Initial Study and Mitigated Negative Declaration for the PRES Office Building B General Plan and Planned Community Text Amendments

Prepared for:

City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach CA 92658
Contact: Janet Johnson Brown, Associate Planner
949/644-3236

Prepared by:

ICF Jones & Stokes
1 Ada, Suite 100
Irvine, CA 92618
Contact: Nicole Williams
949/333-6600

August 2010

ICF Jones & Stokes. 2010. Initial Study and Mitigated Negative Declaration For PRES Office Building B General Plan and Planned Community Text Amendments. August. (ICF J&S 00873.09.) Irvine, CA. Prepared for City of Newport Beach, Planning Department. Newport Beach CA.

Table of Contents

Chapter 1 Introduction 1-1
Overview 1-1
Authority 1-1
Scope of the Initial Study/ Mitigated Negative Declaration 1-2
Impact Terminology 1-2
Organization of the Initial Study/ Mitigated Negative Declaration 1-3

Chapter 2 Project Description and Environmental Setting 2-1
Overview 2-1
Objectives 2-1
Location 2-1
Environmental Setting and Surrounding Land Uses 2-2
Regulatory Setting 2-2
City of Newport Beach General Plan 2-2
City of Newport Beach Zoning Code 2-3
Koll Center Newport Planned Community 2-3
Airport Land Use Plan 2-4
Description 2-4
General Plan Amendment and Koll Center Newport Planned Community Amendment 2-4
Office Building Development 2-5
Construction Activities 2-6

Chapter 3 Initial Study Environmental Checklist 3-1
Aesthetics 3-5
Agriculture and Forest Resources 3-7
Air Quality 3-9
Biological Resources 3-16
Cultural Resources 3-19
Geology and Soils 3-22
Greenhouse Gas Emissions 3-27
Hazards and Hazardous Materials. 3-32
Hydrology and Water Quality 3-37
Land Use and Planning 3-44
Mineral Resources 3-46
Noise 3-47
Population and Housing 3-54

Public Services 3-56
Recreation 3-58
Transportation and Traffic 3-59
Utilities and Service Systems 3-66
Mandatory Findings of Significance 3-73

Chapter 4 Errata to the Draft IS/MND (Amended August 13, 2010) 4-1
Introduction 4-1
Changes to the Draft IS/MND 4-1
Chapter 3. Initial Study Environmental Checklist 4-1
Chapter 4. References 4-23

Chapter 5 References 5-1
Printed References 5-1
Personal Communications 5-4

Chapter 6 List of Preparers 6-1
City of Newport Beach 6-1
ICF Jones & Stokes 6-1

Appendix A Air Quality URBEMIS2007 Model Outputs and Greenhouse Gas Emissions Calculations

Appendix B Preliminary Water Quality Management Plan

Appendix C Land Use Consistency Analysis

Appendix D Noise: Terminology, Field Sheets, and General Plan Land Use Compatibility Matrix

Appendix E Traffic Calculations

Appendix F Mitigation Monitoring Plan and Report

Appendix G Biological Memorandum

Appendix H Preliminary Hydrology Report

Appendix I Biological Memorandum II

Tables

Table		Page
2-1	Proposed General Plan and Koll Center Newport Planned Community Text Amendments	2-5
2-2	Construction Activities	2-6
3-1	Forecast of Regional Construction Emissions	3-11
3-2	Forecast of Localized Construction Emissions	3-12
3-3	Forecast of Regional Operational Emissions	3-13
3-4	Forecast of Localized Operational Emissions	3-14
3-5	Estimate of Project-Related Greenhouse Gas Emissions	3-28
3-6	Estimate of Project Conformity to AB 32	3-31
3-7	Short-Term Sound Level Measurement Data	3-48
3-8	Typical Noise Levels at Sensitive Receptors from Construction Activities	3-50
3-9	PM Peak Hour Traffic Volumes	3-52
3-10	Roads in the Vicinity of the Project Site	3-60
3-11	Volume-to-Capacity Ratio and Level of Service Ranges	3-61
3-12	Estimated Truck Trips and Construction Employees	3-62
3-13	Peak Hour Level of Service for Congestion Management Program Intersections	3-63
3-14	Irvine Ranch Water District Current and Planned Water Supplies	3-69
3-15	Past, Current, and Future Water Uses	3-70

3-16 Frank R. Bowerman Landfill Capacity 3-72

Figures

Figure		Follows Page
2-1	Regional Location	2-2
2-2	Local Vicinity Map	2-2
2-3	Existing Conditions and Surrounding Land Use	2-2
2-4	General Plan Land Use Designation and Statistical Area Location	2-4
2-5	Proposed Project Plan	2-4
2-6	Proposed Project Elevations	2-6
2-7	Proposed Project Rendering	2-6
3-1	Designated Public Viewpoints	3-6
3-2	Existing Liquefaction and Seismic Hazard Areas	3-24
3-3	Noise Measurement Locations	3-48
3-4	Wastewater Infrastructure and Service Areas,	3-68
3-5	Water Infrastructure and Service Areas	3-68

Acronyms and Abbreviations

AB	Assembly Bill
ADT	average daily trip
AELUP	Airport Environment Land Use Plan
AQMP	Air Quality Management Plan
ASTM	American Society for Testing and Materials
Basin	South Coast Air Basin
BMPs	best management practices
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CH4	methane
City	City of Newport Beach
CNEL	community noise equivalent level
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	CO2 equivalent
DAMP	Drainage Area Management Plan
dBA	A-weighted decibels
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulation
FTA	Federal Transit Administration
GHGs	greenhouse gases
HVAC	heating, ventilation, and air conditioning
IPS	inch per second

IRWD	Irvine Ranch Water District
IS/MND	Initial Study/Draft Mitigated Negative Declaration
Leq.	equivalent continuous noise level
LOS	level of service
LST	Localized Significance Threshold
MMT	million metric tons
MRZ	Mineral Resource Zones
MU-H2	Mixed-Use Horizontal 2
N_2O	nitrous oxide
NO_X	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
O_3	ozone
OCSD	Orange County Sanitation District
PC-15	Planned Community Koll Center
PM_{10}	particulate matter 10 microns or less in size
$PM_{2.5}$	particulate matter 10 microns or less in size
PPV	peak particle velocity
PRES	Professional Real Estate Services
proposed project	PRES Office Building B General Plan and Planning Community text amendments
ROCs	reactive organic compounds
RTP	Regional Transportation Plan
SARWQCB	Santa Ana Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SO_X	sulfur oxides
SWPPP	stormwater pollution prevention plan
TPO	Traffic Phase Ordinance
USGS	U.S. Geological Survey
V/C	volume-to-capacity ratios
VMT	vehicle miles traveled
WQMP	Water Quality Management Plan

Chapter 1
Introduction

Chapter 1
Introduction

Overview

The City of Newport Beach (City) has prepared this Initial Study/Draft Mitigated Negative Declaration (IS/MND) to evaluate the potential environmental consequences associated with the Professional Real Estate Services (PRES) Office Building B General Plan and Planned Community Text Amendments (proposed project). The project site is located at 4300 Von Karman Avenue in the Koll Center Newport Planned Community, in the City of Newport Beach. As part of the permitting process for the City, and prior to consideration by the Planning Commission and the City Council, the proposed project is required to undergo an environmental review pursuant to the California Environmental Quality Act (CEQA).

Authority

The preparation of this IS/MND is governed by two principal sets of documents: CEQA (Public Resources Code Section 21000 *et seq.)* and the State CEQA Guidelines (California Code of Regulations Section 15000 *et seq.*).

One of the main objectives of CEQA is to disclose to the public and decision makers the potential environmental impacts of proposed activities. CEQA requires that the lead agency determine whether a project is subject to CEQA review or exempt under statutory exemptions (CEQA Guidelines, Article 18, Sections 15260 *et seq.*) or categorical exemptions (CEQA Guidelines, Article 19, Section 15300 *et seq.*). The City determined that the proposed project is not exempt from CEQA and therefore proceeded to the preparation of an IS to determine whether an environmental impact report, a negative declaration, or an MND is appropriate. The City is the lead agency for the proposed project under CEQA.

The preparation of an IS is guided by Section 15063 of the State CEQA Guidelines, and Sections 15070–15075 of Article 6 guide the process for the preparation of an MND. Where appropriate and supportive to an understanding of the issues, reference will be made to the statute, the State CEQA Guidelines, or appropriate case law.

This IS/MND meets CEQA content requirements by including a project description; a description of the environmental setting, potential environmental impacts, and mitigation measures for any significant impacts; discussion of consistency with plans and policies; and names of preparers.

Scope of the Initial Study/ Mitigated Negative Declaration

This IS/MND evaluates the proposed project's impacts on the following resource topics:

- Aesthetics
- Agriculture and Forest Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

Impact Terminology

The following terminology is used to describe the level of significance of impacts.

- A finding of *no impact* is appropriate if the analysis concludes that the proposed project would not affect the particular resource in any way.
- An impact is considered *less than significant* if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered *less than significant with mitigation incorporated* if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the applicant.
- An impact is considered *potentially significant* if the analysis concludes that it could have a substantial adverse impact on the environment.

Organization of the Initial Study/ Mitigated Negative Declaration

The content and format of this report are designed to meet the requirements of CEQA. The report contains the following sections.

- Chapter 1, "Introduction," identifies the purpose and scope of this IS/MND and the terminology used in the report.
- Chapter 2, "Project Description and Environmental Setting," identifies the location, setting description, background, and planning objectives of the proposed project and describes the proposed project in detail.
- Chapter 3, "Initial Study Environmental Checklist," presents the CEQA environmental checklist and responses for each resource topic in the checklist. This section includes a brief setting section for each resource topic and identifies the impacts of implementing the proposed project.
- Chapter 4, "References," identifies all printed references and individuals cited in this IS/MND.
- Chapter 5, "List of Preparers," identifies the individuals who prepared this report and their roles in the proposed project.

Chapter 2

Project Description and Environmental Setting

Chapter 2

Project Description and Environmental Setting

Overview

The proposed project involves a General Plan amendment and an amendment to the Koll Center Newport Planned Community text, as well as development of an 11,960-gross-square-foot single-tenant office building proposed for construction in the City of Newport Beach, California. Details regarding the project objectives, location, environmental setting, and construction and operation of the proposed project are included in this chapter.

Objectives

CEQA Guidelines (Section 15124[b]) require that the project description contain a statement of objectives, including the underlying purpose of the proposed project. The objectives for the proposed project include:

- accommodating the expanding departments of Professional Real Estate Services (PRES) and its affiliates, and
- locating in proximity to the existing PRES Office Building A.

Location

The project site is located in the northernmost portion of the City of Newport Beach. The boundary between the City of Newport Beach and City of Irvine is approximately 0.5 mile to the west and 1 mile to the north of the project site. Interstate 405 is located approximately 1.3 miles to the north, State Route 73 is located approximately 0.6 mile to the south, and San Diego Creek is located approximately 1 mile to the east/southeast of the project site. Figure 2-1, Regional Location, depicts the regional location of the project area. The project site is located along Von Karman Avenue on Assessor's Parcel Number 445-131-05 in the Koll Center Newport Planned Community. The closest intersection to

the project site is Von Karman Avenue and MacArthur Boulevard, less than 0.2 mile southwest of the site. Other land uses in the general vicinity of the project site include John Wayne Airport to the west and the San Joaquin Marsh and University of California, Irvine campus to the east and southeast. Figure 2-2, Local Vicinity Map, shows the surrounding area of the project site.

Environmental Setting and Surrounding Land Uses

The proposed project would be located on a currently developed lot. The lot is approximately 55,779 square feet and is currently occupied by surface parking spaces and the existing PRES Office Building A (PRES Investment). There are a total of 84 surface parking spaces and the existing PRES Office Building A is 6,850 gross square feet. The proposed project would be located between the PRES Office Building A and the neighboring office building to the east. The project site is currently surface parking spaces. It is generally void of vegetation with the exception of ornamental landscaping.

The surrounding land uses include a mix of commercial, office, and light industrial. Also adjacent to the site is a large retarding basin used to retain urban stormwater runoff (City of Newport Beach 2006a). Other commercial buildings are the Meyer Properties building located to the east and the Manly and Stewart building located to the west. Light industrial buildings occupied by Jazz Technologies, Bit Shield, Inc., and Conexant are located to the south/southwest. Figure 2-3, Existing Conditions and Surrounding Land Use, provides context for the project site.

Regulatory Setting

City of Newport Beach General Plan

The City of Newport Beach (City) approved a comprehensive update to the General Plan in July 2006 (City of Newport Beach 2006a). The General Plan consists of eleven elements, including Land Use, Harbor and Bay, Housing, Historical Resources, Circulation, Recreational, Arts and Cultural, Natural Resources, Safety, and Noise. The General Plan and each of these elements present a vision for the City's future and goals and policies to implement that vision.

The project site is located in the Airport Area (Statistical Area L4) in the northern portion of the City of Newport Beach. The Airport Area encompasses the properties abutting and east of John Wayne Airport and is in proximity to the Irvine Business Complex and the University of California, Irvine. This area includes a mixture of low-, medium-, and high-rise office uses as well as research and development and higher technology businesses (City of Newport Beach 2006a).

