists of several sub-areas with separate and distinct zoning designations, including multiple planned communities. The sub-areas involved in this Project include: 1) the NNCPC, which is the largest planned community and includes Fashion Island (located in the central portion of Statistical Area L1), as well as Blocks 100, 400, 500, 600, 800, and San Joaquin Plaza (located northerly, southerly, and easterly of Fashion Island); and 2) the Newport Beach Marriott Hotel (a 532-room resort hotel located immediately west of Fashion Island). Other sub-areas within Newport Center include the Newport Beach Country Club and golf course (located westerly of Fashion Island), existing single-family neighborhoods (located westerly and southwesterly of the golf course), other professional office complexes (located northerly and southerly of Fashion Island), and the Corona del Mar Shopping Center and future Civic Center (located along the eastern edge of the Newport Center boundary).

In February 2012, the Project Applicant submitted an application to the City's Planning Division requesting to assign un-built development intensity permitted by the City's General Plan in the Newport Center Statistical Area to the NNCPC, and to vest the resulting additional development intensities through an amendment to an existing Zoning Implementation and Public Benefit Agreement. That application is the subject of analysis in this document pursuant to CEQA.

The Newport Beach City Council will consider the following actions requested by the Project Applicant. In advance of the City Council's consideration, advisory recommendations regarding the actions listed below will be considered by the City's Planning Commission.

1. Convert un-built non-residential development intensity (79 hotel rooms) to multi-family residential development intensity (79 multi-family units) and transfer the converted development intensity into the NNCPC;
2. Assign 15 residential units currently allowed by the General Plan within the MU-H3 portions of the Newport Center to the San Joaquin Plaza portion of the NNCPC;
3. Amend the NNCPC Development Plan to increase the allowable residential development intensity by a total of 94 units and to allocate the 94 units plus the 430 residential units currently allocated to the MU-H3 portions of the NNCPC solely to San Joaquin Plaza;
4. Amend the Zoning Implementation and Public Benefit Agreement between the City and the Irvine Company concerning North Newport Center to vest the revised development intensities and allocations;
5. Approve a traffic study for 94 units pursuant to the City's Traffic Phasing Ordinance; and
6. Amend the Affordable Housing Implementation Plan (AHIP).

Each of the proposed actions is described in more detail below.

- ***Convert Un-built Non-Residential Development Intensity (79 Hotel Rooms) to Multi-Family Residential Development Intensity (79 Multi-Family Units) and Transfer the Converted Development Intensity to the NNCPC***

The Newport Beach General Plan Land Use Element describes the City's existing and planned development pattern. It includes maps and tables that specify where certain land uses can occur and allocates maximum development limits (also called development "intensity") to specific locations. Certain areas of the City are identified on the General Plan Land Use Map as "Anomaly Locations," where a maximum development intensity is allowed pursuant to General Plan Tables LU1 and LU2. The General Plan recognizes that although Newport Beach is mostly built-out, growth and change will continue to occur; therefore, to allow flexibility, the City Council may allow transfers of un-built development intensity.

Anomaly Location 43 in Statistical Area L1 is developed with a 532 room resort hotel presently operated by Marriott Hotels and Resorts. General Plan Table LU2 allows a maximum of 611 hotel rooms in Anomaly Location 43; therefore, 79 hotel rooms allowed by the General Plan are un-built. The Project Applicant requests to convert the 79 un-built hotel rooms to 79 multi-family residential units and then transfer them to the San Joaquin Plaza portion of the NNCPC.

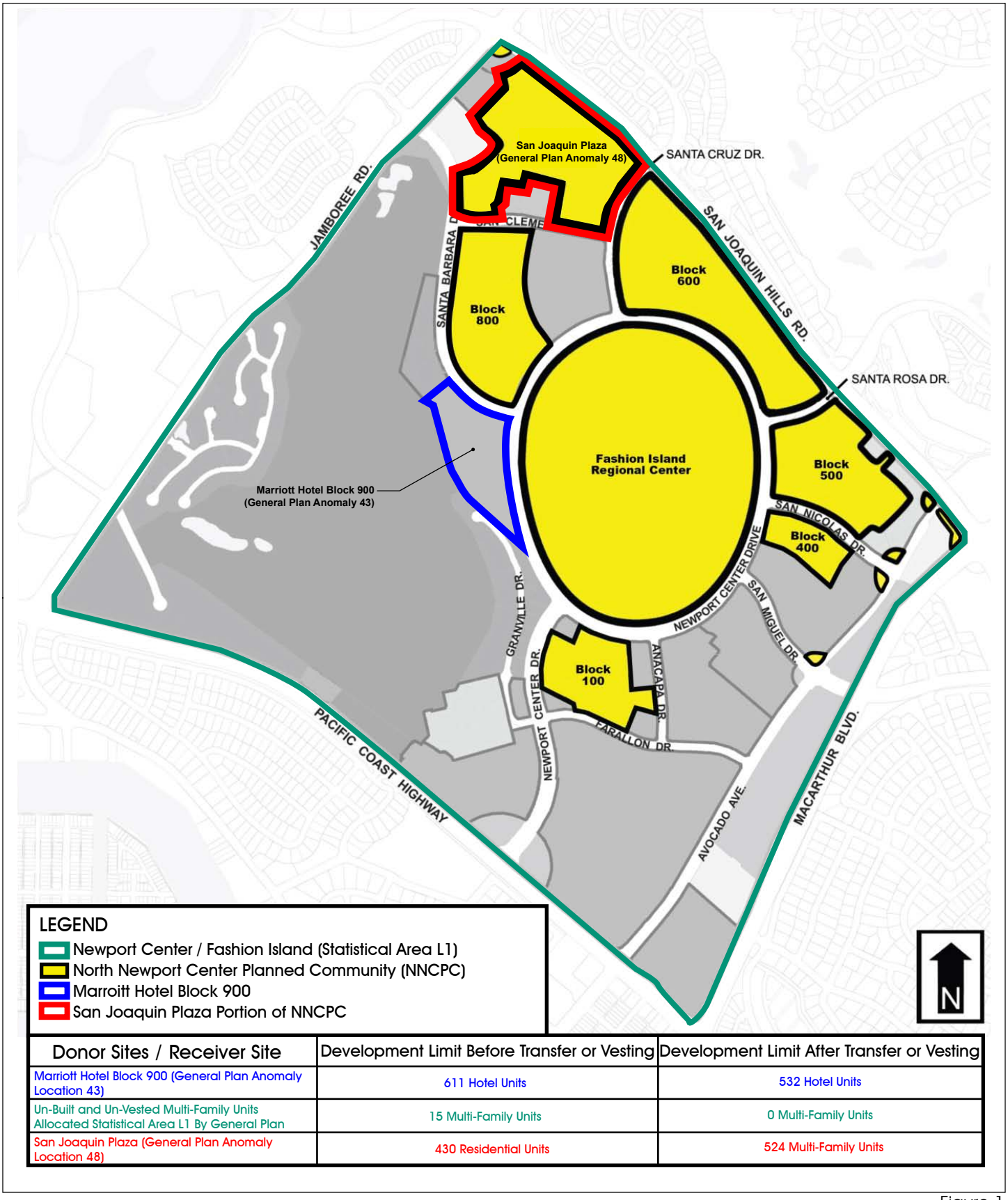
Pursuant to General Plan Policy LU 4.3(d), transfers of development rights or development intensity in Newport Center are governed solely by General Plan Policy LU 6.14.3. General Plan Policy LU 6.14.3 allows development rights or development intensity to be transferred within Newport Center, subject to a finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in adverse traffic impacts.

A General Plan Amendment is not required to accomplish the proposed conversion and transfer of development intensity, but the conversion and transfer must be approved by the City Council. Refer to *Figure 1* for a graphic depiction of the proposed development intensity transfer.

- ***Assign 15 Residential Units Currently Allowed by the General Plan within the MU-H3 Portions of Newport Center to San Joaquin Plaza***

In addition to the land use and development intensity designations assigned to certain locations of the City by the 2006 General Plan, several areas of the City are regulated by planned community development plans. The NNCPC Development Plan, which is applicable in the case of the proposed Project, specifies more detail than the General Plan and includes development standards, design guidelines, and administration procedures that must be adhered to when development actions occur within the NNCPC boundaries. The NNCPC serves as the controlling zoning ordinance for activities within its boundaries.

The NNCPC Development Plan currently allows for 430 multi-family residential units to be developed in areas of the NNCPC designated MU-H3 by the General Plan. In comparison, the General Plan allows a maximum of 450 units in the MU-H3 category throughout the Newport Center Statistical Area. In other words, of the 450 MU-H3 residential units allowed by the General Plan in the Newport Center Statistical Area, 430 are allowed to be developed within the areas of the NNCPC designated by the NNCPC Development Plan as Block 500, Block 600 and San Joaquin Plaza and are vested through an existing Zoning Implementation and Public Benefit Agreement. The additional 20 units are allowed to be developed in any MU-H3 designated area in the Newport Center Statistical Area. The City previously assigned five (5) of the 20 MU-H3 units to the Golf Realty Fund Tennis Club development, which are vested to that property through a development agreement. The other 15 MU-H3 units have not been



Donor Sites / Receiver Site	Development Limit Before Transfer or Vesting	Development Limit After Transfer or Vesting
Marriott Hotel Block 900 (General Plan Anomaly Location 43)	611 Hotel Units	532 Hotel Units
Un-Built and Un-Vested Multi-Family Units Allocated Statistical Area L1 By General Plan	15 Multi-Family Units	0 Multi-Family Units
San Joaquin Plaza (General Plan Anomaly Location 48)	430 Residential Units	524 Multi-Family Units

NOT TO SCALE

Figure 1

PROPOSED DEVELOPMENT INTENSITY TRANSFER

assigned to any particular property in Newport Center. As discussed below, the Project Applicant requests to assign and vest the 15 un-built MU-H3 multi-family units to the San Joaquin Plaza portion of the NNCPC through an amendment to the Zoning Implementation and Public Benefit Agreement, consistent with General Plan Policy LU 6.14.8 (Development Agreements). Refer to *Figure 1* (previously presented) for a graphic depiction of the proposed development intensity transfer.

- ***Amend the NNCPC Development Plan to Increase the Allowable Residential Development Intensity by 94 Units and to Allocate the 94 Units Plus the 430 Residential Units Currently Allocated to the MU-H3 Portions of the NNCPC Solely to San Joaquin Plaza***

As described above, the Project Applicant proposes to increase the residential development intensity allowed in the NNCPC by transferring 79 converted hotel units and assigning15 un-built multi-family units from outside the NNCPC to inside the NNCPC. In addition, the Project Applicant seeks to modify NNCPC Table 2, *Development Limits*, to specifically allocate 524 residential units to the San Joaquin Plaza. These 524 units consist of the 430 residential units already allocated to the NNCPC's MU-H3-designated areas (Block 500, Block 600, and the San Joaquin Plaza), the 79 converted and transferred hotel units, and the 15 un-built units of allowed MU-H3 development intensity that are proposed to be assigned to the NNCPC. The proposed increase in the maximum number of residential units would require that the City approve an Amendment of the NNCPC Development Plan. Specifically, NNCPC Table 2, *Development Limits*, is proposed to be amended as follows:

Table 2 – Development Limits (A)

Land Use	*Fashion Island*	*Block 100*	*Block 400*	*Block 500*	*Block 600*	*Block 800*	*San Joaquin Plaza*	*Total*
Regional Commercial	1,619,525 sq. ft.	0	0	0	0	0	0	1,619,525 sq. ft.
Movie Theater	1,700 seats (27,500 sq. ft.)	0	0	0	0	0	0	1,700 seats (27,500 sq. ft.)
Hotel	(B)	0	0	0	295	0	0	295
Residential	0	0	0	~~430(C)~~0	~~(C)~~0	245	524~~(C)~~	~~675~~769
Office/ Commercial	0	-0- sq. ft. ~~(D)~~(C)	91,727 sq. ft.	599,659 sq. ft. (D)	1,340,609 sq. ft. (D)	286,166	95,550 sq. ft. (D)	2,413,711 sq. ft.

A. Square footage indicated in Table 2 may not reflect current development limits because of the transfer of development rights provision described in Sections II.C and IV.C herein. Transfers may result in increased or decreased development limits, so long as the transfers are consistent with the General Plan and do not result in greater intensity than allowed in the Newport Center statistical area. A transfer of development rights must be approved by the City Council and is recorded on the City's Tracking Development Rights table for North Newport Center Planned Community.

B. Hotel rooms are permitted in Fashion Island through the transfer of development rights.

~~C. Residential units are permitted in Block 500, Block 600 and San Joaquin Plaza if the total number of units does not exceed 430 units.~~

~~D~~C. The maximum development for Block 100 may not exceed 121,114 square feet. Transfers of development rights shall be permitted, provided the maximum development limit of 121,114 square feet is not exceeded. Transfers have resulted in no remaining intensity in Block 100.

D. Per City Council Action on 11/8/11 via Resolution 2011-102, the maximum permitted office/commercial development for Block 500 is 599,659 sq. ft., Block 600 is 1,340,609 sq. ft., and for San Joaquin Plaza is 95,550 sq. ft.

No specific development project is proposed at this time. A proposal to develop a specific residential project in the San Joaquin Plaza would be subject to the procedures for development specified in the NNCPC Development Plan. The Project does not propose to change the boundaries of the NCCPC Development Plan area or any constituent blocks or sub-districts, and there would be no change in the permitted types of land uses, development regulations, or design guidelines resulting from approval of the proposed NCCPC Development Plan Amendment.

- ***Amend the Zoning Implementation and Public Benefit Agreement between the City of Newport Beach and the Irvine Company to Vest the Revised Development Intensities and Allocations to the San Joaquin Plaza***

Consistent with General Plan Policy LU 6.14.8 (Development Agreements), the Project Applicant proposes an amendment to Development Agreement No. DA2007-002, entitled *Amendment to Zoning Implementation and Public Benefit Agreement Between City of Newport Beach and the Irvine Company LLC Concerning Addition of Properties and Residential Units to Zoning Implementation and Public Benefit Agreement (Portions of Newport Center Blocks 100, 400 and 800 and San Joaquin Plaza)* (Amendment). Pursuant to this Amendment, the Project Applicant would have a vested right to develop the 94 new residential units, of which 15 currently are not assigned to a specific property within North Newport Center and 79 currently are assigned to Block 900 as hotel rooms. Such 79 hotel rooms would be converted to residential units and transferred from Block 900 into North Newport Center Planned Community and allocated to San Joaquin Plaza subsequent to conversion, as reflected in the amendment to the NNCPC Development Plan. The Amendment also specifies public benefit fees to be contributed by the developer, pursuant to General Plan Policy LU 6.14.8.

- ***Approve a Traffic Study for 94 Units Pursuant to the Traffic Phasing Ordinance***

The Traffic Phasing Ordinance (TPO), as set forth in Chapter 15.40 of the City's Municipal Code, is the City's primary tool for analyzing the short-term traffic impacts associated with new development. The TPO is intended:

> *"1) To provide a uniform method of analyzing and evaluating the traffic impacts of projects that generate a substantial number of average daily trips and/or trips during the morning or evening peak hour period; 2) To identify the specific and near-term impacts of project traffic as well as circulation system improvements that will accommodate project traffic and ensure that development is phased with identified circulation system improvements; 3) To ensure that project proponents, as conditions of approval pursuant to [Chapter 15.40], make or fund circulation system improvements that mitigate the specific impacts of project traffic on primary intersections at or near the time the project is ready for occupancy; and 4) To provide a mechanism for ensuring that a project proponent's cost of complying with traffic related conditions of project approval is roughly proportional to project impacts."* [1]

A traffic study was prepared for the proposed Project in compliance with the TPO methodology and requirements. See Appendix D of this document. A total of 430 multi-family units already are permitted within the San Joaquin Plaza pursuant to the General Plan and NNCPC Development Plan; accordingly, and in conformance with the TPO, the traffic study evaluates only the proposed assignment of 94 additional un-built multi-family units to the San Joaquin Plaza. As part of its consideration of the proposed Project, the City Council will consider whether to approve the traffic study and make appropriate findings pursuant to §15.40.030 of the Municipal Code.

- ***Amend the Affordable Housing Implementation Plan (AHIP)***

Housing Program No. 2.2.1 of the City's General Plan Housing Element includes a goal that 15% of all new housing units in the City of Newport Beach be affordable to very low, low, and moderate income households. New residential projects with more than 50 units are required to prepare an Affordable Housing Implementation Plan (AHIP) that specifies how the project will meet the city's 15% goal. The General Plan Housing Element allows for the affordable units to be for-sale or for-rent, to be provided on either the same site or a different site than the proposed market-rate units, and to be encumbered

[1] City of Newport Beach Municipal Code, Section 15.40.020 (Objectives). Available on-line at: http://www.codepublishing.com/CA/NewportBeach/. Accessed June 4, 2012.

with restrictions that maintain their affordability for a minimum of 30 years. Although the Project Applicant's proposal is limited to a development intensity conversion, transfer, and assignment and does not involve the construction of a residential project, the Project Applicant proposes to amend their existing AHIP to demonstrate how the City's 15% affordable housing goal would be satisfied as it applies to the 524 residential units that would be allocated to the San Joaquin Plaza portion of the NNCPC.

The NNCPC AHIP was originally approved by the City of Newport Beach in December 2007, when the NNCPC Development Plan was adopted. The proposed AHIP Amendment specifies that the Project Applicant will restrict rental costs for existing apartment units located in The Bays, a nearby apartment complex owned by the Project Applicant located at the intersection of MacArthur Boulevard and San Joaquin Hills Road. No physical changes at The Bays apartment complex would occur as a result of the proposed AHIP Amendment.

3.0 Project Information

1. Project Title

North Newport Center Planned Community Development Plan Amendment and Related Actions

2. Lead Agency Name and Address

City of Newport Beach
Community Development Department
Planning Division
3300 Newport Boulevard, Building C
Newport Beach, CA 92663

3. Contact Person and Phone Number

Mr. Jaime Murillo, Associate Planner
(949) 644-3209

4. Project Location

The proposed Project involves the transfer of development intensity for 79 multi-family units (which would be converted from hotel units as part of the Project) from Anomaly Location 43 in the Newport Center Statistical Area (Statistical Area L1) to the NNCPC and specifically to the San Joaquin Plaza portion of the NNCPC. The Project also involves the assignment of 15 residential units currently allowed by the General Plan within the MU-H3 portions of Statistical Area L1 to San Joaquin Plaza.

Statistical Area L1 is commonly known as Newport Center/Fashion Island, which is a mixed use district that includes major retail, professional office, entertainment, recreation, and residential uses in a master-planned development. The Newport Center Statistical Area is bounded on the southwest by Coast Highway, on the southeast by MacArthur Boulevard, on the northeast by San Joaquin Hills Road, and on the northwest by Jamboree Road. The Newport Center Statistical Area consists of several sub-areas with separate and distinct zoning designations, including multiple planned communities. The sub-areas involved in this Project include: 1) the NNCPC, which is the largest planned community and includes Fashion Island (located in the central portion of Statistical Area L1) and Blocks 100, 400, 500, 600, 800 and San Joaquin Plaza (located northerly, southerly, and easterly of Fashion Island); and 2) the Newport Beach Marriott Hotel (a 532-room resort hotel located immediately west of Fashion Island). Other sub-areas within Newport Center include the Newport Beach Country Club and golf course (located westerly of Fashion Island), existing single-family neighborhoods (located westerly and southwesterly of the golf course), other professional office complexes (located northerly and southerly of Fashion Island), and the Corona del Mar Shopping Center and future Civic Center (located along the eastern edge of the Newport Center boundary).

The NNCPC comprises the northern portions of the Newport Center Statistical Area, including Block 100, Block 400, Block 500, Block 600, Block 800, Fashion Island Regional Center, and San Joaquin Plaza. San Joaquin Plaza, which is the proposed Project site evaluated in this Initial Study and EIR Addendum, is generally bounded on the south by San Clemente Drive, on the east by Santa Cruz Drive, on the northeast by San Joaquin Hills Road, and is located just southeasterly of Jamboree Road. The Newport Beach Marriott Hotel (also referred to herein as General Plan Anomaly 43) is located at the southwestern corner of Santa Barbara Drive and Newport Center Drive, and abuts the Newport Beach

Country Club golf course on the east. Figure 2, *Project Location Map*, depicts the Newport Center Statistical Area, the Newport Beach Marriott Hotel, the NNCPC area, and the San Joaquin Plaza.

5. Project Sponsor's Name and Address

Irvine Company
c/o Mr. Dan Miller
550 Newport Center Drive
Newport Beach, CA 92660

6. General Plan Designation

Mixed-Use Horizontal 3 (MU-H3)

7. Zoning

North Newport Center Planned Community (PC-56)

8. Description of Project: (Describe the whole action involved, including but not limited to later phases of the Project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Please refer to Section 2.0 for a detailed description of the proposed Project.

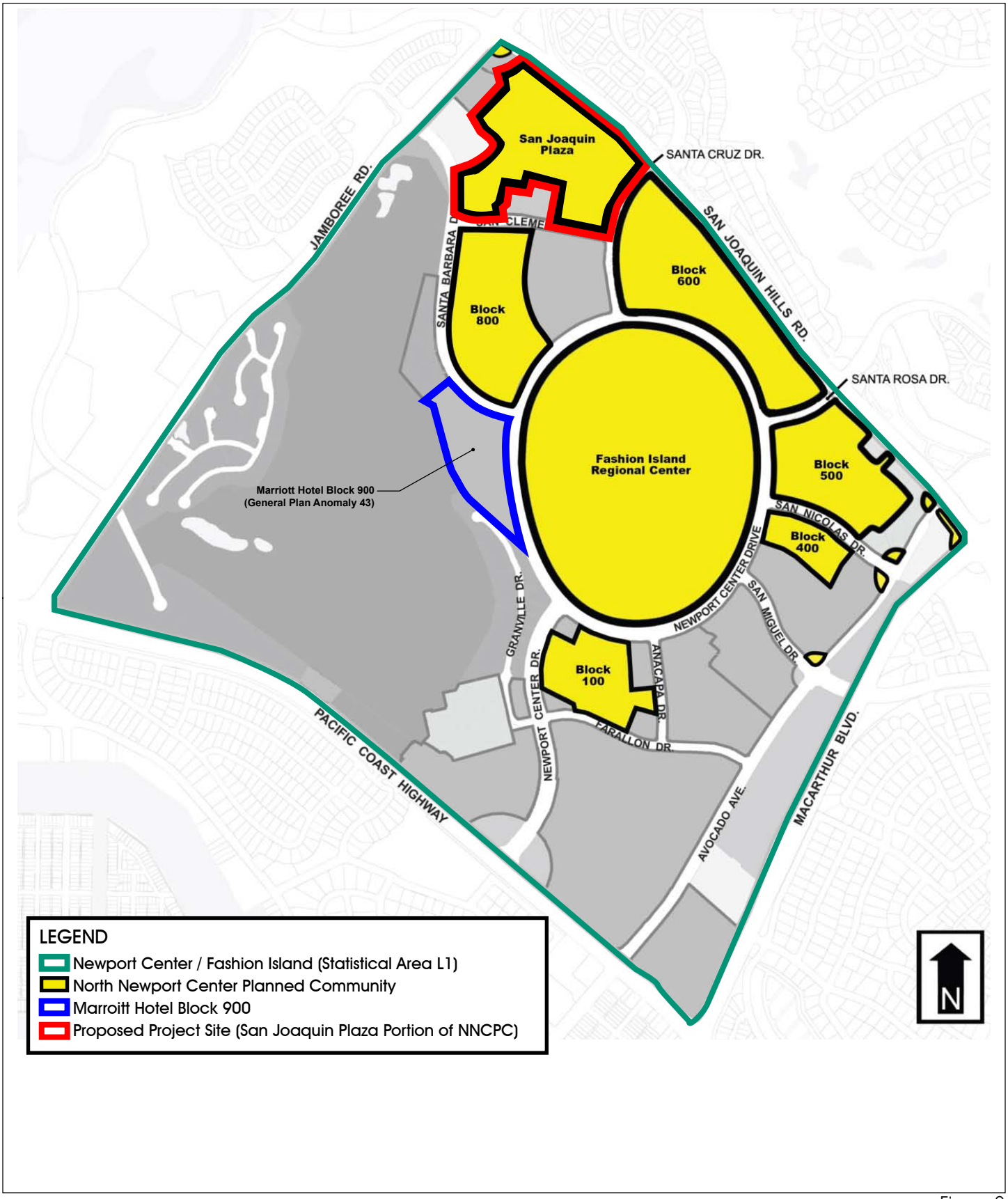
9. Surrounding Land Uses and Setting: Briefly describe the Project's surroundings:

As previously noted, the Project site consists of the San Joaquin Plaza portion of the NNCPC. The Project site and surrounding land uses are depicted on Figure 3, *Existing and Surrounding Land Uses*.

The San Joaquin Plaza is approximately 23 acres in size. It is currently developed with multi-tenant commercial office land uses, surface parking lots, a parking structure, and ornamental landscaping. Abutting the site on the northwest is the Newport Beach Police Department, the Newport Beach Fire Department Fire Station 3, and an automotive dealership. To the south is a commercial office building and the Orange County Museum of Art, beyond which and further to the south is the Fashion Island shopping mall. To the southwest is a commercial office building and a rental apartment complex. To the northeast of the San Joaquin Plaza, across San Joaquin Hills Road, is a single-family residential neighborhood. To the southeast, across Santa Cruz Drive, is Block 600 of the NNCPC, which is developed with multi-tenant office/commercial land uses, a hotel with 295 rooms presently operated as the Island Hotel, and several parking structures.

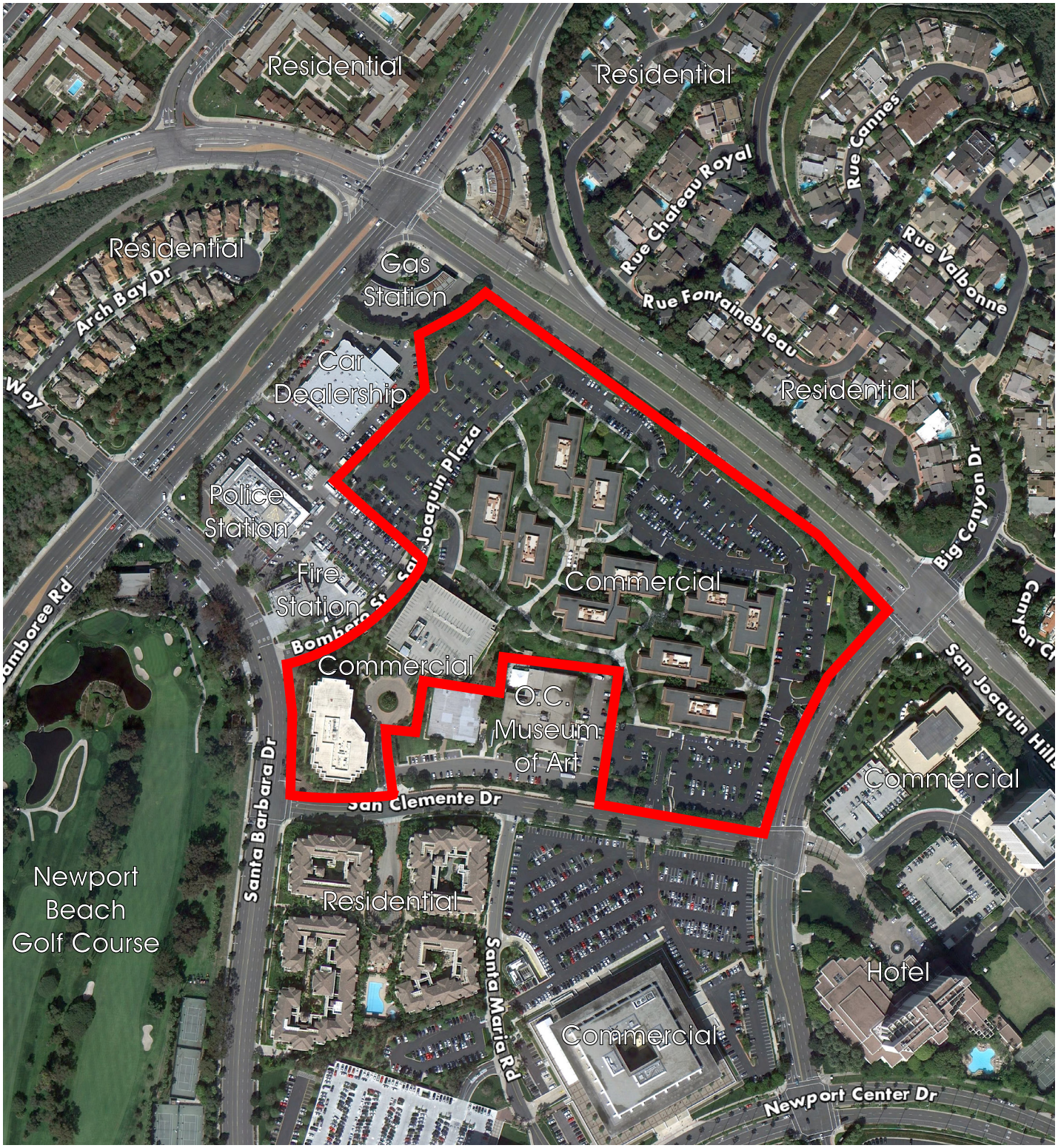
10. Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement)

The proposed Project would require review by the Airport Land Use Commission (ALUC) for Orange County for consistency with the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport (JWA).



NOT TO SCALE

Figure 2
PROJECT LOCATION MAP



Source: Google Earth

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Figure 3
EXISTING AND SURROUNDING LAND USES

4.0 Environmental Checklist and Environmental Analysis

4.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" not identified in the previous EIR as indicated by the checklist on the following pages.

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

4.2 Determination (To Be Completed By the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	☐
I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are necessary but none of the conditions described in California Code of Regulations, Title 14, Section 15162 exist. An ADDENDUM to a previously-certified EIR or Negative Declaration will be prepared.	☒
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	☐
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
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.	☐
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 _____ Date _____

Signature _____ Date _____

4.3 Evaluation of Environmental Impacts

4.3.1 Aesthetics

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on aesthetics/visual quality if it would result in any of the following:*
>
> - *Have a substantial adverse effect on a scenic vista*
> - *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway*
> - *Substantially degrade the existing visual character or quality of the site and its surroundings*
> - *Create a new source of substantial light or glare which would adversely affect day or nighttime views"*

No Substantial Change from Previous Analysis**.** Aesthetic and visual impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Have a substantial adverse effect on a scenic vista

As noted in the General Plan EIR, there are no officially designated scenic vistas in the City. However, the General Plan EIR notes that many areas in the City provide open coastal views, which are local scenic vistas.[2]

The General Plan EIR identifies prominent coastal viewing locations throughout the City. Major roadway corridors near the proposed Project site include San Joaquin Hills Road and Jamboree Road. San Joaquin Hills Road and segments of Jamboree Road within close proximity of the Project site are not identified in the General Plan EIR as providing for public scenic coastal views.[3] Although the General Plan EIR identifies nearby segments of Coast Highway, Jamboree Road, MacArthur Boulevard, and Newport Center Drive as providing scenic coastal views, the Project site is located inland relative to these roadway segments and future residential development in San Joaquin Plaza would therefore have no potential to interfere with coastal views from these roadway segments.

Furthermore, the General Plan EIR states that "…existing and future development would be regulated by the proposed General Plan Update policies, and scenic vistas would not be adversely affected. Therefore, impacts to scenic vistas would be less than significant." Future development within the San Joaquin Plaza would be subject to the General Plan policies regulating scenic views and aesthetics.

Finally, development within San Joaquin Plaza would be subject to the NNCPC Development Plan and North Newport Center Design Regulations, which incorporates the following requirement related to view corridors:

[2] General Plan EIR, Page 4.1-16.
[3] *Ibid*, Page 4.1-9.

> *"a. New development should preserve views of major retail tenants in Fashion Island from Newport Center Drive."*[4]

Mandatory compliance with the NNCPC Development Plan and North Newport Center Design Regulations would further ensure that adverse effects to scenic vistas would not occur with implementation of the proposed Project.

Accordingly, implementation of the proposed Project would not have the potential to cause a substantial adverse effect on a scenic vista. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway

There are no officially designated scenic highways in the City of Newport Beach, although State Route 1 (Pacific Coast Highway or Coast Highway) is eligible for a State Scenic Highway designation.[5] The Pacific Coast Highway is not contiguous to the proposed Project site, nor is San Joaquin Plaza visible from Pacific Coast Highway. Furthermore, because San Joaquin Plaza is already developed with multi-tenant commercial office uses, surface parking lots, a parking structure and ornamental landscaping with species typically found in urbanized areas of Newport Beach and Orange County, development on the Project site would not substantially affect any scenic trees, rock outcroppings, historic buildings, or other scenic resources that may be visible from Pacific Coast Highway. The Project site does not contain any such scenic resources.

In addition, the General Plan EIR concludes as follows:

> *"If in the future, the City decides to pursue these actions [pursue designation of Pacific Coast Highway as a State scenic highway], it would also be required to take actions to preserve views within the corridor. However, these procedures are beyond the scope of the proposed General Plan Update. Consequently, because no scenic highways are currently designated within the City, implementation of the proposed General Plan Update would have no impact."*[6]

Since certification of the General Plan EIR in 2006, Pacific Coast Highway has not been formally designated as a State scenic highway. Accordingly, a significant impact to scenic resources that may be visible from a State scenic highway could not occur with implementation of the proposed Project and residential development in San Joaquin Plaza would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Substantially degrade the existing visual character or quality of the site and its surroundings

The General Plan EIR states that Newport Center/Fashion Island (which includes the proposed Project site):

> *"…might be considered to have high overall visual quality. In these areas, new development allowed under the proposed General Plan Update would be done in such a way as to fit into the existing visual*

[4] North Newport Center Design Regulations, Page 23.
[5] General Plan EIR, Page 4.1-13.
[6] *Ibid*, Page 4.1-17.