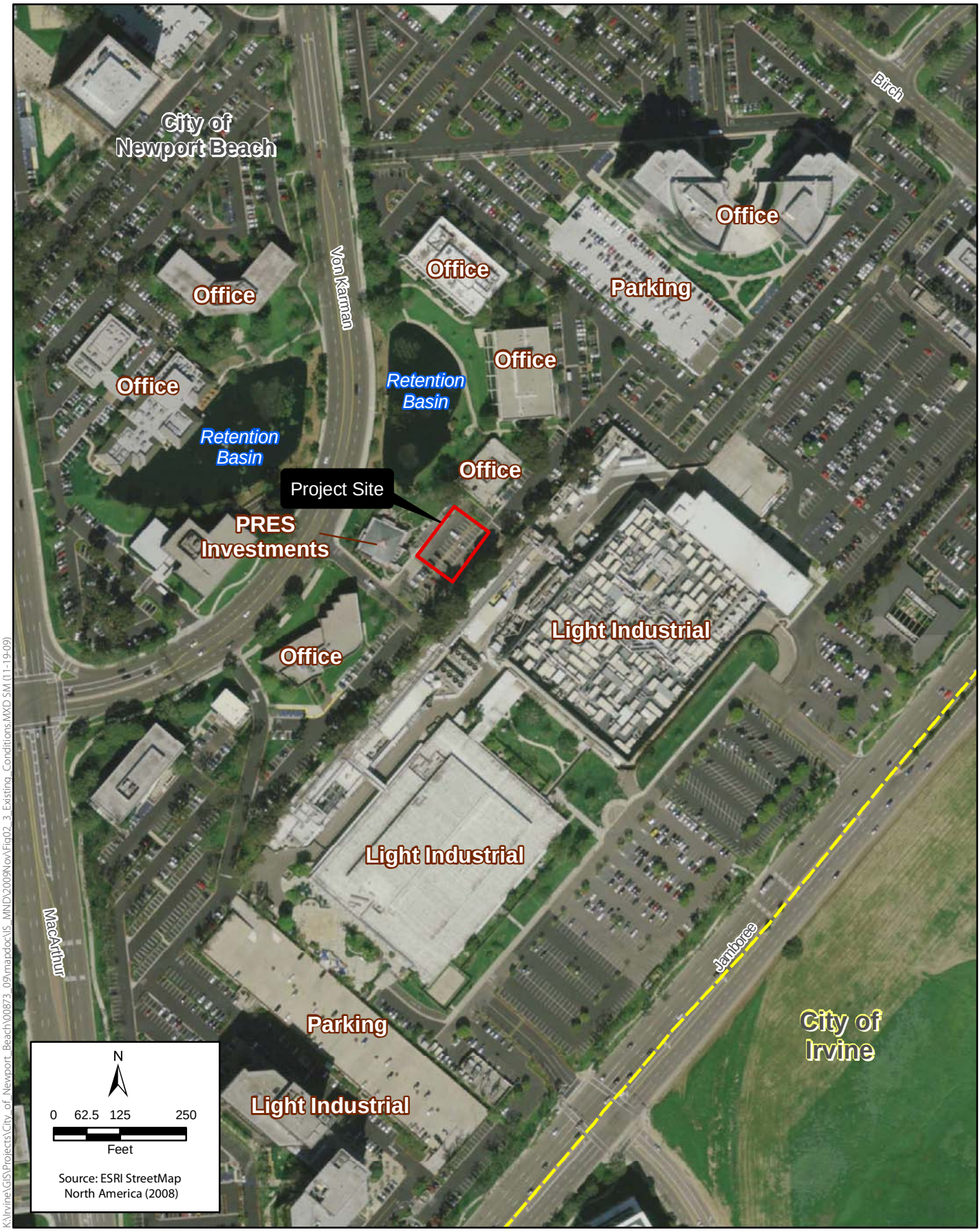
ICF Jones & Stokes
an ICF International Company

Figure 2-1
Regional Location
PRES Office Building B

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2009Nov\Fig02_2_Local_Vicinity.MXD SM (11-19-09)

ICF Jones & Stokes
an ICF International Company

Figure 2-2
Local Vicinity Map
PRES Office Building B



K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2009Nov\Fig02_3_Existing_Conditions.MXD SM (11-19-09)

ICF Jones & Stokes
an ICF International Company

Figure 2-3
Existing Conditions and Surrounding Land Use
PRES Office Building B

The project site is designated as Mixed-Use Horizontal 2 (MU-H2) per the General Plan Land Use Element. The MU-H2 designation provides for a horizontal intermixing of uses that may include regional commercial office, multifamily residential, vertical mixed-use buildings, industrial, hotel rooms, and ancillary neighborhood commercial uses. The properties surrounding the project site also have land use designations of MU-H2 (City of Newport Beach 2006a).

The development limit for the project site is identified in Table LU2 of the General Plan Land Use Element as Anomaly Number 2. Table LU2 provides precise development limits for each of the anomaly locations identified on each of the land use maps. The development limit for Anomaly Number 2 is 1,060,146 gross square feet as identified in Table LU2 (City of Newport Beach 2006a). Figure 2-4, General Plan Land Use Designation and Statistical Area Location, shows the existing General Plan land use designations for the Airport Area (Statistical Area L4), including the project site.

City of Newport Beach Zoning Code

The City of Newport Beach zoning code is intended to carry out the policies of the City of Newport Beach General Plan (City of Newport Beach 2009a). It is the intent of the zoning code to promote the orderly development of the City; promote and protect the public health, safety, peace, comfort, and general welfare; protect the character, social and economic vitality of the neighborhoods; and to ensure the beneficial development of the City. The project site is currently zoned PC-15, Koll Center Newport Planned Community). The PC-15 text provides property development regulations for property located within the Koll Center Newport Planned Community.

Koll Center Newport Planned Community

The Koll Center Newport is a 180-acre planned community in the City of Newport Beach, adopted by the City on August 14, 1972 (Ordinance No. 1449). The Koll Center Newport was developed as a master planned campus office park. The planned community development standards provide comprehensive zoning for the area and limit the development of parcels by defining Allowable Building Areas for nine development sites (Office Sites A through F, Industrial Site 1, Retail and Service Site 1, and the Court House). The project site is located within a development site identified as Professional and Business Office Site B in the Koll Center Newport Planned Community. The Allowable Building Area for Office Site B is 967,803 square feet as defined by the Koll Center Newport Planned Community text.

Airport Land Use Plan

The project site is located in the Orange County Airport Environment Land Use Plan (AELUP) for John Wayne Airport, which is administered by the Airport Land Use Commission. The project site is within the height restriction zone for the John Wayne Airport and the notification area of the Federal Aviation Regulation (FAR) Part 77 imaginary surfaces aeronautical obstruction area. Section 77.13 of the FAR requires the notification of the Federal Aviation Administration (FAA) for any construction or alteration to buildings meeting specific criteria, including heights greater than 200 feet above ground level.

Description

The proposed project involves a General Plan amendment and an amendment to the Koll Center Newport Planned Community text, which would accommodate the development of a new office building. Additionally, the proposed project includes a division of the existing parcel into two separate parcels and the preparation of a parcel map. Parcel one would include the existing office building and surface parking spaces, and parcel two would include the proposed office building and surface parking spaces. Figure 2-5, Proposed Project Plan, identifies the proposed property line and the individual parcels. Discretionary actions associated with the proposed project include:

- General Plan amendment
- Koll Center Newport Planned Community text amendment
- Tentative parcel map

The proposed amendments and the proposed office building development plan are discussed separately below.

General Plan Amendment and Koll Center Newport Planned Community Amendment

The proposed project would increase the allowable development square footage on the project site. The General Plan amendment would increase the development limit in General Plan Anomaly Location 2 by 11,544 gross square feet, and the Koll Center Newport Planned Community text amendment would increase the allowable building area in Office Site B by 9,917 net square feet.

Table 2-1 below summarizes the existing square footage limits, the proposed changes, and the net increase.

CITY of NEWPORT BEACH
GENERAL PLAN

Figure LU11

STATISTICAL AREAS
J6, L4

Project Site

Koll Center

65 CNEL Noise Contour

Residential Neighborhoods
- RS-D Single-Unit Residential Detached
- RS-A Single-Unit Residential Attached
- RT Two-Unit Residential
- RM Multiple-Unit Residential
- RM-D Multiple-Unit Residential Detached

Commercial Districts and Corridors
- CN Neighborhood Commercial
- CC Corridor Commercial
- CG General Commercial
- CV Visitor Serving Commercial
- CM Recreational and Marine Commercial
- CR Regional Commercial

Commercial Office Districts
- CO-G General Commercial Office
- CO-M Medical Commercial Office
- CO-R Regional Commercial Office

Industrial Districts
- IG Industrial

Airport Supporting Districts
- AO Airport Office and Supporting Uses

Mixed-Use Districts
- MU-V Mixed Use Vertical
- MU-H Mixed Use Horizontal
- MU-W Mixed Use Water Related

Public, Semi-Public and Institutional
- PF Public Facilities
- PI Private Institutions
- PR Parks and Recreation
- OS Open Space
- TS Tidelands and Submerged Lands

City of Newport Beach Boundary

Statistical Area Boundary L4

Land Use Delineator Line

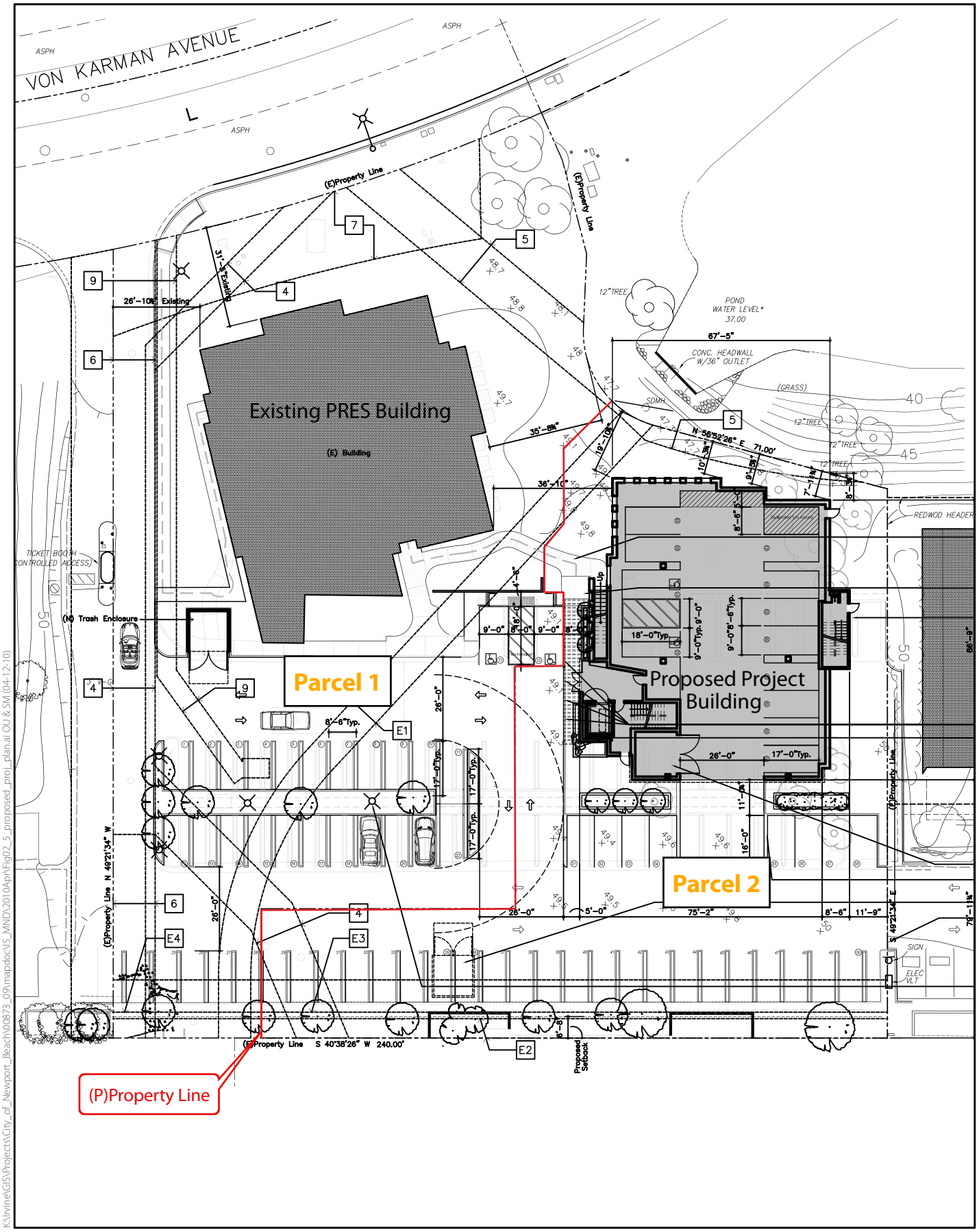
Refer to anomaly table

0 500 1,000 Feet

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2009Nov\Fig02_4_GPLU_StatisticalArea.ai OLI (12/07/09)

ICF Jones & Stokes
an ICF International Company

Figure 2-4
General Plan Land Use Designation and Statistical Area Location
PRES Office Building Site B



K:\IrvineGIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2010Apr\Fig02_5_proposed_proj_plan.ai OU & SM (04-12-10)

ICF Jones & Stokes
an ICF International Company

Figure 2-5
Proposed Project Plan
PRES Office Building B

Table 2-1. Proposed General Plan and Koll Center Newport Planned Community Text Amendments

Development[1]	General Plan – Statistical Area L4/Anomaly Location [2] (gross square feet)[2]	Koll Center Newport Planned Community Text Office Site B (net square feet)[3]
Existing	1,060,146	967,803
Proposed project	1,071,690	977,720
Increase	11,544	9,917

[1] The General Plan and Koll Center Newport Planned Community Text define square feet differently; thus, the numbers in the table for the proposed development are different.

[2] The General Plan uses the term gross square footage to calculate development limits. Chapter 20.63 of the zoning code defines gross floor area, which is the same as applicable gross square footage, as "the area of a building or portion thereof including the surrounding exterior walls, except that outdoor dining areas utilized in conjunction with an eating and drinking establishment shall also be included. Any finished portion of the building which measures more than 4 feet from finished floor to ceiling and is accessible shall be included in calculations of gross floor area. Areas utilized for stairwells and elevator shafts shall be counted towards gross floor area only on the first level."

[3] The Koll Center Newport Planned Community Text uses the term *net square footage* to calculate allowable building area. Chapter 20.03 of the zoning code defines net floor area as "the area included within the surrounding walls of a building, exclusive of vent shafts, elevator shafts, stairways, exterior corridors or balconies, rooms containing only mechanical and electrical equipment used for service of the building, utility shafts and parking."