> *setting. [General Plan] Policy LU 1.1 requires that new development 'maintain and enhance' existing development."* [7]

New development within the San Joaquin Plaza would be required to demonstrate consistency with General Plan Policy LU 1.1.

Additionally, all development within the NNCPC would be subject to the NNCPC Development Plan and North Newport Center Design Regulations, which establish design regulations related to building location, building massing, landscape design, streetscapes, and orientation/identity (gateways, view corridors, signage, etc.). Mandatory compliance with the North Newport Center Design Regulations would ensure that any future residential development resulting from approval of the proposed Project would be compatible with, and of similar quality to, existing development within the NNCPC.

Furthermore, the NNCPC Development Plan restricts buildings within San Joaquin Plaza to 65 feet in height. Accordingly, buildings constructed within San Joaquin Plaza would not have a potential to create shade or shadow impacts on the existing residential uses north of San Joaquin Hills Road.

As concluded in the General Plan EIR:

> *"In general, the proposed General Plan Update would provide development opportunities which would complement and enhance the City's existing visual character. Development would be required to conform to '[a] development pattern that retains and complements the City's residential neighborhood, commercial and industrial districts, open spaces, and natural environment' (Proposed General Plan Update, Goal 3 of the Land Use Element). Therefore the proposed General Plan Update would have a less-than-significant impact on the visual character of developed urban areas."* [8]

With mandatory adherence to the requirements given in the General Plan and the NNCPC Development Plan, implementation of the proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings. Therefore, the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Create a new source of substantial light or glare which would adversely affect day or nighttime views

Glare Impacts

General Plan Policy LU 5.6.2 requires "…that new and renovated buildings be designed to avoid…the use of surface materials that raise local temperatures [or] result in glare and excessive illumination of adjoining properties and open spaces…" In addition, the North Newport Center Design Regulations Policy D.5.c. requires that "Light fixtures should not cast off-site glare." [9]

Future residential development on the proposed Project site would be required to demonstrate compliance with General Plan Policy LU 5.6.2 and would be reviewed for conformance with the Design Regulations of the NNCPC Development Plan. Accordingly, implementation of the proposed Project would not have the potential to create any new sources of substantial glare which would adversely affect day or nighttime views. Implementation of the proposed Project would not result in any new impacts or

[7] *Ibid*, Page 4.1-18.
[8] *Ibid*, Page 4.1-19.
[9] North Newport Center Design Regulations, Page 36.

increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Lighting Impacts

As noted in the General Plan EIR, "…the majority of new development would be located in areas that commonly experience at least minimal impacts from existing light sources."[10] The proposed Project site is fully developed under existing conditions with commercial office land uses containing urban-scale lighting. Although the General Plan EIR notes the potential for lighting impacts due to new construction and the co-location of residential and commercial uses as allowed by the General Plan, the General Plan also includes several policies to address these lighting concerns. General Plan Policy LU 5.6.3 (Ambient Lighting) requires that outdoor lighting "…be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location." Other policies, such as LU 5.1.1 (Compatible but Diverse Development), LU 6.1.3 (Architecture and Planning that Complements Adjoining Uses), and LU 6.2.5 (Neighborhood Supporting Uses), require new development to be compatible with existing land uses, which would preclude incompatibilities due to artificial lighting.

Any new development in San Joaquin Plaza also would be subject to Municipal Code Section 20.30.070 requirements for lighting, which require lighting to be shielded and confined within site boundaries to prevent spillage. As concluded in the General Plan EIR, "with implementation of the above-mentioned policies, nighttime lighting impacts and potential spillover would be less than significant."[11]

In addition, future development on the proposed Project site would be subject to the North Newport Center Design Regulations, which includes the following design guidelines related to lighting (refer to NNCPC Design Regulations Section D.5., *Lighting*):

> *"d. Building walls may be illuminated by downlights and uplights; light sources should not be visible from public view.*
> *f. Utilitarian light fixtures, such as floodlights and wallpacks, may only be used in service areas.*
> *i. In pedestrian areas such as courtyards, plazas, and walkways, lighting fixtures should be pedestrian scale."* [12]

Future development on the proposed Project site would be required to demonstrate compliance with General Plan policies related to lighting and land use compatibility, and would be reviewed for conformance with the Design Regulations of the NNCPC Development Plan. Accordingly, implementation of the proposed Project would not create any new sources of substantial light that could adversely affect day or nighttime views. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimizes impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

[10] General Plan EIR, Page 4.1-21.
[11] *Ibid*, Page 4.1-22.
[12] North Newport Center Design Regulations, Page 36.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which states, "…all other project impacts associated with aesthetics and visual resources would be less than significant under the proposed Newport Beach General Plan Update."[13]

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to aesthetics. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to aesthetics, as provided pursuant to CEQA Guidelines Section 15162.

4.3.2 Agriculture and Forestry Resources

The following thresholds of significance are as set forth in the Initial Study to the General Plan EIR (General Plan EIR Appendix A), which states:

> *"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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*
>
> - *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?*
> - *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*
> - *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use?"*

In addition, since certification of the General Plan EIR in 2006, Appendix G to the State CEQA Guidelines was revised to include thresholds of significance related to forestry resources, as follows:

> *"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. Would the project:*
>
> - *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))?*
> - *Result in the loss of forest land or conversion of forest land to non-forest use?*

[13] Visual impacts associated with Banning Ranch were found to be unavoidable. The proposed Project is not located within Banning Ranch.

- *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?"*

No Substantial Change from Previous Analysis. A detailed analysis of potential impacts to Agricultural Resources was not included in the General Plan EIR because a) the City of Newport Beach contains no designated farmland by the California Department of Conservation (CDC), Farmland Mapping and Monitoring Program (FMMP), b) no designated Farmland would be converted to non-agricultural use as a result of implementing the 2006 General Plan, c) no sites in the City are zoned for agricultural use, and d) no sites would be affected by a Williamson Act contract. Although impacts to forest resources were not evaluated as part of the 2006 General Plan EIR, the City of Newport Beach similarly does not have any lands zoned for forest land, timberland, or Timberland Production, and implementing the General Plan would not directly or indirectly result in the loss of forest land or conversion of forest land to non-forest use.

Summary Analysis

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

The proposed Project site consists of urban, developed land that is not designated by the FMMP as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance[14]. Accordingly, no impact to agricultural resources would occur as a result of future residential development in San Joaquin Plaza. As such, the proposed Project is in conformance with the conclusion reached in the Initial Study to the 2006 General Plan EIR. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Conflict with existing zoning for agricultural use, or a Williamson Act contract

The NNCPC Development Plan serves as the controlling zoning ordinance for development activities within its geographical boundary. The NNCPC Development Plan designates San Joaquin Plaza for development with residential and office/commercial land uses. No area of the NNCPC contains an agricultural zoning designation. Additionally, the Project site is not subject to a Williamson Act contract. Accordingly, the proposed Project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use

No Farmland exists in the vicinity of the proposed Project site that could be converted to nonagricultural use as a result of the Project. All lands within the Project vicinity already are designated by the General Plan for non-agricultural use[15]. Accordingly, the proposed Project would not involve changes to the existing environment which, due to its location or nature, could result in conversion of Farmland to nonagricultural use. Therefore, implementation of the proposed Project would not result

[14] California Department of Conservation, 2010. *Orange County Important Farmland 2010*. Available on-line at: ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/ora10.pdf. Accessed May 10, 2012.
[15] City of Newport Beach 2006 General Plan, Figures LU10 and LU13.

in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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))

City of Newport Beach Municipal Code Title 20, *Planning and Zoning*, Part 2, *Zoning Districts, Allowable Land Uses, and Zoning District Standards*, sets forth the zoning districts throughout the City and does not include any zoning for forest land, timberland, or Timberland Production. Additionally, the NNCPC Development Plan does not designate any forest areas or timberlands within its boundaries. Accordingly, the proposed Project would have no potential to conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in the loss of forest land or conversion of forest land to non-forest use

The proposed Project site comprises a fully developed site that contains no forest land resources. Accordingly, implementation of the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use

No forest land exists in the vicinity of the proposed Project site that could be converted to non-forest use, and no lands in the Project vicinity are designated for forest land production[16]. Accordingly, the proposed Project would not involve changes to the existing environment which, due to its location or nature, could result in conversion of forest land to non-forest use. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

As indicated above, an analysis of impacts to Agricultural Resources were focused out of the General Plan EIR based on substantial evidence that no farmlands or agriculturally zoned properties are located in the City of Newport Beach; accordingly, no mitigation measures related to Agricultural Resources were included in the General Plan EIR. In addition, the issue of forestry resources was not previously evaluated in the General Plan EIR; as such, no mitigation related to forestry resources was identified in the General Plan EIR.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the Initial Study to the 2006 General Plan EIR, which states, "The City of Newport Beach does not contain any significant agricultural resources as the City is almost entirely built out. No impact would occur on agricultural resources and this issue area will not be analyzed in the EIR."

[16] *Ibid.*

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to agriculture and forestry resources. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to agriculture and forestry resources, as provided pursuant to CEQA Guidelines Section 15162.

4.3.3 Air Quality

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on air quality if it would result in any of the following:*
>
> - *Conflict with or obstruct implementation of the applicable air quality plan*
> - *Violate any air quality standard or contribute substantially to an existing or projected air quality violation*
> - *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard*
> - *Expose sensitive receptors to substantial pollutant concentrations*
> - *Create objectionable odors affecting a substantial number of people"*

No Substantial Change from Previous Analysis**.** Air quality impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

In order to evaluate whether the proposed Project would result in air quality impacts that were not examined in the General Plan EIR, an air quality impact analysis was prepared for the proposed Project by Urban Crossroads, Inc. This study, entitled, *North Newport Center Planned Community Air Quality Impact Analysis*, and dated May 29, 2012, is provided as Appendix A.

Conflict with or obstruct implementation of the applicable air quality plan

The Project site is located within the South Coast Air Basin (SCAB or "Basin"). The SCAB encompasses approximately 6,745 square miles and includes Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties. The SCAB is bound by the Pacific Ocean to the west; the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, respectively; and the San Diego County line to the south. The South Coast Air Quality Management District (SCAQMD) is principally responsible for air pollution control in the SCAB. The SCAQMD works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, and state and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet state and federal ambient air quality standards.

Table 1, *Attainment Status of Criteria Pollutants in the SCAB*, summarizes the current state and federal attainment status of the SCAB for criteria pollutants. As shown, state and federal air quality standards are not attained in most parts of the Basin for Ozone (1-hour and 8-hour standard), Inhalable Particulate Matter (PM_{10}), Fine Particulate Matter ($PM_{2.5}$), and Nitrogen Dioxide (NO_X). In response, the SCAQMD adopted a series of Air Quality Management Plans (AQMPs) to meet the state and federal ambient air quality standards. The AQMPs are updated regularly in order to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy.

The SCAQMD Governing Board adopted the Draft Final 2007 AQMP for the SCAB on June 1, 2007. In September 2007, the California Air Resources Board (CARB) adopted the SCAQMD's 2007 AQMP as part of the State Implementation Plan (SIP). On September 27, 2007, the CARB Board adopted the State Strategy for the 2007 State Implementation Plan and the 2007 South Coast Air Quality Management Plan as part of the (SIP). On November 22, 2010, U.S. EPA published its notice of proposed partial approval and partial disapproval of the 2007 AQMP PM2.5 Plan. The proposed disapproval is primarily due to the fact that the attainment demonstration relies heavily on emissions reductions from several State rules that have not been finalized or submitted to U.S. EPA for approval. No timetable for full adoption of the 2007 AQMP is available at this time. The SCAQMD is currently working on a 2012 AQMP but it is not yet adopted so the SCAQMD 2007 AQMP remains the applicable air quality plan for the proposed Project.

Table 1 Attainment Status of Criteria Pollutants in the SCAB

Criteria Pollutant	State Designation	Federal Designation
Ozone - 1hour standard	Nonattainment	No Standard
Ozone - 8 hour standard	Nonattainment	Extreme Nonattainment[1]
PM_{10}	Nonattainment	Serious Nonattainment
$PM_{2.5}$	Nonattainment	Nonattainment
Carbon Monoxide	Attainment	Attainment/Maintenance
Nitrogen Dioxide	Nonattainment[2]	Attainment/Maintenance
Sulfur Dioxide	Attainment	Attainment
Lead	Attainment/Nonattainment[3]	Attainment/Nonattainment[4]
All others	Attainment/Unclassified	Attainment/Unclassified

Source: California Air Resources Board 2010 (http://www.arb.ca.gov/regact/2010/area10/area10.htm, http://www.arb.ca.gov/desig/feddesig.htm)
1 The USEPA approved re-designation from Severe 17 to Extreme Nonattainment on May 5, 2010 to be effective June 4, 2010.
2 The SCAB was reclassified from attainment to non-attainment for nitrogen dioxide on March 25, 2010.
3 Los Angeles County was reclassified from attainment to nonattainment for lead on March 25, 2010; the remainder of the SCAB is in attainment of the State Standard.
4 The Los Angeles County portion of the SCAB is classified as nonattainment; the remainder of the SCAB is in attainment of the State Standard.

The 2007 AQMP is based on assumptions on motor vehicles provided by CARB and on demographics information provided by SCAG. These assumptions are reflected in the most recent EMFAC2007 computer model. The air quality levels projected in the 2007 AQMP are based on several assumptions. For example, the 2007 AQMP assumed that development associated with general plans, specific plans, residential projects, and wastewater facilities would be constructed in accordance with population growth projections identified by SCAG in its 2004 Regional Transportation Plan (RTP). The 2007 AQMP also assumed that such development projects would implement applicable regulatory requirements to reduce air emissions generated during the construction and operational phases of development.

Criteria for determining consistency with the 2007 AQMP are defined in Chapter 12, Section 12.2 and Section 12.3 of the SCAQMD's CEQA Air Quality Handbook (1993). The indicators for consistency are discussed below:

- *Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

According to the SCAQMD's CEQA Air Quality Handbook, the proposed Project would be consistent with the AQMP if the Project would not 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.

Construction Emissions Discussion

No specific development project is proposed as part of the Project at this time; therefore, it is not possible to calculate specific emission quantities that may be associated with future construction activities. Nevertheless, it is recognized that construction effects would be expected to follow approval of the Project (*see CEQA Guidelines Section 15146)*. Construction-related impacts to air quality were previously evaluated as part of the General Plan EIR, which concluded that buildout of the General Plan would result in construction activities that would exceed the SCAQMD's construction-related air quality standards. As such, the General Plan EIR disclosed construction-related air emissions as a significant and unavoidable impact[17].

Any future Project-related construction activities would be required to comply with General Plan policies NR 8.1 through 8.5, which when implemented would help to reduce construction-related air pollutant emissions. Further, construction activities that may be associated with future residential development on the proposed Project site would be required to comply with all applicable SCAQMD Rules and current California Building Code requirements (California Code of Regulations, Title 24), some provisions of which are more stringent now than when the General Plan EIR was certified in 2007.

Construction-related air emissions and resulting impacts associated with the proposed allocation of 524 multi-family residential units to San Joaquin Plaza clearly fall within the scope of analysis previously provided in the General Plan EIR. Of the 524 units, the General Plan EIR assumed that 430 of those units would be constructed within the NNCPC and also assumed that an additional 15 multi-family units would be constructed within the Newport Center Statistical Area. The remaining 79 units were assumed by the General Plan EIR to consist of hotel units. Therefore, the conversion of 79 hotel units to multi-family residential units and the conduct of construction activities to the specific location of San Joaquin Plaza represent the Project's only potential to create new construction-related air quality impacts because construction of the remaining 445 multi-family units in Newport Center were assumed and previously evaluated by the General Plan EIR. The construction of 79 multi-family residential units instead of 79 hotel units would not represent any measurable difference in construction-related air emissions. The types of construction equipment, material use, and duration of construction activities would be very similar for hotel units or multi-family units. Additionally, the conduct of construction activities in San Joaquin Plaza would not have the potential to generate air emissions that would be different or more severe than the conduct of construction activities in other parts of Newport Center. Accordingly, future Project-related construction emissions would not result in any new impacts or

[17]General Plan EIR, Pages 4.2-13 and 4.2-14.

substantially increase the severity of the significant and unavoidable construction-related air quality impact previously disclosed in the General Plan EIR.[18]

Operational Emissions Analysis

Although the General Plan EIR identified a significant and unavoidable impact due to a conflict with the applicable AQMP, the conflict was related only to the increase in population that would be associated with buildout of the General Plan (and is discussed below under the analysis of Consistency Criterion No. 2). As indicated in the General Plan EIR:

> *"Another measurement tool in determining consistency with the AQMP is to determine how a project accommodates the expected increase in population or employment. Generally, if a project is planned in a way that results in the minimization of vehicle miles traveled (VMT), both within the project area and the surrounding area in which it is located, and consequently the minimization of air pollutant emissions, that aspect of the project is consistent with the AQMP."* [19]

The General Plan EIR determined that VMTs would be reduced through compliance with the General Plan goals and policies, and that the reduction in VMTs would be consistent with the AQMP. For example, the General Plan would "…promote a mixed-use pedestrian-friendly district for Balboa Peninsula, Airport Area, Newport Center/Fashion Island, Mainers Mile, and which would contribute to decreases in vehicle miles traveled." [20] Additionally, the General Plan EIR identifies several other policies, including Policies LU 3.3 (Opportunities for Change), LU 6.15.9 (Subsequent Phase Development Location and Density), 6.14.5 (Urban Form), NR 6.1 (Walkable Neighborhoods), NR 6.2 (Mixed-Use Development), NR 6.3 (Vehicle-Trip Reduction Measures), NR 6.4 (Transportation Demand Management Ordinance), and NR 6.5 (Local Transit Agency Collaboration), that would serve to reduce VMTs within the City.

The proposed Project would contribute to the mixed-use nature of Newport Center/Fashion Island by locating multi-family residential uses within the San Joaquin Plaza where commercial and office land uses exist. The Project also would be required to comply with all applicable General Plan goals and policies. Furthermore, the proposed Project would not increase the amount of daily trips as compared to what was assumed under the General Plan EIR[21]. Accordingly, VMTs associated with the proposed Project would be within the scope of analysis as presented in the General Plan EIR, and would not contribute to a substantial increase in the severity of the General Plan's significant and unavoidable impact due to a conflict with the applicable AQMP.

Project-related air quality emissions were calculated to determine whether the proposed Project could result in a direct increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. To provide consistency with the Project's traffic study (Appendix D) that was prepared in accordance with the City's Traffic Phasing Ordinance (TPO), the air quality analysis (Appendix A) assumes that the Project would result in a net increase of 94 multi-family units in San Joaquin Plaza. This represents a "worst case" (conservative) assumption of potential operational air quality impacts associated with allowed development in Newport Center as previously analyzed in the General Plan EIR because no credit is taken in the Project-specific analysis for reducing by 79 the number of hotel units allowed within Statistical Area L1, nor credit for the 15 MU-H3 units

[18] *Ibid*.
[19] *Ibid,* Page 4.2-12.
[20] *Ibid*, Page 4.2-12.
[21] Stantec Consulting Services, 2012b.

already allowed in Newport Center by the General Plan. An analysis of operational impacts associated with the other 430 multi-family residential units allocated to San Joaquin Plaza is not necessary because these 430 multi-family units are already allowed in San Joaquin Plaza under existing conditions and were assumed in the General Plan EIR and Addendum No. 1.

Table 2, *Summary of Peak Operational Emissions*, summarizes the proposed Project's estimated operational emissions of criteria pollutants associated with assigning an additional 94 multi-family residential units to San Joaquin Plaza for both summer and winter months, and compares those emissions to the SCAQMD Regional Thresholds. (Refer to Section 3.5 of the Project's Air Quality Impact Analysis [Appendix A] for a discussion of the operational activities assumed in the analysis.) As shown in Table 2, air emissions associated with the allocation of 94 additional multi-family units to the San Joaquin Plaza would not exceed the SCAQMD regional thresholds for NO_X, VOC, PM_{10}, or $PM_{2.5}$; therefore, it follows that the Project's emissions would not substantially contribute to a cumulative exceedance of a pollutant for which the SCAB is in nonattainment (ozone, nitrogen dioxide, PM_{10}, $PM_{2.5}$). Because Project emissions would not substantially contribute to a cumulative exceedance of a pollutant for which the Air Basin is in nonattainment, operation of the proposed Project would not result in any new impacts due to a conflict with the AQMP, nor would the Project's operational emissions create a substantially more severe impact due to conflict with the AQMP than previously disclosed in the General Plan EIR.

Table 2 Summary of Peak Operational Emissions

Summer Months

Operational Activities	**VOC**	**NO_x**	**CO**	**SO_x**	**PM_{10}**	**$PM_{2.5}$**
Area Source Emissions [a]	12.32	0.55	39.07	0.08	5.01	5.01
Energy Source Emissions [b]	0.07	0.61	0.26	0.00	0.05	0.05
Mobile Emissions [c]	1.92	3.47	18.87	0.04	4.64	0.33
Maximum Daily Emissions	**14.31**	**4.63**	**58.20**	**0.12**	**9.70**	**5.39**
SCAQMD Regional Threshold	55	55	550	150	150	55
Significant?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Winter Months

Operational Activities	**VOC**	**NO_x**	**CO**	**SO_x**	**PM_{10}**	**$PM_{2.5}$**
Area Source Emissions [a]	12.32	0.55	39.07	0.08	5.01	5.01
Energy Source Emissions [b]	0.07	0.61	0.26	0.00	0.05	0.05
Mobile Emissions [c]	2.03	3.84	18.37	0.04	4.64	0.33
Maximum Daily Emissions	**14.42**	**5.00**	**57.70**	**0.12**	**9.70**	**5.39**
SCAQMD Regional Threshold	55	55	550	150	150	55
Significant?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Note: Values shown are pounds per day.
Please refer to Appendix A to the Air Quality Impact Analysis (see Appendix A) for the CalEEMod™ output files and additional supporting information for the estimated emissions.

a. Includes emissions of landscape maintenance equipment and architectural coatings emissions
b. Includes emissions of natural gas consumption
c. Includes emissions of vehicle emissions and fugitive dust related to vehicular travel

On the basis of the preceding discussion, the proposed Project would be consistent with the scope of analysis as presented in the General Plan EIR and is determined to be consistent with Consistency Criterion No. 1.

- *Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the AQMP or increments based on the years of project build-out phase.*

The General Plan EIR identified a significant unavoidable impact due to a conflict with the applicable AQMP because buildout of the General Plan "…would result in population levels above those uses in the 2003 AQMP." [22]

Assumptions of the AQMP used in projecting future emissions levels are based in part on land use data provided by lead agency general plan documentation. Projects that propose general plan amendments and changes of zone may increase the intensity of use and/or result in higher traffic volumes, thereby resulting in increased stationary area source emissions and/or vehicle source emissions when compared to the AQMP assumptions. If however, a project does not exceed the growth projections in the applicable local General Plan, then the project is considered to be consistent with the growth assumptions in the AQMP.

As discussed under the analysis of Consistency Criterion No. 1, construction-related emissions that may be associated with future development at the proposed Project site would be consistent with the assumptions previously evaluated and disclosed in the General Plan EIR. Therefore, the proposed Project would not exceed growth assumptions for construction-related activities.

The proposed Project does not involve a General Plan Amendment, but it does involve a zoning amendment associated with a proposed amendment to the NNCPC Development Plan, which serves as the controlling zoning ordinance for properties within its geographic boundaries. The amendment proposes to allocate a total of 524 multi-family units to the San Joaquin Plaza portion of NNCPC, including 430 units already allowed within the San Joaquin Plaza, the assignment of 15 un-built units to the San Joaquin Plaza, and through the conversion of 79 hotel units to multi-family units and the transfer of those units to the San Joaquin Plaza.

Population growth associated with the 430 multi-family residential units already allowed within the San Joaquin Plaza and the 15 un-assigned and un-built multi-family units within Statistical Area L1 are consistent with the growth projections assumed in the General Plan EIR, and are therefore accounted for as part of the significant and unavoidable conflict with the 2003 AQMP as disclosed by the General Plan EIR. By contrast, the conversion of 79 un-built hotel units to residential units would result in an estimated increase in the City's permanent population by 173 persons (based on a person per household [pph] value of 2.19 cited in the General Plan EIR).[23] It should be noted that the increase in the permanent population would be somewhat off-set by the reduction in transient population (i.e., hotel patrons) due to the reduction in the number of hotel units allowed within the City (79 units).

The 79 residential units proposed by the Project to be converted from hotel room units would not result in a net increase in daily trips[24], and therefore would not result in increased operational air emissions beyond emissions that would be associated with the 79 hotel rooms that already were assumed in the General Plan EIR. Accordingly, because the 2007 AQMP relied on land use and demographic data from the General Plan and the proposed Project would generate fewer emissions than assumed for General Plan buildout, the Project would not exceed the growth assumptions in the AQMP.

Based on the discussion presented above, the proposed Project is in compliance with Consistency Criterion No. 2 and would not result in greater emissions than what is already assumed in the General Plan or evaluated in the General Plan EIR.

[22] *General Plan EIR*, Page 4.2-13.
[23] *Ibid*, Page 4.10-5
[24] Stantec Consulting Services, 2012b.

Since the project satisfies Consistency Criterion No. 1 and Consistency Criterion No. 2, the proposed Project would not result in any new impacts due to a Project-specific conflict with the AQMP, nor would the proposed Project result in a substantial increase in the severity of the General Plan's significant and unavoidable conflict with the AQMP. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Violate any air quality standard or contribute substantially to an existing or projected air quality violation

Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard

The current attainment status for criteria pollutants within the SCAB was previously presented in Table 1. As shown, the SCAB violates the CAAQS and/or NAAQS standards for ozone, NO_X, PM_{10}, and $PM_{2.5}$. Provided below is a discussion of construction and operational emissions associated with the proposed Project, and an analysis of whether those emissions would violate any air quality standards, contribute to any existing or projected air quality violations, or cumulatively contribute to the net increase of a criteria pollutant for which the SCAB is in non-attainment (as presented in Table 1).

Emissions Associated with Construction Activities

Emissions associated with construction activities resulting from buildout of the General Plan were previously evaluated and disclosed as a significant unavoidable impact as part of the General Plan EIR due to their potential to violate the SCAQMD construction-related air quality standards[25] and because it could not be assured that the General Plan policies would achieve the performance standard for annual emissions reductions determined necessary by the SCAQMD to obtain attainment status for criteria pollutants.[26]

Because no specific development project is proposed in San Joaquin Plaza at this time, it is not possible to calculate air emissions that may be associated with future construction activities. Regardless, construction activities that may be associated with future residential development on the Project site would clearly fall within the scope of analysis provided in the General Plan EIR because the General Plan EIR anticipated the construction of 430 multi-family units within the NNCPC, 15 multi-family units within Newport Center, and 79 hotel units at General Plan Anomaly Location 43. Therefore, the conversion of 79 hotel units to multi-family residential units and the conduct of construction activities to the specific location of San Joaquin Plaza represent the Project's only potential to create new construction-related air quality impacts because construction of the remaining 445 multi-family units in Newport Center were assumed and previously evaluated by the General Plan EIR. The construction of 79 multi-family residential units instead of 79 hotel units would not represent any measurable difference in construction-related air emissions. The types of construction equipment, material use, and duration of construction activities would be very similar for hotel units or multi-family units. Additionally, the conduct of construction activities in San Joaquin Plaza would not have the potential to generate air emissions that would be different or more severe than the conduct of construction activities in other parts of Newport Center. Accordingly, future Project-related construction emissions would not result in any new impacts or substantially increase the severity of the significant and unavoidable construction-related air quality impact previously disclosed in the General Plan EIR.

[25] General Plan EIR, Page 4.10-5.
[26] *Ibid*, Page 4.2-15.

As previously stated, the General Plan EIR disclosed a significant and unavoidable impact because the City could not assure that the General Plan policies would achieve the performance standard for annual emissions reductions determined necessary by the SCAQMD to obtain attainment status for criteria pollutants.[27]

Long-Term Operational-Related Emissions

Operational impacts were not specifically evaluated in the General Plan EIR because the SCAQMD does not recommend calculation of operational emissions for a planning document, such as a General Plan Update.[28] Emission quantities associated with operational activities that may result from allocating an additional 94 multi-family residential units to San Joaquin Plaza were previously presented in Table 2. As previously noted, in order to provide consistency with the Project's traffic study (refer to Appendix D) that was prepared in accordance with the City's TPO, the values presented in Table 2 relate only to the proposed increase of 94 dwelling units allocated to San Joaquin Plaza. The values presented in Table 2 reflect a "worst case" (conservative) analysis because no credit was taken for reducing by 79 the number of hotel units that are allowed within Statistical Area L1, nor credit for the 15 MU-H3 units already allowed in Newport Center by the General Plan. An analysis of operational impacts associated with the other 430 dwelling units allocated to San Joaquin Plaza is not necessary because these 430 multi-family units are already allowed in San Joaquin Plaza under existing conditions and were assumed in the General Plan EIR and Addendum No. 1.

As presented in Table 2, the addition of 94 units to San Joaquin Plaza would not result in any exceedances of the SCAQMD regional thresholds during either summer or winter months. Accordingly, Project-related emissions would not violate the SCAQMD standards for criteria pollutants. Furthermore, if Project emissions do not exceed the SCAQMD regional thresholds for NO_X, VOC, PM_{10}, or $PM_{2.5}$, it follows that the emissions would not substantially contribute to a cumulative exceedance of a pollutant for which the SCAB is in nonattainment (i.e., ozone, NO_X, PM_{10}, and/or $PM_{2.5}$). Additionally, and according to the Project's Air Quality Impact Analysis (Appendix A), operational activities associated with the proposed Project would not result in a violation of the CAAQS or NAAQS standards for CO "hot spots."[29] There are no other air quality standards or violations relevant to Project operational activities.

Accordingly, operational emissions associated with the proposed Project would not result in the violation of any air quality standard or contribute substantially to an existing or projected air quality violation beyond that previously disclosed in the General Plan EIR. Additionally, Project-related operational emissions would not result in a new or more severe impact associated with a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality standard. Therefore, long-term operation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Expose sensitive receptors to substantial pollutant concentrations

Sensitive receptors can include uses such as long term health care facilities, rehabilitation centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. The only sensitive receptors within the Project vicinity include the existing multi-family and single-family residential uses located south, west, northwest, and northeast of the proposed Project site (refer to

[27] *Ibid*, Page 4.2-15.
[28] *Ibid*, Page 4.2-14.
[29] Air Quality Impact Analysis (Appendix A), Pages 28-29.

Figure 3). None of these uses directly abut the Project site and all nearby sensitive receptors are separated from the Project site by public roadways and some also are separated from the Project site by intervening land uses.

As previously discussed, because no specific development project is proposed in San Joaquin Plaza at this time, it is not possible to calculate air emissions that may be associated with future construction activities. Regardless, construction activities associated with future residential development on the Project site fall within the scope of analysis provided in the General Plan EIR. The General Plan EIR anticipated the construction of 430 multi-family units within the NNCPC, 15 multi-family units within Newport Center, and 79 hotel units at General Plan Anomaly Location 43. Therefore, the conversion of 79 hotel units to multi-family residential units and the conduct of construction activities to the specific location of San Joaquin Plaza represent the Project's only potential to expose sensitive receptors to substantial pollutant concentrations. The remaining 445 multi-family units in Newport Center were assumed and previously evaluated by the General Plan EIR. The construction and operation of 79 multi-family residential units instead of 79 hotel units would not represent any measurable difference in pollutant concentrations. Airborne pollutants associated with hotel room construction and operation and multi-family dwelling unit construction and operation are similar. Additionally, the conduct of residential construction and operational activities in San Joaquin Plaza would not have the potential to generate airborne pollutant concentrations that would be different or more severe than the conduct of similar activities in other parts of Newport Center.

As indicated in the General Plan EIR, with respect to potential air quality impacts to sensitive receptors, "…the SCAQMD is primarily concerned with high localized concentrations of CO" also known as CO "hotspots."[30] As concluded in the Air Quality Impact Analysis, even very busy intersections within the SCAB do not result in any CO "hotspots" since the region has achieved attainment status for CO since 2007, and because CO "hotspots" do not occur at the busiest intersections within the SCAB (where traffic volumes are much greater than those that would ever occur in the Project area).[31] Furthermore, the proposed Project would not exceed the applicable regional thresholds during long-term operational activity. Accordingly, the proposed Project would not result in or contribute to the exposure of sensitive receptors to substantial pollutant concentrations. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Create objectionable odors affecting a substantial number of people

The General Plan EIR acknowledges that construction activities would result in the generation of airborne odors (e.g., odors from architectural coatings), but concludes that such odors would not represent a significant impact because "…these odors are not generally considered to be especially offensive" since they would occur only during daytime hours and only would occur in close proximity to construction activities.[32] Consistent with the findings of the General Plan EIR, construction activities that may be associated with the proposed Project would occur only during daytime hours, and any odors generated would only affect a limited number of people who are living and working in close proximity to construction activities. Therefore, construction activities in San Joaquin Plaza would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[30] General Plan EIR, Page 4.2-16
[31] Air Quality Impact Analysis (Appendix A), Pages 28-29.
[32] General Plan EIR, Page 4.2-17.

The General Plan EIR also acknowledges that under long-term operating conditions some odors could be generated from residential cooking activities or through the use of trash receptacles. Odors associated with residential cooking are not considered to be "objectionable." As noted in the General Plan EIR, trash "…receptacles would be stored in areas and in containers as required by City and Health Department regulations, and be emptied on a regular basis, before potentially substantial odors have a chance to develop."[33] There are no characteristics of the proposed Project that would introduce any new sources of objectionable odors that could affect a substantial number of people. Therefore, long-term operation of residential units in San Joaquin Plaza that may result from approval of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

Consistent with the findings of the General Plan EIR, which identifies that there are no feasible mitigation measures to reduce the impact of increased population on implementation of the Air Quality Management Plan; to reduce cumulative impacts associated with construction emissions; or to reduce operational activities. These impacts would be significant and unavoidable.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to air quality. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to air quality, as provided pursuant to CEQA Guidelines Section 15162.

4.3.4 Biological Resources

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on biological resources if it would result in any of the following:*
>
> - *Have a substantial adverse effect, either directly or indirectly through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or the CDFG or USFWS*
> - *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 CDFG or USFWS*

[33] *Ibid.*

- *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*
- *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*
- *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*
- *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan"*

No Substantial Change from Previous Analysis**.** Biological resources impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Have a substantial adverse effect, either directly or indirectly through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or the CDFG or USFWS

The proposed Project site consists of a fully developed parcel of land that includes commercial office buildings, parking lots, and ornamental landscaping. The Project site does not contain any sensitive biological resources, nor is the site identified within an Environmental Study Area that has the potential to contain candidate, sensitive, or special status species.[34] Although ornamental landscaping existing within the Project site includes several species of trees, these trees are small in stature and do not have the characteristics to serve as habitat for migratory birds or raptors. Accordingly, implementation of the proposed Project would not have a substantial adverse effect, either directly or indirectly through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or the CDFG or USFWS. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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 CDFG or USFWS

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

The proposed Project site consists of a fully developed parcel of land comprising existing commercial office buildings, parking lots, and ornamental landscaping. All drainage from San Joaquin Plaza is currently diverted into man-made drainage structures (i.e., storm drains), thereby precluding the presence of any riparian habitat or wetlands. Additionally, the only vegetation community existing on the proposed Project site consists of ornamental landscaping, which is not a sensitive natural community identified in any local or regional plans, policies, regulations or by the California Department of Fish and

[34] *Ibid*, Figures 4.3-1 and 4.3-2.

Game (CDFG) or the United States Fish and Wildlife Service (USFWS). Accordingly, implementation of the proposed Project would have no effect on any riparian habitats, sensitive natural communities, or wetlands. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The proposed Project site comprises a fully developed parcel of land surrounded by existing urban development and roadways that exhibit moderately high traffic volumes. The proposed Project site does not provide for any wildlife movement corridors under existing conditions, nor does the site comprise a wildlife nursery site. In addition, there are no wildlife corridors or native wildlife nursery sites within the Project vicinity that could be impacted, either directly or indirectly, by Project development. As such, development of the proposed Project site would not substantially interfere with the movement of any native resident or migratory wildlife species, nor would it impede the use of any native wildlife nursery sites. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

The proposed Project site consists of a fully developed parcel of land comprising existing commercial office buildings, parking lots, and ornamental landscaping, including low stature trees. Abutting public roadways also include trees in the public right-of-way ("City trees"). Applicable Newport Beach policies and ordinances related to the protection of biological resources include City Council Policy G-1 (Retention or Removal of City Trees) and Chapter 7.26 of the City's Municipal Code (Protection of Natural Habitat for Migratory and Other Waterfowl).

Council Policy G-1 was adopted to establish definitive standards for the retention, removal, maintenance, reforestation, tree trimming standards, and supplemental trimming of City trees. If construction activities occur in San Joaquin Plaza to implement the permitted residential development intensity proposed by the Project, such activities would be required to comply with the provisions of Council Policy G-1, which includes a requirement to preserve all existing City trees to the extent practical; if trees must be removed, the approval of a tree removal request would be required from the City's Municipal Operations Department Director addressing the replacement of any such trees. As such, the proposed Project would not conflict with City Council Policy G-1.

Municipal Code Chapter 7.26 provides for the protection of natural habitat for migratory waterfowl and other birds, such as ducks, gulls, terns and pelicans. The proposed Project site does not contain any natural habitat for migratory waterfowl or other water-related bird species. As such, the proposed Project would have no potential to conflict with Municipal Code Chapter 7.26.

The proposed Project also would not conflict with any General Plan policies related to biological resources, which are primarily contained within the General Plan Natural Resources Element.

Accordingly, the proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan

The proposed Project site is located within the *Orange County Natural Community Conservation Plan (NCCP) & Habitat Conservation Plan (HCP) for the County of Orange Central & Coastal Subregion* (July 17, 1996). Policy NR 10.1 of the General Plan requires the City to cooperate with state and federal resource protection agencies and private organizations to protect terrestrial and marine resources, which would require compliance with local, regional, or state habitat conservation plans. In addition, according to NCCP Figures 9 and 10, *NCCP Habitat Evaluation Map*, the proposed Project site is not identified as having any conservation value. Additionally, and according to NCCP Figure 12, *Proposed Habitat Reserve System*, the proposed Project site is not identified for inclusion within the NCCP/HCP Reserve System. There are no other policies of the NCCP/HCP that are applicable to the proposed Project; accordingly, the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that compliance with existing federal, State, and local regulations would mitigate biological resources impacts to a level considered less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to biological resources. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to biological resources, as provided pursuant to CEQA Guidelines Section 15162.

4.3.5 Cultural Resources

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on cultural resources if it would result in any of the following:*
>
> - *Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5*

- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5*
- *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature*
- *Disturb any human remains, including those interred outside of formal cemeteries"*

No Substantial Change from Previous Analysis**.** Cultural resources impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed, to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5

Nationally, state, and locally recognized historical resources within the City of Newport Beach are identified in the Historical Resources Element of the General Plan. None of the existing historical resources identified by the Historical Resources Element occur within the proposed Project site or in areas immediately adjacent to the proposed Project site.[35] In addition, the proposed Project site has been fully disturbed by development activities that have occurred over the past 40 years, indicating that there is no potential for previously undiscovered historical resources in San Joaquin Plaza. Furthermore, none of the existing buildings in San Joaquin Plaza are recognized as historical resources, nor are they eligible for listing on the National Register of Historic Places. As such, no historical resources would be impacted by the proposed Project. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5

Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature

San Joaquin Plaza is fully developed with commercial office buildings, parking lots, and ornamental landscaping. When the property was developed approximately 40 years ago, native soils were graded and disturbed, indicating that there remains no potential for the presence of any surficial archaeological resources or paleontological resources. Although the property was previously subjected to mass grading and the likelihood to discover subsurface resources is low, there is still a potential for previously undiscovered subsurface resources to be uncovered in the event that future grading activities to implement permitted residential development intensity on the property extend to depths of previously undisturbed subsurface soils.

The City's General Plan contains several goals and policies that are intended to ensure that archaeological and paleontological resources are protected and preserved. General Plan Policies NR 18.1 and HR 2.1 require that new development protect and preserve paleontological and archaeological resources from destruction, and avoid, minimize, and/or mitigate impacts to such resources in accordance with the requirements of CEQA. General Plan Policy HR 2.2 requires "…a qualified paleontologist/archaeologist to monitor all grading and/or excavation where there is a potential to affect cultural, archaeological, or paleontological resources…" Policy HR 2.3 requires notification of cultural organizations of any proposed developments with the potential to adversely impact cultural resources,

[35] City of Newport Beach General Plan, Figure HR1.

and Policy HR 2.4 requires that any recovered resources be donated to an appropriate organization for preservation. The Newport Beach City Council has also established "Paleontological Guidelines (K-4)" requiring that the City prepare and maintain sources of information regarding paleontological sites.

As concluded in the General Plan EIR, compliance with General Plan Goals NR 18 and HR 2 would ensure that potential impacts to archaeological and paleontological resources are reduced to less than significant levels. The proposed Project is consistent with the assumptions made in the General Plan EIR with respect to impacts to archaeological and/or paleontological resources. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Disturb any human remains, including those interred outside of formal cemeteries

The proposed Project site has been fully disturbed by past grading and development, indicating that there is no potential for the presence of any surficial human remains. Although the site has been subject to previous mass grading and the likelihood to discover buried human remains during future construction activities is low, there is still a potential for previously undiscovered human remains to be uncovered in the event that grading activities encounter previously undisturbed subsurface soils.

The California Health and Safety Code §7050.5, as well as Public Resources Code §5097 et. seq., require that in the event of discovery or recognition of any human remains in any location other than a formal cemetery, no further excavation of disturbance of the site or site vicinity can occur until the County Coroner has examined the remains and makes a report. The Native American Heritage Commission (NAHC) is required to be notified within 24 hours if the Coroner determines or suspects the remains to be of Native American descent.

Additionally, further development of the proposed Project site would be required to comply with General Plan Goals HR 2 and NR 18, which are intended, in part, to protect human remains. Accordingly, in the event that human remains are discovered during Project grading or other ground disturbing activities, the Project Applicant would be required to comply with the applicable provisions of California Health and Safety Code §7050.5, Public Resources Code §5097 et. seq., and General Plan Goals HR 2 and NR 18, which would ensure that any discovered human remains are properly treated. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to archaeological and paleontological resources, and human remains could be mitigated to a level considered less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to cultural

resources. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to cultural resources, as provided pursuant to CEQA Guidelines Section 15162.

4.3.6 Geology, Soils, and Mineral Resources

The following thresholds of significance are as set forth in the General Plan EIR, which states:

"Implementation of the proposed General Plan Update would result in a significant impact if the project would:

- *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
    - *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*
    - *Strong seismic ground shaking*
    - *Seismic-related ground failure, including liquefaction*
    - *Landslides*
- *Result in substantial soil erosion or the loss of topsoil*
- *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse*
- *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*
- *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*
- *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*
- *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan"*

No Substantial Change from Previous Analysis. Geology, soils, and mineral resources impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- *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*
- *Strong seismic ground shaking*
- *Seismic-related ground failure, including liquefaction*
- *Landslides*

There are no Alquist-Priolo Earthquake Fault Zones within the City of Newport Beach.[36] Accordingly, and consistent with the findings of the General Plan EIR, the proposed Project would not result in any significant impacts due to the rupture of an Alquist-Priolo Earthquake Fault Zone.

However, and as also noted in the General Plan EIR, the City of Newport Beach is located in the northern part of the Peninsular Ranges Province, an area that is exposed to risk from multiple earthquake fault zones. The highest risks originate from the Newport-Inglewood fault zone, the Whittier fault zone, the San Joaquin Hills fault zone, and the Elysian Park fault zone, each with the potential to cause moderate to large earthquakes that would cause ground shaking in Newport Beach, including the proposed Project site.[37]

As concluded in the General Plan EIR, policies contained in the General Plan's Safety Element would attenuate impacts associated with strong seismic ground shaking. Specifically, Policy S 4.1 requires the City to conduct regular updates to the building and fire codes to address fire safety and design. Policy S 4.7 requires further seismic studies for new development in areas where potentially active faults may occur. In addition, the construction of new residential buildings in San Joaquin Plaza that could occur to implement the residential development intensity proposed by the Project would be required to comply with the seismic safety standards of the California Building Code, which requires compliance with special structural design standards to attenuate hazards associated with credible seismic ground shaking events that are anticipated in the Project area. Accordingly, with mandatory compliance with General Plan Goal S4 and the California Building Code, impacts associated with strong seismic ground shaking would not be significant.

Areas within the City of Newport Beach subject to strong seismic ground shaking associated with liquefaction hazards are limited to West Newport, Balboa Peninsula, the harbor islands, and lands adjacent to these areas. The proposed Project site is located in the Newport Center portion of the General Plan, and is not identified as being subject to liquefaction hazards.[38] Accordingly, a significant impact associated with seismic-related ground failure, including liquefaction, would not occur.

The proposed Project site consists of a fully developed parcel that does not contain significant areas of slopes. The General Plan EIR notes that landslide conditions are possible in the area between Los Trancos Canyon and the Crystal Cove State Park boundary, the sedimentary bedrock that crops out in the San Joaquin Hills, along stream banks and coastal bluffs (e.g., Big Canyon), around San Joaquin

[36] General Plan EIR, Page 4.5-13.
[37] *Ibid*, Page 4.5-3.
[38] *Ibid*, Page 4.5-14 and Figure 4.5-2.

Reservoir, Newport and Upper Newport Bays, and Corona del Mar.[39] The proposed Project site is located in Newport Center and is not located in any of the areas that are identified as having the potential for hazards associated with landslides. Accordingly, a significant impact due to landslide hazards would not occur.

As concluded in the General Plan EIR, "With compliance of applicable regulations as well as policies identified in the General Plan Update, impacts would be less than significant." The proposed Project is consistent with the assumptions made in the General Plan EIR with respect to seismic-related hazards. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in substantial soil erosion or the loss of topsoil

Soil erosion and the loss of topsoil can occur when soils are exposed to erosive elements (i.e., wind and water) and in the absence of stabilizing vegetation. Under existing conditions, substantial soil erosion and/or the loss of topsoil does not occur in San Joaquin Plaza because the proposed Project site is developed with commercial office buildings, parking lots, and ornamental landscaping.

Construction activities that could be associated with the proposed Project to implement the residential development intensity proposed in San Joaquin Plaza would be subject to compliance with state, regional, and local regulations that would serve to minimize the potential for erosion of topsoil, including, but not necessarily limited to, California Building Code (CBC) standards, the State Water Resources Control Board (SWRCB) General Construction Activity Stormwater Permit and associated Best Management Practices (BMPs), and the provisions of the National Pollutant Discharge Elimination System (NPDES) regulations concerning the discharge of eroded materials and pollutants from construction sites.

Additionally, any future construction activities would be subject to compliance with General Plan Policies NR 3.1 through NR 3.22, and Policies NR 4.1 through NR 4.4, which address water quality and soil erosion and would further serve to prevent substantial erosion or the loss of topsoil during Project construction. Near-term impacts due to substantial soil erosion and/or the loss of topsoil would be consistent with the findings of the General Plan EIR, which concluded that such impacts would be less than significant. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Under long-term operating conditions, the Project site would continue to be fully developed with buildings, parking lots, and ornamental landscaping, and would not be subject to substantial amounts of soil erosion or the loss of topsoil. As such, a significant impact associated with erosion would have no potential to occur. Therefore, long-term operation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[39] *Ibid*, Pages 4.5-9 and 4.5-15.

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

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

Potential impacts associated with liquefaction hazards are addressed above under the analysis of the first threshold under *Geology, Soils, and Mineral Resources*, which concludes that such impacts would not be significant.

Construction activities that could be associated with the proposed Project to implement the residential development intensity proposed in San Joaquin Plaza would be required to comply with California Building Code (CBC) requirements for soil stability and grading plans are required to incorporate remediation measures for any expansive or compressible materials (e.g., replacement, grouting, compaction, drainage control, etc.). Additionally, the design of structures must conform to CBC criteria for foundational design and support. Furthermore, the City's Municipal Code requires the provision of a detailed site-specific soils engineering report and engineering geology report prior to the issuance of grading permits and further requires that measures be incorporated into the grading plans to address potential unstable soil conditions such as landslide, lateral spreading, liquefaction, or collapse.

Construction activities that could be associated with the proposed Project to implement the residential development intensity proposed in San Joaquin Plaza would be consistent with the assumptions in the General Plan EIR, which concluded that with compliance with the CBC and Municipal Code requirements, impacts due to unstable geologic units or soils (including expansive soils) would be less than significant. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The proposed Project site is fully developed under existing conditions and is served by a sanitary sewer system.[40] Future residential development that could occur in San Joaquin Plaza resulting from approval of the proposed Project would not require the use of septic tanks or alternative waste water disposal systems. As such, and consistent with the findings of the General Plan EIR, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The California Geological Survey (CGS) classifies the proposed Project site as Mineral Resource Zone 3 (MRZ-3), which is applied to areas containing known mineral occurrences of undetermined mineral resource significance.[41] Although portions of the City contain active oil wells and oil fields, these areas are concentrated in the western portions of the City within the Banning Ranch subarea. Although General Plan EIR Figure 4.5-3 identifies one existing oil well near the proposed Project site (near the

[40] *Ibid*, Figure 4.14-2.
[41] *Ibid,* Figure 4.5-4.

intersection of Newport Center Drive and Corporate Plaza Drive), there are no active oil wells present within San Joaquin Plaza and the Project site is not located in an identified oil field.

General Plan policies related to oil fields generally encourage continued oil production within the Banning Ranch portion of the City, while General Plan Policy NR 19.1 and Section 1401 of the City's Charter prohibit any new drilling for exploration or extraction of oil resources within the City.[42] Accordingly, and as concluded in the General Plan EIR, implementation of the proposed Project would not result in the loss of the availability of any known mineral resources that would be of value to the region and the residents of the State, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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"

The City of Newport Beach General Plan indicates that the only important mineral resources within the City are related to oil; however, Section 1401 of the City's Charter does not allow new drilling or production or refining of oil, gas, or other hydrocarbon substances within the City.[43] Additionally, the discussion on the previous threshold regarding the lack of impact to known mineral resources would be equally applicable to locally important mineral resource recovery sites. As such, the proposed Project would not result in any significant impacts to any locally important mineral resource recovery sites, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to geology and soils could be mitigated to a level considered less than significant. No impacts to mineral resources were identified.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to geology, soils, and mineral resources. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to geology, soils, and mineral resources, as provided pursuant to CEQA Guidelines Section 15162.

[42] City of Newport Beach General Plan, Page 10-16.
[43] *Ibid.*

4.3.7 Greenhouse Gas Emissions

Since certification of the General Plan EIR in 2006, Appendix G to the State CEQA Guidelines was revised to include thresholds of significance related to greenhouse gas emissions, as follows:

"Would the project:

- *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*
- *Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?"*

No Substantial Change from Previous Analysis. Although climate change impacts due to greenhouse gas (GHG) emissions were not specifically evaluated as part of the 2006 General Plan EIR, the General Plan EIR analyzed air quality impacts associated with buildout of the City, inclusive of carbon dioxide (CO2) and other GHG emissions. The General Plan EIR also addressed vehicle emissions (both construction and operational) and operational emissions from energy consumption, which are the most common sources of greenhouse gas emissions.

As such, GHG emissions and the issue of global climate change (GCC) do not represent new information of substantial importance which was not known and could not have been known at the time that the General Plan EIR was certified. Information on the effect of GHG emissions on climate was known long before the City certified the General Plan EIR. GCC and GHG emissions were identified as environmental issues since as early as 1978 when the U.S. Congress enacted the National Climate Program Act (Pub L 95-367, 92 Stat 601). In 1979 the National Research Council published "Carbon Dioxide and Climate: A Scientific Assessment," which concluded that climate change was an accelerating phenomenon partly due to human activity. Numerous studies conducted before and after the National Research Council report reached similar conclusions. Information also was widely published in a series of reports by the Intergovernmental Panel on Climate Change (IPPC) dating back to the 1990s, including IPPC's "2001 Third Assessment Report." California adopted legislation in 2002 requiring the California Air Resources Board to develop regulations limiting greenhouse gas emissions from automobiles. As such, information about GCC and GHG emissions was available with the exercise of reasonable diligence at the time the General Plan EIR was certified in 2006. During the public review period and public hearings associated with the General Plan EIR, no objections or concerns were raised regarding the EIR's analysis of GHG emissions, and no legal challenge was filed within the statute of limitations period established by Public Resources Code §21167(c). Similarly, no objections were raised on the topics of GHG emissions and GCC as part of Addendum No. 1 to the General Plan EIR in 2007. Pursuant to CEQA case law[44] and CEQA Guidelines Section 15162(a)(3), the issue of project-related GHG emissions does not provide new information of substantial importance or substantial evidence of a new impact to the environment that was not or could not have been known at the time General Plan EIR was certified; thus, minor additions are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

In order to evaluate whether the proposed Project would result in GHG impacts that were not examined in the General Plan EIR, a GHG analysis was prepared for the proposed Project by Urban Crossroads, Inc. This study, entitled, *North Newport Center Planned Community Greenhouse Gas Analysis*, and dated May 29, 2012, is provided as Appendix B. Refer to Appendix B for a detailed discussion of

[44] See *Citizens for Responsible Equitable Environmental Development v. City of San Diego*, 196 Cal. App. 4th 515 (2011).

GHGs, the regulatory context for GHG emissions, and for a description of the methodology utilized to calculate the proposed Project's GHG emissions.

Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Introduction to Global Climate Change and Greenhouse Gases

GCC is defined as the change in average meteorological conditions on the earth with respect to temperature, precipitation, and storms. Scientific evidence suggests that GCC is the result of increased concentrations of greenhouse gases in the earth's atmosphere, including CO, methane (CH_4), NO_X, and fluorinated gases. Many scientists believe that this increased rate of climate change is the result of GHGs resulting from human activity and industrialization over the past 200 years.

Gases that trap heat in the atmosphere are often referred to as GHGs. GHGs are released into the atmosphere by both natural and anthropogenic (human) activity. Without the natural greenhouse gas effect, the Earth's average temperature would be approximately 61° Fahrenheit (F) cooler than it is currently. The cumulative accumulation of these gases in the earth's atmosphere is considered to be the cause for the observed increase in the earth's temperature.

GHGs have varying global warming potential (GWP) values; GWP values represent the potential of a gas to trap heat in the atmosphere. Carbon dioxide is utilized as the reference gas for GWP, and thus has a GWP of 1. The atmospheric lifetime and GWP of selected greenhouse gases are summarized in Table 3, *Global Warming Potentials and Atmospheric Lifetime of Select GHGs*. As shown in Table 3, GWP range from 1 for carbon dioxide to 23,900 for sulfur hexafluoride. For the purposes of this analysis, emissions of CO, CH_4, and NO_X are evaluated because these gasses are the primary contributors to GCC from development projects. Although other substances such as fluorinated gases also contribute to GCC, sources of fluorinated gases are not well defined and no accepted emissions factors or methodology exist to accurately calculate these gases. A detailed description of GHGs and their associated health effects is provided in Sections 2.4 and 2.6 of the Project's Greenhouse Gas Analysis (Appendix B).

Regulatory Setting

The State of California, through its Governor and its legislature, has established a comprehensive framework for the substantial reduction of GHG emissions over the next 40-plus years, primarily through the implementation of Assembly Bill (AB 32) and Senate Bill (SB 375), which address GHG emissions on a statewide cumulative basis. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by the year 2020. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a sustainable communities strategy (SCS) or alternative planning strategy (APS) that will prescribe land use allocation in that MPO's regional transportation plan. Other statewide and federal regulations related to GCC and GHG emissions are discussed in detail in the Project's Greenhouse Gas Analysis (Appendix B).

Threshold of Significance for Evaluating Project-Related GHG Emissions

GCC is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical development project, even a very large one, does not generate enough greenhouse gas emissions on its own to influence global climate change significantly; hence, the issue of global climate change is, by definition, a cumulative environmental impact. However, development activities may participate in the potential for GCC by incremental contribution of GHGs

combined with the cumulative increase of all other sources of greenhouse gases, which when taken together constitute potential influences on GCC.

Table 3 Global Warming Potentials and Atmospheric Lifetime of Select GHGs

Gas	Atmospheric Lifetime (years)	Global Warming Potential (100 year time horizon)
Carbon Dioxide	50-200	1
Methane	12 ± 3	21
Nitrous Oxide	120	310
HFC-23	264	11,700
HFC-134a	14.6	1,300
HFC-152a	1.5	140
PFC: Tetrafluoromethane (CH4)	50,000	6,500
PFC: Hexafluoroethane (C2F6)	10,000	9,200
Sulfur Hexafluoride (SF6)	3,200	23,900
Source: EPA 2006 (URL: http://www.epa.gov/nonco2/econ-inv/table.html)		

Note: HFC = Hydrofluorocarbon; PFC = Perfluorocarbon.

For purposes of analyzing the cumulative significance of the proposed Project's GHG emissions, the City relies on guidance from the SCAQMD. Currently, the SCAQMD has not adopted thresholds for GHG emissions for residential development projects within the SCAQMD region. However, the SCAQMD has convened a Working Group to identify GHG thresholds for use by jurisdictions in the SCAB. For projects where the SCAQMD is serving as the CEQA Lead Agency and that are not exempt from CEQA, or where no qualifying GHG reduction plans are directly applicable, SCAQMD applies a screening level threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO2e) annually for all land use types. This threshold is based on a review of the Governor's Office of Planning and Research database of CEQA projects. Based on their review, 90 percent of CEQA projects would exceed 3,000 MTCO2e per year and require additional technical analysis to determine the level of significance. Although the City is not required to utilize the SCAQMD screening threshold, the SCAQMD screening threshold is used in this analysis to determine whether the proposed Project's GHG emissions require additional analysis.[45] If the proposed Project's GHG emissions are below 3,000 MTCO2e, then such emissions do not represent a substantial increase as compared to the level of GHG emissions that would otherwise occur from implementation of the City's General Plan.

Analysis of Project Impacts due to GHG Emissions

As discussed in detail in Section 2.0, the Project proposes to vest 524 multi-family units to the San Joaquin Plaza portion of the NNCPC. The General Plan EIR assumed that 430 of those units would be constructed within the NNCPC, and also assumed that an additional 15 multi-family units would be constructed within the Newport Center Statistical Area. The remaining 79 units were assumed by the General Plan EIR to consist of hotel units. Therefore, the conversion of 79 hotel units to multi-family residential units represents the Project's only potential to change the level of greenhouse gas emissions that would otherwise occur from implementation of the General Plan, since the remaining 445 multi-family units were assumed by the General Plan EIR. In order to provide consistency with the Project's

[45] *Citizens for Responsible Equitable Environmental Development v. City of Chula Vista*, 197 Cal. App. 4th 327 (2011).

traffic study (Appendix D) that was prepared in accordance with the City's TPO, the greenhouse gas analysis (Appendix B) assumes that the Project would result in a net increase of 94 multi-family units, which represents a "worst case" (conservative) assumption of potential impacts to the environment because no credit is taken for the reduction of 79 hotel rooms or for the 15 units already allowed by the General Plan.

No specific residential development project is proposed in San Joaquin Plaza at this time; therefore, it is not possible to calculate GHG emissions that may be associated with future construction activities. However, construction-related emissions associated with the assignment of 524 multi-family residential units to San Joaquin Plaza clearly fall within the scope of the analysis provided in the General Plan EIR because the General Plan EIR assumed 430 multi-family units within the NNCPC, 15 multi-family units within the Newport Center Statistical Area, and 79 hotel units at General Plan Anomaly Location 43. There would be no substantial difference in GHG emissions when comparing buildout of the General Plan with and without the proposed Project. The types of construction equipment, material use, and duration of construction activities for hotel units and multi-family units are similar. Also, GHG contributions to GCC are cumulative in nature and thus the specific location of the emissions source, whether it be Newport Center generally or San Joaquin Plaza specifically, has no material bearing. Accordingly, construction-related emissions of GHGs would not represent new information of substantial importance which was not known and could not have been known at the time that the General Plan EIR was certified. There would be no new or more severe construction related GHG emissions impact than would otherwise occur with implementation of the City's General Plan, as analyzed in the General Plan EIR.

GHG emissions generated by long-term operation of the Project would be associated with area sources (natural gas use, landscape equipment, etc.) to serve residential units, transportation emissions associated with vehicles traveling to and from the Project site, and indirect emissions associated with purchased energy, energy associated with water (conveyance, treatment, distribution, and treatment of wastewater), and waste disposal. GHG emissions from Project-related operational activities are summarized in Table 4, *Total Annual Project GHG Emissions*. As noted above, Table 4 reflects a conservative analysis and depicts future GHG emissions associated with the implementation of 94 multi-family units. As shown in Table 4, the proposed Project would generate approximately 935.04 MMTCO2e per year. Because the GHG emissions associated with the Project would be below the SCAQMD's proposed screening threshold of 3,000 MMTCO2e, the proposed Project's cumulative contribution to GHG emissions would be less than significant and would not comprise a new significant environmental effect. Additionally, because the Project's GHG emissions would be below SCAQMD's screening threshold, the Project's GHG emissions would not represent a significant increase as compared to the level of GHG emissions that would otherwise occur from implementation of the City's General Plan.

In conclusion, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?"

CARB adopted a Scoping Plan on December 11, 2008, which is California's GHG reduction strategy to achieve the state's GHG emissions reduction target established by AB 32 (i.e., 1990 levels of GHG emission by year 2020). Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard (LCFS), California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the corporate average fuel economy (CAFE) standards, and other early action measures that would ensure the state is on target to achieve the GHG emissions reduction goals

of AB 32. GHG emissions in the City, including development activities on the Project site, would be thereby reduced from mandatory compliance with these statewide measures.

Table 4 Total Annual Project GHG Emissions

	Emissions (metric tons per year)			
Emission Source	**CO_2**	**CH_4**	**N_2O**	**Total CO_2E**
Area Source Emissions	69.88	0.03	--	71.00
Energy	244.28	0.01	--	245.79
Mobile Sources	556.77	0.02	--	557.25
Waste	8.78	0.52	--	19.67
Water Usage	35.74	0.19	0.01	41.33
Total CO_2E (All Sources)			**935.04**	
Threshold MT CO_2E/Yr			**3,000**	
Significant?			**NO**	

Source: CalEEMod™ model output, See Appendix "A" to the Greenhouse Gas Analysis (Appendix B) for detailed model outputs.
Note: Totals obtained from CalEEMod™ and may not total 100% due to rounding.

Development activities in the state of California are currently regulated by the 2008 Building and Energy Efficiency Standards and the 2010 Green Building Code, which require a greater degree of energy efficiency than the 2005 version of the state building code that was in effect when the General Plan EIR was certified in 2006. Although no specific development project is proposed at San Joaquin Plaza at this time, future construction activities would be required to comply with all applicable building codes. Currently, development activities are required to achieve the energy efficiency standards of the 2008 Building and Energy Efficiency Standards. The 2008 Standard is 15 percent more energy efficiency compared to the 2005 Building and Energy Efficiency Standards (which were the standards in place at the time the General Plan EIR was certified). CARB and the EPA have also adopted new vehicle fuel efficiency standards for model years 2012 through 2016. The CARB Scoping Plan also calls for more stringent fuel efficiency standards model years 2016 through 2020 under Pavley II.

Because the proposed Project would not exceed the SCAQMD's proposed screening threshold for GHG emissions (refer to Table 4) and residential development in San Joaquin Plaza would be required to achieve efficiency standards mandated as part of the state building code in effect at the time of future construction, the proposed Project would not have the potential to interfere with the State's ability to achieve GHG reduction goals and strategies. Furthermore, the proposed Project would result in fewer GHG emissions than would have been assumed in the General Plan EIR since the 2008 efficiency standards and other statewide measures to reduce GHG emissions were not in place at the time the General Plan EIR was certified.

Various characteristics of the Project serve to render its contribution to GCC less than cumulatively considerable. One of the main issues raised by those concerned about the effect of greenhouse gases on climate change is that "leap frog"-type development would potentially increase the number of vehicle miles traveled and consequently increase vehicular emissions (i.e., CO_2 that contributes to GCC). The Project is an infill, mixed use development in an urbanized setting, thereby providing opportunities to reduce vehicle trips.

In conclusion, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

As noted, the General Plan EIR analyzed air quality impacts associated with the buildout of future development in the City, inclusive of the NNCPC area. The analysis included carbon dioxide (CO_2) and other GHG emissions. No mitigation measures specifically related to GHG emissions were identified in the General Plan EIR. However, the General Plan includes several policies that would serve to reduce GHG emissions, including, but not limited to, the following Policies: LU 6.4.6 (Approaches for a Livable Neighborhood); LU 6.15.19 (Walkable Streets); LU 6.15.20 (Connected Streets); NR 6.1 (Walkable Neighborhoods); NR 6.2 (Mixed-Use Development); NR 6.3 (Vehicle-Trip Reduction Measures); NR 6.4 (Transportation Demand Management Ordinance); NR 6.5 (Local Transit Agency Collaboration); NR 6.6 (Traffic Signal Synchronization); NR 6.7 (City Fleet Vehicles); NR 6.8 (Accessible Alternative Fuel Infrastructure); NR 6.9 (Education on Mobile Source Emission Reduction Techniques); NR 7.1 (Fuel Efficient Equipment); NR 7.2 (Source Emission Reduction Best Management Practices); NR 7.3 (Incentives for Air Pollution Reduction); NR 7.4 (Use of Blowers); NR 8.1 (Construction Equipment); NR 8.2 (Maintenance of Construction Equipment); NR 8.3 (Construction Equipment Operation); NR 9.1 (Efficient Airport Operations); NR 9.2 (Aircraft and Equipment Emission Reduction); CE 1.1.1 (Comprehensive Transportation System); CE 1.2.2 (Shuttle Service); CE 1.2.4 (Public Transit); CE 4.1.1 (Public Transit Efficiency); CE 4.1.4 (Land Use Densities Supporting Public Transit); CE 4.1.5 (Airport Shuttles); CE 4.1.6 (Transit Support Facilities); CE 5.1.1 (Trail System); CE 5.1.2 (Pedestrian Connectivity); CE 5.1.3 (Pedestrian Improvements in New Development Projects); CE 5.1.4 (Linkages to Citywide Trail System and Neighborhoods); CE 5.1.5 (Bikeway System); CE 5.1.6 (Bicycle Supporting Facilities); CE 5.1.9 (Integrated Bicycle Improvements); CE 5.1.11 (School Access); CE 5.1.12 (Pedestrian Street Crossings); CE 5.1.14 (Newport Harbor Trails and Walkways); CE 6.1.1 (Traffic Signals); CE 6.1.2 (Intelligent Transportation Systems); CE 6.2.1 (Alternative Transportation Modes); CE 6.2.2 (Support Facilities for Alternative Modes); and CE 6.2.3 (Project Site Design Supporting Alternative Modes).

Additionally, and although the proposed Project would not create a new GHG impact or increase the level of GHG emissions that would otherwise occur from buildout of the City's General Plan, the Project would be required to comply with all mandatory regulatory requirements imposed by the State of California and the SCAQMD aimed at the reduction of air quality emissions. Those that are particularly applicable to the Project and that would assist in the reduction of greenhouse gas emissions are:

- Global Warming Solutions Act of 2006 (AB32)
- Regional GHG Emissions Reduction Targets/Sustainable Communities Strategies (SB 375)
- Pavley Fuel Efficiency Standards (AB1493). Establishes fuel efficiency ratings for new vehicles.
- Title 24 California Code of Regulations (California Building Code). Establishes energy efficiency requirements for new construction.
- Title 20 California Code of Regulations (Appliance Energy Efficiency Standards). Establishes energy efficiency requirements for appliances.
- Title 17 California Code of Regulations (Low Carbon Fuel Standard). Requires carbon content of fuel sold in California to be 10% less by 2020.
- California Water Conservation in Landscaping Act of 2006 (AB1881). Requires local agencies to adopt the Department of Water Resources updated Water Efficient Landscape Ordinance or equivalent by January 1, 2010 to ensure efficient landscapes in new development and reduced water waste in existing landscapes.
- Statewide Retail Provider Emissions Performance Standards (SB 1368). Requires energy generators to achieve performance standards for GHG emissions.