Office Building Development

As discussed above, the proposed amendments would increase the allowable square footage to accommodate the development of a new 11,960-gross- square-foot office building on the site that is currently occupied by a 6,850-gross-square-foot office building and 84 surface parking spaces. Approximately 25 stalls of the existing 84 stalls of surface parking and some existing landscaping would be demolished for the development of the proposed office building. The proposed office building would be a total of three levels: two levels of office space and a ground-level parking structure.

The proposed building may be occupied by a single tenant, PRES, or it may have multiple tenants. An average of 53 employees would work at the proposed building.

The parking structure would provide 12 parking spaces, and the exterior surface of project site would provide 30 parking spaces for a total of 42 parking spaces on the proposed parcel two. Primary access to the proposed project would remain from Von Karman Avenue. Figure 2-5, Proposed Project Plan, illustrates the project site plan.

The maximum height of the office building would be approximately 50 feet above the original grade. Figure 2-6, Proposed Project Elevations, shows the side elevations of the proposed building. The architectural style of the office building would be aesthetically diverse and would use textures such as rocks and living walls (i.e., walls covered in plants) to soften the composition of the

building. The office buildings would incorporate a mixture of textured aluminum panels, stone, reflective glass, and canopy elements. Figure 2-7, Proposed Project Rendering, shows an architectural rendering of the proposed building.

Mechanical equipment, such as heating, ventilation, and air conditioning units, would be screened from the public view by the height of the buildings. All equipment would be centrally located on the roof surfaces, prohibiting views of the equipment.

Construction Activities

Construction of the proposed office building is expected to begin in fall 2010 and end in summer 2011. Construction would last approximately 8 months and would include some overlap of construction activities. The activities and the durations are described in Table 2-2 below.

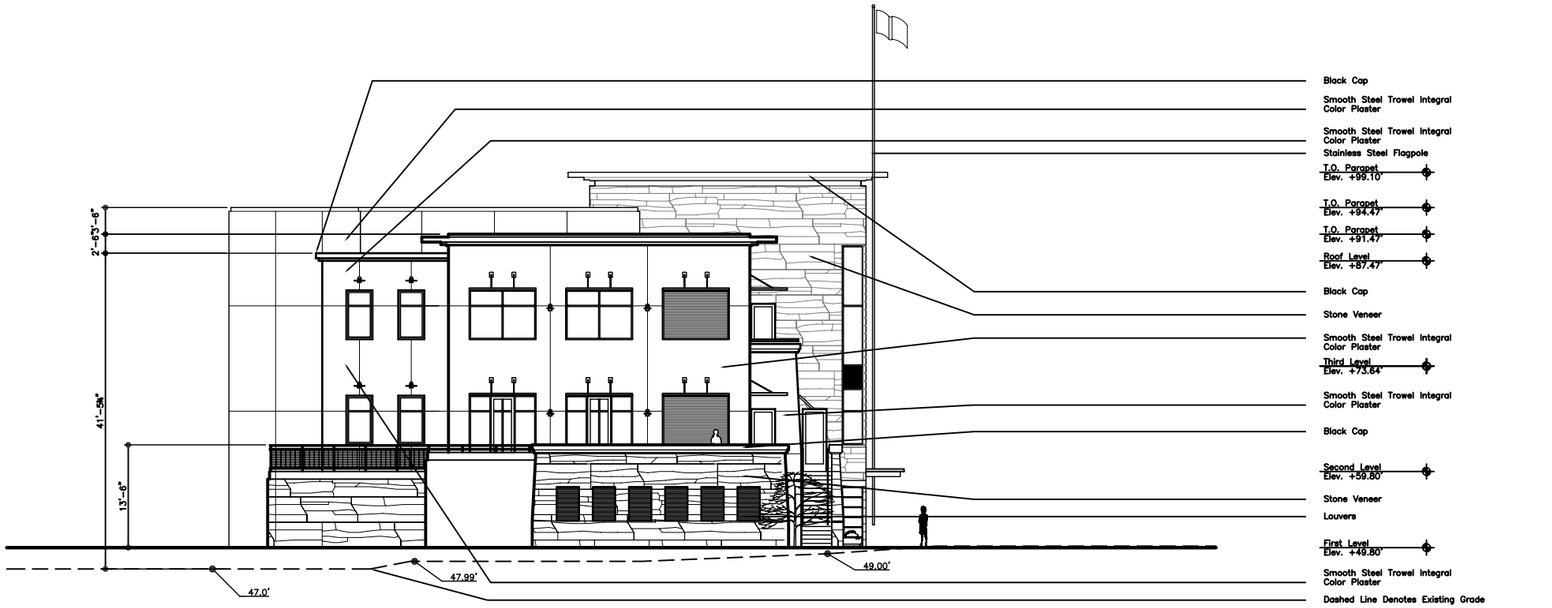
Table 2-2. Construction Activities

Activity	Duration
Demolition	1 week
Grading and site preparation	1 month
Building construction	6 months
Asphalting	3 week
Architectural finishing	3 months

The construction staging area would be located along the southwest property line adjacent to the Conexant property. Access from the project site to the office buildings to the east may be temporarily unavailable during construction, but employees and visitors to these offices could use the other access road off Von Karmen Avenue.

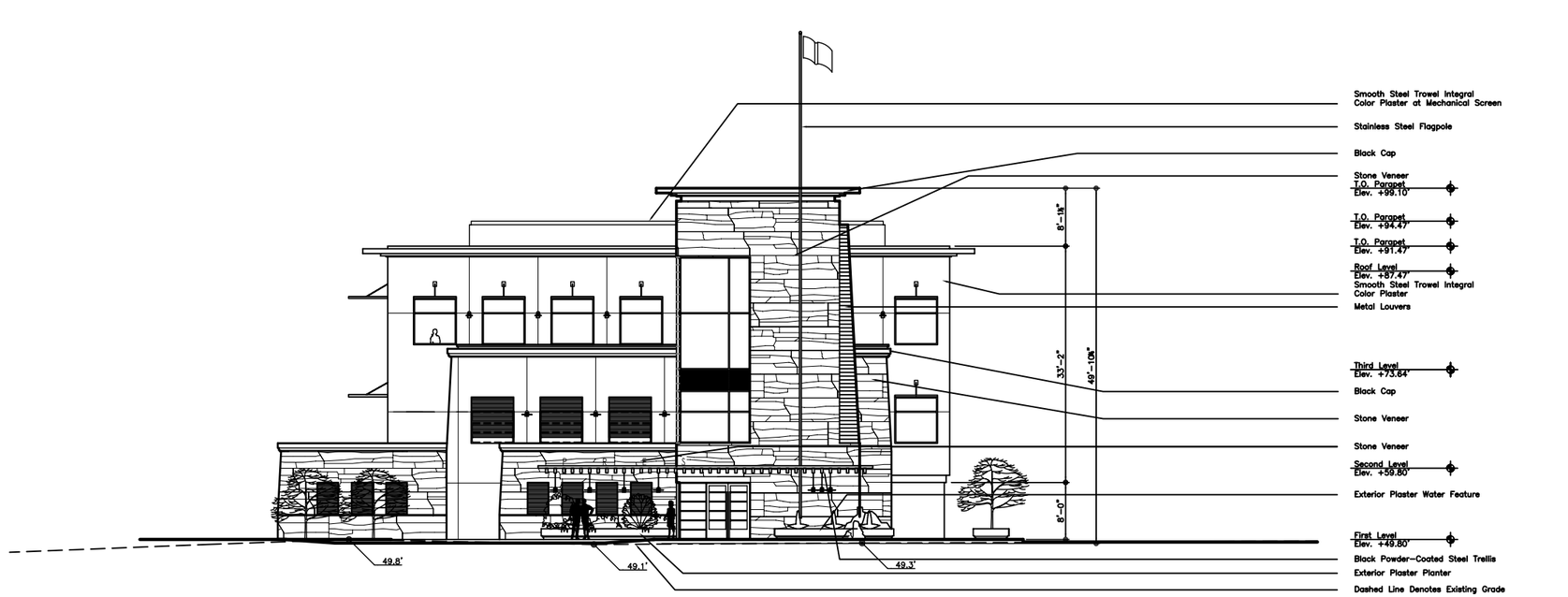
Since the site is already developed and the topography is flat, it is assumed there would be minimal soil disturbance during construction. No import or export of soil would be needed. Soil would be disturbed to an approximate depth of 5 feet to prepare for the building foundations.

All buildings would comply with all applicable codes, including those related to seismic activity. Construction crews would work no more than 8 hours per day and would restrict their activities to between 7:00 a.m. and 6:00 p.m. on non-federal-holiday weekdays and between 8:00 a.m. and 5:00 p.m. on Saturdays.



West Elevation

Scale: 1/8" = 1'-0"



South Elevation

Scale: 1/8" = 1'-0"

ICF Jones & Stokes
an ICF International Company

Figure 2-6
Proposed Project Elevations
PRES Office Building B

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mxd\cd\IS_MND\2009Nov\Fig02_5_proposed_proj_plan_perspective.ai SM (11-19-09)

SOURCE: LS Architects

ICF Jones & Stokes
an ICF International Company

Figure 2-7
Proposed Project Rendering
PRES Office Building B

Chapter 3

Initial Study Environmental Checklist

Chapter 3
Initial Study Environmental Checklist

1. Project Title:	PRES Office Building B General Plan and Planned Community Text Amendments
2. Lead Agency Name and Address:	City of Newport Beach Planning Department 3300 Newport Boulevard Newport Beach, CA 92658
3. Contact Person and Phone Number:	Janet Johnson Brown, Associate Planner 949/644-3236
4. Project Location:	The project site is located on Assessor's Parcel Number 445-131-05, at 4300 Von Karman Avenue, in the City of Newport Beach. The site is occupied by the PRES Office Building, in the Koll Center Newport Planned Community.
5. Project Sponsor's Name and Address:	Professional Real Estate Services, Inc. (PRES) Michael Tong 4300 Von Karman Avenue Newport Beach CA 92660
6. General Plan Designation:	Mixed-Use Horizontal 2 (MU-H2)
7. Zoning:	PC-15, Koll Center Newport Planned Community
8. Description of Project:	See Chapter 2, Project Description.
9. Surrounding Land Uses and Setting:	See Chapter 2, Project Description.
10. Other Public Agencies Whose Approval Is Required:	John Wayne Airport Land Use Commission: although the proposed project is exempt from filing the Form 7460-1 notice*, a referral by the City to the Airport Land Use Commission for Consistency Review is required due to the location of the proposal within the AELUP Planning Area and due to the nature of the required City approvals (i.e., General Plan Amendment) under PUC Section 21676(b). *See Chapter 4 Errata for additional details regarding Form 7460-1.

Environmental Factors Potentially Affected:

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

☐ I. Aesthetics	☐ II. Agriculture and Forest Resources	☐ III. Air Quality
☐ IV. Biological Resources	☐ V. Cultural Resources	☐ VI. Geology and Soils
☐ VII. Greenhouse Gas Emissions	☐ VIII. Hazards and Hazardous Materials	☐ IX. Hydrology and Water Quality
☐ X. Land Use and Planning	☐ XI. Mineral Resources	☐ XII. Noise
☐ XIII. Population and Housing	☐ XIV. Public Services	☐ XV. Recreation
☐ XVI. Transportation and Traffic	☐ XVII. Utilities and Service Systems	☐ XVIII. Mandatory Findings of Significance

Determination:

On the basis of this initial evaluation:

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

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to 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 an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.

Signature 5-14-10 Date

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.

4. "Negative Declaration: Less-than-Significant with Mitigation Incorporated" applies when the incorporation of mitigation measures has reduced an effect from a "Potentially Significant Impact" to a "Less-than-Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)

5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)]. In this case, a brief discussion should identify the following.

   (a) Earlier Analysis Used. Identify and state where earlier analyses are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less-than-Significant with Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   (a) the significance criteria or threshold, if any, used to evaluate each question; and

   (b) the mitigation measure identified, if any, to reduce the impact to a less-than-significant level.

I.	AESTHETICS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b.	Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings along a scenic highway?	☐	☐	☐	☒
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	☐	☒	☐

Discussion

Would the project:

a. Have a substantial adverse effect on a scenic vista?

No Impact. The proposed project would not affect a scenic vista. Figure 3-1, which represents Designated Public Viewpoints in the City of Newport Beach's (City's) General Plan, identifies the existing public view points throughout the City. The project site is not identified as a public viewpoint (City of Newport Beach 2006a), nor would the proposed three-level building obstruct views from any public viewpoints. The project site is located in a fully developed planned office complex, currently occupied by surface parking spaces, landscaping, and the existing PRES office Building A (PRES Investment). Therefore, as there are no scenic vistas in the general proximity of the project site, no impacts would occur.

b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings along a scenic highway?

No Impact. The project site does not consist of any rock outcroppings that are of significant visual quality. There are no historic buildings on site or in the project area that would be affected by the proposed project. Furthermore, there are no designated scenic highways in the vicinity of the proposed project (California Department of Transportation 2009). Therefore, the proposed project would not damage a scenic resource, and no impacts would occur.

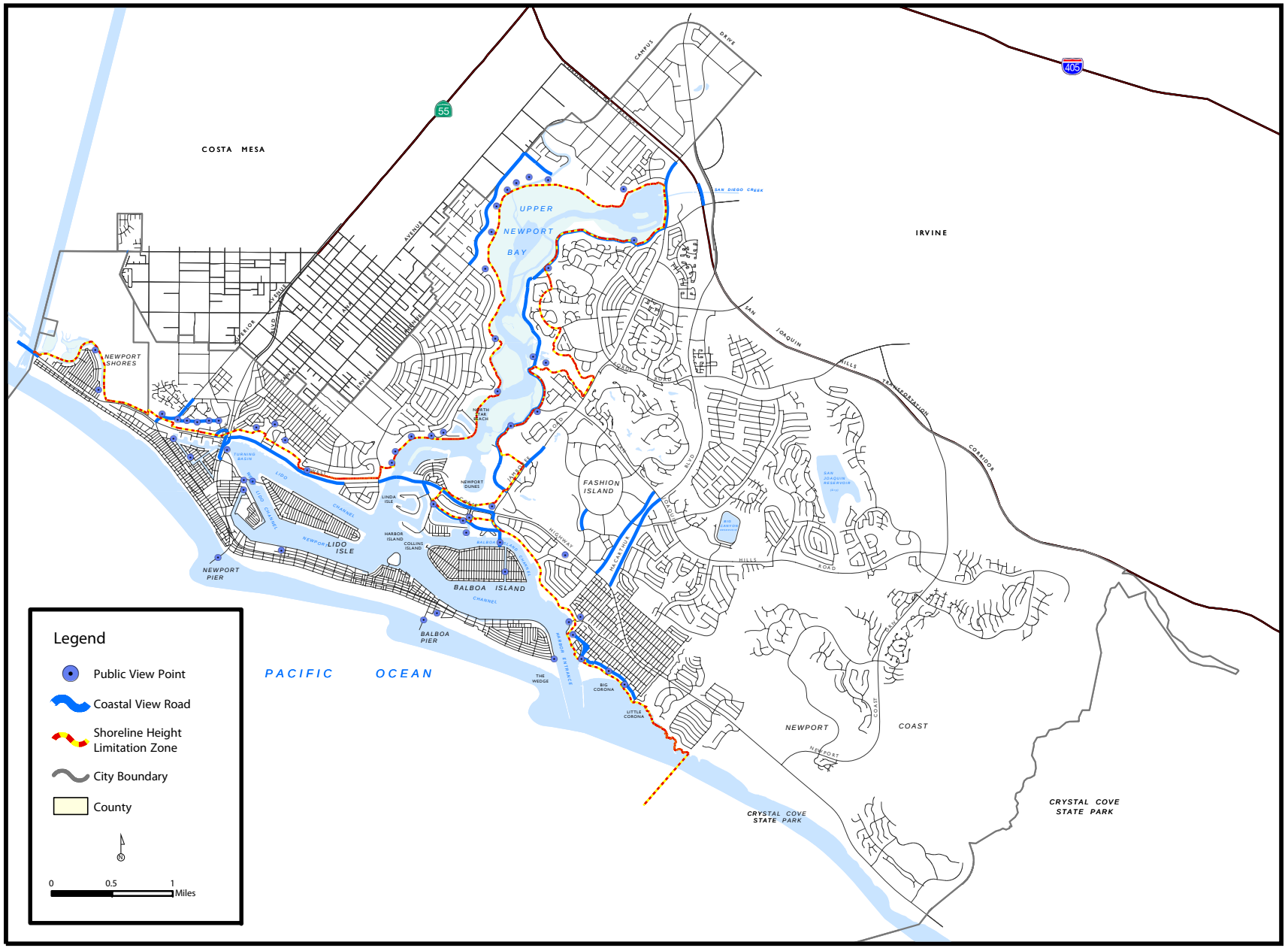
c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Less-than-Significant Impact. The proposed project would not adversely affect the existing visual character or quality of the site and its surroundings. The project site is located in a fully developed planned community and would not damage any scenic resources. The proposed project would blend

in with the existing character of the area and surrounding land uses. Approximately 25% of the project site would be landscaped, and approximately 75% of the site would be paved. The maximum height of the office building would be approximately 50 feet above the original grade. The proposed architectural style of the building would be aesthetically diverse and would use textures such as rocks and living walls (i.e., walls covered in plants) to soften the composition of the building. The proposed office building would incorporate a mixture of textured aluminum panels, stone, reflective glass, and canopy elements. Equipment, such as heating, ventilation, and air conditioning (HVAC) units, would be screened from the public view by the height of the building. All equipment would be centrally located on the roof surfaces, prohibiting views of the equipment. Therefore, as the proposed project would be located in a fully developed planned community and the architectural components would blend in with the existing office-complex character of the area, impacts would be less than significant.

d. ***Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?***

Less-than-Significant Impact. The project site is located in an area that is developed with a mixture of low-, medium-, and high-rise office uses as well as research and development and technology businesses. The existing parking lot is lighted for nighttime parking for safety purposes. Any lighting associated with the proposed project would be similar to the existing lighting in the area, and would not add substantial amounts of lighting to the area. Impacts would be less than significant.



Source: City of Newport Beach, 2005

ICF Jones & Stokes
an ICF International Company

Figure 3-1
Designated Public Viewpoints
PRES Office Building B

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2010.jan\Fig03_1_public_viewpnts.ai SM (01-25-10)

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

Discussion

Would the project:

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

No Impact. The proposed project would not convert any farmland to a non-agricultural use. The project site is not designated as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance (California Department of Conservation 2009). The project site and the surrounding land are identified as "urban and built-up land" by the California Department of Conservation's Farmland Mapping and Monitoring Program. Furthermore, the project site is located in an existing developed commercial setting with no agricultural uses on or surrounding the site. Therefore, no impacts would occur.

b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?

No Impact. The proposed project would not conflict with existing zoning or agriculture use. The project site is currently zoned PC-15, Koll Center Newport Planned Community, which does not allow agricultural uses. The Williamson Act applies to parcels consisting of least 20 acres of Prime Farmland or at least 40 acres of farmland not designated as Prime Farmland. The project site is not located within a Prime Farmland designation, nor does it consist of more than 40 acres of farmland. Therefore, the site is not eligible to be placed under a Williamson Act contract. Therefore, no impacts would occur.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. The proposed project would not conflict with existing zoning or cause rezoning of forest land. The project site is located in an urban area far from any forest lands. Therefore, no impacts would occur.

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

No Impact. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. The project site is located in an urban area far from any forest lands. Therefore, no impacts would occur.

e. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The proposed project would not result in the conversion of farmland to non-agricultural use, nor result in the conversion of forest land to non-forest use. The project site is not currently used for agriculture and is not located in any forest. The project site is not located near or adjacent to any areas that are actively farmed or used for forest land. Therefore, the proposed project would not disrupt or damage the operation or productivity of any areas designated as farmland or forest land, and no farmland or forest land would be affected by the proposed project. No impacts would occur.

III.	AIR QUALITY	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. The project site is located within the South Coast Air Basin (Basin). The South Coast Air Quality Management District (SCAQMD) is required, pursuant to the Federal Clean Air Act, to reduce emissions of criteria pollutants for which the Basin is in nonattainment (i.e., ozone [O_3], particulate matter 10 microns or less in size [PM_{10}], and particulate matter 10 microns or less in size [$PM_{2.5}$]). As such, the proposed project would be subject to SCAQMD's Air Quality Management Plan (AQMP). The AQMP contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG). SCAG is the regional planning agency for Los

Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties, and addresses regional issues relating to transportation, economy, community development, and environment.[1]

A project is consistent with the AQMP if it is consistent with the population, housing, and employment assumptions that were used in its development. The most recent AQMP adopted by SCAQMD incorporates SCAG's 2008 Regional Transportation Plan (RTP) socioeconomic forecast projections of regional population and employment growth. SCAG locates the project site within the City of Newport Beach Subregion. The 2008 RTP projects that employment in this subregion will grow by about 879 jobs between the years 2010 and 2020. The proposed project's addition of approximately 53 net new jobs would represent 6% of the total employment growth projected for the subregion (Southern California Association of Governments 2001). Such levels of employment growth are consistent with the forecasts for the subregion as adopted by SCAG, and as such are consistent with the AQMP. No impacts would occur, and no mitigation measures are necessary.

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

Less-than-Significant Impact. As discussed in Response III(a), the project site is located in the Basin. State and federal air quality standards often are exceeded in many parts of the Basin. The proposed project would contribute to air pollutant emissions during construction (short-term) and operations (long-term). A discussion of the proposed project's potential construction-period and operations-period air quality impacts are provided below.

Regional Construction Impacts

SCAQMD has established methods to quantify air emissions associated with construction activities such as air pollutant emissions generated by operation of on-site construction equipment, fugitive dust emissions related to grading and site work activities, and mobile (tailpipe) emissions from construction worker vehicles and haul/delivery truck trips. Emissions would vary from day to day, depending on the level of activity, the specific type of construction activity occurring, and, for fugitive dust, prevailing weather conditions.

With respect to the proposed project, construction activities are expected to extend over a period of approximately 8 months. Major construction activities include demolition, grading and site preparation, and building construction. Building construction would involve activities such as asphalting and architectural finishing. There would be some schedule overlap of asphalting and architectural finishing during building construction. A mass emissions inventory for the construction period was compiled based on an estimate of construction equipment as well as scheduling and phasing assumptions. More specifically, the mass emissions analysis takes into account:

- combustion emissions from operating on-site construction equipment,
- fugitive dust emissions from moving soil on site, and
- mobile-source combustion emissions from worker commute travel.

For the purpose of estimating emissions associated with the construction activities, a project time frame of October 2010 through June 2011 was assumed. Emissions were calculated using the URBEMIS2007 emissions inventory model. The quantity, duration, and the intensity of construction

[1] SCAG serves as the federally designated metropolitan planning organization for the Southern California region.

activity have an effect on the amount of construction emissions, and related pollutant concentrations, occurring at any one time. As such, the emission forecasts reflect a specific set of conservative assumptions based on the expected construction scenario wherein a relatively large amount of construction would occur in a relatively intensive manner. Because of this conservative assumption, actual emissions could be less than those forecasted. If construction is delayed or occurs over a longer time period, emissions could be reduced because of (1) a more modern and cleaner-burning construction equipment fleet mix, and/or (2) a less intensive buildout schedule (i.e., fewer daily emissions occurring over a longer time interval). A conservative estimate of the proposed project's regional mass emissions during construction is presented in Table 3-1 (Appendix A includes detailed results from the URBEMIS model). As shown in Table 3-1, all criteria pollutant emissions would remain well below their respective thresholds. Thus, impacts would be less than significant.

Table 3-1. Forecast of Regional Construction Emissions

	Criteria Pollutant Emissions (pounds per day)					
Construction Phase	ROG	NO_X	CO	SO_X	**PM_{10}**	**$PM_{2.5}$**
Demolition	2.6	24.2	12.1	<0.1	10.2	3.0
Grading/Excavation	3.1	25.7	14.3	<0.1	2.6	1.4
Construction	6.2	10.9	8.2	<0.1	0.8	0.7
Maximum Regional Project Emissions	**6**	**26**	**14**	**<1**	**10**	**3**
SCAQMD Regional Emissions Threshold (pounds per day)	75	100	550	150	150	55
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

ROG = reactive organic gas
NO_X = oxides of nitrogen
CO = carbon monoxide
SO_X = sulfur oxides

PM_{10} = particulate matter equal to or less than 10 microns
$PM_{2.5}$ = particulate matter less than 2.5 microns

Source: Appendix A, URBEMIS 2007 outputs.

Localized Construction Impacts

SCAQMD Localized Significance Threshold (LST) methodology guidelines are used to determine potential impacts on sensitive receptors that are located in the immediate vicinity of the activity emitting emissions, in this case residential receptors adjacent to the construction site. When quantifying mass emissions for localized analysis, only emissions that occur on site are considered. As shown in Table 3-2, localized emissions for all criteria pollutants would remain below their respective SCAQMD LST significance thresholds (Appendix A includes detailed results from the LST analysis). As such, localized impacts that may result from air pollutant emissions during the construction phases would be less than significant.

Table 3-2. Forecast of Localized Construction Emissions

	Criteria Pollutant Emissions (pounds per day)					
Construction Phase	ROG	NO_X	CO	SO_X	**PM_{10}**	**$PM_{2.5}$**
Demolition	1.7	12.8	7.0	<0.1	9.6	2.6
Grading/Excavation	3.1	25.7	13.3	<0.1	2.6	1.4
Construction	6.1	10.3	6.3	<0.1	0.7	0.7
Worst Case On-Site Total	**6**	**26**	**13**	**<1**	**10**	**3**
SCAQMD Localized Significance Threshold (lbs/day)[a]	--	219	6,841	--	135	76
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[a]*These localized thresholds were taken from tables provided in the SCAQMD Localized Significance Thresholds Methodology guidance document based on the following: 1) The project site is located in SCAQMD Source Receptor Area No. 20, 2) sensitive receptors located within 500 meters of construction activity, and 3) the maximum site area disturbed is 1 acre.*

ROG = reactive organic gas
NO_X = oxides of nitrogen
CO = carbon monoxide
SO_X = sulfur oxides

PM_{10} = particulate matter equal to or less than 10 microns
$PM_{2.5}$ = particulate matter less than 2.5 microns

Source: Appendix A, URBEMIS 2007 outputs.

Regional Operations Impacts

SCAQMD also has established significance thresholds to evaluate the potential impacts associated with long-term project operations. Regional air pollutant emissions associated with project operations would be generated by the consumption of electricity and natural gas and the operation of on-road vehicles. Pollutant emissions associated with energy demand (i.e., electricity generation and natural gas consumption) are classified by the SCAQMD as regional stationary-source emissions. Electricity is considered an area source because it is produced at various locations in and outside the Basin. Because it is not possible to isolate where electricity is produced, these emissions conservatively are considered to occur in the Basin and be regional in nature. Criteria pollutant emissions associated with the production and consumption of energy were calculated using emission factors from SCAQMD's *CEQA Air Quality Handbook* (South Coast Air Quality Management District 1993; Appendix to Chapter 9).

Mobile-source emissions were calculated using the URBEMIS2007 emissions inventory model, which multiplies an estimate of daily vehicle miles traveled (VMT) by applicable EMFAC2007 emissions factors.[2] The URBEMIS2007 model output and worksheets for calculating regional operational daily emissions are provided in Appendix A. As shown in Table 3-3, the proposed project's net regional emissions would not exceed regional SCAQMD thresholds for carbon monoxide (CO), oxides of nitrogen (NO_X), sulfur oxides (SO_X), reactive organic compounds (ROCs),

[2] Daily VMT estimate derived by applying URBEMIS2007 default trip generation and length estimates (per land use) to the proposed project land uses.