- Renewable Portfolio Standards (SB 1078). Requires electric corporations to increase the amount of energy obtained from eligible renewable energy resources to 20 percent by 2010 and 33 percent by 2020.

Level of Significance After Mitigation

The General Plan EIR did not include any mitigation measures related specifically to GHG emissions. However, policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City. Mandatory compliance with the General Plan policies and regulatory requirements summarized above would ensure that Project-related emissions would not create a new GHG impact or increase the level of GHG emissions that would otherwise occur from buildout of the City's General Plan.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to greenhouse gas emissions. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to greenhouse gas emissions, as provided pursuant to CEQA Guidelines Section 15162.

4.3.8 Hazards and Hazardous Materials

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact to the public or the environment through hazards and hazardous materials if it would result in any of the following:*
>
> - *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials*
> - *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment*
> - *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school*
> - *Be located on a site which is included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment*
> - *For a project located within an airport land use plan or, where such a plan has not been developed, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area*
> - *For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area*
> - *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan*

- *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands"*

No Substantial Change from Previous Analysis**.** Hazards and hazardous materials-related impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

The General Plan EIR acknowledges the potential for increased transport, use, or disposal of hazardous materials due to an increase in the amount of commercial development. However, although the Project is consistent with the scope of analysis in the General Plan EIR, the proposed Project consists of a proposal to increase the permitted residential development intensity in the NNCPC by 94units and to vest 524 total dwelling units to the San Joaquin Plaza (including the 94 additional units and 430 units already allocated to the NNCPC). Residential uses are not associated with the transport, use, or disposal of hazardous materials. Furthermore, the transport, use, and disposal of hazardous materials is fully regulated by the Environmental Protection Agency (EPA), State, Orange County, and/or City of Newport Beach. Additionally, General Plan Policy S 7.3 provides for the education of City residents to reduce or eliminate their use of hazardous materials, which further serves to reduce the potential for significant health hazards associated with residential-generated hazardous materials. As such, and in conformance with the findings of the General Plan EIR, impacts associated with the routine transport, use, or disposal of hazardous materials would be less than significant. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment

No specific development project is proposed as part of the Project at this time. Nevertheless, it is recognized that construction effects would be expected to follow approval of the Project, which may include but not be limited to demolition, ground preparation, and new construction. Construction-related impacts associated with hazardous materials were previously evaluated as part of the General Plan EIR, which concluded that impacts would be less than significant.

Construction activity that could be associated with the proposed Project falls within the scope of analysis contained in the General Plan EIR, which concludes that impacts due to reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment would be less than significant. Of the 524 units proposed to be vested to San Joaquin Plaza, the General Plan EIR assumed that 430 of those units would be constructed within the NNCPC and also assumed that an additional 15 multi-family units would be constructed within the Newport Center Statistical Area. The remaining 79 units were assumed by the General Plan EIR to consist of hotel units. The General Plan EIR acknowledges that implementation of the General Plan Land Use Plan would require the demolition of existing structures, which could result in exposure of construction personnel and the public to hazardous substances such as asbestos or lead-based paints. The General Plan EIR also acknowledges the potential for exposing construction workers to contaminated soils, if present, during earthwork activities. The General Plan EIR concludes that compliance with existing regulations and General Plan

policies would ensure that such potential impacts are less than significant. Specifically, the General Plan EIR notes that demolition activities would be subject to:

> *"South Coast Air Quality Management District (SCAQMD) Rules and Regulations pertaining to asbestos abatement (including Rule 1403), Construction Safety Orders 1529 (pertaining to asbestos), and 1532.1 (pertaining to lead) from Title 8 of the California Code of Regulations, Part 61, Subpart M of the Code of Federal Regulations (pertaining to asbestos), and lead exposure guidelines provided by the U.S. Department of Housing and Urban Development."* [46]

Since the certification of the General Plan EIR, revisions and additions were made to SCAQMD Rules and Regulations applicable to hazardous materials, which would apply to the proposed Project. SCAQMD Rules and Regulations are standard regulatory requirements of all construction projects in the South Coast Air Basin, including the City of Newport Beach. Any potentially contaminated sites, including contamination that may be encountered during construction activities on the Project site are required to be remediated in accordance with federal, state, and regional standards.

The General Plan EIR also evaluated the potential for future impacts that may be associated with the operation of businesses that handle hazardous materials. However, the proposed Project involves an increase to the permitted residential development intensity in San Joaquin Plaza and does not involve any business operations. Operational characteristics associated with residential uses are not identified with upset and accident conditions involving the release of hazardous materials into the environment; accordingly, a significant operational impact would not occur.

In conclusion, the construction and operation of residential uses on the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Be located on a site which is included on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment

The General Plan EIR identified and disclosed a number of hazardous materials sites in EIR Tables 4.6-1 through 4.6-5. None of the hazardous materials sites occur on the proposed Project site. Accordingly, because San Joaquin Plaza is not on a list of hazardous materials site compiled pursuant to Government Code Section 65962.5, future residential development on the property would not create a significant hazard to the public or the environment, and a significant impact would not occur. Therefore, operation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school

The nearest school to the proposed Project site is the Corona Del Mar High School, which is located 0.5 mile to the north at 2101 Eastbluff Drive in the City of Newport Beach. The proposed Project consists of an application to increase the permitted residential development intensity in the NNCPC by 94 units and vest development rights for 524 units (the 94 additional units and 430 units already permitted in the NNCPC) to the San Joaquin Plaza. As such, the proposed Project does not involve the use or storage of any hazardous materials; and, the use, storage, and handling of hazardous materials are not typically associated with residential development projects. Furthermore, because the nearest school site is 0.5 miles away, the Project is not located within one-quarter mile of an existing or proposed

[46] General Plan EIR, Page 4.6-20.

school. Accordingly, the proposed Project would have no potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

For a project located within an airport land use plan or, where such a plan has not been developed, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area

The proposed Project site is located within the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport (JWA). Although the General Plan was previously reviewed by the Airport Land Use Commission (ALUC), the ALUC requires additional review whenever the City considers projects that require zoning (or planned community development plan) amendments that are located within the AELUP. Pursuant to standard City requirements, the proposed Project will be forwarded to the ALUC for a review of consistency with the AELUP prior to final Project approval by the Newport Beach City Council.

In addition, the proposed Project site is subject to notification requirements and height regulations pursuant to Federal Aviation Regulations (FAR) Part 77, *Obstruction Imaginary Surfaces and Notification Area for JWA*. The "notification surface" is defined by the AELUP by extending a slope at a gradient of 100:1 (horizontal to vertical) from the airport facility. If a development application would protrude into the notification surface, then notification to the Federal Aviation Administration (FAA) is required. Although buildings that may be proposed on-site in the future have the potential to penetrate the Part 77 notification surface, a significant environmental effect would not result since notification to the FAA would be required pursuant to FAA FAR Part 77. In addition, a precise and definitive review and assessment will be provided when building plans are submitted, and if any buildings penetrate the notification surface then the required FAA notification would be assured by the City.

Based on a prior review of the NNCPC by the ALUC, the FAA FAR Part 77 Obstruction Imaginary Surface for the JWA is approximately 1,050 feet (North American Vertical Datum of 1988, hereafter "NAVD 88"). The maximum height of buildings allowed within the NNCPC would be 375 feet above finished grade, which equates to a maximum elevation of approximately 575 feet (NAVD 88).[47] Furthermore, buildings within the San Joaquin Plaza are restricted by the NNCPC Development Plan to a maximum height of 65 feet, equating to a maximum elevation of approximately 265 feet (NAVD 88).[48] Accordingly, future buildings on-site have no potential to penetrate the FAA FAR Part 77 Obstruction Imaginary Surface, and a significant impact would therefore not occur.

Based on the foregoing analysis, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[47] Airport Land Use Commission for Orange County, 2007. *City of Newport Beach: Request for Consideration of Proposed Planned Community Zoning Amendment.* November 15, 2007. Available for review at the Newport Beach Planning Department, 3300 Newport Boulevard, Newport Beach, CA 92658-8915.
[48] NNCPC Development Plan, Page 16.

For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area

As concluded in the General Plan EIR, there are no existing private airstrips within the City of Newport Beach or within the immediate vicinity of the proposed Project site.[49] Accordingly, the proposed Project would not expose people residing or working in the Project area to safety hazards associated with a private airstrip, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan

The Newport Beach Fire Department Emergency Services Office maintains the City of Newport Beach Emergency Management Plan, which was most recently updated in 2011. The Emergency Management Plan is intended to provide guidance for the City of Newport Beach's response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies in or affecting the City of Newport Beach.[50] According to the Emergency Management Plan, Jamboree Road is identified as an evacuation route for tsunami hazards.[51] Although the proposed Project site is located near this evacuation route, there are no components of the proposed Project that would interfere with the use of Jamboree Road in the event of an evacuation. Additionally, the Project site is not identified within any of the primary hazard zones identified by the Emergency Management Plan (e.g., tsunami inundation zones, wildfire hazard zones, etc.).[52] Accordingly, the proposed Project would have no potential to impair implementation of or physically interfere with the City of Newport Beach Emergency Management Plan. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The City of Newport Beach Emergency Management Plan includes a "Wildfire Susceptibility Map" that indicates areas of the City that are subject to wildland fires. According to this map, the proposed Project site is identified as having a "Low/None" susceptibility to wildfires.[53] Accordingly, the proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, and a significant impact would not occur.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in San Joaquin Plaza.

[49] General Plan EIR, Page 4.6-1.
[50] City of Newport Beach Emergency Management Plan (2011), Page 3. Available on-line at: http://www.newportbeachca.gov/index.aspx?page=506. Accessed May 17, 2012.
[51] *Ibid*, Page 101.
[52] *Ibid*, Pages 41, 44, 45, 48, 50, 54, 55, 69, 70, and 100.
[53] *Ibid*, Page 50.

Level of Significance After Mitigation

The proposed project is consistent with the findings of the General Plan EIR, which identifies that impacts to hazards and hazardous materials relevant to the Project could be mitigated to a level considered less than significant. No impacts to hazards and hazardous materials were identified for the proposed Project.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to hazards and hazardous materials. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to hazards and hazardous materials, as provided pursuant to CEQA Guidelines Section 15162.

4.3.9 Hydrology and Water Quality

The following thresholds of significance are as set forth in the General Plan EIR, which states:

"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on hydrology and water quality if it would result in any of the following:

- *Violate any water quality standards or waste discharge requirements*
- *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)*
- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site*
- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site*
- *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*
- *Require or result in the construction and/or expansion of new storm drain infrastructure that would cause significant environmental effects*
- *Otherwise substantially degrade water quality*
- *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*
- *Place within a 100-year flood hazard area structures which would impede or redirect flows*
- *Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of a levee or dam*

- *Expose people or structures to significant risk or loss, injury or death involving inundation by seiche, tsunami, or mudflow"*

No Substantial Change from Previous Analysis**.** Hydrology and water quality-related impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Violate any water quality standards or waste discharge requirements

Otherwise substantially degrade water quality

The General Plan EIR acknowledges that buildout of the City in accordance with the General Plan would increase the potential for degradation of water quality during both construction and long-term operation of planned land uses.

Construction activities throughout the City are required to comply with state, regional, and local regulations, including, but not limited to, the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) Construction General Permit 99-08-DWQ, which requires preparation of and compliance with a Stormwater Pollution Prevention Plan (SWPPP) and/or a Water Quality Management Plan (WQMP) and the incorporation of best management practices (BMPs) to help reduce the potential for polluted runoff exiting construction sites. The mandatory SWPPPs also are required to incorporate an erosion control plan to prevent runoff of excessive amounts of sediment from construction sites. Additionally, construction activities that could be associated with the proposed Project to implement the residential development intensity proposed in San Joaquin Plaza would be subject to Chapter 14.36 of the City's Municipal Code, which prohibits the discharge of any runoff that would contribute to degradation of water quality. Construction activities also would be subject to compliance with the 2003 Orange County Drainage Area Master Plan (DAMP), which sets forth management strategies (including the incorporation of BMPs) to protect the beneficial uses of the receiving waters in the Santa Ana drainage area. Finally, the City's General Plan includes policies that are designed to minimize stormwater and erosional impacts during construction, including Policies NR 3.10, NR 3.11, NR 3.12, and NR 4.4, which require the preparation and enforcement of WQMPs and the incorporation of BMPs to prevent or minimize erosional hazards. Compliance with the regulations and policies described above would ensure that construction-related water quality impacts are less than significant, when and if construction activities occur in San Joaquin Plaza to implement permitted residential development intensity. Such activities would be consistent with the construction-related water quality effects identified and disclosed by the General Plan EIR. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Under long-term operating conditions, the potential development of residential uses in San Joaquin Plaza is not anticipated to substantially increase the amount of impervious surfaces relative to existing conditions; however, no specific development project is proposed at this time so the coverage percentage is unknown. As disclosed in the General Plan EIR, the potential for infill development (such as the proposed Project) to contribute to polluted runoff "…would be minimal."[54]

[54] General Plan EIR, Page 4.7-30.

With implementation of the proposed Project and the residential development intensity that would be permitted in San Joaquin Plaza, there would be an increase in residential population producing a concomitant increase in the amount of wastewater contaminated with household chemicals. Wastewater conveyed from San Joaquin Plaza is treated by the Orange County Sanitation District (OCSD) Treatment Plan No. 2, which treats the collected effluent as required to meet applicable State and Federal standards prior to being discharged into the Pacific Ocean. Furthermore, all development in the City of Newport Beach is subject to Municipal Code Chapter 14.36 (Water Quality), which prohibits discharge that would contribute to the degradation of water quality. Operation of residential uses in San Joaquin Plaza would be subject to the provisions of the DAMP, including requirements to incorporate nonstructural BMPs to control typical runoff pollutants. General Plan policies also are established to promote water quality, including General Plan Policies NR 3.1 through 5.4. Mandatory compliance with the Orange County DAMP, the City's Municipal Code, and General Plan policies would ensure that operational impacts to water quality are less than significant, and such effects would be consistent with the water quality effects identified and disclosed by the General Plan EIR. Therefore, implementation of the proposed Project would not result in any new operational impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The proposed Project would be served by a potable water system and would not involve the use of any groundwater wells, and would have no effect on groundwater supplies.

General Plan EIR Figure 4.7-1 depicts areas within the City that are underlain by the Coastal Plain of Orange County Groundwater Basin (Basin), which provides groundwater for much of central and north Orange County, including the City of Newport Beach. According to Figure 4.7-1, the proposed Project site is not located above the Basin, indicating that water infiltrating the Project site does not substantially contribute to groundwater resources. In addition, the General Plan EIR notes that "…the City of Newport Beach is in the pressure area of the Basin, which is an area that is not used for recharge. There are no designated recharge areas in the City." [55]

The proposed Project could involve an increase in the City's population should the residential development intensity proposed by the Project and vested to San Joaquin Plaza be implemented. As such, the proposed Project could result in an increased demand for potable water (including domestic water received from local groundwater resources). The City's 2010 Urban Water Management Plan indicates that the projected use of groundwater supplies, combined with imported and recycled domestic water supplies, will meet projected water demand throughout the City through the Plan's horizon year of 2035.[56] The Water Supply Assessment prepared for the proposed Project (refer to Appendix E of this document) similarly concludes that sufficient water supplies are available and the implementation of the proposed Project would not have an adverse effect on local groundwater. In addition, the General Plan includes several goals and related policies addressing water conservation (Goal NR 1) and water supplies (Goal NR 2) that will help ensure that future demand for potable water does not result in a deficit in aquifer volume or a lowering of the local groundwater table level.

Accordingly, implementation of the proposed Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in

[55] *Ibid*, Page 4.7-7.
[56] City of Newport Beach 2010 Urban Water Management Plan, Section 3.3

aquifer volume or a lowering of the local groundwater table level. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Require or result in the construction and/or expansion of new storm drain infrastructure that would cause significant environmental effects

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

The proposed Project site is fully developed with commercial office buildings, parking areas, and ornamental landscaping. Under existing conditions, the existing storm drain infrastructure is adequate to handle runoff from the site during periods of heavy rainfall.

Pursuant to the *Residential Open Space Requirements* set forth in the NNCPC Development Plan, future residential development on the Project site to implement permitted residential development intensity would be required to provide for common outdoor open space comprising 5 percent of the residential lot area, of which 10 percent must comprise landscaped areas. Additionally, the NNCPC *Landscaping* Development Standards require that surface parking lots must contain a minimum of one 24-inch box tree for each five parking spaces.[57] Compliance with the NNCPC Development Plan requirements for landscaping would ensure that impervious surfaces do not substantially increase, thereby ensuring that peak runoff from the site does not substantially increase as compared to existing conditions. As such, implementation of the proposed Project would not require new or expanded storm drain infrastructure beyond that assumed by the General Plan EIR.

The General Plan EIR acknowledges that new stormwater infrastructure may be needed to support new development within the City. Policies contained in the General Plan would ensure that residential development, when and if implemented in San Joaquin Plaza, can be adequately supported by utilities such as storm drainage infrastructure. The General Plan EIR concludes that although the installation of storm drain facility upgrades could result in short-term construction impacts, construction of storm drainage upgrades in and of itself would not result in impacts not already identified in association with buildout of the General Plan Land Use Plan. As such, the General Plan EIR concludes that such impacts would be less than significant. The proposed Project is consistent with the assumptions made in the General Plan EIR with respect to hydrology and water quality impacts. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[57] NNCPC Development Plan, Pages 19 and 24.

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

Place within a 100-year flood hazard area structures which would impede or redirect flows

Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site

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

The City of Newport Beach Emergency Operations Plan identifies areas subject to flood hazards as part of the *Flood Hazard Areas* and *Local Flooding Map* exhibits. The proposed Project site is not identified as an area subject to regional or local flood hazards. In addition, according to the Federal Emergency Management Agency (FEMA), the proposed Project site is located within Flood Zone X, which is defined as "Areas determined to be outside the 0.2% annual chance floodplain." [58] Accordingly, the proposed Project would not have the potential to place housing within a 100-year flood hazard area, nor would the Project place structures within a 100-year flood hazard area that would impede or redirect flows. Impacts due to flood hazards would not occur.

Under existing conditions, the proposed Project site is fully developed with commercial office buildings, parking, and ornamental landscaping. With implementation of residential development in San Joaquin Plaza as would be permitted by the proposed Project, it is not anticipated that the site's existing drainage pattern would be substantially altered, and any such alterations would not affect the course of any streams or rivers. In addition, and as discussed under the analysis of the previous thresholds, any future residential development associated with the proposed Project would be required to maintain landscaped areas that would ensure that runoff from the site does not substantially increase over existing conditions, thereby preventing any potential for substantial increases to long-term erosion hazards off-site. Furthermore, all runoff from the site is diverted to the City's storm drain system. Accordingly, the proposed Project would not alter the existing drainage pattern of the site in a manner that increases the potential for flooding either on- or off-site, nor would the revised drainage pattern result in substantial erosion or siltation either on- or off-site; accordingly, a significant impact would not occur.

Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of a levee or dam

The City of Newport Beach Emergency Management Plan includes a *Dam Failure Inundation Map* that identifies areas within the City that are subject to inundation in the event of a dam failure. According to this exhibit, the proposed Project site is located south of the Big Canyon Reservoir Inundation Pathway and east of the Prado Dam Inundation Pathway.[59] Accordingly, the proposed Project site is not subject to flooding associated with any levees or dams, and a significant impact to people or structures would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or

[58] FEMA Flood Insurance Rate Map (FIRM) No. 06059C0382J, December 3, 2009. Available on-line at www.fema.gov. Accessed May 16, 2012.
[59] City of Newport Beach Emergency Management Plan, Page 69.

increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Expose people or structures to significant risk or loss, injury or death involving inundation by seiche, tsunami, or mudflow

The City of Newport Beach Emergency Management Plan includes an exhibit entitled, *Tsunami Inundation Map for Newport Beach*, which indicates that the proposed Project site is not subject to tsunami hazards, nor would future residents of the Project be subject to evacuation in the event of a tsunami hazard.[60] Seiche hazards are associated only with enclosed bodies of water. The only enclosed bodies of water located upstream from the proposed Project site is the Big Canyon Reservoir; as noted in the previous threshold, the proposed Project site is not located within the inundation pathway for the Big Canyon Reservoir. Furthermore, mudflow hazards are primarily associated with steep slopes, which are not prevalent in the Project area. Accordingly, the proposed Project would not expose people or structures to significant risk or loss, injury or death involving inundation by seiche, tsunami, or mudflow. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to hydrology and water quality could be mitigated to a level considered less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to hydrology and water quality. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to hydrology and water quality, as provided pursuant to CEQA Guidelines Section 15162.

4.3.10 Land Use and Planning

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on land use and planning if it would result in any of the following:*
>
> - *Intensify development within the Planning Area that creates incompatibilities with adjacent land uses*
> - *Physically divide an established community*

[60] *Ibid*, Page 100.

- *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*
- *Conflict with any applicable habitat conservation plan or natural community conservation plan"*

No Substantial Change from Previous Analysis**.** Land use and planning-related impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Intensify development within the Planning Area that creates incompatibilities with adjacent land uses

The proposed Project has the potential to intensify residential development in the NNCPC and would vest development rights for an additional 94 residential units in the San Joaquin Plaza where only commercial office, parking lots, and ornamental landscaping exist today. With the addition of 94 units of residential development intensity and allocation of 430 units of residential development intensity already permitted in the NNCPC to San Joaquin Plaza, the Project site would have the maximum development potential of 524 multi-family residential units. Property surrounding the Project site has a mixed-use character. Residential uses occur immediately to the southwest and to the northeast of the San Joaquin Plaza, with additional residential uses located westerly of Jamboree Road. Other land uses in the area include office, commercial retail, public facility, and commercial lodging (hotel). As concluded in the General Plan EIR's discussion of Newport Center/Fashion Island:

> *"Residential units have existed in this area since the 1970s, and increased through the 1990s. No conflicts of use between the residential and commercial uses have existed previously in this area, as evidenced by the lack of complaints by area residents."* [61]

Although the proposed Project would incrementally increase the number of residential units allowed within North Newport Center and consolidate those units to San Joaquin Plaza, such an increase would not result in any incompatibilities with adjacent land uses. Accordingly, a significant impact due to incompatible adjacent land uses would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Physically divide an established community

The proposed Project site is located within the Newport Center portion of the City of Newport Beach, which consists of an existing, established mixed use district. The proposed Project involves an increase in the permitted residential development intensity for San Joaquin Plaza (from 430 units to 524 units). Under existing conditions, San Joaquin Plaza contains a multi-tenant commercial office development with parking and landscaping. No residential units are currently constructed on the Project site. San Joaquin Plaza is approximately 23 acres in size and no major public roadways traverse the site. It is generally bounded on the south by San Clemente Drive, on the east by Santa Cruz Drive, on the northeast by San Joaquin Hills Road, and is located just southeasterly of Jamboree Road. On the opposite sides of these roadways, an established apartment complex occurs to the south and an established residential neighborhood occurs to the northeast. The proposed Project would not physically divide either of

[61] General Plan EIR, Page 4.8-11.

these residential areas, nor any other established community. Accordingly, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

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

The proposed Project site is located within the NNCPC and the NNCPC Development Plan, which serves as the controlling zoning ordinance for properties within its boundaries, is proposed to be amended as part of the Project to increase permitted residential development intensity by 94 units. There would be no change to the boundaries of the NCCPC Development Plan area or any constituent blocks or sub-districts, and there would be no change in the permitted types of land uses, development regulations, or design guidelines resulting from approval of the proposed NCCPC Development Plan Amendment. Future residential development within San Joaquin Plaza, if and when it occurs, would be required to demonstrate consistency with the NNCPC Development Plan; accordingly, no conflict with the NNCPC Development Plan would occur with implementation of the proposed Project.

The NNCPC Development Plan was previously evaluated as part of Addendum No. 1 to the General Plan EIR (dated November 2007), which included an extensive analysis demonstrating how existing and planned development in the NNCPC is consistent with all applicable land use plans, policies, and regulations of other agencies with jurisdiction over the NNCPC area. Provided below is a consistency analysis for the proposed Project.

As part of the proposed Project, 79 un-built hotel rooms presently allocated to General Plan Anomaly Location 43 would be converted to residential units and then transferred to the San Joaquin Plaza portion of the NNCPC. In addition, the Project proposes to assign 15 un-built and unassigned multi-family residential units permitted in the MU-H3 designation of the Newport Center Statistical Area to the San Joaquin Plaza portion of the NNCPC. Pursuant to General Plan Policy LU 4.3(d) (Transfer of Development Rights), transfers of development rights or development intensity in Newport Center are governed by Policy 6.14.3. General Plan Policy LU 6.14.3 allows development rights or development intensity to be transferred within Newport Center, subject to a finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts.

The proposed Project would be consistent with General Plan Policy LU 6.14.3 as follows:

LU 6.14.3 Development rights may be transferred within Newport Center, subject to the approval of the City with the finding that the transfer is consistent with the intent of the General Plan and that the transfer will not result in any adverse traffic impacts.

Project Consistency: Consistent. The Newport Beach Marriott site (General Plan Anomaly 43) has a General Plan Land Use designation of CV (Visitor Serving Commercial) and the reduction of allowable development intensity by 79 hotel units would not result in any physical changes at the Newport Beach Marriott site nor would it result in a change in land use. With approval of the proposed Project, the hotel would continue operating with 532 rooms and serve visitors to the City consistent with the intent of the General Plan's CV land use designation. The San Joaquin Plaza sub-area of NNCPC is designated MU-H3 (Mixed Use Horizontal), which allows residential uses. Both the General Plan and the NNCPC Development Plan identify the San Joaquin Plaza for potential development with multi-family residential uses. The Project's proposal to assign additional multi-family units to the San Joaquin Plaza would not result in a conflict with the General Plan's MU-H3 land use designation. Although the proposed Project

would allow for the development of 79 more multi-family units than currently anticipated in that location by the General Plan and 94 multi-family units more than anticipated in the NNCPC Development Plan, this increase in the number of permitted multi-family units would be consistent with General Plan allowed intensity, goals and policies, including, but not limited to, the following:

- General Plan Policy LU 3.3, which encourages the provision of residential uses in proximity to jobs and services.
- General Plan Policy LU 5.3.4, which encourages the provision of appropriate acreage for the mixture of residential and nonresidential uses.
- General Plan Policy 6.14.2 which encourages provisions for limited residential development in accordance with General Plan Tables LU1 and LU2.
- General Plan Goal H 2.2, which encourages the provision of housing units that assist in achieving the Regional Housing Needs Assessment construction goals.
- General Plan Goal H 2.3, which encourages mixed residential and commercial use developments that improve the balance between housing and jobs.
- General Plan Housing Program Policy 3.2.1, which directs the City to make appropriate provisions for the development of housing within the Newport Center.

Furthermore, and as concluded in Section 4.3.15, no significantly adverse traffic impacts would result from implementation of the proposed Project.

Additionally, and as indicated under the analysis of Hazards and Hazardous Materials in Section 4.3.8, mandatory compliance with the development standards included in the NNCPC Development Plan and Design Regulations and review of the Project by the ALUC would ensure that the proposed Project is fully consistent with the AELUP for the John Wayne Airport.

Based on the foregoing analysis and the analysis contained in Addendum No. 1 to the General Plan EIR, the proposed Project would not conflict with any applicable plans, policies, and/or regulations, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Conflict with any applicable habitat conservation plan or natural community conservation plan

As indicated under the analysis of Biological Resources in Section 4.3.4, the proposed Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Accordingly, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that land use and planning impacts could be mitigated to a level considered less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to land use and planning. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to land use and planning, as provided pursuant to CEQA Guidelines Section 15162.

4.3.11 Noise

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse noise impact if it would result in any of the following:*
>
> - *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*
> - *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels*
> - *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project*
> - *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project*
> - *For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, exposure of people residing or working in the project area to excessive noise levels*
> - *For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels"*

No Substantial Change from Previous Analysis**.** Noise impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

In order to evaluate whether the proposed Project would result in noise impacts that were not examined in the General Plan EIR, a noise impact analysis was prepared for the proposed Project by Urban Crossroads, Inc. This study, entitled, *North Newport Center Planned Community Noise Impact Analysis*, and dated May 29, 2012, is provided as Appendix C. Refer to Appendix C for a discussion of noise fundamentals, noise standards, and for a detailed description of the methodology utilized to calculate the proposed Project's traffic-related noise.

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

A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project

Methods and Procedures

In evaluating the proposed Project's potential for impacts due to noise from vehicular traffic, the projected roadway noise impacts were calculated using a computer program that replicates the FHWA Traffic Noise Prediction Model. The FHWA Model arrives at a predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Adjustments are then made to the REMEL to account for: the roadway classification (e.g., collector, secondary, major or arterial), the roadway active width (i.e., the distance between the center of the outermost travel lanes on each side of the roadway), the total average daily traffic (ADT), the travel speed, the percentages of automobiles, medium trucks, and heavy trucks in the traffic volume, the roadway grade, the angle of view (e.g., whether the roadway view is blocked), the site conditions ("hard" or "soft" relates to the absorption of the ground, pavement, or landscaping), and the percentage of total ADT which flows each hour throughout a 24-hour period. Please refer to Section 5.1 of the Project's Noise Impact Analysis (Appendix C) for a description of the noise prediction model inputs used in the analysis.

Threshold of Significance for Evaluating Noise Impacts

Noise standards within the City are established by the General Plan Noise Element and the City's Noise Ordinance (Municipal Code Chapter 10.26, Community Noise Control, and Municipal Code Section 10.28.040, Construction Activity – Noise Regulations).

Project-related construction activities would be required to comply with General Plan Policy N 4.6 (Maintenance or Construction Activities) and Policy N 5.1 (Limiting Hours of Activity). Policy N 4.6 directs the City to enforce the City's Noise Ordinance limits on hours of maintenance or construction activity in or adjacent to residential areas, while Policy N 5.1 directs the City to enforce the limits on hours of construction activity. Municipal Code Section 10.28.040 restricts the timing of construction activities within the City to weekdays between 7:00 a.m. and 6:30 p.m., Saturdays between 8:00 a.m. and 6:00 p.m., and prohibits "loud noise that disturbs, or could disturb, a person of normal sensitivity" on Sundays and holidays.

Land use compatibility for noise is governed by General Plan Goal N1, which requires analysis of new development to ensure compatibility with existing land uses. General Plan Policy N 1.5, which addresses "Infill Projects" such as the proposed Project, establishes an interior noise level standard of 45 dBA CNEL.

General Plan Noise Policy N 1.8 requires the employment of noise mitigation measures for existing sensitive uses when a significant noise impact is identified. A significant noise impact occurs when there is a substantial increase in the ambient CNEL produced by new development impacting existing sensitive uses. Due to the nature of the proposed Project (i.e., multi-family residential uses), only future traffic generated by the proposed Project warrants analysis for compliance with Policy N 1.8 since multi-family residential development is not anticipated to result in any stationary noise sources that could exceed the noise level limits established by the policy. For purposes of analysis (and as required by General Plan Policy N 1.8), off-site transportation-related noise increases would be considered "substantial" if Project-related traffic results in any of the following: a noise level increase of 3 dBA CNEL where the existing without project ambient noise levels range from 55 to 60 dBA CNEL; a noise level increase of 2 dBA CNEL where the existing without project ambient noise levels range from 60 to 65 dBA CNEL; a

noise level increase of 1 dBA CNEL where the existing without project ambient noise levels range from 65 to 75 dBA CNEL; and/or any off-site transportation project related noise level increase where the existing without project ambient noise levels are over 75 dBA CNEL. If the Project's transportation-related noise increases are substantial and impact sensitive receptors that were previously identified by the General Plan EIR as being impacted by traffic-related noise, then the Project's contribution would be considered to comprise a substantial increase in the severity of a significant effect (CEQA Guidelines §15162(3)(b)). If the Project's transportation-related noise increases are substantial and impact sensitive receptors that were not previously identified by the General Plan EIR as being impacted by traffic-related noise, then the Project's noise contribution would be considered a significant effect not discussed in the General Plan EIR (CEQA Guidelines §15162(3)(a)).

Municipal Code Section 10.26.025 (Exterior Noise Standards) establishes allowable exterior noise standards for sensitive land uses, as shown in Table 5, *Allowable Exterior Noise Levels*. In cases where ambient noise levels exceed the allowable exterior noise level shown in Table 5, then the ambient noise level is the exterior noise standard.

Municipal Code Section 10.26.030 (Interior Noise Standards) establishes allowable interior noise level, as presented in Table 6, *Allowable Interior Noise Levels*. In cases where ambient noise levels exceed the allowable interior noise levels presented in Table 6, then the ambient noise level is the interior noise standard.

Table 5 Allowable Exterior Noise Levels

Land Use	***Allowable Exterior Noise Level (Leq)***	
	7 a.m. to 10 p.m.	***10 p.m. to 7 a.m.***
Single- two- or multiple family residential	55 dBA	50 dBA
Commercial	65 dBA	60 dBA
Residential portions of mixed-use properties	60 dBA	50 dBA
Industrial or manufacturing	70 dBA	70 dBA

Source: Municipal Code Section 10.26.025.

Table 6 Allowable Interior Noise Levels

Land Use	***Allowable Interior Noise Level (Leq)***	
	7 a.m. to 10 p.m.	***10 p.m. to 7 a.m.***
Residential	55 dBA	50 dBA
Residential portions of mixed-use properties	60 dBA	50 dBA

Source: Municipal Code Section 10.26.030.