PM_{10}, or $PM_{2.5}$. Therefore, regional operations emissions would not result in a significant long-term regional air quality impact.

Table 3-3. Forecast of Regional Operational Emissions

	Criteria Pollutant Emissions (pounds per day)					
PRES	ROG	NO_X	CO	SO_X	**PM_{10}**	**$PM_{2.5}$**
Mobile[a]	1.2	1.9	13.9	<0.1	2.5	0.5
Area	0.2	0.1	1.6	<0.1	<0.1	<0.1
Stationary[b]	<0.1	0.6	0.1	0.1	<0.1	<0.1
Total Operational Emissions	**1.4**	**2.6**	**15.6**	**0.1**	**2.5**	**0.5**
SCAQMD Regional Emissions Threshold (pounds/day)	55	55	550	150	150	55
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[a]*Mobile emissions calculated using the URBEMIS2007 emissions model. Model output sheets are provided in the Air Quality Appendix.*

[b]*Emissions attributable to project-related electricity generation calculated based on guidance provided in the SCAQMD's* CEQA Air Quality Handbook (1993)*. Worksheets are provided in the Air Quality Appendix.*

ROG = reactive organic gas
NO_X = oxides of nitrogen
CO = carbon monoxide
SO_X = sulfur oxides

PM_{10} = particulate matter equal to or less than 10 microns
$PM_{2.5}$ = particulate matter less than 2.5 microns.

Source: Appendix A, URBEMIS 2007 outputs.

Local Operational Emissions

In an urban setting, vehicle exhaust is the primary source of CO. Consequently, the highest CO concentrations generally are found close to congested intersections. Under typical meteorological conditions, CO concentrations tend to decrease as the distance from the emissions source (e.g., congested intersection) increases. For purposes of providing a conservative worst-case impact analysis, CO concentrations typically are analyzed at congested intersection locations. If impacts are less than significant close to congested intersections, impacts also would be less than significant at more distant sensitive-receptor locations.

SCAQMD recommends a hot spot evaluation of potential localized CO impacts when volume to capacity ratios are increased by 2% or more at intersections with a Level of Service (LOS) C or worse. Project traffic during the operational phase of the proposed project would not have the potential to create local area CO impacts; as discussed in Response XVI(a) under Transportation and Traffic, the proposed project would not significantly affect peak-hour traffic volumes. Thus, local intersections would not be affected by the proposed project, and there would be no impacts resulting from CO hot spots.

With respect to the proposed project's on-site mass emissions, Table 3-4 shows that operations-period emissions would be below SCAQMD's localized significance thresholds. Impacts from emissions of these criteria pollutants would be less than significant.

Table 3-4. Forecast of Localized Operational Emissions

	Criteria Pollutant Emissions (pounds per day)					
PRES	ROG	NO_X	CO	SO_X	**PM_{10}**	**$PM_{2.5}$**
On-Site Area Source Emissions[a]	0.2	0.1	1.6	<0.1	<0.1	<0.1
SCAQMD Localized Significance Threshold (pounds/day)[b]	--	219	6,841	--	33	19
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

[a]*Emissions attributable to project-related electricity generation, calculated based on guidance provided in the SCAQMD's* CEQA Air Quality Handbook *(1993). Worksheets are provided in the Air Quality Appendix.*

[b]*These localized thresholds were taken from tables provided in the SCAQMD* Localized Significance Thresholds Methodology *guidance document based on the following: 1) The project site is located in SCAQMD Source Receptor Area No. 20, 2) sensitive receptors are located within 500 meters of the project, and 3) the maximum site are disturbed is 1 acre.*

ROG = reactive organic gas
NO_X = oxides of nitrogen
CO = carbon monoxide
SO_X = sulfur oxides

PM_{10} = particulate matter equal to or less than 10 microns
$PM_{2.5}$ = particulate matter less than 2.5 microns.

Source: Appendix A, URBEMIS 2007 outputs.

c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Less-than-Significant Impact. SCAQMD's approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and state Clean Air Acts. As discussed earlier in Response III(a), the proposed project would be consistent with the AQMP, which is intended to bring the Basin into attainment for all criteria pollutants.[3] In addition, the mass regional emissions calculated for the proposed project (Forecast of Regional Construction Emissions and Forecast of Regional Operational Emissions) are less than the applicable SCAQMD daily significance thresholds that are designed to assist the region in attaining the applicable state and national ambient air quality standards. The regional daily significance thresholds take into account other activity occurring in the region, and

[3] CEQA Guidelines Section 15064(h)(3) states "A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g. water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency."

therefore inherently address a project's contribution to cumulative air quality impacts. As such, cumulative impacts would be less than significant.

d. Expose sensitive receptors to substantial pollutant concentrations?

Less-than-Significant Impact. As described in Response III(b) above, construction and operation of the proposed project would not result in any substantial localized or regional air pollution impacts and therefore would not expose any nearby sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

e. Create objectionable odors affecting a substantial number of people?

Less-than-Significant Impact. According to the SCAQMD *CEQA Air Quality Handbook* (1993), land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project includes the construction and operation of an office building. Therefore, the proposed project does not include any uses identified by SCAQMD as being associated with odors and would not produce objectionable odors during the operations period.

Potential sources of odors during construction activities include equipment exhaust, paving, and the use of architectural coatings and solvents. Odors from these sources would be localized and generally confined to the project site. The proposed project would use typical construction techniques, and the odors would be typical of most construction sites. Additionally, the odors would be temporary, occurring when equipment is operating and during paving and painting activities. Construction activities associated with the proposed project would be required to comply with SCAQMD Rule 402 on nuisances. Additionally, SCAQMD Rules 1108 and 1113 limits the amount of volatile organic compounds from cutback asphalt and architectural coatings and solvents, respectively. Via mandatory compliance with SCAQMD Rules, no construction activities or materials are proposed that would create a significant level of objectionable odors. As such, potential impacts during short-term construction would be less than significant.

IV. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Would the project:

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

No Impact. Although the proposed project would remove existing ornamental trees and landscaping, it would not have a substantial adverse effect on any candidate, sensitive, or special-status species. The project site currently consists of surface parking spaces or ornamental landscaping, and is located in a fully urbanized setting. According to Figure NR2 of the City of Newport Beach General Plan Natural Resources Element, the project site is not located within an Environmental Study Area (City of Newport Beach 2006a). Additionally, field surveys of the site confirmed that the project site is void of any native vegetation or wildlife habitat. Therefore, the proposed project would not modify habitat or adversely affect sensitive biological resources, and no impacts would occur.

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

No Impact. The proposed project would not have an adverse effect on any riparian habitat. According Figure NR2 of the City of Newport Beach General Plan Natural Resources Element, the project site is not located within an Environmental Study Area (City of Newport Beach 2006a). Additionally, field surveys of the site confirmed that the project site is fully developed and void of any riparian habitat or other natural communities. Therefore, the proposed project would not affect riparian habitat or other sensitive natural community and no impacts would occur.

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

No Impact. The project site is fully developed and there are no federal wetlands present on site or in the general vicinity. Furthermore, the project site is completely lacking any jurisdictional waters. The Koll Center Newport retarding basin is located adjacent to the project site. The proposed project would not alter or use the existing retarding basin in any manner. The proposed project would use the existing gutters and catchment basin at the entrance of the project site to control stormwater runoff (see Section IX, Hydrology and Water Quality, for additional information regarding the proposed project's storm drain system and the retarding basin). The purpose of the retarding basin is to reduce the flow rate within the respective downstream storm drain systems so that older, possibly undersized, downstream stormwater facilities will be able to carry the discharge from new development areas upstream (City of Newport Beach 2000). The retarding basin is an engineered storm runoff concrete basin that is part of the storm drainage control system for the City (City of Newport Beach 2000). The City's existing storm drainage control system discharges into a number of receiving waters, including San Diego Creek. The retarding basin does not connect directly to receiving waters and it is not used to sustain flows in any receiving waters (Tong pers. comm. b and Brown pers. comm. a). Therefore, no impacts would occur.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-than-Significant Impact with Mitigation Incorporated. The proposed project would not interfere with the movement of fish or wildlife. The project site is located in fully urbanized setting and is not connected to other undeveloped lands. According to Figures NR1 and NR2 of the City of Newport Beach General Plan Natural Resources Element, the project site is not identified as a biological resources area, nor is it located in an Environmental Study Area (City of Newport Beach 2006a) and the site is not connected to any wildlife corridors. Therefore, the project site is not

considered a part of a regional wildlife corridor that would facilitate movement of wildlife species from one area to another. The project site does not support daily movement of species. Although the existing ornamental trees on site are not anticipated to provide important habitat, the removal of ornamental trees on site could reduce the number of stopover locations or nesting sites for migratory birds. Therefore, **Mitigation Measure BIO-1** is proposed to reduce the impact on migratory birds should the trees be removed during migration season. Impacts would be less than significant with mitigation incorporated.

Mitigation Measures:

Mitigation Measure BIO-1: The removal of ornamental trees on site shall not be scheduled during the avian nesting season (approximately February 1 through August 31) to ensure project conformance with the Migratory Bird Treaty Act. If clearing and grubbing are proposed to occur between February 1 and August 31, a preconstruction survey for nesting birds shall be conducted by a qualified biologist no more than 7 days prior to the start of construction.

If nesting birds occur within the disturbance limits, a buffer around the nest shall be determined by a qualified biologist. All construction activities shall occur outside the buffer area until a qualified biologist has determined that the nest is complete and that no new nesting activity has occurred within the buffer area.

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

No Impact. The project site does not contain any biological resources that are protected by local policies. According to the City of Newport Beach General Plan Natural Resources Element, the project site is not located in an area where sensitive and rare terrestrial and marine resources occur (City of Newport Beach 2006a). Furthermore, according the County of Orange General Plan Resources Element, the project site is not located within the boundaries of the Orange County Natural Communities Conservation Plan (County of Orange 2005). For additional details regarding local policies or ordinances refer to Section X, Land Use and Planning. The proposed project would not conflict with any local policies or ordinances protecting biological resources; therefore, no impacts would occur.

f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The City of Newport Beach is a signatory to a Natural Resource Community Conservation Plan agreement. However, according to Figure VI-5 of the Resources Element of the Orange County General Plan, the project site is not located within a designated Natural Communities Conservation Plan area (City of Newport Beach 2006a, County of Orange 2005). Therefore, the proposed project would not be subject to the provisions of any local, regional, or state habitat conservation plan or Natural Communities Conservation Plan area, and no impacts would occur.

V.	CULTURAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	☒
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d.	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Discussion

Would the project:

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

No Impact. The project site is occupied by a parking lot and a modern office building. The project site is depicted as vacant land on the 1965 edition of the U.S. Geological Survey (USGS) Tustin 7.5 minute quadrangle topographic map. The existing office building and surface parking lot is depicted on the 1981 photograph-revised version of the same map. This change correlates in time with the approval in August 1972 of the Koll Center Newport Planned Community by the City, which includes the project site and subsequent construction of new buildings. Thus, the existing structure at the project site is 38 years old at most. Built environment resources constructed after 1960, unless extraordinarily important, are not considered of sufficient age to warrant listing as significant historic structures or resources in the California Register of Historic Places.

A record search conducted on March 16, 2010, determined that no historical structures have been recorded at the project site and that no historical structures are located within a 0.5-mile radius of the project site. There are no historical structures in the project site listed on any local, state, or national historical registers, nor any determined to be eligible for listing as a significant historical resource, according to the Historical Resources Element of the Newport Beach General Plan (City of Newport Beach 2006a). Because there are no historical structures on the project site, no impacts would occur.

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

Less-Than-Significant Impact. The project site has not been previously surveyed for cultural resources. A record search conducted on March 16, 2010, determined that no prehistoric or historical archaeological sites have been recorded in the project area. One prehistoric archaeological site, CA-Ora-115 (King 1963), is recorded within a 0.5-mile radius. This site is approximately 1,000 feet to the east of the project site. No historical structures are depicted at the project site on the 1896 and 1901 USGS Santa Ana 30 minute topographic quadrangles, or on the 1965 USGS Tustin 7.5 minute quadrangle, indicating there is no potential for historical archaeological resources associated with early settlement.

Because there is no surface exposure in the project site, no archaeological resources survey was performed for this project. The project site has undergone grading for construction of the existing surface parking lot and office building, and for development of other adjacent buildings and the stormwater system and retarding basin. Ground disturbances from these previous developments likely would have inadvertently destroyed any unknown archeological resources present. The proposed project would involve limited surface soil disturbance and grading to an approximate depth of 5 feet to prepare for the building foundations. A geotechnical report prepared for the proposed project indicated that the site is underlain by approximately 5 feet of fill (TGR Geotechnical 2008). Therefore, it is highly unlikely the proposed project would disturb any unknown archaeological resources, and impacts would be less than significant.

c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less-Than-Significant Impact with Mitigation Incorporated. The project site is situated on late Pleistocene marine deposits that have been cut to form a marine terrace commonly known as Newport Mesa (Morton and Miller 1981, California Division of Mines and Geology 1997). These deposits can be highly fossiliferous, containing vertebrate, invertebrate, and plant fossil specimens (Stadum 2010). The proposed project would involve limited grading, to a depth of approximately 5 feet to prepare for the building foundations. A geotechnical report prepared for the proposed project indicated that the site is underlain by approximately 5 feet of fill (TGR Geotechnical 2008). Therefore, it is highly unlikely the proposed project would disturb any paleontological resources within the Pleistocene marine deposits. However, if excavations should extend into Pleistocene marine deposits, significant fossil resources may be encountered. Therefore, **Mitigation Measure CR-1** would reduce impacts associated with the proposed project to a less-than-significant level.