Impact Analysis

Since no specific development project is proposed at this time, it is not possible to calculate noise levels that would be associated with future construction activities at the proposed Project site. However, construction activity is an expected secondary effect of the Project and therefore considered in this analysis (see *CEQA Guidelines Section 15146)*. Consistent with the conclusions of the General Plan EIR for construction impacts, mandatory compliance with Municipal Code Section 10.28.040 would ensure that construction activities on the proposed Project site do not result in a significant noise impact that would exceed any established and applicable standards governing construction-related noise. Furthermore,

construction-related noise that may be associated with the proposed allocation of 524 multi-family residential units to San Joaquin Plaza clearly fall within the scope of analysis provided in the General Plan EIR because the General Plan EIR assumed future construction in Newport Center, inclusive of the proposed Project site. Of the 524 units proposed to be vested to San Joaquin Plaza, the General Plan EIR assumed that 430 of those units would be constructed within the NNCPC and also assumed that an additional 15 multi-family units would be constructed within Statistical Area L1. Therefore, constructing 79 residential units instead of 79 hotel units and the construction of an additional 94 units in the San Joaquin Plaza portion of the NNCPC represent the Project's only potential to create construction-related noise impacts beyond the level previously disclosed in the General Plan EIR.

However, the construction of additional multi-family residential units at the San Joaquin Plaza would not result in a substantial increase in the amount of construction-related noise as compared to what was assumed in the General Plan EIR. As noted in the General Plan EIR, construction activities would be subject to compliance with Municipal Code Section 10.28.040, which regulates the allowable days and hours of construction. Any construction noise generated during the days and hours permitted by Municipal Code Section 10.28.040 would otherwise be exempt from the Noise Ordinance requirements, and thereby has no potential to result in any new or more severe impacts as compared to what was assumed in the General Plan EIR's analysis. Furthermore, the construction of 94 additional units at the San Joaquin Plaza would only increase the duration of construction activities and would not measurably increase the intensity of construction-related noise, as it is reasonable to conclude that residential units would be constructed using the same types of construction equipment and building materials. Since the General Plan EIR concludes that mandatory compliance with Municipal Code Section 10.28.040 would result in less than significant construction-related noise impacts, future Project-related construction noise would not result in any new noise impacts or substantially increase the severity of construction-related noise impacts previously disclosed in the General Plan EIR.

Operational noise impacts associated with implementation of the General Plan were previously evaluated as part of the General Plan EIR, which identified significant and unavoidable impacts due to the exposure of existing development to future traffic related noise that would exceed the General Plan noise standards and/or would represent a substantial permanent increase in ambient noise levels. The General Plan EIR notes that compliance with General Plan Goal N-2 (Transportation Noise) would reduce this impact, but not to a level below significant.[62]

Although the proposed Project would involve the allocation of 94 additional units to the San Joaquin Plaza, implementation of the proposed Project would not result in a net increase in the amount of traffic beyond what was assumed in the General Plan EIR.[63]

To substantiate this conclusion, future noise conditions for study area roadway segments were calculated based on the Project's Traffic Impact Analysis (Appendix D) to determine whether traffic generated by the Project would cause or contribute to transportation-related noise levels that could exceed the General Plan standards and/or result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project. Under existing entitlements, the proposed Project site could be developed with up to 430 multi-family residential units. Accordingly, the analysis presented herein focuses on the Project's proposal to allocate an additional 94 dwelling units to the San Joaquin Plaza (as was done for the Project's traffic study prepared in accordance with the City's TPO; see Appendix D).

[62] *Ibid*, Page 4.9-42.
[63] Stantec Consulting Services, 2012. *San Joaquin Plaza Trip Generation*. May 16, 2012. Available for review at the City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

Existing noise contours without the addition of Project traffic are presented in Table 6-1 of the Noise Impact Analysis (Appendix C), while Noise Impact Analysis Table 6-2 presents the existing plus Project traffic noise contours. Table 6-3 of the Noise Impact Analysis presents the year 2016 without Project noise contours, while Table 6-4 presents the year 2016 noise contours with the addition of Project traffic. It should be noted that noise contours presented in the Noise Impact Analysis do not take into consideration the noise reducing effect of any existing noise barriers or topography that may affect ambient or projected noise levels.

Table 7, *Existing Off-Site Project-Related Traffic Noise Impacts*, presents a comparison of the existing conditions noise levels for study area road segments for with and without the addition of Project traffic associated with adding 94 residential dwelling units to San Joaquin Plaza. Table 8, *Year 2016 Off-Site Project-Related Traffic Noise Impacts*, presents a comparison of year 2016 conditions noise levels for study area road segments for with and without the addition of Project traffic.

As previously noted, a significant noise impact occurs when there is a substantial increase in the ambient CNEL produced by new development impacting existing sensitive land uses. According to the significance thresholds specified by Noise Element Policy N 1.8 and shown in Table 7 and Table 8, 72 of the 73 roadway segments within the Project's study area are not expected to be significantly impacted by off-site transportation related noise. According to the noise impact analysis, the Newport Center segment north of San Miguel is the only roadway identified with a potentially significant impact. However, the land uses neighboring this roadway segment consist primarily of commercial retail and office uses that are not considered existing sensitive uses that would require additional off-site noise mitigation. As such, a significant impact for this roadway segment does not exist for future Year 2016 conditions (as shown in Table 8).

For all of the 73 study area roadway segments, Project-related noise level increases are expected to be less than 1.0 to 3.0 dBA CNEL in year 2016, which is considered "barely perceptible." All noise level increases attributable to Project-related traffic are also below the thresholds established by General Plan Policy N 1.8, or the projected increase would not impact a sensitive receptor. As such, the proposed Project's contributions to off-site roadway noise increases for both existing and year 2016 conditions would not result in the exposure of persons to or result in the generation of noise levels in excess of standards established in the General Plan, City Noise Ordinance, or applicable standards of any other agencies. Additionally, Project-related traffic would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

For General Plan buildout conditions, noise level increases attributable to Project-related traffic would be less than the noise level increases presented in Table 8. This is because buildout of the General Plan would result in an overall increase in background traffic volumes, which would thereby result in an increase in background noise levels as compared to year 2016 conditions. As background traffic-related noise levels increase, noise increases attributable to Project traffic would decrease. Therefore, since Project-related noise increases would be less than the values presented in Table 8, Project-related traffic under General Plan buildout conditions would not result in the generation of noise levels in excess of standards established in the General Plan, City Noise Ordinance, or applicable standards of any other agencies, nor would it result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project.

Based on the analysis presented above, traffic associated with the proposed project would not result in any new significant effects not discussed in the General Plan EIR, nor would Project traffic result in a

Table 7 Existing Off-Site Project-Related Traffic Noise Impacts

Roadway	Segment	CNEL at 100 Feet (dBA)			Significance Threshold (dBA)[1]	Potential Significant Impact?[2]
		No Project	With Project	Project Addition		
Jamboree	North of Eastbluff	68.8	68.9	0.0	1.0	No
Jamboree	Eastbluff to San Joaquin Hills	69.8	69.8	0.0	1.0	No
Jamboree	South of San Joaquin Hills	68.0	68.0	0.0	1.0	No
Jamboree	North of Santa Barbara	68.3	68.3	0.0	1.0	No
Jamboree	South of Santa Barbara	67.8	67.8	0.0	1.0	No
Jamboree	North of Coast Highway	67.5	67.5	0.0	1.0	No
Jamboree	South of Coast Highway	63.3	63.3	0.0	1.0	No
Santa Cruz	North of San Joaquin Hills	54.5	54.5	0.0	3.0	No
Santa Cruz	Souh of San Joaquin Hills	63.0	63.4	0.4	1.0	No
Santa Cruz	North of San Clemente	62.9	62.9	0.0	1.0	No
Santa Cruz	South of San Clemente	61.9	61.9	0.0	1.0	No
Santa Cruz	North of Newport CTR	61.7	61.7	0.0	1.0	No
Santa Cruz	South of Newport CTR	58.5	58.5	0.0	2.0	No
Newport CTR	West of Newport CTR	60.9	60.9	0.0	1.0	No
Newport CTR	South of Santa Barbara	61.3	61.3	0.0	1.0	No
Newport CTR	North of Santa Barbara	60.6	60.6	0.0	1.0	No
Newport CTR	South of Santa Cruz	60.2	60.2	0.0	1.0	No
Newport CTR	North of Santa Cruz	59.9	59.9	0.0	2.0	No
Newport CTR	North of Santa Rosa	60.6	60.6	0.0	1.0	No
Newport CTR	South of Santa Rosa	62.0	62.1	0.0	1.0	No
Newport CTR	North of San Miguel	61.0	62.1	1.1	1.0	Yes
Newport CTR	South of San Miguel	62.7	62.7	0.0	1.0	No
Newport CTR	East of Newport CTR	61.9	61.9	0.0	1.0	No
Newport CTR	South of Newport CTR (Circle	63.6	63.6	0.0	1.0	No
Newport CTR	North of Coast Highway	64.2	64.2	0.0	1.0	No
Santa Rosa	North of San Joaquin Hills	58.0	58.0	0.0	2.0	No
Santa Rosa	South of San Joaquin Hills	63.8	63.8	0.0	1.0	No
Santa Rosa	North of Newport CTR	63.0	63.0	0.0	1.0	No
Santa Rosa	South of Newport CTR	60.5	60.5	0.0	1.0	No
Avocado	North of San Miguel	57.0	57.0	0.0	2.0	No
Avocado	South of San Miguel	62.0	62.0	0.0	1.0	No
Avocado	North of Coast Highway	60.4	60.4	0.0	1.0	No
Macarthur	North of Bonita Canyon	71.1	71.1	0.0	1.0	No
Macarthur	South of Bonita Canyon	70.3	70.3	0.0	1.0	No
Macarthur	North of San Joaquin Hills	70.3	70.3	0.0	1.0	No

Table 7 Existing Off-Site Project-Related Traffic Noise Impacts (Cont'd)

Roadway	Segment	CNEL at 100 Feet (dBA)			Signifcance Threshold (dBA)[1]	Potential Significant Impact?[2]
		No Project	With Project	Project Addition		
Macarthur	South of San Joaquin Hills	68.3	68.3	0.0	1.0	No
Macarthur	North of San Miguel	67.9	67.9	0.0	1.0	No
Macarthur	South of San Miguel	67.0	67.0	0.0	1.0	No
Macarthur	North of Coast Highway	67.0	67.0	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	West of Jamboree	63.8	63.8	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	East of Jamboree	62.8	62.8	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	West of Bonita Canyon	62.1	62.2	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	East of Bonita Canyon	67.9	67.9	0.0	1.0	No
San Joaquin Hills	West of Jamboree	59.3	59.3	0.0	2.0	No
San Joaquin Hills	East of Jamboree	64.9	65.0	0.0	1.0	No
San Joaquin Hills	West of Santa Cruz	65.9	65.9	0.0	1.0	No
San Joaquin Hills	East of Santa Cruz	63.8	63.9	0.0	1.0	No
San Joaquin Hills	West of Santa Rosa	64.4	64.4	0.0	1.0	No
San Joaquin Hills	East of Santa Rosa	65.8	65.8	0.0	1.0	No
San Joaquin Hills	West of Macarthur	65.7	65.7	0.0	1.0	No
San Joaquin Hills	East of Macarthur	65.6	65.6	0.0	1.0	No
San Clemente	East of Santa Barbara	58.3	58.3	0.1	2.0	No
San Clemente	West of Santa Cruz	58.4	58.5	0.1	2.0	No
Santa Barbara	West of Jamboree	54.0	54.0	0.0	3.0	No
Santa Barbara	East of Jamboree	61.6	61.7	0.0	1.0	No
Santa Barbara	North of San Clemente	61.6	61.6	0.0	1.0	No
Santa Barbara	South of San Clemente	59.4	59.4	0.0	2.0	No
Santa Barbara	West of Newport CTR	58.8	58.8	0.1	2.0	No
Santa Barbara	East of Newport CTR	56.0	56.0	0.0	2.0	No
San Miguel	West of Newport CTR	61.1	61.1	0.0	1.0	No
San Miguel	East of Newport CTR	63.2	63.2	0.0	1.0	No
San Miguel	West of Avacado	64.3	64.3	0.0	1.0	No
San Miguel	East of Avacado	66.0	66.0	0.0	1.0	No
San Miguel	West of Macarthur	65.6	65.6	0.0	1.0	No
San Miguel	East of Macarthur	62.9	62.9	0.0	1.0	No
Coast Highway	West of Jamboree	70.2	70.2	0.0	1.0	No
Coast Highway	East of Jamboree	69.2	69.2	0.0	1.0	No
Coast Highway	West of Newport CTR	68.9	68.9	0.0	1.0	No
Coast Highway	East of Newport CTR	68.0	68.0	0.0	1.0	No
Coast Highway	West of Avacado	67.8	67.8	0.0	1.0	No
Coast Highway	East of Avacado	68.1	68.1	0.0	1.0	No
Coast Highway	West of Macarthur	68.1	68.1	0.0	1.0	No
Coast Highway	East of Macarthur	69.5	69.5	0.0	1.0	No

1. Significant noise impact threshold defined by the City of Newport Beach Policy N 1.8.
2. Potential noise impact for existing noise sensitive uses.

Table 8 Year 2016 Off-Site Project-Related Traffic Noise Impacts

Roadway	Segment	CNEL at 100 Feet (dBA)			Signifcance Threshold (dBA)[1]	Potential Significant Impact?[2]
		No Project	With Project	Project Addition		
Jamboree	North of Eastbluff	69.6	69.7	0.0	1.0	No
Jamboree	Eastbluff to San Joaquin Hills	70.5	70.5	0.0	1.0	No
Jamboree	South of San Joaquin Hills	68.8	68.8	0.0	1.0	No
Jamboree	North of Santa Barbara	69.0	69.0	0.0	1.0	No
Jamboree	South of Santa Barbara	68.6	68.6	0.0	1.0	No
Jamboree	North of Coast Highway	68.3	68.3	0.0	1.0	No
Jamboree	South of Coast Highway	63.6	63.6	0.0	1.0	No
Santa Cruz	North of San Joaquin Hills	54.5	54.5	0.0	3.0	No
Santa Cruz	Souh of San Joaquin Hills	63.1	63.2	0.1	1.0	No
Santa Cruz	North of San Clemente	63.1	63.1	0.0	1.0	No
Santa Cruz	South of San Clemente	62.1	62.2	0.0	1.0	No
Santa Cruz	North of Newport CTR	62.0	62.0	0.0	1.0	No
Santa Cruz	South of Newport CTR	58.8	58.8	0.0	2.0	No
Newport CTR	West of Newport CTR	61.1	61.1	0.0	1.0	No
Newport CTR	South of Santa Barbara	61.4	61.4	0.0	1.0	No
Newport CTR	North of Santa Barbara	60.8	60.8	0.0	1.0	No
Newport CTR	South of Santa Cruz	60.5	60.5	0.0	1.0	No
Newport CTR	North of Santa Cruz	60.1	60.1	0.0	1.0	No
Newport CTR	North of Santa Rosa	61.1	61.1	0.0	1.0	No
Newport CTR	South of Santa Rosa	62.5	62.5	0.0	1.0	No
Newport CTR	North of San Miguel	61.3	61.3	0.0	1.0	No
Newport CTR	South of San Miguel	62.8	62.8	0.0	1.0	No
Newport CTR	East of Newport CTR	62.0	62.0	0.0	1.0	No
Newport CTR	South of Newport CTR (Circle	64.0	64.0	0.0	1.0	No
Newport CTR	North of Coast Highway	64.6	64.6	0.0	1.0	No
Santa Rosa	North of San Joaquin Hills	58.0	58.0	0.0	2.0	No
Santa Rosa	South of San Joaquin Hills	64.4	64.4	0.0	1.0	No
Santa Rosa	North of Newport CTR	63.7	63.7	0.0	1.0	No
Santa Rosa	South of Newport CTR	61.2	61.2	0.0	1.0	No
Avocado	North of San Miguel	57.8	57.8	0.0	2.0	No
Avocado	South of San Miguel	62.7	62.7	0.0	1.0	No
Avocado	North of Coast Highway	61.2	61.2	0.0	1.0	No
Macarthur	North of Bonita Canyon	71.5	71.5	0.0	1.0	No
Macarthur	South of Bonita Canyon	70.9	70.9	0.0	1.0	No
Macarthur	North of San Joaquin Hills	70.8	70.8	0.0	1.0	No

Table 8 Year 2016 Off-Site Project-Related Traffic Noise Impacts (Cont'd)

Roadway	Segment	CNEL at 100 Feet (dBA)			Signifcance Threshold (dBA)[1]	Potential Significant Impact?[2]
		No Project	With Project	Project Addition		
Macarthur	South of San Joaquin Hills	68.8	68.8	0.0	1.0	No
Macarthur	North of San Miguel	68.3	68.3	0.0	1.0	No
Macarthur	South of San Miguel	67.6	67.6	0.0	1.0	No
Macarthur	North of Coast Highway	67.6	67.6	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	West of Jamboree	64.0	64.0	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	East of Jamboree	63.0	63.1	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	West of Bonita Canyon	62.4	62.4	0.0	1.0	No
Eastbluff/Ford/Bonita Cyn	East of Bonita Canyon	68.1	68.1	0.0	1.0	No
San Joaquin Hills	West of Jamboree	59.4	59.4	0.0	2.0	No
San Joaquin Hills	East of Jamboree	65.5	65.6	0.0	1.0	No
San Joaquin Hills	West of Santa Cruz	66.2	66.2	0.0	1.0	No
San Joaquin Hills	East of Santa Cruz	64.2	64.2	0.0	1.0	No
San Joaquin Hills	West of Santa Rosa	64.8	64.8	0.0	1.0	No
San Joaquin Hills	East of Santa Rosa	66.0	66.1	0.0	1.0	No
San Joaquin Hills	West of Macarthur	66.2	66.2	0.0	1.0	No
San Joaquin Hills	East of Macarthur	65.7	65.7	0.0	1.0	No
San Clemente	East of Santa Barbara	58.3	58.3	0.1	2.0	No
San Clemente	West of Santa Cruz	58.4	58.5	0.1	2.0	No
Santa Barbara	West of Jamboree	54.4	54.4	0.0	3.0	No
Santa Barbara	East of Jamboree	61.9	61.9	0.0	1.0	No
Santa Barbara	North of San Clemente	61.8	61.8	0.0	1.0	No
Santa Barbara	South of San Clemente	59.8	59.8	0.0	2.0	No
Santa Barbara	West of Newport CTR	59.2	59.2	0.0	2.0	No
Santa Barbara	East of Newport CTR	56.5	56.5	0.0	2.0	No
San Miguel	West of Newport CTR	61.8	61.8	0.0	1.0	No
San Miguel	East of Newport CTR	63.8	63.8	0.0	1.0	No
San Miguel	West of Avacado	64.8	64.8	0.0	1.0	No
San Miguel	East of Avacado	66.5	66.5	0.0	1.0	No
San Miguel	West of Macarthur	66.2	66.2	0.0	1.0	No
San Miguel	East of Macarthur	63.1	63.1	0.0	1.0	No
Coast Highway	West of Jamboree	71.0	71.0	0.0	1.0	No
Coast Highway	East of Jamboree	70.1	70.1	0.0	1.0	No
Coast Highway	West of Newport CTR	69.8	69.8	0.0	1.0	No
Coast Highway	East of Newport CTR	69.0	69.0	0.0	1.0	No
Coast Highway	West of Avacado	68.9	68.9	0.0	1.0	No
Coast Highway	East of Avacado	69.0	69.0	0.0	1.0	No
Coast Highway	West of Macarthur	68.7	69.0	0.3	1.0	No
Coast Highway	East of Macarthur	70.4	70.4	0.0	1.0	No

1. Significant noise impact threshold defined by the City of Newport Beach Policy N 1.8.
2. Potential noise impact for existing noise sensitive uses.

substantial increase in the severity of any noise impacts previously identified in the General Plan EIR. Therefore, long-term operation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels

The General Plan EIR evaluated the potential for exposure of persons to or the generation of excessive groundborne vibration or groundborne noise levels, which were considered significant if they exceeded 72 vibration decibels (VdB). Impacts associated with the exposure of existing residential developments to noise levels in excess of 72 VdB were disclosed in the General Plan EIR as a significant and unavoidable impact, and indicated that mitigation measures for such impacts are not available.

Table 9, *Vibration Source Levels for Construction Equipment*, presents the typical vibration levels for common types of construction equipment.[64] Existing residential uses within close proximity to the proposed Project site include existing single-family residential uses to the west (across Jamboree Road), multi-family uses to the northwest (across Jamboree Road and San Joaquin Hills Road), single-family uses to the northeast (across San Joaquin Hills Road), and immediately south of the proposed Project site (across San Clemente Drive). Of theses existing residential land uses, and based on the values presented in Table 9, only the existing multi-family uses to the south of the site are located in close enough proximity to the Project site (i.e., approximately 90 feet) to be affected by vibration from future Project construction, as the remaining residential uses are located more than 150 feet from the proposed Project site. As shown in Table 9, the existing multi-family land uses located south of the site could be exposed to vibration-related noise levels approaching 77 VdB (which is the vibration level given for large bulldozers at a distance of 75 feet).

Table 9 Vibration Source Levels for Construction Equipment

Equipment	Approximate VdB			
	25 Feet	50 Feet	75 Feet	100 Feet
Large Bulldozer	87	81	77	75
Loaded Trucks	86	80	76	74
Jackhammer	79	73	69	67
Small Bulldozer	58	52	48	46

SOURCE: Federal Transit Administration 1995; EIP Associates 2006

Although future construction activities that may occur as a result of the proposed Project have the potential to expose the existing multi-family residential uses to the south to noise levels in excess of 72 VdB, construction activities that would result from implementation of the proposed Project fall within the scope of analysis presented in the General Plan EIR. The addition of up to 94 additional multi-family units on the Project site, in addition to the 430 multi-family units already assumed by the General Plan EIR, would not result in a substantial increase in the amount of construction equipment that would be required, and thus would not result in a substantial increase in vibration-related impacts as presented in the General Plan EIR.

With respect to long-term operating conditions, multi-family residential uses are not associated with the generation of vibration-related noise. As such, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[64] General Plan EIR, Table 4.9-7.

A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project

Since no specific development is proposed at this time, it is not possible to calculate noise levels that may be associated with future construction activities at the proposed Project site. However, construction activities that may be associated with future development at the proposed Project site are within the scope of analysis for the General Plan EIR, since the General Plan EIR assumed future construction on the proposed Project site and because the construction of additional units on-site (i.e., 94 multi-family units) would not substantially increase daily noise levels. As concluded in the General Plan EIR, "…existing and future construction noise levels at individual construction sites may not substantially differ, but previously unexposed areas could experience new sources of construction noise. Both existing and future noise would be exempt from the [Municipal Code] and when construction occurs, impacts would be considered less than significant." [65]

Accordingly, since construction activities that may be associated with future construction activities allowed as a result of the proposed Project would be regulated by Municipal Code Section 10.28.040, and because impacts associated with construction activities at the proposed Project site were assumed in the General Plan EIR, construction activities would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project. Therefore, construction of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

For long-term operating conditions, the General Plan EIR notes the following:

> *Other sources of noise that occur on a periodic or temporary noise could involve neighborhood or commercial landscape maintenance equipment, street and parking lot maintenance vehicles, loudspeakers, alarm systems, and automobiles and motorcycles with modified exhaust systems. Noise from these uses may be dealt with on a case-by-case basis through enforcement of the City Noise Ordinance provisions.*[66]

The General Plan EIR concludes that such impacts would be less than significant. Operational characteristics that may be associated with future development pursuant to the proposed Project would be within the scope of the analysis provided in the General Plan EIR, since the long-term operation of 94 additional multi-family units on-site (in addition to the 430 multi-family units already allowed by the NNCPC Development Plan) would not result in a substantial increase in the need for landscape maintenance equipment, use of street and parking lot maintenance vehicles, loudspeakers, alarm systems, or automobiles with modified exhaust systems. Moreover, to the extent that the Project would result in an increase in these sources (e.g., increased vehicles with modified exhaust systems), such sources would be addressed through enforcement of the provisions of the City's Noise Ordinance. Accordingly, long-term operation of the proposed Project would not result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the Project. Therefore, long-term operation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[65] *Ibid*, Page 4.9-34.
[66] *Ibid*, Page 4.9-35.

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

According to General Plan EIR Figures 4.9-5 and 4.9-6, and the John Wayne Airport Impact Zones exhibit contained in the AELUP,[67] the proposed Project site is subject to airport-related noise levels that are less than 60 dB CNEL. As indicated in the AELUP, areas located outside of the 60 dB CNEL contour are not subject to significant airport-related noise levels.[68] Accordingly, the proposed Project would not result in the exposure of people residing or working in the area to excessive airport-related noise levels. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

For a project within the vicinity of a private airstrip, exposure of people residing or working in the project area to excessive noise levels

As concluded in the General Plan EIR, there are no existing private airstrips within the City or the vicinity of the Project site.[69] Accordingly, the proposed Project site would not expose people residing or working in the Project area to excessive noise levels associated with a private airstrip, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to noise impacts related to John Wayne Airport and construction activities could be mitigated to a level considered less than significant. Groundborne construction vibrations and long-term exposure to increased noise levels were identified to remain significant and unavoidable.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to noise. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to noise, as provided pursuant to CEQA Guidelines Section 15162.

[67] Airport Environs Land Use Plan for John Wayne Airport, Orange County Airport Land Use Commission (April 17, 2008), Appendix D (*Impact Zones Map*). Available on-line at: http://www.ocair.com/commissions/aluc/docs/JWA_AELUP-April-17-2008.pdf. Accessed May 17, 2012.
[68] *Ibid*, Page 12.
[69] General Plan EIR, Page 4.6-1.

4.3.12 Population and Housing

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on biological resources [sic] if it would result in any of the following:*
>
> - *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)*
> - *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere*
> - *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere"*

No Substantial Change from Previous Analysis**.** Population and housing impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

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)

The Project's proposal to assign 15 un-built multi-family units to the San Joaquin Plaza would not result in an increase in the City's population beyond the projected population for North Newport Center previously evaluated and disclosed as part of the General Plan EIR. The conversion of 79 un-built hotel units to residential units would, however, result in an estimated increase in the City's permanent population by 173 persons (based on a person per household [pph] value of 2.19 cited in the General Plan EIR).[70] It should be noted that the increase in the permanent population would be somewhat off-set by the reduction in transient population (i.e., hotel patrons) due to the reduction in the number of hotel units allowed within the City (79 units).

The General Plan EIR disclosed that buildout of the land uses allowed by the General Plan Land Use Plan would result in a future 2030 population of 103,753 persons, while SCAG projected a future 2030 population of only 94,167 persons, or a difference of approximately 9,586 persons. The General Plan EIR identified this increase in the City's population as compared to SCAG's 2030 forecast to be a significant and unavoidable impact of the 2006 General Plan. The future development of residential uses in San Joaquin Plaza as a result of implementing the proposed Project would result in an estimated increase in the City's projected population by 173 persons, which would be in addition to the projected population identified in the General Plan EIR. However, the increase in permanent population attributable to the proposed Project would not represent a substantial increase in the severity of the City's unavoidable cumulative impact to population and housing, considering the proposed Project's population increase of 173 persons would comprise less than two-tenths of one percent (0.17%) of the projected and estimated General Plan buildout population. Therefore, implementation of the proposed Project would not result in any new impacts or substantially increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[70] *Ibid*, Page 4.10-5

Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere

Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere

Under existing conditions, the San Joaquin Plaza is developed with commercial office land uses, and does not include any housing units or residents. Accordingly, the proposed Project would not displace substantial numbers of existing housing or people, and would not require the construction of replacement housing elsewhere. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

No policies were identified in the 2006 General Plan to reduce the substantial increase in growth in the City. Measures were adopted as a mitigation program that minimized impacts associated with resource impacts associated with buildout of the City of Newport Beach, including increases in population and the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to population and housing would remain significant and unavoidable.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to population and housing. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to population and housing, as provided pursuant to CEQA Guidelines Section 15162.

4.3.13 Public Services

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on [public services] if it would result in any of the following:*
>
> - *Result in substantial adverse environmental impacts associated with the provision of new or physically altered fire protection facilities, the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives*
> - *Result in substantial adverse environmental impacts associated with the provision of new or physically altered police protection facilities, the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives*
> - *Result in substantial adverse physical impacts associated with the provision of new or physically altered schools, need for new or physically altered schools, the construction of which could cause significant*

environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

- *Result in substantial adverse environmental impacts associated with the provision of new or physically altered libraries, the need for new or physically altered libraries, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for libraries."*

It should be noted that impacts to parks, although included as a public service in Appendix G of the CEQA Guidelines, are analyzed separately in Section 4.3.14 (Recreation) of this Initial Study/EIR Addendum.

No Substantial Change from Previous Analysis**.** Public service impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Result in substantial adverse environmental impacts associated with the provision of new or physically altered fire protection facilities, the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives

The proposed Project site is served by Newport Beach Fire Department (NBFD) Fire Station 3, which is located at 868 Santa Barbara Drive and immediately adjacent to the proposed Project site.[71] The desired personnel to population ratio for fire protection services is 0.48 firefighters for each 1,000 residents.[72] According to this standard, the Project's projected future population increase of 173 persons[73] would result in the need for 0.08 new firefighters. However, as stated in the General Plan EIR, "irrespective of the personnel to population ratio, in the NBFD's estimation, the NBFD's current staffing level adequately suits the current needs of the City's residential population."[74]

In addition, NBFD's desired response time for emergency response (including a three- to four-person engine company) is five minutes for 90 percent of all structure fire calls within the City[75]. According to General Plan EIR Table 4.11-4, Fire Station 3 had a response time of 4 minutes 32 seconds in 2002, which meets the NBFD's five minute standard. It should be noted that given the San Joaquin Plaza's close proximity to Fire Station 3, service times to the proposed Project site would be substantially less than the average response time.

Furthermore, it should be noted that the construction of 1,201 dwelling units within Newport Center was assumed in the General Plan EIR (which assumed 751 units allocated to portions of the Newport Center designated as Multiple Residential [RM] and 450 units allocated to portions designated as MU-H3), and the General Plan EIR also assumed the construction of 79 more hotel units than were actually constructed at Anomaly Number 43 (Marriott Hotel). Thus, the construction of 524 multi-family dwelling units at the San Joaquin Plaza, which includes 445 of the 450 dwelling units allocated to the MU-

[71] *Ibid*, Table 4.11-1.
[72] *Ibid*, Page 4.11-5.
[73] *Ibid*, Page 4.10-5. Based on a pph value of 2.19.
[74] *Ibid*, Pages 4.11-5 and -6
[75] Ibid, Page 4.11-6.

H3 portions of Newport Center and the conversion and transfer of 79 hotel units, would not represent a substantial increase in demand for fire protection services.

Accordingly, and consistent with the findings of the General Plan EIR, the proposed Project would not result in or require the provision of new or physically altered fire protection facilities, or new or physically altered fire protection facilities, the construction of which would result in substantial adverse environmental impacts. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in substantial adverse environmental impacts associated with the provision of new or physically altered police protection facilities, the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives

As discussed in the analysis of the previous threshold, implementation of the proposed Project could result in an increase in the City's projected permanent population by 173 persons as compared to what was estimated in the General Plan EIR;[76] however, it should be noted that this increase in the estimated permanent population would be partially off-set by a reduction in the City's transient population because the proposed Project also would result in a reduction of 79 hotel units allowed within Newport Center. Nonetheless, the potential increase in the estimated permanent population would require additional police protection services.

The Newport Beach Police Department (NBPD) has a ratio of 1.7 officers per 1,000 residents[77]. When and if residential development occurs in San Joaquin Plaza to implement the proposed Project, there would be an estimated 173 person population increase, which would require an additional 0.29 officers to maintain the City's service ratio. Maintaining the NBPD's current ratio of 0.60 non-sworn personnel per sworn officer[78] would require the addition of 0.18 non-sworn personnel. Although the General Plan EIR identified that buildout of the General Plan would require new or expanded police facilities, the Project-related demand for 0.29 sworn officers and 0.18 non-sworn officers would not result in or require any new or physically altered police protection facilities beyond what was evaluated and disclosed as part of the General Plan EIR.

Accordingly, the proposed Project would not result in nor require new or physically altered police protection facilities or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in substantial adverse physical impacts associated with the provision of new or physically altered schools, need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

The proposed Project is located within the Newport Mesa Unified School District (NMUSD), and any future school-age children residing in San Joaquin Plaza would attend the Lincoln Elementary School, Corona Del Mar Middle School, or the Corona Del Mar High School should they attend public schools.

[76] *Ibid*, Page 4.10-5. Based on a pph value of 2.19.
[77] *Ibid*, Page 4.11-16.
[78] *Ibid*.

Utilizing the ratios provided in the General Plan EIR, the conversion of 79 hotel rooms to 79 multi-family residential proposed by the Project would result in 35 more students than were assumed in the General Plan EIR (consisting of 17 elementary school students, 9 middle school students, and 9 high school students).[79]

As indicated in the General Plan EIR, implementation of the General Plan would result in approximately 4,347 total students within NMUSD, which would require the construction of new school facilities.[80] However, the General Plan EIR concludes that adherence to policies contained in the General Plan would ensure that impacts related to the provision of new educational facilities would be less than significant. Furthermore, the 35 additional students generated by the proposed Project would not result in the need for additional school facilities beyond those assumed by the General Plan EIR.

Accordingly, demand for school facilities associated with the proposed Project in conjunction with the cumulative demand throughout the entire school district would be consistent with the level of impacts identified and disclosed as part of the General Plan EIR. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in substantial adverse environmental impacts associated with the provision of new or physically altered libraries, the need for new or physically altered libraries, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for libraries."

As concluded in the General Plan EIR, it is increasingly difficult to project the potential need for resources required to adequately serve the future population because the types of resources used at Newport Beach Public Library (NBPL) is changing (i.e., hardcopies vs. electronic documents). "...[I]ncreased development in the City does not necessarily immediately equate to an increase in total volumes or square feet of library space."[81] Accordingly, although the proposed Project could result in an increase in the projected future population of the City by 173 persons as compared to what was assumed in the General Plan EIR,[82] if and when residential development occurs in San Joaquin Plaza to implement the proposed Project, such population increase would not directly result in the need for new or expanded library facilities that would have a significant effect upon the environment. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including increased public service demands associated with the City's projected population, including the implementation of future development in the San Joaquin Plaza.

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[79] *Ibid*, Page 4.11-23. The General Plan EIR assumes that the 14,215 dwelling unit increase associated with the General Plan Update would result in 6,230 new students, consisting of 3,115 elementary school students, 1,557 middle school students, and 1,558 high school students. This represents a ratio of 0.219135 elementary students 0.109532 middle school students, and 0.109603 high school students per household.
[80] *Ibid*, Page 4.11-23.
[81] *Ibid,* Pages 4.11-27 and 4.11-28.
[82] *Ibid*, Page 4.10-5. Based on a pph value of 2.19.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to public services would be less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to public services. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to public services, as provided pursuant to CEQA Guidelines Section 15162.

4.3.14 Recreation and Open Space

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on parks and recreational facilities if it would result in any of the following:*
>
> - *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*
> - *Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment*
> - *Result in substantial adverse physical impacts associated with the provision of new or physically altered government services, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks"*

No Substantial Change from Previous Analysis**.** Park and recreational facility impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

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

Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment

Result in substantial adverse physical impacts associated with the provision of new or physically altered government services, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks

At the time the General Plan EIR was certified (2006), the City had a deficit of approximately 38.8 acres of park and beach acreage citywide. The proposed Project site is located within Service Area 9 (Newport Center), which is identified as having a projected need for 10.9 acres of parkland to serve the future population with buildout of the Service Area. The Service Area contains a total of 19 acres of existing parkland, which represents a surplus of 8.1 acres.[83]

Based on the standards provided in Municipal Code Section 19.52.040 (Parkland Standard), the City requires five acres of parkland for each 1,000 residents. Implementation of the proposed Project could result in an estimated increase of 173 persons as compared to what was projected by the General Plan.[84] If and when residential development is constructed in San Joaquin Plaza to implement the proposed Project, the resulting increase of 173 persons beyond that previously assumed by the General Plan would result in a demand for 0.9 acres of parkland. With implementation of the Project, total demand for parkland within Service Area 9 would increase to 11.8 acres, which would be more than accommodated by the 19 acres of existing parkland within the Service Area.

Although the Project would not result in the need for new or expanded recreational facilities, per the General Plan Open Space policies, a Per-Unit Public Benefit Fee for Parks would be paid for each of the 94 additional units in exchange for vested development rights as stipulated in the Amendment to the Zoning Implementation and Public Benefit Agreement. The in-lieu fees would be used to maintain existing or acquire new parkland within the City.

Accordingly, because there is more than adequate parkland to serve the projected population within Service Area 9, and because a Per-Unit Public Benefit Fee for parks would be required to be paid as an additional public benefit to assist the City in maintaining or expanding parkland within the City should residential development occur in San Joaquin Plaza, the proposed Project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial deterioration of the facility would occur or be accelerated. Additionally, the proposed Project would not require the construction or expansion of recreational facilities that might have an adverse effect on the environment. The proposed Project also would not result in any substantial adverse physical impacts to the environment associated with the provision of, or need for, new or physically altered government facilities. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[83] *Ibid*, Table 4.12-1 (Parkland Acreages).
[84] *Ibid*, Page 4.10-5. Based on a pph value of 2.19.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including increases in parkland and the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, which identifies that impacts to parks and recreational facilities would be less than significant.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to recreation and open space. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to recreation and open space, as provided pursuant to CEQA Guidelines Section 15162.

4.3.15 Transportation/Traffic

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on transportation or circulation if it would result in any of the following:*
>
> - *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)*
> - *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways*
> - *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in locations that results in substantial safety risks*
> - *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)*
> - *Result in inadequate emergency access*
> - *Result in inadequate parking capacity*
> - *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)"*

No Substantial Change from Previous Analysis**.** Transportation impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)

As required by the City of Newport Beach Traffic Phasing Ordinance (TPO), a TPO traffic analysis was prepared for the proposed Project. This study, entitled, *North Newport Center San Joaquin Plaza TPO Traffic Analysis*, and dated May 2012, is provided as Appendix D. The TPO traffic analysis includes an analysis pursuant to the TPO, a cumulative conditions analysis, and a General Plan analysis. Provided below is a summary of the methodology used in the TPO traffic analysis, an overview of existing conditions for study area intersections, and a summary of the findings for the TPO analysis, cumulative conditions analysis, and General Plan Analysis.

TPO Traffic Analysis Methodology

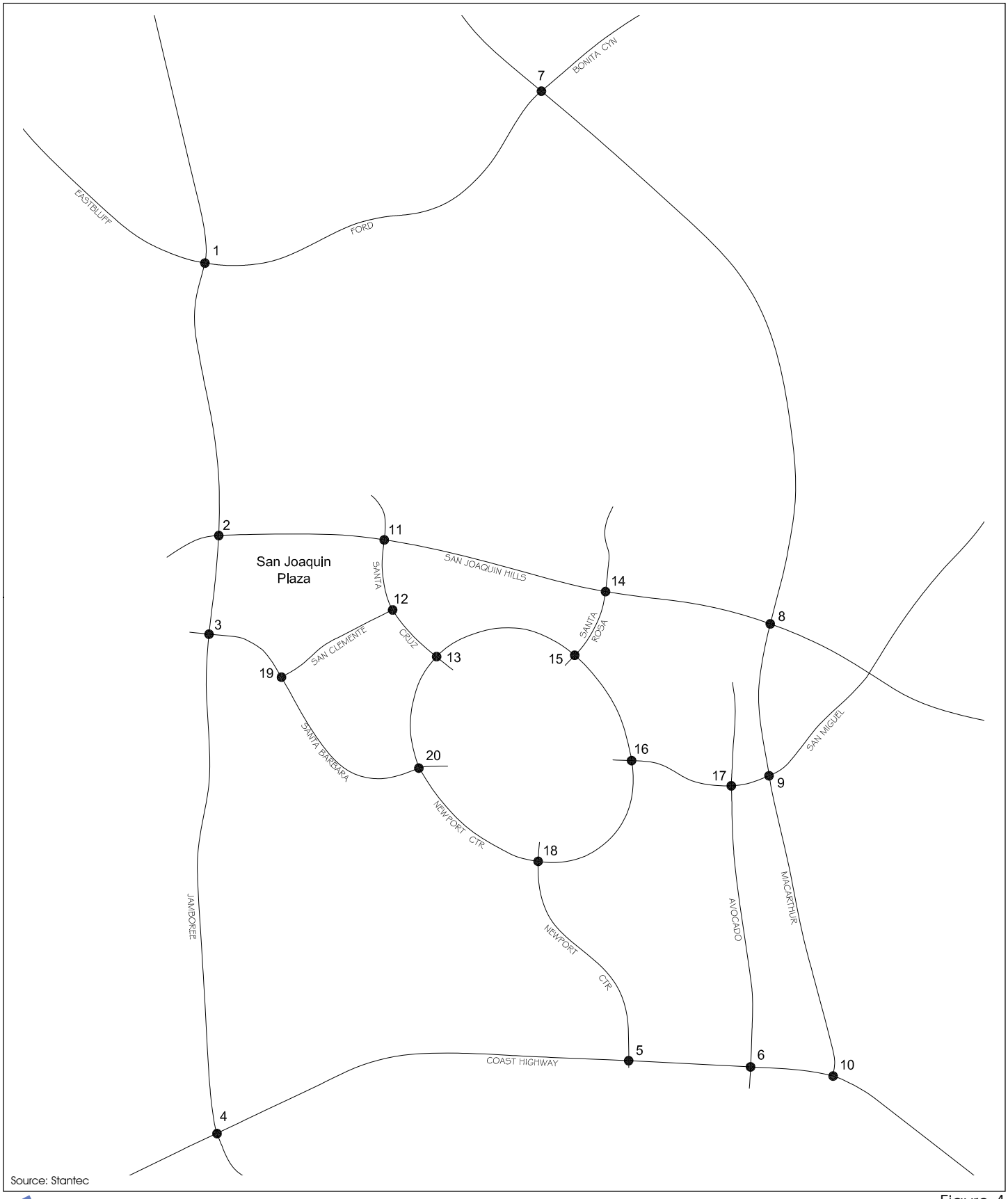
The proposed Project involves conversion of 79 hotel units to multi-family units, which would then be transferred to the San Joaquin Plaza. The Project also would result in the assignment of 15 un-built and un-assigned units to the San Joaquin Plaza. These 94 units, along with an additional 430 dwelling units already allowed in the MU-H3 portions of the NNCPC, would be allocated specifically to the San Joaquin Plaza. However, since the 430 dwelling units already are allowed within the San Joaquin Plaza, and impacts associated with transportation and traffic associated with such allocation was evaluated as part of the General Plan EIR and Addendum No. 1 thereto, the analysis of impacts to traffic in this section focuses on impacts associated with the increased development intensity within San Joaquin Plaza (i.e., 94 multi-family units) that would be allowed as a result of the proposed Project.

Based on the scope of the proposed Project, the City's traffic engineers identified a total of 20 intersections requiring analysis, as depicted on Figure 4, *TPO Analysis Study Intersections*. Existing intersection levels of service were calculated based on existing traffic counts collected in March 2012 and utilizing intersection capacity utilization (ICU) values. The ICU values are a means of presenting the volume to capacity ratios (V/C), with a V/C ratio of .90 representing the upper threshold for an acceptable level of service (LOS D) in the City of Newport Beach. The analysis assumes existing lane configurations and a capacity of 1,600 vehicles per hour (vph) per lane with no clearance factor.

Although no specific development project is proposed at this time, the proposed Project is assumed for purposes of the traffic analysis to be complete in 2015; therefore, the study year is 2016 consistent with the TPO guidelines. An ambient growth rate of 1.0 percent per year was added to the existing volumes along Jamboree Road, MacArthur Boulevard, and Coast Highway. Traffic generated by approved projects in the study area (including the 430 dwelling units currently allocated to the San Joaquin Plaza) were added to the existing-plus-growth peak hour volumes to obtain year 2016 background peak hour volumes for the intersections prior to the addition of Project-generated traffic. Table 10, *Approved Projects Summary*, summarizes the approved projects included in the analysis.

Trip rates and the resulting ADT for the proposed Project are summarized in Table 11, *Trip Generation Summary*. These trips were distributed to the surrounding circulation system according to the general distribution shown in Figure 5, *General Project Trip Distribution and Project ADT*.

Existing-plus-Project peak hour volumes were obtained by adding the Project-generated peak hour trips to the existing peak hour volumes. Similarly, background-plus-Project peak hour volumes were obtained by adding the project-generated peak hour trips to the 2016 background peak hour volumes discussed above.



NOT TO SCALE

Figure 4

TPO ANALYSIS STUDY INTERSECTIONS

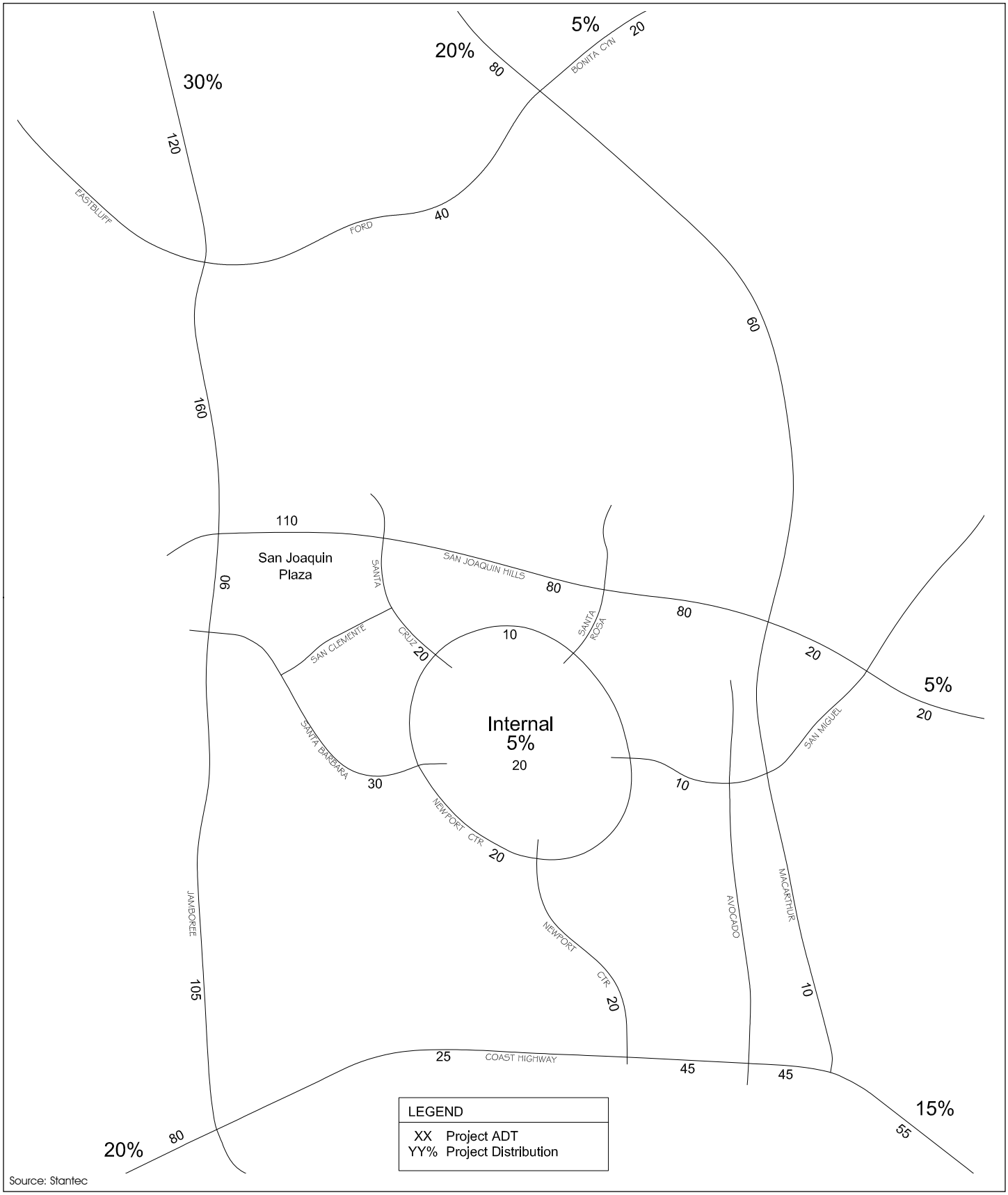
Table 10 Approved Projects Summary

Project	Percent Complete
Fashion Island Expansion	40
Temple Bat Yahm Expansion	65
CIOSA – Irvine Project	91
Newport Dunes	0
Hoag Hospital Phase III	0
St. Mark Presbyterian Church	77
OLQA Church Expansion	0
2300 Newport Blvd	0
Newport Executive Court	0
Hoag Health Center	75
North Newport Center	0
Santa Barbara Condo	0
Newport Beach City Hall	0
328 Old Newport Medical Office	0
Coastline Community College	0
Bayview Medical Office	0
Mariner's Pointe	0
4221 Dolphin Striker	0

Source: Stantec Consulting Services, Inc. (May 2012).

Table 11 Trip Generation Summary

Land Use	Amount		AM Peak Hour			PM Peak Hour			ADT
			In	Out	Total	In	Out	Total	
Trip Rates									
Residential (ITE 232)		DU	.06	.28	.34	.24	.14	.38	4.18
Trip Generation									
Residential	94	DU	6	26	32	23	13	36	393
Source: *Trip Generation 8th Edition*, Institute of Transportation Engineers									



Source: Stantec

NOT TO SCALE

Figure 5

GENERAL PROJECT TRIP DISTRIBUTION AND PROJECT ADT

Cumulative traffic volumes were determined based on trip generation and distribution characteristics associated with a list of known but not approved projects compiled by City staff. These cumulative projects are summarized in Table 12, *Cumulative Projects Summary*. The peak hour cumulative intersection volumes were added to the 2016 background peak hour volumes discussed above, and the proposed Project's peak hour trips were added to the resulting 2016 background-plus-cumulative peak hour volumes.

Table 12 Cumulative Projects Summary

Project	Land Use	Amount
Mariner's Medical Arts	Medical Office	12.25 TSF
Banning Ranch	Single Family Detached Condominium/Townhouse Retail Hotel	423 DU 952 DU 75.00 TSF 75 Rm
Sunset Ridge Park	Park	13.67 Acre
Marina Park	Marina/Park	10.45 Acre
Koll-Conexant	Apartment	974 DU
Newport Coast TAZ 1 – 4	Single Family Detached Condominium/Townhouse Multi-Family Attached	954 DU 389 DU 175 DU

Source: Stantec Consulting Services, Inc. (May 2012).

Existing Conditions

Existing ICU values for the study area intersections are summarized below in Table 13, *Existing ICU Summary*. As shown in Table 13, all study area intersections operate at an acceptable LOS D or better during the AM and PM peak hours under existing conditions.

Table 13 Existing ICU Summary

Intersection	Existing	
	AM	PM
1. Jamboree & Ford/Eastbluff	.74/C	.61/B
2. Jamboree & San Joaquin Hills	.60/A	.70/B
3. Jamboree & Santa Barbara	.44/A	.57/A
4. Jamboree & Coast Hwy	.56/A	.65/B
5. Newport Center & Coast Hwy	.36/A	.44/A
6. Avocado & Coast Hwy	.44/A	.50/A
7. MacArthur & Ford/Bonita Canyon	.73/C	.82/D
8. MacArthur & San Joaquin Hills	.65/B	.80/C
9. MacArthur & San Miguel	.53/A	.44/A
10. MacArthur & Coast Hwy	.66/B	.64/B
11. Santa Cruz & San Joaquin Hills	.26/A	.36/A
12. Santa Cruz & San Clemente	.14/A	.25/A
13. Santa Cruz & Newport Center	.15/A	.31/A
14. Santa Rosa & San Joaquin Hills	.29/A	.49/A
15. Newport Center & Santa Rosa	.12/A	.34/A
16. Newport Center & San Miguel	.14/A	.32/A
17. Avocado & San Miguel	.31/A	.49/A
18. Newport Center & Newport Center	.18/A	.36/A
19. Santa Barbara & San Clemente	.27/A	.33/A
20. Newport Center & Santa Barbara	.12/A	.21/A
Level of service ranges: .00 – .60 A .61 – .70 B .71 – .80 C .81 – .90 D .91 – 1.00 E Above 1.00 F		

Source: Stantec Consulting Services, Inc. (May 2012).

TPO Analysis Summary

The ICU values for existing-plus-Project conditions are summarized in Table 14, *Existing-Plus-Project ICU Summary*. The TPO analysis consists of a one percent analysis and an ICU analysis at each study intersection. The one percent analysis compares the proposed project traffic with projected background peak hour volumes. To pass the one percent analysis, peak hour traffic from the proposed Project must be less than one percent of the projected background peak hour traffic on each leg of the intersection. If the proposed project passes the one percent analysis, then the ICU analysis is not required for that intersection and no further analysis is necessary. If the proposed Project does not pass the one percent analysis, then the ICU analysis must be performed for each intersection which fails to pass the one percent test.

Table 14 Existing-Plus-Project ICU Summary

Intersection	Existing		Existing + Project		Project Increase	
	AM	PM	AM	PM	AM	PM
1. Jamboree & Ford/Eastbluff	.74/C	.61/B	.74/C	.61/B	.00	.00
2. Jamboree & San Joaquin Hills	.60/A	.70/B	.60/A	.70/B	.00	.00
3. Jamboree & Santa Barbara	.44/A	.57/A	.44/A	.57/A	.00	.00
4. Jamboree & Coast Hwy	.56/A	.65/B	.56/A	.65/B	.00	.00
5. Newport Center & Coast Hwy	.36/A	.44/A	.37/A	.45/A	.01	.01
6. Avocado & Coast Hwy	.44/A	.50/A	.44/A	.50/A	.00	.00
7. MacArthur & Ford/Bonita Canyon	.73/C	.82/D	.73/C	.82/D	.00	.00
8. MacArthur & San Joaquin Hills	.65/B	.80/C	.65/B	.80/C	.00	.00
9. MacArthur & San Miguel	.53/A	.44/A	.53/A	.44/A	.00	.00
10. MacArthur & Coast Hwy	.66/B	.64/B	.66/B	.64/B	.00	.00
11. Santa Cruz & San Joaquin Hills	.26/A	.36/A	.27/A	.37/A	.01	.01
12. Santa Cruz & San Clemente	.14/A	.25/A	.14/A	.26/A	.00	.01
13. Santa Cruz & Newport Center	.15/A	.31/A	.15/A	.31/A	.00	.00
14. Santa Rosa & San Joaquin Hills	.29/A	.49/A	.29/A	.50/A	.00	.01
15. Newport Center & Santa Rosa	.12/A	.34/A	.12/A	.34/A	.00	.00
16. Newport Center & San Miguel	.14/A	.32/A	.14/A	.32/A	.00	.00
17. Avocado & San Miguel	.31/A	.49/A	.31/A	.49/A	.00	.00
18. Newport Center & Newport Center	.18/A	.36/A	.18/A	.36/A	.00	.00
19. Santa Barbara & San Clemente	.27/A	.33/A	.27/A	.33/A	.00	.00
20. Newport Center & Santa Barbara	.12/A	.21/A	.12/A	.21/A	.00	.00
Level of service ranges: .00 – .60 A .61 – .70 B .71 – .80 C .81 – .90 D .91 – 1.00 E Above 1.00 F						

Source: Stantec Consulting Services, Inc. (May 2012).

Table 15, *One Percent Traffic Analysis Summary*, summarizes the results of the one percent analysis for the proposed Project. As this table indicates, the proposed Project does not pass the one percent analysis at 12 study intersections during the AM or PM peak hour; therefore, an ICU analysis is required and was performed for the 12 intersections that did not pass the one percent test.

Table 16, *Year 2016 ICU Summary*, summarizes the existing, 2016 background, and 2016 background-plus-project ICU values during the AM and PM peak hours. As indicated in Table 16, each of the study area intersections would operate at LOS D or better during the AM and PM peak hours with the addition of Project traffic. Accordingly, the proposed Project would have no significant direct impact on the study intersections, and no mitigation would be required.

Table 15 One Percent Traffic Analysis Summary

Intersection	AM Peak Hour NB	AM Peak Hour SB	AM Peak Hour EB	AM Peak Hour WB	PM Peak Hour NB	PM Peak Hour SB	PM Peak Hour EB	PM Peak Hour WB	Less Than 1% Of Projected 2016 Peak Hour Volumes?
1. Jamboree & Ford/Eastbluff									
2016 Projected Peak Hour Volume	1,892	2,207	865	697	2,766	1,891	614	386	
Project Peak Hour Trips	10	2	0	1	5	7	0	2	Yes
2. Jamboree & San Joaquin Hills									
2016 Projected Peak Hour Volume	1,406	2,549	395	199	1,644	2,250	143	912	
Project Peak Hour Trips	8	2	0	3	6	9	0	1	No
3. Jamboree & Santa Barbara									
2016 Projected Peak Hour Volume	1,528	1,819	60	181	1,481	1,687	81	726	
Project Peak Hour Trips	2	0	0	14	6	1	0	7	No
4. Jamboree & Coast Hwy									
2016 Projected Peak Hour Volume	465	1,243	2,596	1,194	432	1,599	2,623	2,284	
Project Peak Hour Trips	0	7	1	1	0	3	4	2	Yes
5. Newport Ctr & Coast Hwy									
2016 Projected Peak Hour Volume	0	113	2,188	1,292	0	849	1,704	1,690	
Project Peak Hour Trips	0	2	2	2	0	1	1	3	No
6. Avocado & Coast Hwy									
2016 Projected Peak Hour Volume	361	191	1,374	1,455	295	603	1,456	1,548	
Project Peak Hour Trips	0	0	4	2	0	0	2	3	Yes
7. MacArthur & Ford/Bonita Cyn									
2016 Projected Peak Hour Volume	2,133	3,156	415	2,080	2,773	3,744	425	1,165	
Project Peak Hour Trips	4	1	2	0	2	5	2	1	Yes
8. MacArthur & San Joaquin Hills									
2016 Projected Peak Hour Volume	1,493	3,203	509	1,071	1,613	2,811	1,172	728	
Project Peak Hour Trips	0	1	5	0	0	4	3	1	No
9. MacArthur & San Miguel									
2016 Projected Peak Hour Volume	1,554	1,536	330	470	1,125	1,513	1,225	455	
Project Peak Hour Trips	0	0	1	0	1	0	0	0	Yes
10. MacArthur & Coast Hwy									
2016 Projected Peak Hour Volume	0	1,092	1,653	2,092	0	1,359	1,680	2,028	
Project Peak Hour Trips	0	1	4	2	0	0	2	4	Yes
11. Santa Cruz & San Joaquin Hills									
2016 Projected Peak Hour Volume	118	82	932	399	781	39	783	584	
Project Peak Hour Trips	4	0	5	1	2	0	7	5	No
12. Santa Cruz & San Clemente									
2016 Projected Peak Hour Volume	144	360	95	35	577	315	336	102	
Project Peak Hour Trips	0	3	5	0	2	6	3	0	No
13. Santa Cruz & Newport Ctr									
2016 Projected Peak Hour Volume	60	269	140	178	254	255	280	317	
Project Peak Hour Trips	0	3	0	0	1	0	0	1	No
14. Santa Rosa & San Joaquin Hills									
2016 Projected Peak Hour Volume	169	132	583	1,015	797	143	789	767	
Project Peak Hour Trips	0	0	5	1	0	0	3	5	Yes
15. Newport Ctr & Santa Rosa									
2016 Projected Peak Hour Volume	204	107	84	400	509	320	270	508	
Project Peak Hour Trips	0	1	0	0	1	0	0	0	No
16. Newport Ctr & San Miguel									
2016 Projected Peak Hour Volume	255	106	39	288	423	298	347	609	
Project Peak Hour Trips	0	1	0	0	0	0	0	1	No
17. Avocado & San Miguel									
2016 Projected Peak Hour Volume	381	120	218	1,212	720	321	734	893	
Project Peak Hour Trips	0	0	1	0	0	0	0	1	Yes
18. Newport Ctr & Newport Ctr									
2016 Projected Peak Hour Volume	461	24	128	191	428	192	361	472	
Project Peak Hour Trips	1	0	2	0	1	0	1	0	No
19. Santa Barbara & San Clemente									
2016 Projected Peak Hour Volume	100	724	0	65	404	278	0	406	
Project Peak Hour Trips	1	0	0	6	1	2	0	4	No
20. Newport Ctr & Santa Barbara									
2016 Projected Peak Hour Volume	256	146	204	40	281	334	280	148	
Project Peak Hour Trips	1	1	1	0	1	0	1	0	No

Note:
2016 Projected peak hour volume consists of existing volume, regional growth, and approved projects volume.

Source: Stantec Consulting Services, Inc. (May 2012).

Table 16 Year 2016 ICU Summary

Intersection	Existing + Growth + Approved		Existing + Growth + Approved + Project		Project Increase	
	AM	PM	AM	PM	AM	PM
2. Jamboree & San Joaquin Hills	.65/B	.80/C	.65/B	.80/C	.00	.00
3. Jamboree & Santa Barbara	.48/A	.61/B	.48/A	.61/B	.00	.00
5. Newport Center & Coast Hwy	.39/A	.48/A	.39/A	.49/A	.00	.01
8. MacArthur & San Joaquin Hills	.69/B	.86/D	.69/B	.87/D	.00	.01
11. Santa Cruz & San Joaquin Hills	.29/A	.38/A	.30/A	.38/A	.01	.00
12. Santa Cruz & San Clemente	.14/A	.26/A	.14/A	.26/A	.00	.00
13. Santa Cruz & Newport Center	.15/A	.31/A	.15/A	.31/A	.00	.00
15. Newport Center & Santa Rosa	.15/A	.40/A	.15/A	.40/A	.00	.00
16. Newport Center & San Miguel	.15/A	.34/A	.15/A	.34/A	.00	.00
18. Newport Center & Newport Center	.18/A	.38/A	.18/A	.38/A	.00	.00
19. Santa Barbara & San Clemente	.28/A	.33/A	.28/A	.33/A	.00	.00
20. Newport Center & Santa Barbara	.13/A	.22/A	.13/A	.22/A	.00	.00
Level of service ranges: .00 – .60 A .61 – .70 B .71 – .80 C .81 – .90 D .91 – 1.00 E Above 1.00 F						

Source: Stantec Consulting Services, Inc. (May 2012).

Cumulative Conditions Analysis

The previously-presented one percent analysis without cumulative volumes represents the worst-case one percent analysis since the addition of cumulative traffic to the background volumes increases the chances of a project passing the one percent analysis. If an intersection passes the one percent analysis prior to the addition of cumulative traffic, then the intersection will pass the one percent analysis with the addition of cumulative traffic and no further analysis is required at that location.

The results of the ICU analysis for cumulative conditions are summarized in Table 17, *Cumulative ICU Summary*. As indicated in Table 17, all study area intersections would operate at LOS D or better during the AM and PM peak hours. Accordingly, the proposed Project would not result in a cumulatively considerable impact to study area intersections, and no mitigation would be required.

General Plan Analysis

The proposed Project's consistency with the General Plan also was evaluated. San Joaquin Plaza is currently allocated up to 430 multi-family units by the General Plan and NNCPC Development Plan. The General Plan also allows a total of 79 un-built hotel rooms to General Plan Anomaly 43, and allows 15 multi-family units within the portions of Newport Center that are designated for MU-H3 land uses. As discussed in Section 2.0, the proposed Project would result in the conversion of the 79 un-built hotel rooms from "hotel rooms" to "multi-family residential units" and the transfer of the converted units to the San Joaquin Plaza. In addition, the proposed Project would assign 15 un-built multi-family residential units to the San Joaquin Plaza.

The peak hour and daily trips generated by 79 multi-family dwelling units would not be greater than the trips generated by 79 hotel rooms.[85]

[85] Stantec Consulting Services, 2012. *San Joaquin Plaza Trip Generation*. May 16, 2012. Available for review at the City of Newport Beach Planning Division; 3300 Newport Boulevard; Newport Beach CA 92663.

Table 17 Cumulative ICU Summary

Intersection	Existing + Growth + Approved + Cumulative		Existing + Growth + Approved + Cumulative + Project		Project Increase	
	AM	PM	AM	PM	AM	PM
1. Jamboree & Ford/Eastbluff	.82/D	.70/B	.82/D	.70/B	.00	.00
2. Jamboree & San Joaquin Hills	.68/B	.83/D	.68/B	.83/D	.00	.00
3. Jamboree & Santa Barbara	.50/A	.63/B	.51/A	.63/B	.01	.00
4. Jamboree & Coast Hwy	.66/B	.83/D	.67/B	.83/D	.01	.00
5. Newport Center & Coast Hwy	.42/A	.53/A	.42/A	.53/A	.00	.00
6. Avocado & Coast Hwy	.56/A	.59/A	.56/A	.59/A	.00	.00
7. MacArthur & Ford/Bonita Canyon	.78/C	.89/D	.78/C	.89/D	.00	.00
8. MacArthur & San Joaquin Hills	.71/C	.89/D	.71/C	.89/D	.00	.00
9. MacArthur & San Miguel	.60/A	.50/A	.60/A	.50/A	.00	.00
10. MacArthur & Coast Hwy	.78/C	.75/C	.78/C	.75/C	.00	.00
11. Santa Cruz & San Joaquin Hills	.29/A	.38/A	.30/A	.39/A	.01	.01
12. Santa Cruz & San Clemente	.15/A	.26/A	.15/A	.26/A	.00	.00
13. Santa Cruz & Newport Center	.16/A	.32/A	.16/A	.32/A	.00	.00
14. Santa Rosa & San Joaquin Hills	.35/A	.54/A	.35/A	.54/A	.00	.00
15. Newport Center & Santa Rosa	.16/A	.40/A	.16/A	.40/A	.00	.00
16. Newport Center & San Miguel	.16/A	.35/A	.16/A	.35/A	.00	.00
17. Avocado & San Miguel	.34/A	.55/A	.34/A	.55/A	.00	.00
18. Newport Center & Newport Center	.19/A	.38/A	.19/A	.39/A	.00	.01
19. Santa Barbara & San Clemente	.28/A	.33/A	.28/A	.33/A	.00	.00
20. Newport Center & Santa Barbara	.13/A	.23/A	.13/A	.23/A	.00	.00

Level of service ranges:
.00 – .60 A
.61 – .70 B
.71 – .80 C
.81 – .90 D
.91 – 1.00 E
Above 1.00 F

Source: Stantec Consulting Services, Inc. (May 2012).

Traffic-related impacts associated with buildout of the General Plan were evaluated in the General Plan EIR, which concluded that, with the improvements identified in the General Plan Circulation Element, and without consideration of regional growth, buildout of the General Plan would result in a less than significant impact associated with the projected increase in the number of vehicle trips, volume to capacity ratio on roads, or congestion at intersections compared to existing conditions.[86] Because the proposed Project would generate less traffic than was assumed in the General Plan EIR, Project traffic under General Plan buildout conditions would not result in any new significant effects, nor would it substantially increase the severity of any significant effects.

Conclusion

As demonstrated in the above analysis, the proposed Project would not result in any direct or cumulatively significant impacts to study area intersections. In addition, implementation of the proposed Project would result in an increase in the amount of average daily traffic generated within the Newport Center, thereby demonstrating that the proposed Project would be consistent with the assumptions used in the General Plan EIR's analysis of impacts to traffic, which were determined to be less than significant with implementation of the improvements identified in the Circulation Element. Accordingly, the proposed Project would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[86] General Plan EIR, Page 4.13-32.

Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways

The Orange County Transportation Authority (OCTA) serves as the congestion management agency for Orange County. The OCTA publishes and regularly updates a Congestion Management Program (CMP) for Orange County, which identifies level of service standards and designates regionally significant intersections, highways, and freeways.