Mitigation Measure:

Mitigation Measure CR-1: Project plans shall specify that that a qualified paleontologist shall be contacted in the event that potential paleontological resources are discovered. During construction, the contractor shall halt site excavation or preparation if suspected fossilized remains are unearthed. Construction shall cease on site and shall not be resumed until a qualified paleontologist is contacted to assess the resources and identify appropriate treatment measures, if applicable. Treatment measures may include salvaging fossils and samples of sediments as they are unearthed to avoid construction delays and/or temporarily halting or diverting equipment to allow removal of abundant or large specimens. Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Specimens shall be curated into a professional, accredited museum repository with permanent retrievable storage. A report of findings, with an appended itemized inventory of specimens, shall be prepared and shall signify completion of the program to mitigate impacts on paleontological resources.

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

Less-Than-Significant Impact. The project site is not a formal cemetery and is not adjacent to a formal cemetery. The project site is not known to contain human remains interred outside formal cemeteries, nor is it known to be located on a burial ground. The record search for the proposed project indicated that prehistoric archaeological site CA-Ora-115 (King 1963) had been recorded within a 0.5-mile radius of the project site. This site is not reported to have yielded human remains.

The proposed project would involve limited grading to a depth of approximately 5 feet to prepare for the building foundations. A geotechnical report prepared for the proposed project indicated that the site is underlain by approximately 5 feet of fill (TGR Geotechnical 2008). Therefore, it is highly unlikely that construction of the proposed project would disturb any human remains. Should human remains be uncovered during construction, as specified by State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If such a discovery occurs, excavation or construction shall halt in the area of the discovery, the area shall be protected, and consultation and treatment shall occur as prescribed by law. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission, who shall appoint the Most Likely Descendent. Additionally, if the bones are determined to be Native American, a plan shall be developed regarding the treatment of human remains and associated burial objects, and the plan shall be implemented under the direction of the Most Likely Descendent. Therefore, impacts would be less than significant.

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

Discussion

Would the project:

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

a1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. By definition of the State Mining and Geology Board, an active fault is one that has had surface displacement within the Holocene Epoch (roughly the last 11,000 years). The State Mining and Geology Board has defined a potentially active fault as any fault that has been active during the Quaternary Period (approximately the last 1.6 million years). These definitions are used in delineating earthquake fault zones as mandated by the Alquist-Priolo Geologic Hazards Act of 1972 and revised in 1994 as the Alquist-Priolo Geologic Hazard Zoning Act and Earthquake Fault Zones (TGR Geotechnical 2008). Impacts from surface rupture are generally limited to areas in the immediate vicinity of a fault that could result in offset of the earth at the fault line.

The project site is not included in any earthquake fault zones as delineated by the Alquist-Priolo Earthquake Fault Zone Act. Furthermore, no evidence of active or potentially active faulting was observed or encountered in any of the geotechnical investigations of the project site. The nearest fault to the project site is the San Joaquin Hills Fault located approximately 1.8 miles away (TGR Geotechnical 2008). Therefore, no impacts on the project would result from fault rupture.

a2. Strong seismic groundshaking?

Less-than-Significant Impact. All of southern California, including the City of Newport Beach, is located in a seismically active area and is subject to strong seismic groundshaking (TGR Geotechnical 2008). The City 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, the Whittier Fault, the San Joaquin Hills Fault, and the Elysian Park Fault, each with the potential to cause moderate to large earthquakes that would cause ground shaking in Newport Beach and nearby communities. Implementation of policies contained in the Newport Beach General Plan (City of Newport Beach 2006a) would minimize adverse effects caused by seismic and geologic hazards such as strong seismic groundshaking. For example, Policy S4.1 requires regular updates to building and fire codes to provide for seismic safety and design, and Policies S4.4 and S4.5 restrict new development from locating in areas that would be affected by seismic hazards. Additionally, new development would be required to comply with the building design standards of the California Building Code for construction of new buildings and/or structures, and specific engineering design and construction measures would be implemented to anticipate and avoid the potential for adverse impacts (City of Newport Beach 2006b).

The proposed project includes amendments to the City of Newport Beach General Plan and Koll Center Newport Planned Community text, demolition and removal of approximately 25 stalls of the existing 84-stall surface parking lot, and construction of a three-level office building and new surface parking spaces. All demolition and construction would occur in accordance with building and safety standards as specified by the City. The proposed building would be constructed in compliance with the latest earthquake-resistant design available and relevant codes. All proposed project components would be in compliance with the most up-to-date building codes and plans would be reviewed and approved by the City prior to issuance of grading and building permits and construction activities. Furthermore, the office building would be evaluated prior to occupation to ensure that the construction has been completed in accordance with the approved plans and applicable codes. Therefore, impacts would be less than significant.

a3. Seismic-related ground failure, including liquefaction?

Less-than-Significant Impact. Liquefaction is a geologic process that causes ground failure and typically occurs in loose, saturated sediments primarily of sandy composition (City of Newport Beach 2006a). It is a seismic phenomenon in which loose, saturated, fine-grained soils behave similarly to a fluid when subjected to high-intensity ground shaking (TGR Geotechnical 2008). Figure 3-2, Existing Liquefaction and Seismic Hazard Areas, identifies areas of potential liquefaction in the City of Newport Beach. The project site is not located in an area identified as having a potential for soil liquefaction when subject to a seismic event (City of Newport Beach 2006a, TGR Geotechnical 2008).

Regionally, the project site is situated between the southeastern borders of the Los Angeles Basin, the south borders of the Tustin Plain, and the northwestern borders of the lower slopes of the San Joaquin Hills. This area is within the southwestern portion of the Tustin 7.5-Minute Quadrangle. The subsurface geology in this area consists of Quaternary deposits of older alluvium (TGR Geotechnical, Inc. 2008). The project site is underlain by approximately 5 feet of fill, which is underlain by native soil that is silty to sandy clay. The consistency of the subsurface soils is generally stiff to very stiff. Groundwater was not encountered to the maximum boring depth on site, which was approximately 26.5 feet; therefore, it is assumed groundwater exists below 26 feet below ground surface. Groundwater seepage was observed in soil borings at depths of 10 feet below ground surface. Generally, seasonal and long-term fluctuations in the groundwater may occur as a result of subsurface conditions, rainfall, and other factors (TGR Geotechnical, Inc. 2008).

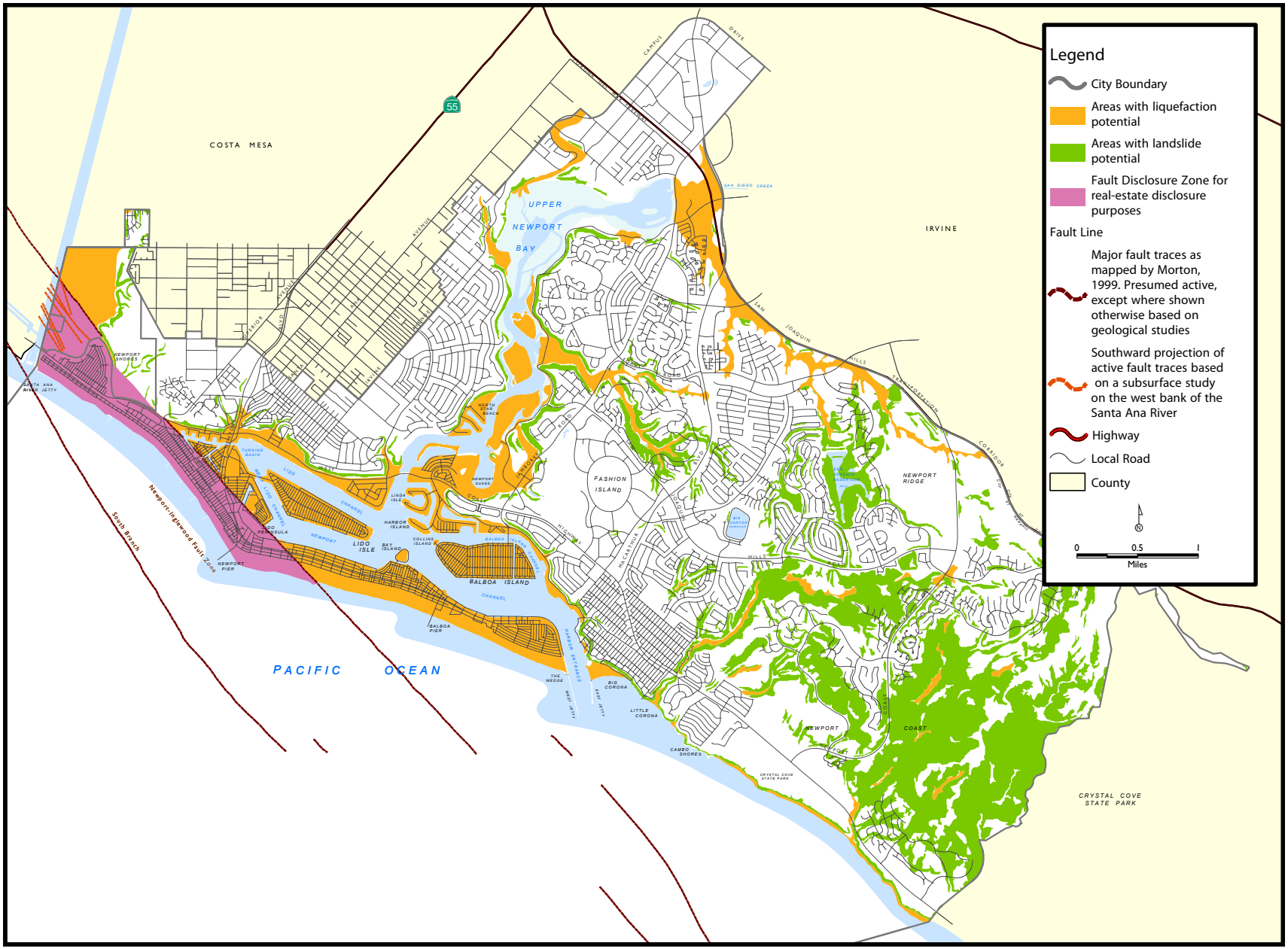
Because of the cohesive nature of the subsurface soils at the project site, the potential for liquefaction is considered very low (TGR Geotechnical 2008). Therefore, impacts on people or structures as a result of seismic-related ground failure, including liquefaction, would be less than significant.

a4. Landslides?

No Impact. The proposed project would have no impact related to landslides. Figure 3-2, Existing Liquefaction and Seismic Hazard Areas, identifies areas with landslide potential. The project site is not located in any area with landslide potential (City of Newport Beach 2006a). The project site is generally flat and implementation of the proposed project would not require slope cuts that could result in landslides. There are no steep natural slopes on the project site, and the hazard from seismically induced landslides is considered negligible (TGR Geotechnical, Inc. 2008). Therefore, no impacts associated with landslides would occur.

b. Result in substantial soil erosion or the loss of topsoil?

Less-than-Significant Impact with Mitigation Incorporated. The project site does not contain substantial amounts of topsoil. The project site is currently a parking lot and some landscaped areas. Small amounts of exposed on-site soils would be prone to soil erosion during the construction phase of the proposed project. As required by the City's Municipal Code, the project applicant would obtain a grading permit from the City's Building Official (City of Newport Beach 2006b). Chapter 15.10 contains grading, fill, drainage, and erosion control standards that would be applied to the corresponding construction activity (City of Newport Beach 2006b). The project applicant would implement standard erosion control measures and construction best management practices (BMPs) that would minimize impacts. Furthermore, as discussed in Section IX(a), Hydrology and Water Quality, **Mitigation Measure WQ-1** would assist with the control of soil erosion and loss of topsoil. Therefore, impacts would be less than significant with mitigation incorporated.



Source: City of Newport Beach and Earth Consultants (2003)

ICF INTERNATIONAL

Figure 3-2
Existing Liquifaction and Seismic Hazard Areas
PRES Office Building B

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00846_09\mapdoc\IS_MND\2010.jan\Fig03_3_exist_liquifaction_seismic_hazard.ai SM (01-06-10)

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

Less-than-Significant Impact. The project site has been developed and is not located in an area identified by the City of Newport Beach General Plan as having a potential for soil liquefaction. All proposed project components would occur in accordance with building and safety standards. Furthermore, as discussed in Response VI(a4), no impacts on people or structures would occur as a result of landslide. Impacts on people or structures as a result of seismic-related ground failure, including liquefaction (as discussed in Response VI(a3)), lateral spreading, subsidence, or collapse would be less than significant.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less-than-Significant Impact with Mitigation Incorporated. See Responses VI(a3) and VI(c) for additional details regarding soils at the project site. Subsurface soils consisting of low plastic sandy clay have a medium expansion potential. An expansion index of 63 was determined for selected substrate material from the project site. This expansion index indicates a medium expansion potential (TGR Geotechnical, Inc. 2008). The medium expansive soils on site could potentially damage the foundation of the proposed building or create a risk to employees that could result in potentially significant impacts if not properly accounted for in project design and construction. **Mitigation Measures GEO-1, GEO-2, and GEO-3**, as discussed below, include geotechnical requirements to ensure the appropriate use of fill and to reduce the existing expansive potential on site. Therefore, impacts associated with expansive soils would be less than significant with mitigation incorporated.

Mitigation Measures:

Mitigation Measure GEO-1: Prior to approval of grading permits, soil preparation measures to minimize expansion potential shall be identified by the applicant in construction documents and grading permits. During construction, grading of the site by the contractor shall adhere to grading plans approved by the City. Soils required to bring the site to final grade shall be placed as engineered fill. The site soils may be re-used as compacted fill provided the material is cleaned of organics, demolition debris, and other deleterious materials. Fill originating on the project site shall be moisture-conditioned to approximately 130% of optimum and compacted to a minimum relative compaction of 90% in accordance with American Society for Testing and Materials (ASTM) standard D1557 for laboratory compaction characteristics. The implementation of these measures shall be verified during field inspections by the City.