The CMP requires that all CMP highway system facilities must maintain a LOS grade of "E" or better.[87] Accordingly, a project would have a significant adverse effect on the level of service standards established by the CMP if it would cause or contribute to a LOS below LOS E at any CMP-designated intersection.

The 2011 CMP identifies the following facilities within the City of Newport Beach as part of the CMP highway system:[88]

1. Coast Highway (SR-1) throughout the City
2. MacArthur Blvd from Coast Highway to Jamboree
3. Newport Boulevard (SR-55) from north City limit to Coast Highway
4. Jamboree from northern City boundary to MacArthur Boulevard

As indicated previously on Figure 4, portions of all of these CMP facilities occur within the study area for the proposed Project's traffic impact analysis, with exception of Newport Boulevard.

As indicated previously in Table 15, the proposed Project contributes less than 1% of projected 2016 peak hour volumes to all intersections along Coast Highway, with exception of the intersection of Newport Center Drive and Coast Highway. As indicated in Table 17, this intersection would operate at an LOS A during all study scenarios; therefore, Project traffic would not result in or contribute to the exceedance of a CMP level of service standard for Coast Highway.

As indicated previously in Table 15, the proposed Project contributes less than 1% of projected 2016 peak hour volumes to all intersections along MacArthur Boulevard, with exception of the intersection of MacArthur Boulevard and San Joaquin Hills. As indicated in Table 17, this intersection would operate at an LOS D or better during all study scenarios; therefore, Project traffic would not result in or contribute to the exceedance of a CMP level of service standard for MacArthur Boulevard.

As indicated previously in Table 15, the proposed Project contributes less than 1% of projected 2016 peak hour volumes to the intersections of Jamboree Boulevard at both Coast Highway and Ford/Eastbluff, but contributes more than 1% to the intersections with San Joaquin Hills and Santa Barbara. As indicated in Table 17, the intersection of Jamboree at San Joaquin Hills would operate at LOS D or better during all study scenarios, while the intersection of Jamboree at Santa Barbara would operate at LOS B or better during all study scenarios; therefore, Project traffic would not result in or contribute to the exceedance of a CMP level of service standard for MacArthur Boulevard.

Impacts to CMP facilities associated with buildout of the General Plan were evaluated in the General Plan EIR, which concluded that such impacts would be less than significant since all such facilities would

[87] Orange County Transportation Authority (2011). *2011 Orange County Congestion Management Program*, Page 5. Available on-line at http://www.octa.net/pdf/2011-CMP.pdf. Accessed May 18, 2012.
[88] *Ibid*, Figure 2 (2011 Congestion Management Program Highway System).

operate at LOS E or better.[89] Because the proposed Project would not cause any new impacts to CMP facilities, and because the General Plan EIR concluded that buildout of the General Plan also would not impact any CMP facilities, the proposed Project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in a change in air traffic patterns, including either an increase in traffic levels or a change in locations that results in substantial safety risks

As indicated under the discussion and analysis of the AELUP for the JWA in Section 4.3.8, the proposed Project would have no potential to penetrate the FAA FAR Part 77 Obstruction Imaginary Surface. If future buildings proposed in San Joaquin Plaza protrude into the FAA FAR Part 77 notification surface, then notification to the FAA would be required; however, this would not result in a significant impact to air traffic patterns since the buildings would be well below the Part 77 Obstruction Imaginary Surface. There are no other components of the proposed Project that would have the potential to affect air traffic patterns in a manner that would result in substantial safety risks; accordingly, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)

Implementation of the proposed Project would not result in or require any design features that could pose a significant hazard to the public. The proposed Project site is currently surrounded by fully improved roadways, and would not require any improvements or expansions to the existing roadway network. Future access points serving on-site multi-family residential units would be subject to review by the City's Transportation and Development Services Division for compliance with Municipal Code standards related to intersection safety and traffic control. Accordingly, the proposed Project would have no potential to substantially increase any hazards due to a design feature, such as sharp curves or dangerous intersections.

The proposed Project would consist of increasing the allowable residential development intensity in Newport Center, which is a mixed-use development that includes commercial, office, public facilities, and residential uses under existing conditions. The potential future addition of new multi-family residential units would not represent an incompatible use that could increase safety hazards in the area. Accordingly, safety impacts would not occur.

Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in inadequate emergency access

The proposed Project would not result in any changes to existing access routes providing emergency services to the Project site or surrounding area. Future applications for development within the San Joaquin Plaza in accordance with the amended NNCPC Development Plan would be subject to review by the NBFD for compliance with Municipal Code Chapter 9.04 (Fire Code), thereby ensuring that

[89] General Plan EIR, Page 4.13-42.

future development provides for adequate emergency access routes. Accordingly, a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Result in inadequate parking capacity

Future plans for development within the San Joaquin Plaza pursuant to the proposed Project would be subject to the parking requirements of the NNCPC, which establishes requirements for off-street parking spaces associated with new development. All future development plans would be required to demonstrate compliance with the requirements of the NNCPC. Accordingly, a significant impact related to inadequate parking capacity would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)

The General Plan incorporates a number of policies related to alternative transportation modes, transportation systems management, and transportation demand management, including the following policies that are applicable to the proposed Project: Policy CE 4.1.4 (Land Use Densities Supporting Public Transit); Policies CE 5.1.1 through CE 5.1.12 (Trail System, Pedestrian Connectivity, Pedestrian Improvements in New Development Projects, Linkages to Citywide Trail System and Neighborhoods, Bikeway System, Bicycle Supporting Facilities, Bicycle Safety, Bicycle Conflicts with Vehicles and Pedestrians, Integrated Bicycle Improvements, Bicycle Trail Signage, School Access, Pedestrian Street Crossings); Policy CE 5.1.16 (Bicycle and Pedestrian Safety); Policy CE 6.1.1 (Traffic Signals); and Policies CE 6.2.1 through CE 6.2.3 (Alternative Transportation Modes, Support Facilities for Alternative Modes, Project Site Design Supporting Alternative Modes). The proposed Project consists of a proposal to assign 15 previously un-built multi-family units to the San Joaquin Plaza, and to convert 79 previously un-built hotel units to residential units which would be transferred to the San Joaquin Plaza portion of the NNCPC. As such, although the Project would not conflict with any of these policies, a review for consistency with alternative transportation policies would be conducted by the City in association with precise development plans (e.g., site plans, building permits, etc.), if and when a specific development proposal for residential use in San Joaquin Plaza is submitted to the City Newport Beach for review and consideration.

The only policy listed above that is directly applicable to the currently proposed Project is Policy CE 4.1.4, which encourages the provision of residential densities that support public transit. The proposed Project would result in an increase in the residential density allowed within the San Joaquin Plaza, and would thereby be consistent with Policy CE 4.1.4.

Accordingly, the proposed Project would not conflict with any adopted policies, plans, or programs supporting alternative transportation, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project would be consistent with the findings of the General Plan EIR, which identifies that traffic impacts related to intersections, Congestion Management Plan arterials, air traffic patterns, design hazards, emergency access, and parking would be less than significant with mitigation. No feasible mitigation has been identified in the General Plan EIR to reduce impacts to freeway mainlines and ramps; this impact remains significant and unavoidable.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to transportation and traffic. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to transportation and traffic, as provided pursuant to CEQA Guidelines Section 15162.

4.3.16 Utilities and Service Systems

The following thresholds of significance are as set forth in the General Plan EIR, which states:

> *"For purposes of this EIR, implementation of the proposed project may have a significant adverse impact on [utilities and services systems] if it would result in any of the following:*
>
> - *Require or result in the construction and/or expansion of water supply facilities, the construction of which could cause significant environmental impacts*
> - *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed*
> - *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board*
> - *Require or result in the construction/expansion of wastewater treatment facilities or recycled water conveyance systems that could cause significant environmental effects*
> - *Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs*
> - *Fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste*
> - *Require or result in the construction of new energy production and/or transmission facilities or expansion of existing facilities, the construction of which could cause significant environmental effects*
> - *Require or result in the construction of new natural gas production or transmission facilities, the construction of which could cause a significant environmental impact"*

No Substantial Change from Previous Analysis**.** Utility and service system impacts have been previously analyzed as part of the General Plan EIR, which was prepared and certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous document adequate to cover the actions that are currently proposed, which are documented below and serve as an Addendum to the General Plan EIR.

Summary Analysis

Require or result in the construction and/or expansion of water supply facilities, the construction of which could cause significant environmental impacts

Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed

The water demand for development in the City of Newport Beach, including development within Newport Center and the NNCPC, is included in the water demand forecasts for the City as identified in the City's 2010 Urban Water Management Plan (UWMP) and within the planning documents of water districts, authorities, and agencies that directly or indirectly supply and/or manage the City's water supplies, including the Metropolitan Water District of Southern California (Metropolitan), the Municipal Water District of Orange County (MWDOC), and the Orange County Water District (OCWD). As such, water demand and supply evaluations conducted by Metropolitan, MWDOC, OCWD, as well as the City of Newport Beach itself are directly applicable to the proposed Project. The General Plan EIR relied on water management plans in effect at the time the General Plan EIR was certified (2006), but because updated information is now available in the form of revised Urban Water Management Plans, that updated information is used as the basis of analysis in this EIR Addendum.

A Water Supply Assessment was prepared for the proposed Project, which is included as Appendix E. The Assessment determined that increasing the permitted residential development intensity in San Joaquin Plaza would result in an increased water demand of 24.02 acre-feet per year (AFY), which is less than one-tenth of one percent of the City's projected year 2035 total demand of 17,474 AFY (refer to Technical Appendix E for a detailed discussion of the increased water demand that would result from Project implementation). Based on the information contained in the Water Supply Assessment regarding the existing and future availability and reliability of imported water supplies as surmised from the Urban Water Management Plans of Metropolitan (2010), MWDOC (2011) and the City of Newport Beach (2010), and the OCWD Groundwater Management Plan (2009), there is an availability of sufficient supplies from imported water, local groundwater, and recycled water to service the proposed Project and other existing and projected development in the City of Newport Beach in normal year, single dry year and multiple dry year conditions. Additionally, there has been a trend of per capita water use reduction since 2005 and that trend is expected to continue to reach the City's water usage reduction goal of 202.8 GPCD by year 2020. Accordingly, the proposed Project would not conflict with any adopted policies, plans, or programs supporting alternative transportation, and a significant impact would not occur. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board

Require or result in the construction/expansion of wastewater treatment facilities or recycled water conveyance systems that could cause significant environmental effects

Wastewater Treatment Facilities

The Project Applicant's engineering consultant, RBF Consulting, conducted an analysis of existing localized sewer facilities that would serve the proposed Project site with implementation of the proposed Project. A copy of this analysis is provided as Technical Appendix F. The results of this analysis conclude that the addition of 94 residential units to the San Joaquin Plaza would equate to approximately 15 percent of the most constrained pipe segment capacity within the existing sewer system proximate to the proposed Project. Since the subject segment of the sewer system serves only

the subject site and the existing Orange County Museum of Art, RBF Consulting concludes that there is adequate capacity within the most capacity constrained portion of the existing sewer system in the vicinity of the Project to serve the additional units. Accordingly, implementation of the proposed Project would not require or result in the construction or expansion of any localized sewer conveyance infrastructure, and a significant environmental effect would not occur.

Wastewater generated by the proposed Project would be conveyed via the City of Newport Beach's existing collection system, and would be conveyed via existing pump stations to the OCSD's Plant No. 2 for treatment. Using the wastewater generation rates provided in General Plan EIR Table 4.14-12 for multi-family residential uses, the 79 additional multi-family residential units that would be permitted within the NNCPC (beyond those already assumed by the General Plan EIR) would generate approximately 16,827 gallons of wastewater per day. The 79 hotel units that would no longer be constructed (but that were assumed in the General Plan EIR) would generate 11,850 gallons per day. Therefore, with implementation of the proposed Project, total wastewater generated within the City of Newport Beach's wastewater service area would increase by 4,977 gallons per day as compared to what was assumed in the General Plan EIR.

Treatment Plant No. 2 maintains a design capacity of 276 million gallons per day (mgd), and treated an average flow of 153 mgd as of 2003 (55% of total design capacity).[90] As concluded in the General Plan EIR, if "…the entire City's sewage were directed to Treatment Plant No. 2, its average flow would increase to approximately 157 mgd, an increase of 2.8 percent, and the plant would operate at 57 percent of its design capacity."[91] With an additional increase of 4,977 gallons per day (or 0.005 mgd), Treatment Plant No. 2 would continue to operate at approximately 57 percent of its design capacity. Accordingly, and similar to the conclusion reached in the General Plan EIR, because the increase in wastewater generation that would result from implementation of the proposed Project can be accommodated within the existing treatment infrastructure, expansion would not be required. As such, the proposed Project would not require or result in the construction/expansion of wastewater treatment that could cause significant environmental effects.

Wastewater that would be treated by the OCSD would be required to be treated in accordance with federal, state, and regional requirements for water quality prior to being discharged into the Pacific Ocean. The incremental increase in wastewater generated by the proposed Project would not inhibit the ability of the OCSD to achieve required water quality objectives. Accordingly, a significant impact would not occur.

Therefore, implementation of the proposed Project would not result in any new impacts related to wastewater treatment or facilities, or increase the severity of a previously identified significant impact related to wastewater facilities, as compared to what was previously analyzed in the General Plan EIR.

Recycled Water Conveyance Systems

The proposed Project site consists of a fully developed site that contains ornamental landscaping. With implementation of the proposed Project, the amount of area devoted to ornamental landscaping would not change substantially from existing conditions. Accordingly, implementation of the proposed Project would not result in a substantial increase in the demand for recycled water, nor would it require the construction of any new recycled water conveyance systems. Furthermore, and as concluded in the General Plan EIR, if "…expansion or creation of new recycled water infrastructure is necessary, further

[90] *Ibid*, Page 4.14-23.
[91] *Ibid*, Page 4.14-32.

environmental review would be required when specific details are known regarding the infrastructure."[92] Accordingly, implementation of the proposed Project would not require or result in the construction/expansion of recycled water conveyance systems that could cause significant environmental effects. Therefore, implementation of the proposed Project would not result in any new impacts related to recycled water conveyance infrastructure, or increase the severity of a previously identified significant impact related to recycled water conveyance infrastructure, as compared to what was previously analyzed in the General Plan EIR.

Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs

Fail to comply with applicable Federal, State, and local statutes and regulations related to solid waste

Based on the solid waste generation rates presented in General Plan EIR Table 4.14-14 for multi-family residential uses (MFR), the 79 additional units that would be transferred to the San Joaquin Plaza as part of the proposed Project would result in the generation of approximately 506.39 pounds per day of solid waste. The 79 hotel units that would no longer be constructed (but that were assumed in the General Plan EIR) would generate approximately 197.5 pounds per day of solid waste. Therefore, with implementation of the proposed Project, the total amount of solid waste generated within the City of Newport Beach would increase by 308.89 pounds per day as compared to what was assumed in the General Plan EIR.

The analysis contained in the General Plan EIR concluded that buildout under the General Plan would result in a future generation of 21,659.10 tons of solid waste per year, while the remaining capacity of the Frank R. Bowerman Sanitary Landfill (prior to the proposed expansion) was 44.6 million tons. Furthermore, the solid waste generation rates presented in General Plan EIR do not take into consideration Assembly Bill (AB) 939 mandates to divert a minimum of 50% of solid waste from landfills.[93]

The projected increase of 308.89 pounds per day associated with the proposed Project, which would represent 0.26% of the City's total daily solid waste generation, would not exceed the planned capacity of any regional landfill facilities on a direct or cumulative basis. Accordingly, a significant direct impact to permitted landfill capacity would not occur with implementation of the proposed Project.

However, buildout under the General Plan, when considered in the context of cumulative development within the region, would incrementally contribute to the ultimate need for new or expanded landfills, which the General Plan EIR identifies as a significant and unavoidable impact. Consistent with the finding of the General Plan EIR, the proposed Project would contribute to this significant and unavoidable impact. However, the increase in solid waste attributable to the proposed Project would not represent a substantial increase in the severity of the City's unavoidable cumulative impact to solid waste, considering the annual increase in solid waste attributable to the proposed Project would represent only 0.00013% of the remaining capacity at the Frank R. Bowerman Sanitary Landfill.

Public Resources Code §40000 et seq. requires that local jurisdictions divert at least 50 percent of all solid waste generated. The City of Newport Beach consistently meets the objective of Public Resources Code §40000 et seq.[94] In addition, the proposed Project would be subject to the City's Recycling Service Fee pursuant to Municipal Code Chapter 2.30, which is intended to assist the City in meeting

[92] *Ibid*, Page 4.14-33.
[93] *Ibid*, Page 4.14-44
[94] *Ibid*.

the 50 percent diversion objective. Commercial waste haulers within the City are subject to Municipal Code Section 12.63.120 (Recycling Requirement), which states, "No person providing commercial solid waste handling services or conducting a solid waste enterprise shall deposit fifty (50) percent or more of the solid waste collected by the person in the City at any landfill." Furthermore, the proposed Project would be required to comply with Municipal Code Section 20.30.120 (Solid Waste and Recyclable Materials Storage), which mandates that all multi-unit projects with five or more dwelling units "…provide enclosed refuse and recyclable material storage areas with solid roofs." Accordingly, the proposed Project would be fully compliant with all applicable Federal, State, and local statutes and regulations related to solid waste, and significant impact would not occur.

Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Require or result in the construction of new energy production and/or transmission facilities or expansion of existing facilities, the construction of which could cause significant environmental effects

As indicated previously, implementation of the proposed Project would result in a net increase of 79 multi-family residential dwelling units and a net decrease of 79 hotel units within the City, indicating that the proposed Project would result in only a slight incremental increase in the amount of electricity consumed within the City. As indicated in the General Plan EIR, all land uses within the City would be subject to compliance with Title 24 energy efficiency standards. Development within the City also would be subject to General Plan Goal NR 24.1, which requires increased efficiency in private developments. Consistent with the findings of the General Plan EIR, mandatory compliance with current Title 24 energy efficiency standards and adherence to General Plan Goal NR 24.1 would ensure that no impacts related to electricity supply occur with implementation of the proposed Project. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

Would the project require or result in the construction of new natural gas production or transmission facilities, the construction of which could cause a significant environmental impact

As noted in the General Plan EIR, the Southern California Gas Company (SCGC):

> "…declares itself a "reactive" utility and will provide natural gas as customers request its services. SCGC has also indicated that an adequate supply of natural gas is currently available to serve additional development, and that the natural gas level of service provided to the City would not be impaired by buildout under the proposed General Plan Update. Any expansion of service necessitated by implementation of the proposed General Plan Update would be in accordance with SCGC's policies and extension rules on file with the California Public Utilities Commission at the time contractual agreements are made."[95]

Accordingly, implementation of the proposed Project would not exceed available or planned supplies of natural gas, and new or upgraded natural gas infrastructure would not be needed to serve the proposed Project. Therefore, implementation of the proposed Project would not result in any new impacts or increase the severity of a previously identified significant impact as previously analyzed in the General Plan EIR.

[95] *Ibid,* Page 4.14-50.

Mitigation Program

Policies of the 2006 General Plan were adopted as a mitigation program that minimized impacts associated with buildout of the City of Newport Beach, including the implementation of future development in the San Joaquin Plaza.

Level of Significance After Mitigation

The proposed Project is consistent with the findings of the General Plan EIR, the General Plan EIR identifies that all utility and service system impacts can be mitigated to a level of, less than significant with the exception of cumulative impacts to landfill capacity; this impact remains significant and unavoidable.

Finding of Consistency with General Plan EIR

Pursuant to Section 15162 of the CEQA Guidelines, the City of Newport Beach has determined, on the basis of substantial evidence in the light of the whole record, that the proposed Project would not involve new significant impacts or a substantial increase in previously identified impacts to utilities and service systems. Additionally, there are no substantial changes to the circumstances under which the Project will be undertaken, and no new information of substantial importance which was not known and could not have been known when the General Plan EIR was certified has since been identified. Therefore, the proposed Project does not meet the standards for a subsequent or supplemental EIR with regards to utilities and service systems, as provided pursuant to CEQA Guidelines Section 15162.

5.0 References

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Urban Crossroads, Inc. (2012c). *North Newport Center Planned Community Noise Impact Analysis*. May 29, 2012. (Technical Appendix C).

6.0 Persons Contributing to Initial Study and General Plan Program EIR Addendum No. 2 Preparation

6.1 Persons Contributing to Initial Study/Addendum Preparation

City of Newport Beach (Lead Agency)

James W. Campbell, Principal Planner, Community Development Department Planning Division
Jaime Murillo, Associate Planner, Community Development Department Planning Division

T&B Planning, Inc. (Primary CEQA Consultant and Water Supply Assessment Preparer)

Tracy Zinn, AICP, Principal
Jeramey Harding, AICP, Project Manager

Urban Crossroads, Inc. (Air Quality, Greenhouse Gas Emissions, and Noise Technical Consultant)

Haseeb Qureshi, Senior Associate (Air Quality and Greenhouse Gas Emissions Technical Consultant)
Bill Lawson, Principal (Noise Technical Consultant)

Stantec Consulting Services, Inc. (Traffic Engineering Consultant)

Joe Foust, PE, Principal
Cathy Lawrence, PE, Transportation Engineer

RBF Consulting (Sewer Capacity Assessment)

John Nagle, PE, Senior Associate/Senior Engineer

6.2 Resumes for Key Personnel

Resumes for the technical consultants responsible for preparing the Initial Study and General Plan Program EIR Addendum No. 2 and/or its associated technical studies are provided on the following pages.

TRACY ZINN, AICP

PRINCIPAL

Phone: (714) 397-4224 **E-Mail:** tzinn@tbplanning.com

Tracy Zinn, AICP, joined T&B Planning in 1993 and became a Principal in 2006. She is responsible for providing quality control for a majority of the company's environmental documents, as well as preparing and managing specific plans, design guidelines, zoning ordinances, and other planning documents.

Summary of Experience

Project Management & Public Meeting Facilitation: Tracy takes a strong leadership role in project team meetings, represents clients at public hearings and workshops, manages coordination efforts among public agencies, and directs a staff of analysts, planners, and technical support personnel. Tracy is often looked to by T&B Planning's staff and clients, as well as government officials, to provide overall project management and bring focus to the task at hand. Tracy also is highly experienced with leading large project teams and facilitating public meetings. She is respected for keeping projects within budget and on schedule.

Environmental Compliance Documents: Tracy prepares, edits, and directs the preparation of California Environmental Quality Act (CEQA) documents and supporting technical studies. Over her career, Tracy has prepared over 100 CEQA documents and has directed the preparation of several hundred technical studies for a wide range of project types, including residential, commercial, and industrial land uses, for both public and private clients. She is respected for preparing environmental documents that are easily understood, accurate, and legally defensible.

Master Planning/Historic Preservation Planning/Permitting: Tracy's working knowledge of local and regional planning issues, design standards, zoning laws, and public policies are invaluable. She has processed hundreds of land use permits and prepared dozens of Specific Plans and zoning ordinances in Southern California, in addition to design guidelines and development standards for a variety of project types. She has also prepared several historic preservation action plans, and roadway corridor plans. Due to her experience in both planning and environmental projects, Tracy can critique a project's feasibility comprehensively, saving her clients' time and money.

Design Guides: Tracy is skilled in assisting communities with managing their eco-tourism and geo-tourism assets. She has directed the preparation of several regional and local Design Guides in established communities as well as Design Guides for Specific Plans and Master Plans for new construction in Southern California. In 2008, she was recognized by the Pennsylvania Chapter of the American Planning Association for her authorship of The Pennsylvania Wilds Design Guide for Community Character Stewardship. The Urban Land Institute endorsed the Design Guide as "one of the best and most comprehensive regional design guides" and the Pennsylvania Department of Conservation and Natural Resources (DCNR) has identified the Design Guide as a model for other regional initiatives.

Certifications

- American Institute of Certified Planners (AICP)

Affiliations

- American Planning Association
- Green Building Alliance
- Indiana University of Pennsylvania Planning Department Accreditation Committee
- Municipality of Murrysville Zoning Hearing Board
- California Association of Environmental Professionals

Education

Bachelor of Science – Urban and Regional Planning, Indiana University of Pennsylvania

JERAMEY HARDING, AICP

SENIOR PROJECT MANAGER

Phone: (760) 452-2300 **E-Mail:** jharding@tbplanning.com

Jeramey joined T&B Planning in 2002 and provides supervision, oversight, and management of the firm's environmental services in Southern California. He is primarily focused on ensuring project compliance with the California Environmental Quality Act (CEQA). Serving as a Senior Project Manager, Jeramey is responsible for managing the production and review of technical studies and leading project teams in the preparation of all forms of CEQA documentation. Jeramey is a results-oriented manager with a record of successful team coordination and leadership. His problem-solving skills and technical accuracy often exceed the expectations of clients, agencies, and project applicants.

Summary of Experience

Project Management: Jeramey effectively and efficiently manages project teams during the preparation of CEQA documents. He represents clients at public hearings and workshops and manages coordination efforts among public agencies. Jeramey is also experienced with reviewing technical reports for adequacy pursuant to local and state requirements and directs teams of technical experts to ensure projects are completed on-time and on-budget.

Environmental Compliance Documents: Jeramey prepares and edits CEQA documents, including Initial Studies/Environmental Assessments (IS/ES), EIRs, Mitigated Negative Declarations (MNDs), Mitigation Monitoring and Reporting Programs (MMRPs), CEQA legal notices, and other environmental documents for residential, commercial, industrial, mixed-use, and public facility projects for both public and private clients. Recent CEQA documents managed by Jeramey include the San Lorenzo Sewer Lift Station EIR in the City of Santa Ana, the Batiquitos Bluffs Residential Project EIR in the City of Encinitas, and the El Sobrante Landfill Expansion Supplemental EIR in the Temescal area of Riverside County. The knowledge and talent that Jeramey brings to each project results in an effective and efficient process and an environmental compliance document that is accurate and defensible.

Visual Quality and Lighting Analysis: Jeramey has prepared several visual quality analyses for projects throughout Southern California. These analyses are often utilized in CEQA documents, such as EIRs, to analyze a proposed project's potential impacts to aesthetics, dark skies, and community character. This analysis addresses topics such as visual quality from surrounding public roadways and lighting issues.

Planning/Entitlement Documentation: In addition to environmental compliance documentation, Jeramey prepares planning reports and processes entitlement permits for new construction. Most often, this work is performed in combination with CEQA compliance documents for the same project. He has prepared Change of Zone, Specific Plan, and General Plan Amendment applications; Specific Plans; Zoning Ordinances; and public notices.

Certifications

- American Institute of Certified Planners (AICP)

Affiliations

- California Association of Environmental Professionals (AEP)
- American Planning Association (APA)
- Building Industry Association (BIA)

Education

Masters in Urban Regional Planning - Eastern Washington University, 2001

Bachelor of Science in Natural Resources Planning - Natural Resources Planning/Humboldt State University, 1999

41 Corporate Park,
Suite 300
Irvine, CA 92606
ph: (949) 660-1994

Areas of Expertise
Air Quality Analysis/Permitting

Dispersion Modeling, Health Risk Assessment

Air Quality Conformity Analysis for Interchange Projects

Greenhouse Gas Emissions Evaluation/Inventory

Climate Action Planning

Education
M.S./Environmental Science/CSUF

BA/Environmental Analysis & Design/ UC Irvine

Affiliations
American Planning Association (APA)

Association of Environmental Professionals (AEP)

Air & Waste Management Association (A&WMA)

Prof. Accomplishments
San Diego County Approved Consultant List—Air Quality

Certification-Air Dispersion Modeling and Risk Assessment—Lakes Environmental

Certification-AB2588 Regulatory Standards—Trinity Consultants

Certificate of Completion-Principles of Ambient Air Monitoring-California Air Resources Board

Certificate of Completion-Planned Communities and Urban Infill – Urban Land Institute

Prof. History
Urban Crossroads, Inc.
Sr. Associate /Sr. Air Quality and Climate Change Specialist
2007 – Present

Urban Crossroads, Inc.
Air Quality and Climate Change Specialist
2004 – 2006

Haseeb Qureshi, MES

Senior Associate/ Senior Air Quality & Climate Change Specialist

Since joining Urban Crossroads in June 2004, Mr. Qureshi has worked on a variety of projects, including mobile source (cancer) health risk assessments, air quality impact analyses, and air quality conformity analyses for transportation improvement projects.

Since 2006, Mr. Qureshi has been actively involved in responding to various project's needs to address Global Climate Change in their CEQA Documents. Mr. Qureshi co-authored an informational newsletter detailing the passage of Assembly Bill 32 (AB32) and how it will continue to impact development projects.

Mr. Qureshi has a strong technical background in utilizing various air-quality models such as the Urban Emissions Model (URBEMIS), the California Line Source Dispersion Model (CALINE-4), U.S. EPA-approved CAL3QHC, the Industrial Source Short Term (ISCST3) Model, and the AMS/EPA Regulatory Model (AERMOD).

At Urban Crossroads, Inc., Mr. Qureshi has participated in hundreds of air quality analyses studies including numerous mobile source and air toxics health risk assessments for various residential, commercial, and industrial developments in Orange, Imperial, Kern, Los Angeles, Riverside, San Bernardino, and San Diego Counties. He is a current member of the American Planning Association (APA), Association of Environmental Professionals (AEP), and the Air & Waste Management Association (A&WMA).

In addition, Mr. Qureshi is an active participant of the South Coast Air Quality Management District, San Diego County, and Orange County Association of Environmental Professionals working groups that are collaborating to establish guidance on establishing climate change thresholds for CEQA documents. Mr. Qureshi was also an active participant in the South Coast Air Quality Management District's working group on establishing $PM_{2.5}$ significance thresholds for CEQA projects.

Bill Lawson, P.E., AICP, PTP, INCE
Principal

Areas of Expertise
Traffic Impact Analyses
Parking Analysis
Transportation Planning
Noise Impact Modeling & Analysis
GIS
Database Development

Education
MS/1993/Civil & Environmental Eng./Cal Poly, San Luis Obispo
BS/1992/City & Regional Planning/Cal Poly, San Luis Obispo

Prof. Registration
P.E.
PTP
AICP
INCE

Affiliations
Professional Transportation Planner (PTP) - Institute of Transportation Engineers (ITE)
American Institute of Certified Planners (AICP)
American Planning Association (APA)
Institute of Noise Control Engineering (INCE)

Prof. History
Urban Crossroads, Inc.
Principal
2002 – Present
Senior Associate
2000-2002

RKJK & Associates, Inc.
Senior Planner
1996 – 2000
Planner
1993 – 1996

During his career, Bill Lawson has developed a wide range of expertise that includes transportation planning, traffic engineering, neighborhood traffic control, and community noise impact analysis. As a founder of Urban Crossroads, Inc. he works with public and private sector clients to provide planning and engineering consulting expertise. His work efforts focus on the larger more complex technical studies or sensitive projects that increasingly require coordination with the project legal team, the applicant and the decision makers.

In his current role, Mr. Lawson serves as the contract City Traffic Engineer for Rancho Santa Margarita providing guidance on complex traffic issues and presenting policy changes to ensure uniform application of the legal authority provided by the municipal code and the California Vehicle Code.

Mr. Lawson is a Registered Professional Traffic Engineer (#2537), a member of the American Institute of Certified Planners (AICP), a certified Professional Transportation Planner and an associate member of the Institute of Noise Control Engineering (INCE). His educational background includes a Master's Degree in Civic and Environmental Engineering and a Bachelor's Degree in City and Regional Planning from Cal Poly San Luis Obispo.

In addition to his transportation expertise, Mr. Lawson is a Certified Acoustical Engineer (INCE) and has worked on hundreds of noise studies throughout Southern California for both public and private sector clients. His work as a noise consultant focuses on helping communities identify and control noise impacts by developing meaningful solutions to complex noise issues.

Mr. Lawson has served as member of the Rancho Santa Margarita Planning Advisory Committee, Cityhood executive committee member, and political action committee chairperson for Cityhood 2000. He previously served on the Ladera Ranch Maintenance Corporation (LARMAC) from 2000 through 2006, serves today as President of the Santa Margarita Water District (SMWD) Board of Directors and the Ladera Ranch Civic Council (LRCC).

John Nagle, PE

Senior Associate / Senior Engineer

John Nagle has practiced in the field of civil engineering for over 20 years, and he has extensive experience in planning, designing, and providing construction support services for major water and wastewater facilities. He has been responsible for the preparation of numerous construction plans, specifications and cost estimates for water and sewer pipelines, water pumping stations, wastewater lift stations, wells, and reservoirs. He has also prepared master plans for both municipal and private-sector clients for potable water, sanitary sewer, and recycled water systems. Mr. Nagle has used his combination of planning and design experience to prepare capital improvement programs, condition assessment studies, engineering feasibility studies, and connection fee and utility rate studies. The following summarizes Mr. Nagle's specific project experience:

RELEVANT EXPERIENCE:

Rio Vista Valve #2 Vault Modifications (Santa Clarita, CA) 2011 - Project Manager. The Rio Vista Valve #2 (RV-2) is a 72-inch diameter butterfly valve, owned and operated by CLWA, located on the primary transmission main. CLWA determined that after approximately 15 years in service, the valve needed to be replaced because the valve seat was damaged and the valve did not fully seal. CLWA also needed to identify the probable cause of the damage to the valve to prevent the damage from reoccurring. RBF conducted a detailed analysis of existing conditions and operational data, including various site investigations and a detailed system hydraulic analysis to determine the cause of damage to the valve; identified and evaluated project alternatives for replacing the 72-inch diameter valve, including different types of valves; and recommended facility improvements (e.g. modifications and/or replacement of equipment), as well as operational modifications to ensure that the valve is not damaged again.