Mitigation Measure GEO-2: Prior to approval of grading permits, the grading plans shall stipulate that all fill shall consist of non-expansive materials, moisture-conditioned to near optimum if cohesionless, and to 130% of optimum if cohesive or clayey. The characteristics of the fill soil shall be evaluated by the geotechnical consultant prior to placement, and confirmed to meet grading plan specifications.

Mitigation Measure GEO-3: Prior to approval of grading permits, the grading plans shall stipulate that wall backfill soils shall consist of granular, cohesionless backfill with sand equivalent greater than 30 and an expansion index less than 20. The characteristics of the fill soil shall be evaluated by the geotechnical consultant prior to placement, and confirmed to meet grading plan specifications.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?

No Impact. No septic tanks or alternative wastewater disposal systems are included as part of the proposed project. The project site would tie into the existing sewer line. Impacts would not occur.

VII. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less-than-Significant Impact. Greenhouse gases emitted by human activity are implicated in global climate change or global warming. The principal greenhouse gases (GHGs) are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), ozone (O_3), and water vapor. Fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) is the single largest source of GHG emissions, accounting for approximately 50% of GHG emissions globally. Industrial and commercial sources are the second largest contributors of GHG emissions with about 25% of total emissions. Some GHGs such as CO_2 occur naturally and are emitted to the atmosphere through natural processes and human activities. Other GHGs (e.g., fluorinated gases) are created and emitted solely through human activities. For purposes of analysis the global warming potential of each gas is equated to CO_2 and the CO_2 equivalent (CO_2e) is identified in metric tons for each GHG.

The recommended approach for GHG analysis included in the Governor's Office of Planning and Research June 2008 Technical Advisory is to (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify alternatives and/or mitigation measures to reduce the impact below significance.

Neither the CEQA Statute nor Guidelines prescribe thresholds of significance or a particular methodology for performing an impact analysis. The California Air Resources Board (CARB) has published draft preliminary guidance to agencies on how to establish interim significance thresholds for analyzing GHG emissions (California Air Resources Board 2008). That guidance, while still in draft form, does provide some assistance to the City in evaluating whether projects would impede the

State's mandatory requirements under Assembly Bill (AB) 32, the Global Warming Solutions Act, to reduce statewide GHG emissions to 1990 levels by 2020.

Until more guidance is provided from the expert agencies (CARB and/or SCAQMD), the City intends to consider emissions of 1,600 metric tons of CO_2e or less per year and per project to be a less-than-significant contribution to GHGs, thereby not requiring further analysis. For projects exceeding the screening threshold of 1,600 metric tons of CO_2e emissions per year, the City will consider projects to have significant impacts if they (1) are not substantially consistent with policies and standards set out in federal, state, and local plans designed to reduce GHGs, or (2) would emit more than 6,000 metric tons of CO_2e per year. Projects that do not meet these thresholds would be considered to have significant impacts, and thus could be expected to impede the State's mandatory requirement under AB 32 to reduce statewide GHG emissions to 1990 levels by 2020.

A conservative estimate of the proposed project's CO_2e emissions during construction and operation is presented in Table 3-5. As shown, emissions would remain well below the City's screening threshold of 1,600 metric tons of CO_2e emissions per year. Thus, impacts would be less than significant.

Table 3-5. Estimate of Project-Related Greenhouse Gas Emissions

	Carbon Dioxide Equivalent (metric tons per year)
California Statewide Emissions (year 2006)	**479,800,000**
Project Emissions	
Construction-Period Emissions	
2010	42
2011	28
Operations-Period Emissions	
Mobile sources	241
Stationary sources	62
Area sources	18
Total operations-period emissions	321
Total Project Emissions[a]	**323**
City of Newport Beach screening level threshold	1,600
Exceed Threshold?	**No**

[a] Value includes total annual operational emissions plus total construction emissions amortized over 30 years.

Source: Appendix A, URBEMIS 2007 outputs.

The amounts of GHG emissions that would result from development and operations of the proposed project are less than the applicable screening level threshold set by the City. As such, the proposed

project would be consistent with the State's goals of reducing GHG emissions to 1990 levels by 2020. The proposed project's contribution to cumulative climate change and worldwide GHG emissions would be less than significant.

b. Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less-than-Significant Impact. AB 32 identified the acceptable level of GHG emissions in California in 2020 as 427 million metric tons (MMT) of CO_2e (which is the same as the 1990 GHG emissions level) approximately 12% less than the current level (480 MMT CO_2e in 2004), and approximately 28.5% less than 2020 business as usual conditions (596 MMT CO_2e) (California Air Resources Board 2008). To achieve these GHG reductions, there will have to be widespread reductions of GHG emissions across California. Some of those reductions will need to come in the form of changes in vehicle emissions and mileage, changes in the sources of electricity, and increases in energy efficiency by existing facilities, as well as other measures. The remainder of the necessary GHG reductions will need to come from requiring new facility development to have lower carbon intensity than business as usual conditions. Therefore, this analysis uses a threshold of significance that is in conformance with the State's goals. As such, the significance determination is independent of the quantity of GHG emissions produced; it is based on the ratio, or percent reduction of emissions produced by the proposed project in 2020 under two conditions: 1) business as usual conditions, and 2) with the incorporation of the reductions measures mentioned. If a project results in a decrease equal to or greater than 28.5% with the incorporation of GHG reduction measures, that project is said to not conflict with the reduction goals set forth by AB 32 and therefore would be in compliance with said policy.

Operation of the proposed project is expected to result in emissions of GHGs as a result of energy consumption. Increased emissions of GHGs would contribute to global warming and adverse global environmental effects. Increased GHG emissions could also potentially conflict with the requirement of AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. Motor vehicle GHG emissions result from gasoline and diesel fuel combustion. Increased energy and water consumption result in increased GHG emissions associated with the burning of fossils fuels for energy production, and the conveyance of water throughout the state.

On December 12, 2008, CARB approved the AB 32 Scoping Plan, (California Air Resources Board 2008), which contains emission reduction measures targeting sources of GHG emissions called for in AB 32. The AB 32 Scoping Plan has a range of GHG reduction actions, including direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 'cost of implementation fee' to fund the program.

In the AB 32 Scoping Plan, CARB has set in place several measures aimed at reducing emissions from these sources and more. Examples of GHG emissions reduction measures from the AB 32 Scoping Plan include the following:

<u>Transportation:</u>

- Vehicle Emissions Standards/Improved Fuel Economy: Adopted by the Legislature in 2002, AB 1493, known as the Pavley Standards, requires GHG emission reduction from passenger cars and light-duty trucks. CARB estimates that the Pavley Standards will result in a reduction of nearly

20% of GHGs associated with motor vehicle use statewide. The AB 32 Scoping Plan also recommends additional strategies to reduce GHG emissions associated with passenger vehicles, including the Zero-Emission Vehicle Program and the Alternative and Renewable Fuel and Vehicle Technology Program.

- Low Carbon Fuel Standard: Executive Order S-01-07 requires a 10% or greater reduction in the average fuel carbon intensity for transportation fuels in California regulated by CARB.
- Vehicle Efficiency Measures: Additional measures identified in the AB 32 Scoping Plan that would reduce light-duty vehicle GHG emissions include implementing a tire pressure program, imposing tire tread standards, reducing engine load via lower friction oil use, and requiring solar reflective automotive paint and window glazing.

Electricity and Natural Gas:

- Energy Efficiency: This measure sets new targets for statewide annual energy demand reduction of 32,000 gigawatt hours from business as usual. This strategy requires increased utility energy efficiency programs, more stringent building and appliance standards, and additional efficiency and conservation programs.
- Increased Combined Heat and Power Use: This measure sets a target of an additional 4,000 megawatts of installed combined heat and power capacity by 2020. Development of efficient combined heat and power systems would help displace the need to develop new or expand existing power plants.
- Renewable Portfolio Standard: In 2008, Governor Schwarzenegger signed Executive Order S-14-08 to streamline California's renewable energy approval process and increase the State's renewable energy standard to 33% by 2020, meaning that a third of California's energy will be produced from renewable resources rather than fossil fuels.

As shown in Table 3-6, assuming conformity with CARB measures, GHG emissions in 2020 associated with operation of the proposed project are expected to be 29.5% less than under business as usual conditions. As such, the proposed project would result in a less-than-significant impact.

Table 3-6. Estimate of Project Conformity to AB 32

	Year 2020 Business as Usual (metric tons per year)	**AB 32 Scoping Plan Reductions (metric tons per year)**	**Year 2020 Emissions (metric tons per year)**	**Percent Reduction (metric tons per year)**
Emission Source				
Mobile source	266	(79)	187	29.8
Natural gas combustion	17	(2)	16	9.0
Electricity demand related	79	(26)	53	33.0
Water consumption related	<1	(<1)	<1	33.0
Total Project	**362**	**(107)**	**255**	**29.5**
AB 32 Threshold				**28.5**
Impact?				**No**

Source: Appendix A: emissions estimates.

VIII.	HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d.	Be located on a site that is included on a list of hazardous materials sites that complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e.	For a project within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f.	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion

Would the project:

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

No Impact. Development of the proposed project would require the demolition of an existing parking lot. It is likely that most of the asphalt, which is not considered a hazardous material, would be recycled. The proposed project would operate as a professional real estate and development services office building and would not routinely transport, use, or dispose of hazardous materials. Therefore, no impacts would occur.

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

Less-than-Significant Impact. The construction and operation of the proposed project would not result in the reasonably foreseeable upset or release of any hazardous materials. Construction equipment that would be used to build the proposed project has the potential to release oils, greases, solvents, and other finishing materials through accidental spills. Spill or upset of these materials would have the potential to affect surrounding land uses. However, the consequences of construction-related spills are generally reduced in comparison to other accidental spills and releases because the amount of hazardous material released during a construction-related spill is small as the volume in any single piece of construction equipment is generally less than 50 gallons. Construction-related spills of hazardous materials are not uncommon, but the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies, would minimize the potential for an accidental release of petroleum products and/or hazardous materials or explosions during construction. Federal, state, and local controls have been enacted to reduce the effects of potential hazardous materials spills.

The Newport Beach Fire Department is an all-risk fire department and enforces City, state, and federal hazardous materials regulations for Newport Beach. It has the resources to respond and provide services to all types of emergencies, including fires, medical emergencies, hazardous materials problems, beach rescues, traffic accidents, high rise incidents, wildland fires, major flooding, and disaster (City of Newport Beach 2009b). City regulations include Unified Hazardous Waste and Hazardous Materials Management Regulatory Program, Chapter 9.04 of the City's Municipal Code, and implementation of the California Accidental Release Prevention Program (City of Newport Beach 2006b). Elements of these programs include spill mitigation and containment and securing of hazardous materials containers to prevent spills. Compliance with these requirements is mandatory as standard permitting conditions, and would minimize the potential for the accidental release or upset of hazardous materials, helping to ensure public safety.

The occupancy of office buildings is not associated with the use or storage of large amounts of hazardous substances. The proposed project would not use or store large amounts of hazardous substances and an upset of those types of materials would not be reasonably foreseeable. The construction and operation of the proposed project would not create significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be less than significant.

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

No Impact. The proposed project includes the construction and operation of an office building for professional real estate services. The nearest school is the University of California Irvine Child

Development Center located at 19262 Jamboree Road in the City of Irvine, located within 0.25 mile of the project site. However, the proposed project would not emit hazardous emissions or require handling hazardous or acutely hazardous materials, substances, or waste. Therefore, the proposed project would not emit hazardous emissions within 0.25 mile of a school. No impacts would occur.

d. Be located on a site that is included on a list of hazardous materials sites that complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less-than-Significant Impact. The project site is not included on any list of hazardous materials sites pursuant to Government Code Section 65962.5 (AES Due Diligence 2004). An environmental records database search report completed on September 9, 2004 by Environmental Data Resources (AES Due Diligence 2004) yielded no results for the project site. Furthermore, there are no active Cease and Desist Orders or Clean Up and Abatement Orders for hazardous materials/facilities at the project site (California Environmental Protection Agency 2009a).

The database search did identify 20 leaking underground storage tank sites within 0.5 mile of the project site, but none were on site or an adjacent property. Additionally, 11 CORTESE (Government Code Section 65962.5) sites were found within 0.5 mile of the project site, but none were on site or an adjacent property (AES Due Diligence 2004). A CORTESE site is identified by the California Environmental Protection Agency (CalEPA) as a site where a hazardous materials release has occurred (California Department of Toxic Substances Control 2007).

The Newport Beach General Plan EIR, Section 4.6 Hazards does identify the adjacent Newport Fab, LLC (also known as Jazz Semiconductor) and Conexant Systems Incorporated as Environmental Protection Agency (EPA)-registered large-quantity generators of hazardous materials (City of Newport Beach 2006b). Newport Fab is located adjacent to the project site and Conexant is south of Newport Fab within the same area. Large-quantity generators simply indicate that the company generates a certain volume of hazardous waste. These generators must follow appropriate state and federal hazardous materials handling and disposal laws, one of which is a reporting to state and federal authorities of the amount of hazardous waste generated. The Newport Beach General Plan EIR identifies Newport Fab as having a recorded release; however, there are no active Cease and Desist Orders or Clean Up and Abatement Orders for hazardous materials/facilities at this site (California Environmental Protection Agency 2009a).

Since the project site is not located on a list of hazardous materials sites, the proposed project would not create a significant hazard to the public or the environment. Impacts would be less than significant.

e. For a project within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Less-than-Significant Impact. The closest airport is John Wayne Airport, which is approximately 1.0 mile north of the project site. The project site is located within the boundaries of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport. The proposed project is within the height restriction zone for the John Wayne Airport and the notification area of the Federal Aviation Regulation (FAR) Part 77 Imaginary Surfaces aeronautical obstruction area.

Section 77.13 of the FAR requires the notification of the Federal Aviation Administration (FAA) for any construction or alteration which:

- Exceeds 200 feet in height about the ground level at its site.
- Exceeds a height greater than an imaginary surface extending outward and upward at specific slope characteristics at 20,000 feet, 10,000 feet, and 5,000 feet from the nearest point of the airport runway.
- Is a highway with specific characteristics.
- Is occurring at an airport.