LACCD Sewer System Management Plans (Los Angeles, CA) 2010 - Senior Project Engineer for preparation of the Sewer System Management Plans for the Los Angeles Community Colleges District's nine campuses. The State of California recently added legislation to the General Waste Discharge Requirements requiring all wastewater collection system operators (of collection systems greater than one mile) in the form of sanitary sewer order no. 2006-0003. The studies included condition assessment using Closed-Circuit Television (CCTV) inspection and hydraulic model analysis using computer simulation techniques to ensure capacity for future campus expansion. The CCTV inspections documented the internal condition of each sewer pipeline televised, and this information was used to develop rehabilitation and replacement

Registration:

1991, Civil Engineer, CA, 46972

2001, Civil Engineer, NV, 14762

2009, Civil Engineer, UT, 7214109-2202

2009, Civil Engineer, AZ, 49684

2001, State Water - Right Surveyor, NV, 1101

Years of Experience: 25

Education:

B.S., 1987, Civil Engineering, Loyola Marymount University

M.S., 1996, Civil Engineering, Loyola Marymount University

Professional Affiliations:

American Society of Civil Engineers (ASCE)

Member, American Water Works Association

Member, American Public Works Association

Member, National Society of Professional Engineers

Member, Orange County Water Association

plans. Other particulars, such as sewer overflow response plans, legal authority, and chains of communication were also identified to cover the requirements of the order.

Southwest District Pipeline Replacement Projects (Gardena, Hawthorne and Inglewood, CA) - Project Manager for Imperial Highway and Prairie Avenue pipelines. As part of the implementation of Golden State Water Company's capital improvement program, GSWC contracted with RBF to provide professional engineering services for their Southwest District Pipeline Replacement Project. The project includes pipeline replacements in four separate areas. Work completed as part of this project included extensive utility research and field investigation to confirm locations of existing service connections and other appurtenances, preparation of final construction drawings, coordination with the Department of Health Services for utility waivers, and coordination with Caltrans for encroachment permits as required for the temporary closure of connector ramps to I-105.

Recycled Water System Tank Siting Study (Santa Clarita, CA) - Project Manager. The Castaic Lake Water Agency (CLWA) owns a 5.5-acre hillside site where they proposed to construct two projects: 3.5 MG of recycled water storage, and a large array of solar panels. With the solar project moving forward first, CLWA contracted with RBF to prepare a siting study so the land required to construct the tanks could be reserved. RBF considered two alternative tank configurations (1 - 3.5 MG tank; and 2 - 1.75 MG tanks), developed preliminary site and grading plans, and prepared preliminary cost estimates. In addition, RBF coordinated a geotechnical field investigation to determine remedial grading and slope setback requirements.

Whittier Pumping Plant No. 2 Replacement Project (Pico Rivera, CA) - Project Manager. RBF was contracted to provide engineering, surveying, and construction phase services to the Whittier Utility Authority (WUA) for the replacement of its Pumping Plant No. 2, which provides 100% of the potable water supply to WUA's 48,000 customers. Extensive preliminary engineering studies were completed, including: comprehensive hydraulic analyses of the supply and distribution systems; evaluation of pump station operations and control schemes; life-cycle cost analyses for alternative configurations of pumps, primary power, and backup power; project phasing to ensure the existing facility remains in operations throughout construction; and evaluation of remedial soil treatment alternatives to mitigate potential liquefaction to depths of 30 feet below grade. Final design is underway, and upon completion, the new facility will include: an 18.9 MGD Pumping Station (with 17,500 gpm capacity to enable WUA to pump during off-peak periods); two 2.2 MG reservoirs; a new 6,400 s.f. pump building, including office space for operations personnel.

Cook-Riolo Tank and Booster Station (Sacramento County, CA) – QA / QC. This project included design of a 2.75-MG potable prestressed concrete water storage tank and 3,500-gpm booster station.

Orangethorpe Transmission Main (Anaheim/Placentia, CA) 2009 - Project Manager. RBF is providing professional engineering and surveying services to Golden State Water Company for the design and construction of approximately 6,500 LF of 16” DIP pipeline, in the cities of Placentia and Anaheim. This pipeline will provide a connection between GSWC’s Placentia and Yorba Linda Service Areas, and will include three pressure regulating stations. The scope of services includes extensive utility research, topographic survey and right-of-way verification, preparation of PS&E’s, and traffic control plans. The project also requires coordination with the Orange County Flood Control District for crossing of the Atwood Channel, and coordination with Orange County Transportation Agency for the future grade separation project at Lakeview Avenue.

LVVWD C1244 - Frias 2635 Zone Reservoir and 2745 Zone Pumping Station (Clark County, NV) 2007 to Present - Project Manager. RBF is currently contracted to provide engineering, surveying, and construction phase services to Las Vegas Valley Water District for the design of the Frias 2635 Zone Reservoir and 2745 Zone Pumping Station. The major project elements include: a 30 million gallon (MG) buried, reinforced concrete reservoir; a 53 MGD pumping station (expandable to 106 MGD); pumping station building and buried wetwell (forebay) design; yard piping and valves ranging from 42-inch to 90-inch in diameter; disinfection facilities; associated electrical and instrumentation & control system design; and off-site street improvements on Cactus Avenue. The project required extensive coordination with Clark County, the Bureau of Land Management, the Mountains Edge Master Planned Community, NV Energy, and the Clark County Regional Flood Control District.

SNWA 190-A Horizon Ridge Reservoir Expansion (Henderson, NV) 2003 - 2005 - Project Manager. RBF Consulting provided engineering services to Southern Nevada Water Authority for the expansion of their existing Horizon Ridge Reservoir Facility. The Project included a 10 MG buried, cast-in-place, reinforced concrete reservoir, and associated inlet, outlet, overflow and drain piping. Other project elements include 42-inch and 60-inch valves and valve vaults, telemetry system modifications, chlorine sampling and washdown system modifications and piping, and all related electrical and instrumentation & control works. RBF also completed a stray current analysis for the site, which is located next to a NV Energy substation.

Northeast Interceptor Gravity Sewer (Las Vegas, NV) 2008 - 2009 – QA / QC Manager. RBF, as a subconsultant, is currently providing preliminary engineering and surveying services to the City of North Las Vegas for the Northeast Interceptor, an influent gravity sewer to the City's Water Reclamation Facility (WRF). The major project elements include extensive research of existing utilities, a Route Study of alignment options from North Las Vegas to the WRF site on Nellis Air Force Base, a hydraulic analysis to determine sewer pipeline size requirements, and an opinion of probable construction costs for each alignment alternative. Aerial topography, surveying, and right-of-way research will be performed for the chosen alignment to produce base maps. The preferred alignment will be further detailed to 30% construction drawings.

SNWA 340I - McCullough Lateral Project (Clark County, NV) 2007 - Deputy Project Manager in charge of reservoirs, cathodic protection, and environmental support. As a subconsultant, RBF provided professional engineering and environmental services for the planning and preliminary design of the McCullough Lateral (MCL) Project in Clark County, Nevada. The MCL Project is a proposed 407 million gallon per day (MGD) water transmission system, which will serve the southerly portion of the Las Vegas Valley. Facilities include a 407 MGD pumping station, a Regulating Reservoir, Rate of Flow Control Stations, and approximately 25 miles of transmission main ranging from 72-inches to 120-inches in diameter. RBF's responsibilities included planning & predesign of the reservoir facilities and cathodic protection analysis and environmental support services for the entire project.

Wigwam / US-95 24-inch 2120 PZ Main and PRV (Henderson, NV) 2008 - 2009 – QA / QC Manager. RBF Consulting is providing professional engineering and surveying services for the design and construction of 1,700 LF of 24-inch DIP pipeline and a 10,000 gpm PRV Station, which will supply water to the City's 2007 pressure zone. Project elements include: a cut-in 30-inchx24-inch Tee at Wigwam Avenue; construction of 24-inch pipeline beneath a US-95 overpass and across the Pitman Channel to Eastgate Road, while parallel to an active Union Pacific Railroad right-of-way. The construction

documents included alternative designs for the PRV station. Extensive agency coordination was required with UPRR, NDOT, NV Energy, Basic Management Incorporated (BMI), and BMI's industrial tenants.

In-State Groundwater Development Project (Clark, Lincoln, White Pine Counties, NV) 2004 - 2005 - Project Manager. RBF provided professional surveying services to the Southern Nevada Water Authority to establish a Geodetic Control Network for the In-State Water Resources Development Project. The project covered an area approximately 250 miles long from Northern Clark County across Lincoln County and extending into White Pine County. The specific project requirements included mobilization of field survey personnel over unfamiliar locations and terrain in order to establish control monuments along the proposed Corridors / Springs by way of GPS Static Surveys. The data was processed, tied and adjusted to the Continuous Operating Reference Station (CORS) monuments. A 17-page Record-of-Survey was prepared and recorded by RBF to memorialize all of the various components of this extensive ground survey. This Geodetic Control Network is being utilized for the current planning and design phases of the SNWA In-State Groundwater Project.

SNWA 340-C Hacienda Pumping Station On-site Improvements (Clark County, NV) 2005 - 2007 - Project Manager. RBF provided engineering services and construction phase assistance to SNWA for this project. Preliminary and final design services included: an expanded plant telephone system; a new compressed air piping system (with nine ¾-inch service drops located on all three levels of the pumping station); on-site drainage improvements; sub-drain and sump pump installation; grading and soil compaction for a new on-site substation; an 8-foot high perimeter block wall, and on-site retaining walls; property boundary verification; preparation of 22 legal descriptions and exhibits for wall easements and construction easements; technical support for coordination with 11 adjacent property owners and attendance at Town Board and Clark County Planning Commission meetings; and construction phase services.

MacDonald Highlands Potable Water Master Plan Update (Henderson, NV) 2008 - 2009 - QA / QC Manager. The Master Plan Update addresses development changes within MacDonald Highlands since the previously prepared Utility Master Plan. MacDonald Highlands is a Master Planned community consisting of multi-family, and single-family development parcels. RBF developed projections for potable water demands and also completed an extensive analysis of the potable water system and water age with in the master plan development. The WaterCAD software was used to model the on-site distribution system. An extended period simulation was performed to evaluate water age concerns.

The Canyons Utility Master Plan Update (Henderson, NV) 2006 - Project Manager. RBF prepared a comprehensive potable water and sewer master plan update for this 632-acre Master Planned community consisting of commercial, multi-family, and single-family development parcels. RBF developed water and wastewater projections for the development and identified the on-site and off-site utility infrastructure requirements for the development.

The project included extensive analysis of the City's off-site water and wastewater infrastructure. Hydraulic models were developed for the City's 2630 potable water pressure zone, the Horizon Ridge Parkway Trunk Sewer System, and the Green Valley Parkway Trunk Sewer System. The analyses included research and investigation of undeveloped parcels, development of water and wastewater generation projections, and analysis of multiple development scenarios to determine off-site system capacity constraints. RBF worked with the City of Henderson Department of Utility Services and the Project

Developer to identify the off-site utility upgrades that would most improve the City's ability to serve this development area.

LVVWD C1106 - Montessouri 2745 Zone Pumping Station Discharge Pipeline (Clark County, NV) 2005 - 2006 - Project Manager. This project for the Las Vegas Valley Water District included: the design of approximately 4,800 LF of 42-inch CML&C welded steel pipe; cut-in of a 42-inch x 42-inch tee connection at the intersection of Buffalo Drive and Badura Avenue; two 42-inch diameter in-line valves and valve vaults; a 4,900 gpm temporary pressure reducing station located on the property of Sierra Vista High School; and all appurtenant facilities. Additional work included: aerial topographic survey; right-of-way coordination; preparation of legal descriptions and exhibits for 14 pipeline and construction easements; corrosion engineering; and scour analyses at drainage channels crossing the pipeline alignment.

LVVWD C1012 - Charleston Heights 2420 Zone Pump Station Discharge Pipeline (Las Vegas, NV) 2002 - 2003 - Project Manager. RBF provided engineering services to Las Vegas Valley Water District for design of approximately 7,000 LF of 20-inch diameter domestic water main. Services included: preparation of construction drawings, specifications, and cost estimates; coordination with the City of Las Vegas for bore and jack crossing of Decatur Boulevard; scheduling coordination with the Nevada Department of Transportation for a nearby freeway improvement project; and alignment and scheduling coordination to minimize impacts with local businesses, including a regional shopping mall.

LVVWD C1198 - Multi-Site Surge Tank Upgrades (Las Vegas, NV) 2007 - Project Manager. RBF provided professional engineering services to evaluate nine pumping stations at five LVVWD sites (Gowan, Underhill, Rice, Ronzone, and Grand Canyon). RBF's Team conducted a pressure surge analysis of each pumping station and provided recommendations for required improvements to convert from manual to automated surge control systems. Included in the scope of services were site visits, review of record and shop drawings to verify the accuracy of existing information, and review and verification of LVVWD's hydraulic model data, which was used in the surge analysis.

R-28 Reservoir, P-27 Pumping Station and PRV Stations 123, 124, and 125 (Henderson, NV) 2009 - Project Manager. RBF provided professional engineering, surveying, mapping, and construction phase services for the design of a potable water pumping station, reservoir, and associated inlet/outlet transmission main to serve the 2760 and 2630 Pressure Zones within Planning Areas 13 and 20 in MacDonald Highlands, in the City of Henderson. The project elements include: a 600,000-gallon prestressed concrete reservoir; a 24 ft x 50 ft pump building; disinfection facilities; installation of a mechanical mixing system and automated sampling system in the existing R-27 Reservoir; three pressure reducing stations; and 2,600 LF of 16-inch DIP inlet outlet pipeline; and hillside grading for the reservoir site and access road.

LVVWD Pipeline Failure Analysis and Root Cause Training (Las Vegas, NV) 2005 - 2008 - Project Manager. RBF provided consulting services to Las Vegas Valley Water District to develop a Pipeline Failure Root Cause Training Program, and conduct training sessions for the District's Distribution System staff. In addition to developing the training program, other services included:
Forensic engineering services on an "as-requested" basis. These services included field investigations of pipeline failures, collection and testing of pipe material and soil samples, preparation of field investigation reports, and the preparation of an annual summary report.

Conducting a pressure monitoring study on portions of the District's distribution system. The purpose of the study was to investigate whether there is a correlation between cyclical pressure transients and asbestos cement (AC) pipeline failures.

Coastal Water Project (Monterey County, CA) 2007 - Project Engineer. Mr. Nagle performed alignment studies and extensive analysis of potential alternative alignments for 24 miles of pipeline in connection with the CWP. The overall project consists of a 10 million-gallon per day Desalination Plant near the Moss Landing Power Plant, conveyance pipelines, Aquifer Storage and Recovery facilities, and related facilities. This $200 million project will include two booster stations, 24 miles of pipelines, and two reservoirs. A significant portion of the 36-inch diameter conveyance pipeline will be constructed along the former Southern Pacific Railroad alignment that was acquired by the Transportation Agency for Monterey County (TAMC).

WS-1 and WS-2 Wellhead Improvements (Apex, NV) 2005 - Project Manager. RBF provided professional civil and electrical engineering services for the equipping of two raw water/fire flow supply wells (WS-1 and WS-2) and Duke Energy facility near Apex, Nevada. This project included an analysis of different alternatives of equipping the wells to meet project objectives, including the use of variable frequency drive motors versus motor operated control valves. The project also includes the design of the pump controls and instrumentation.

Ivanpah Airport Utility Planning Study (Primm, NV) 2006 - Project Manager. RBF, as a subconsultant, provided utility planning and right-of-way investigation services to the Clark County Department of Aviation, for the proposed Ivanpah Valley Airport (IVP) near Primm, Nevada. RBF's Water Resources Department identified the IVP infrastructure requirements for potable water supply and transmission, wastewater collection and treatment, recycled water, and jet fuel delivery systems for this site. Planning for the requisite wet utility infrastructure required incorporating data from and basing calculations upon IVP activity projections summarized in the 2004 *Conceptual Airport Layout Plan Validation Report*. Local agency facility planning projections and recommendations, as well as national existing airport activity, utility and facility capacity requirement research all provided the framework for RBF's design.

Comprehensive services were provided for right-of-way research to determine facility easement requirements, capital cost estimates, and development of a facility implementation plan. Extensive communication and coordination efforts were required with local agencies (including the Southern Nevada Water Authority, Las Vegas Valley Water District, Clark County Department of Aviation, Clark County Water Reclamation District, NV Energy, and Kinder Morgan).

EM-21 Turnout Facility and 1305 Zone Pipeline Improvements (Temecula, CA) 2006 - 2008 - Project Manager. RBF provided professional engineering and surveying services to the Rancho California Water District for construction of a new 80 cfs turnout facility from San Diego Pipeline No. 6 - a Metropolitan Water District of Southern California facility. As part of the turnout facility design, RBF provided electrical and instrumentation design, structural design, surge analysis, and operational evaluation. The project also included the conversion of 31,000 LF of existing 48" diameter raw water supply pipeline to a potable water transmission main, abandonment of RCWD's existing EM-19 Turnout Facility, design of 6,300 LF of new 48" diameter transmission main in Ynez Road, 1,400 LF of 36" transmission main in Butterfield Stage Road, and 1,500 LF of 24" transmission main in Margarita Road and La Paz Roads.

EM-20 Turnout and Transmission Main (Riverside County, CA) 1999 - Project Engineer. Design engineering services for approximately 20,000 lineal feet of 54-inch diameter welded steel pipeline and 100-cfs turnout from MWD aqueduct. The project will supplement its treated imported water supply by bringing an additional 100-cfs capacity to its service area in southwestern Riverside County.
El Segundo Mitigation Monitoring Program (El Segundo, CA) 1995 - 2000 - Project Manager. RBF provided professional consulting services for the City of El Segundo's Mitigation Monitoring Program of the City of Los Angeles' Hyperion Wastewater Treatment Plant to full secondary treatment. During this project, RBF's duties included: 1) Coordinating and moderating a monthly community meeting between Hyperion staff and neighboring residents; 2) Maintaining a 24-hour "hotline" to receive, document, and respond to complaints related to odor, light, and noise impacts during Hyperion Secondary Treatment Expansion Project; 3) Periodic site visits to monitor mitigation measures implemented at the Hyperion WWTP, including conducting complaint follow-up with Hyperion staff.

Sea Launch Home Port Facility - Sewer Rehabilitation (Port of Long Beach, CA) 1998 - Project Manager. RBF provided professional design and construction inspection services to The Austin Company, the design/build contractor for the project site owned by the Boeing Company. The project included rehabilitation of the on-site gravity sewer collection system consisting of the following: closed circuit television inspection of sewer pipelines; verification of sewer hydraulic capacity; on-site pipeline rehabilitation using cured-in-place pipe (CIPP) lining system -- 950 linear feet of 6-inch, 400 linear feet of 8-inch, 900 linear feet of 12-inch, 350 linear feet of 15-inch; replacement of 500 linear feet of sewer 12-inch sewer beneath pier; replacement of ship-to-shore sewer connections; on-site manhole rehabilitation using air-placed concrete and polyurethane lining system; and construction inspection services.

El Dorado Colonia Sanitary Sewer System Improvements (El Centro, CA) 1998 - 2000 - Project Manager. RBF provided professional engineering services for the conversion of homes in El Dorado Colonia from private septic tank systems to the City's public sewer collection system. The project included the construction of approximately 15,000 LF of 8-inch sanitary sewer and the extension of sewer laterals to approximately 200 residential parcels. The work for this project included utility research and the preparation of digital base maps by compiling survey data from the County of Imperial. RBF also provided professional surveying services to provide topographic data for areas not covered by the County survey and to verify the County survey data. The project also required extensive coordination with the Imperial Irrigation District and the California Department of Transportation.

El Dorado Colonia Potable Water System Improvements (El Centro, CA) 1997 - Project Manager. RBF provided professional engineering and surveying services under the Corps of Engineers 219 Program. The work for this project included preparation of digital base maps by compiling survey data from the County of Imperial. RBF also provided professional surveying services to provide topographic data for areas not covered by the County survey and to verify the County survey data. The project included the construction of 8-inch, 10-inch and 12-inch potable water distribution system and the installation of water meters, and the extension of service laterals to residential parcels. The project also required extensive coordination with the Imperial Irrigation District and the California Department of Transportation.

Arcadia and Sierra Madre Water Infrastructure Restoration Special Study and Final Design (Arcadia and Sierra Madre, CA) 1997 - Project Manager. Final design engineering services (PS&E) for water infrastructure restoration for the cities of Arcadia and Sierra Madre that included the following: 4.3 MG reservoir seismic rehabilitation; 1.2 MG reservoir demolition and reconstruction; new 2000 gpm well; three new 8-inch pressure reducing stations; a water system inter-tie between cities (incl. 12-inch pipeline);

new 8-inch pipeline; conversion of a standby engine from natural gas engine to diesel fuel at an existing pumping station; and emergency electrical generator backup power performance specifications for sewer pumping station sites. A seismic vulnerability and earthquake safety evaluation for the entire water delivery system was performed, which included pipelines, valves, pump stations, emergency generators, and reservoirs.

Dyer Road Surge Analysis (Santa Ana, CA) 2000 - Project Engineer**.** The Dyer Road Well Field (DRWF) provides one of the two major sources of supply of potable water to the Irvine Ranch Water District's (IRWD) Zone I Central System. RBF performed a surge analysis for the Dyer Road Well Field and the Zone 1 Central System. The surge analysis modeled three flow scenarios for both year 2000 and year 2025 demands for a total of six different runs, and considered the implementation of future District projects, such was the Deep Aquifer Treatment System (DATS) project. These six runs used pump curve data from IRWD and correlated it with the District's WaterCAD model to determine the flow provided by the well field. The surge analysis showed that surge protection will definitely be required for year 2025 demands with addition of the DATS project.

Santa Margarita Water District South County Pipeline (Orange County, CA) - Project Engineer. RBF prepared a detailed analysis of alignment alternatives for the Santa Margarita Water District's South County Pipeline Project. The analysis considered over 30 alternative alignments for a regional water transmission main, and evaluated the environmental, traffic, and institutional impacts to the City of Mission Viejo. Provided overall master planning, environmental documentation, permit processing, and design of this large-diameter pipeline project. RBF prepared plans and specifications, provided construction staking and management for a major portion of this project, including over 13 miles of 66-inch diameter pipeline, five service connections, five flow facilities, and a regulating reservoir. RBF received the 1990 California Council of Civil Engineers and Land Surveyors Grand Award of Excellence for the outstanding design and coordination efforts on the 100 million dollar construction project.

Lake Mead Drive Raw Water Transmission Main (Henderson, NV) 2003 - Project Manager. RBF provided professional engineering, surveying, and mapping services for approximately 4,000 LF of 16-inch ductile iron pipeline constructed along Lake Mead Drive in Henderson, Nevada. The purpose of the project is to provide additional raw water transmission capacity to the Lake Las Vegas development from the City of Henderson's connection to the BMI pipeline. This project also included the design of metering facilities, pressure relief facilities, and a technical drainage study update for the extension of existing culvert crossings at Lake Mead Drive. In addition, the project required extensive coordination with the City of Henderson and NDOT for construction permitting along Lake Mead Drive.

Lake Las Vegas Raw Water System Modifications (Henderson, NV) 2003 - Project Manager. RBF provided professional engineering, surveying, and mapping services for the design of approximately 3,900 LF of 16-inch and 20-inch raw water pipelines. The facilities are intended to increase the transmission capacity of the existing raw water delivery system, which provides irrigation and lake fill water to the Lake Las Vegas development. Also included in this project is the relocation of the Southshore R-1 pressure reducing station. RBF is responsible for the design of valving, piping and associated equipment for a new pressure reducing station, as well as the abandonment of the existing facility. Legal descriptions and exhibits for two municipal utility easements were also required for this project.

Brooks Avenue Waterline Replacement (North Las Vegas, NV) 2001 - Project Manager. RBF provided professional civil engineering services for the relocation of approximately 1,600 LF of cement mortar-lined

and coated steel water main. The project required close coordination with City engineering department and operations staff to determine the best method for isolating the portion to be relocated, while maintaining the integrity of the existing connections and protecting an adjacent 36-inch City transmission pipeline.

Preston Waterline Replacement (Ione, CA) 2001 - Project Manager. Design engineering services to the State of California, Project Management Branch for approximately 16,500 LF of 10-inch pipeline and pressure reducing station. Project responsibilities included coordination with multiple landowners for easements, resolution of conflicting record surveys, and coordination with numerous agencies, including Caltrans, the City of Ione, the County of Amador, and the Amador Water Agency.

Wastewater Utility Rate Study (El Centro, CA) 1997 - Project Engineer. RBF prepared a 5-Year Wastewater Utility Rate Study for the City of El Centro. This analysis included a review of the City's operating, administrative, and debt service costs. A final rate program was developed which implemented by the City, thereby enabling the City to proceed with their proposed five year Capital Improvement Program. RBF worked closely with City's engineering and administrative staff in developing the rate study and prepared the final presentation to City Council.

Steel Tank Retrofit and Seismic Stability (Irvine, CA) - Project Manager. Analysis and design of seismic retrofit for three of the District's flat-bottom, welded steel tanks ranging from 2.5 mg to 15.0 mg capacity. The tanks include: Zone 1 - 15.0 mg domestic reservoir; Zone 4 - 2.5 mg domestic reservoir; and Zone 8 - 2.5 mg domestic reservoir. The reservoirs were originally constructed between 1983 and 1985. RBF's scope of work included: review of available record information, field verification of existing reservoir elements (such as tank dimensions, shell and floor thicknesses), comparison of original design criteria to current seismic design parameters, geotechnical investigation, preparation of a preliminary design report summarizing seismic retrofit recommendations, and contract documents, including construction drawings and a project manual, for the seismic retrofit of all three tanks.

Santa Margarita Water District Master Planning (Orange County, CA) - Project Engineer. Mr. Nagle has prepared numerous Plan Of Works Reports for several communities within the Santa Margarita Water District, including Rancho Santa Margarita, Coto de Caza, Rancho Trabuco, portions of Mission Viejo, and Talega. The Plans of Works included development of water and wastewater planning criteria for both residential and commercial land uses, hydraulic analyses and computer modeling of both water and sewer systems, and development of capital improvement plans and facility financing programs.

Santa Margarita Water District (Talega Development Wastewater Collection and Treatment Alternatives Study) (Orange County, CA) - Project Engineer. This Study evaluated the feasibility of an on-site wastewater treatment and reclamation facility versus the conveyance of wastewater to an off-site regional facility for treatment and disposal. The project included a cost benefit analysis for each alternative.

Santa Margarita Water District, Industrial Waste Discharge Permit Review (Orange County, CA) 1987 - 1992 - Project Engineer. RBF provided Industrial Wastewater Engineering services for the Santa Margarita Water District, and developed the Industrial Wastewater Discharges Regulations for the District. RBF reviewed all industrial permit applications for regulatory compliance, evaluated the industrial treatment process, and made recommendations for permit conditions and monitoring. The industrial wastewater treatment permits analyzed by RBF have included laboratory facilities, research and development facilities, manufacturing, and plating, among other industrial applications.

County of Orange, James Musick Facility Expansion Sewer Capacity Analysis (Orange County, CA) - Project Engineer. This preliminary hydraulic analysis for the County of Orange determined the available capacity in the existing Irvine Ranch Water District (IRWD) sewage collection system. The analysis included verification of existing IRWD facilities, estimating current and ultimate wastewater generation tributary to the IRWD system, and development of phasing criteria for the Musick Facility expansion.

Rancho California Water District Water Facilities Master Plan (Riverside County, CA) - Project Engineer. The Master Plan, for 100,000-acre service area, included detailed land use and population inventory and projections, development of water use factors, development of a hydraulic model and analysis of the RCWD's 19 different pressure zones. The Master Plan also identified proposed capital improvements and funding requirements.

Santa Margarita Water District South County Pipeline (Orange County, CA) - Project Engineer. RBF prepared a detailed analysis of alignment alternatives for the Santa Margarita Water District's South County Pipeline Project. The analysis considered over 30 alternative alignments for a regional water transmission main, and evaluated the environmental, traffic, and institutional impacts to the City of Mission Viejo. Provided overall master planning, environmental documentation, permit processing, and design of this large-diameter pipeline project. RBF prepared plans and specifications, provided construction staking and management for a major portion of this project, including over 13 miles of 66-inch diameter pipeline, five service connections, five flow facilities, and a regulating reservoir. RBF received the 1990 California Council of Civil Engineers and Land Surveyors Grand Award of Excellence for the outstanding design and coordination efforts on the 100 million dollar construction project.

Santa Margarita Water District, Bond Issue Reallocations (Orange County, CA) - Project Engineer. RBF prepared a reallocation report for $360 Million in general obligation bonds for the Santa Margarita Water District. This analysis included verifying actual construction costs for existing water and wastewater facilities and verifying the funding capacity for remaining capital improvement projects.

Jack Rabbit Trail Specific Plan (Beaumont, CA) - Project Engineer. Prepared opportunity and constraints study and subsequent master plan for water, wastewater, and reclaimed water facilities required to service the proposed Jack Rabbit Trail Project. The Project consists of approximately 1,500 dwelling units. The preliminary alignments and sizes of all onsite and offsite water, sewer, and reclaimed water facilities were identified in a report for incorporation into the Specific Plan document.

Catellus Development - Hilarides Development Water and Sewer Master Plan (Chino Hills, CA) - Project Engineer. This study determined the water and sewer facilities required for a remote 300-unit residential development in the City of Chino Hills. RBF was responsible for identifying not only on-site collection facilities, but off-site needs as well. The investigation resulted in alternative off-site collection scenarios, including up to one-and-one-half miles of sewer; these scenarios were developed from extensive research of record drawings, existing sewers, and discussions with City Staff.

City of Douglas Water Master Plan (Douglas, AZ) 1996 - Project Engineer. RBF prepared a Water System Master Plan for the City of Douglas, Arizona. This Master Plan evaluated the existing water supply and distribution systems at the existing and ultimate conditions, identified areas of deficiency, recommended proposed capital improvements, and developed a phased implementation program.

Poe Colonia (Imperial County, CA) 1998 - Project Manager. Under the Corps 219 program, RBF prepared an analysis of wastewater collection, treatment and disposal alternatives for the Poe Colonia, a low-income residential community in Imperial County. The Project included an evaluation of onsite treatment methods, such as package plants and stabilization ponds, versus exporting the sewage to the City of Brawley. Specific tasks included wastewater flow projections, preliminary facility layouts, evaluation of regulatory and institutional issues, and preparation of cost estimates.

University of California, Irvine Utilities Master Plan (Orange County, CA) - Project Manager. This study entailed extensive research to develop a map of existing UCI onsite water, reclaimed water, and wastewater facilities. RBF was responsible for the computer analysis, using the EPANET software for the existing and proposed water and reclaimed water distribution systems. The Master Plan included a summary report of findings and recommendations.

Santa Margarita Water District, Debt Service Allocations (Orange County, CA) 1987 - 1994 - Project Engineer. RBF prepared annual debt service analysis and allocation reports for the Santa Margarita Water District's (SMWD) active general obligation bond issues. The studies identified the capital costs, operation and maintenance costs and developed the corresponding facility charges and rate fees for each of the eight Improvement Districts that comprise SMWD. The charges were based on a detailed assessment of the facilities related to each Improvement District and formulated a prorata capacity, where facilities common to more than one Improvement District are applicable.

Rancho California Water District Capital Improvement Program (Riverside County, CA) 1990 - Project Engineer. RBF conducted a comprehensive analysis and prepared a capital improvement program for $350 million in facility requirements. Costs were allocated between developed and undeveloped properties. The study also evaluated capital replacement and allocations between service zone areas. The program determined funding and requirements on a yearly, five-year, and ultimate buildout basis.

City of Culver City - Sewer Facilities Charge Program (Culver City, CA) 1998 - Project Manager. RBF prepared a Sewer Facilities Charge Fee Program, which will update the City's existing fees. The study includes a comprehensive review and analysis of the City's wastewater flows, user rates, five-year capital improvement program, operation and maintenance costs, capital improvement and replacement costs, and the City of Los Angeles' pass-through costs for the regional conveyance, treatment, and disposal system.

Santa Margarita Water District, Las Flores Trunk Sewers and Zone II Water Mains (Orange County, CA) - Project Engineer. This Project included the preparation of plans, specifications and estimates for the construction of approximately 6,100 linear feet of 10-inch and 12-inch trunk sewer and 8,900 linear feet of 16-inch and 30-inch water main. The Project included coordination with the California Fish and Game Department and the Orange County Flood Control District for a creek crossing.

City of Beverly Hills, Water System Capital Improvement Projects (Beverly Hills, CA) 1993 - 2000 - Project Manager. RBF is currently providing complete design engineering and construction staking services for the City of Beverly Hills Public Works Department's capital improvement program, which includes water transmission main replacements, pressure reducing stations installation, street improvements, and traffic signalization. RBF has coordinated with City staff, local merchants, residents and Caltrans to select pipeline alignments and establish construction schedules which minimize disruption to traffic, local businesses and local residences.

Santa Margarita Water District, Oso Trunk Sewer Relocation (Orange County, CA) 1991 - Project Engineer. This project included the preparation of construction plans, specifications and estimates for the relocation of a 27-inch trunk sewer and the installation of a flow diversion structure and parshall flume metering station. The project also included coordination with Caltrans for a 350-foot long jack-and-bore across the Interstate 5, coordination with the Mission Viejo Country Club for the realignment, and extensive utility investigation.

Irvine Ranch Water District, Jeffrey Road (Zone A) Parallel Reclaimed Water Pipeline (Irvine, CA) 1995 - Project Manager. This Project included the preparation of construction drawings, specifications and cost estimates for three miles of 30-inch reclaimed water pipeline. The Project included preliminary engineering and alternative alignment analyses, which considered 15 alternative alignments. The Project also required coordination with: Caltrans for a bore-and-jack crossing of Interstate 405; the Orange County Department of Harbors, Beaches and Parks for construction in Mason Regional Park; the U.S. Army Corps of Engineers and California Department of Fish and Game for the crossing of the San Diego Creek; and the City of Irvine for traffic control.

7.0 Technical Appendices

The various reports identified below are included within the Technical Appendices to this EIR, and are herein incorporated by reference pursuant to CEQA Guidelines Section 15150.

Appendix	Document/Reference Title
A	Air Quality Impact Analysis
B	Greenhouse Gas Analysis
C	Noise Impact Analysis
D	North Newport Center San Joaquin Plaza TPO Traffic Analysis
E	Water Supply Assessment
F	Assessment of Sewer Capacity Availability Relative to Increase Allocation of Residential Development