The proposed project includes construction of a three-level office building with a maximum height of 50 feet. The project site is approximately 42 feet above mean sea level (AES Due Diligence, 2004). The proposed project does not require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would not be more than 200 feet above ground level and not more than 206 feet above mean sea level; the proposed project would not exceed a height greater than the imaginary surface planes identified in Section 77.13 (Federal Aviation Administration 2010); the proposed project is not a highway; and the proposed project is not a modification to an existing airport. Therefore, the filing of Form 7460-1 with the FAA is not required.

Although the proposed project is exempt from filing the Form 7460-1 notice, a referral by the City to the Airport Land Use Commission for Consistency Review is required due to the location of the proposal within the AELUP Planning Area and due to the nature of the required City approvals (i.e. general plan amendment) under PUC Section 21676(b).

The proposed project would comply and be compatible with the land use standards established in the City's Municipal Code and the Airport Land use Commission's John Wayne AELUP (Airport Land Use Commission 2008). The AELUP vicinity height guidelines would protect public safety, health, and welfare by ensuring that aircraft could fly safely in the airspace around the airport.

Although the proposed project is located within an airport land use plan, it would comply with all established standards, requirements, and plans. Therefore, impacts would be less than significant.

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

No Impact. As described above in (e), the John Wayne Airport is located approximately 1 mile north of the project site. There is no private airstrip in the vicinity of the proposed project. Therefore, the proposed project would not result in a safety hazard for people working in the project area from operations of a private airstrip. No impacts would occur.

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

No Impact. The proposed project would not impair or physically affect any adopted emergency response plan or evacuation plan. The proposed project would not interfere with the implementation of the City's Emergency Response Plan. The City's Emergency Management Plan also establishes safety procedures with respect to aviation hazards to promote the safety of persons on the ground while reducing risks of serious harm to aircraft crews and passengers that may need to make emergency landings in the immediate airport vicinity. The proposed project would not require the

closure of any public or private streets or roadways and would not impede access of emergency vehicles to the project site or any surrounding areas in the event of an aviation emergency or other emergency. Finally, the proposed project would provide all required emergency access in accordance with the requirements of the Newport Beach Fire Department during plan review by the Fire Department. No impacts on emergency response would occur.

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

No Impact. The project site is not located in an area adjacent to or intermixed with wildlands, and is surrounded by office buildings. Furthermore, the City of Newport Beach General Plan Safety Element (City of Newport Beach 2006a) identifies the project site as Low/None Fire Susceptibility. Therefore, people or structures would not be exposed to a significant risk of loss, injury, or death involving wildland fires as a result of the proposed project. No impacts would occur.

IX.	HYDROLOGY AND WATER QUALITY	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in 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 that would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?	☐	☐	☒	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?	☐	☒	☐	☐
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☒	☐	☐
f.	Otherwise substantially degrade water quality?	☐	☒	☐	☐
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h.	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☒
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j.	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion

Would the project:

a. Violate any water quality standards or waste discharge requirements?

Less-than-Significant Impact with Mitigation Incorporated. Land within the City of Newport Beach is included in four watersheds: Newport Bay, Newport Coast, Talbert, and San Diego Creek (City of Newport Beach 2006a). Each of these watersheds is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (SARWQCB) and subject to the objectives, water quality standards, and BMP requirements established in the Santa Ana River Basin Plan and Orange County Drainage Area Management Plan (DAMP). The project site is located in the San Diego Creek Watershed. San Diego Creek is the main tributary to Newport Bay, has a drainage area of 118 miles, and drains all or portions of the cities of Irvine, Laguna Woods, Lake Forest, portions of Newport Beach, Orange, and Tustin (City of Newport Beach 2003). The EPA and Santa Ana Regional Water Control Board have identified San Diego Creek as an impaired water body. Impairments are identified for nutrients, sediments and toxics (see Appendix B, Preliminary WQMP). The main tributary of the San Diego Creek Watershed, San Diego Creek, drains directly into Upper Newport Bay (City of Newport Beach 2006b).

Under the provisions of City of Newport Beach Municipal Code Chapter 14.36 (Water Quality), any discharge that would result in or contribute to degradation of water quality via stormwater runoff is prohibited. New development or redevelopment projects are required to comply with provisions set forth in the DAMP, including the implementation of appropriate BMPs identified in the DAMP, to control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing beneficial uses of water (City of Newport Beach 2006a). Furthermore, a municipal separate storm sewer system (MS4) permit is provided to the City by SARWQCB under the National Pollutant Discharge Elimination System (NPDES) to regulate the amount of stormwater contaminants that are delivered into the City's waterways (City of Newport Beach 2009a). MS4 permits require an aggressive water quality ordinance, specific municipal practices to maintain City facilities like the MS4, and use of BMPs in many residential, commercial, and development-related activities to further reduce the amount of contaminants in urban runoff (City of Newport Beach 2006b).

Construction activity resulting in a land disturbance of 1 acre or more, or less than 1 acre but part of a larger common plan of development or sale, must obtain the Construction Activities Storm Water General Permit (2009-0009-DWQ Permit effective July 2010) (State Water Resources Control Board 2010a). The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP). The SWPPP must list BMPs that the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a visual monitoring program, a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs, and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment (State Water Resources Control Board 2010b).

The proposed building footprint is approximately 5,800 square feet; therefore, the amount of disturbed area during construction would be less than 1 acre and would not be part of a larger common plan of development or sale. Consequently, construction of the proposed project would not require the preparation or implementation of a formal SWPPP. However, since the project site is adjacent to a retarding basin, and is located in the San Diego Creek Watershed, which is impaired for

sedimentation, **Mitigation Measure WQ-1** described below would minimize the potential for construction activities to violate water quality standards or waste discharge requirements, and would reduce impacts to less-than-significant levels.

The existing site consists of mostly impermeable surfaces. However, the proposed project would remove landscaped area, which would be replaced with surface parking and the proposed office building; therefore, slightly increasing the impermeable surface of the project site (see Appendix B for additional details). The Preliminary Water Quality Management Plan (WQMP) would be reviewed and approved by the City prior to the issuance of grading and building permits and would be finalized at that time. The Preliminary WQMP (Appendix B) identifies the following non-structural BMPs that are recommended to manage post-construction stormwater runoff from the proposed project site:

- Educate property owners, tenants and occupants regarding the management of fertilizers, pesticides and herbicides in landscaping and gardening practices, and the impacts of littering and improper water disposal.
- Common area landscape management, including fertilizer/pesticide usage consistent with Management Guidelines for the Use of Fertilizers per DAMP.
- Spill contingency plan.
- Common area litter control.
- Prohibit the discharges of fertilizers, pesticides, and wastes to streets or storm drains.
- Prohibit blowing or sweeping of debris into street or storm drains.
- Prohibit hosing down any paved surfaces where the result would be the flow of non-stormwater into the street or storm drains.
- Prohibit vehicle washing, maintenance, or repair on site by employees, customers, or the public.
- Provide regular dry sweeping of debris and grass clippings instead of using blowers or hosing.
- Inspect and maintain catch basins.

The Preliminary WQMP (Appendix B) identifies additional BMPs to control the volume of stormwater generated and maintain water quality. These BMPs include, but are not limited to, pavement detention through the use of porous pavement, landscape detention, efficient irrigation, runoff-minimizing landscaping, and a roof drainage planter (see Figure 1 of 2 in Appendix B for the location of all the BMPs proposed). These additional BMPs are designed to retain and infiltrate stormwater to provide water quality benefits and reduce urban storm flow runoff. Operation of the proposed project would comply with City of Newport Beach Municipal Code 14.36 (Water Quality) and provisions set forth in the City's NPDES MS4 Permit and the Orange County DAMP by preparing the Final WQMP. The Final WQMP, which is required for approval as part of the issuance of building and grading permits, will demonstrate that the BMPs discussed above and in Appendix B will control stormwater runoff and maintain water quality. Therefore, operational impacts would be less than significant.

Mitigation Measure:

Mitigation Measure WQ-1. Prior to issuance of grading and building permits, the applicant shall prepare and have approved by the City a SWPPP to be implemented during construction, which shall include BMPs to prevent discharges of polluted stormwater from construction sites from entering the

storm drains or the existing retarding basin. The SWPPP shall be prepared as directed in the City's stormwater protection requirements, and may include, but not be limited to, the following measures:

- Diversion of off-site runoff away from the construction site.
- Revegetation of exposed soil surfaces as soon as feasible following grading activities.
- Installation of perimeter straw wattles to prevent off-site transport of sediment.
- Protection of drop inlets (filters and sand bags or straw wattles) with sandbag check dams in paved roadways.
- Provision of specifications for construction waste handling and disposal.
- Training of subcontractors on general site housekeeping.

b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in 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 that would not support existing land uses or planned uses for which permits have been granted)?

Less-than-Significant Impact. The project site is located generally in the Coastal Plain of the Orange County Groundwater Basin, which provides groundwater for much of central and north Orange County (City of Newport Beach 2006b). It is divided into upper, middle, and lower aquifers (Department of Water Resources 2004). Generally, the upper aquifer system has an average thickness of about 800 feet and contains a lower percentage of water-bearing strata in the northwest and coastal portions of the area (Department of Water Resources 2004). Furthermore, recharge to the upper aquifer system occurs primarily in the northeastern portions of the basin (Department of Water Resources 2004). The project site is located in the northwest/coastal portion of the basin and this area is not a primary contributor to the recharge of the basin. Furthermore, the project site is currently developed and is not considered a location for groundwater recharge (City of Newport Beach 2006b). The proposed project would not substantially increase impervious surfaces on the site thereby interfering substantially with groundwater recharge. Furthermore, the proposed project would not directly withdraw groundwater from beneath the site, thereby substantially depleting groundwater supplies. Impacts would be less than significant.

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

Less-than-Significant Impact. The existing project area is in the San Diego Creek Watershed. The existing landscaped areas surrounding and located on the project site drain predominately into the retarding basin to the northwest of the project site (TGR Geotechnical, Inc. 2008) (Appendix B). The existing parking areas drain via sheet flow to concrete ribbon gutter within the existing parking lot. Stormwater generally travels westerly along the gutter and is discharged into an existing catchment basin in the southwest corner located in the main entrance into the project site, along the west side of the site (Appendix B). No streams or rivers are currently located on or around the project site and the proposed project would not directly affect the flow of a river or stream.

The proposed project would involve some grading and minor soil disturbance during construction. These activities would minimally alter the existing drainage pattern of the site and would comply with the DAMP (described above in Section IX(a), Hydrology and Water Quality).

Once operational, the proposed project would not substantially increase the impervious area on the project site as the existing site is already largely paved with surface parking. Furthermore, operation of the proposed project would not significantly increase the amount of exposed soil thereby contributing to siltation or erosion. The Preliminary WQMP (Appendix B) provides BMPs such as pavement detention, landscape detention, efficient irrigation, runoff-minimizing landscaping, and a roof drainage planter to control the volume and quality of runoff generated by the slight increase in impervious surface on site. As described in the Preliminary WQMP (Appendix B), flow would continue to drain in a westerly direction into the existing catchment basin. Therefore, the operation of the project site as an office building would not result in a substantial change to the existing drainage. Impacts associated with erosion during operation and construction, either on site or off site would be less than significant.

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

Less-than-Significant Impact with Mitigation Incorporated. No streams or rivers are located on site, and therefore, construction and operation of the proposed project would not directly affect the flow of a river or stream. Substantial amounts of stormwater are not readily absorbed into the soil because of the urban character of the area and the existing use of the project site is 84 surface parking spaces.

During construction, runoff quantities and velocity from the project site would be minimized through implementation of **Mitigation Measure WQ-1.** As discussed above in Section IX(a) and (c), operation of the proposed project would not substantially alter the existing drainage pattern of the site and would not substantially increase the impervious area on the project site. As discussed above in Section IX(a) and (c), BMPs would be used to capture stormwater volumes. These BMPs are included to improve treatment and storage capacity for the proposed project, which is an improvement over the existing site conditions. Any changes in hydrology are designed to retain and infiltrate stormwater to provide water quality benefits and reduce urban storm flow runoff, providing partial flood relief to receiving waters. The proposed project would not substantially alter the existing drainage pattern of the project 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 that would result in flooding on site or off site. Impacts would be less than significant with mitigation incorporated.

e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less-than-Significant Impact with Mitigation Incorporated. Overall, urban street flooding is rarely considered a problem in the City of Newport Beach (City of Newport Beach 2003). As described above in Section IX(d), the urban character of the area and the existing use of the project site as 84 stalls of surface parking would not allow stormwater to be readily absorbed into the soil. The proposed project would not substantially alter the existing drainage pattern of the site and would not substantially increase the impervious area as discussed in Section IX(a), (c), and (d) above.

The Koll Center Newport retarding basin is located adjacent to the project site. Koll Center Newport Planned Community maintains the retarding basin (Tong pers. comm. a). The purpose of the retarding basin is to reduce the flow rate within the respective downstream storm drain systems so that older, possibly undersized downstream facilities will be able to carry the discharge from new development areas upstream (City of Newport Beach 2000). The proposed project would not drain into the

retarding basin; therefore, it would not interfere with the ability of the basin to reduce the flow rate generated by upstream development.

The proposed project would comply with the policies outlined in the General Plan to minimize runoff-related flooding impacts. These policies include NR 3.11, NR 3.20 and NR 4.4 and implementation would reduce the volume of runoff generated and potential for flooding. The Preliminary WQMP (Appendix B) for the proposed project discusses operational BMPs, inspection and maintenance of catch basins, and design of drainage facilities to minimize adverse effects on water quality. Stormwater drainage flows from the proposed project would be accommodated by the capacity of the existing catchment basin (Tong. pers. comm. b). The Preliminary WQMP would be reviewed and approved by the City prior to the issuance of grading permits. At that time it would be finalized and would demonstrate that the BMPs discussed in the Preliminary WQMP will control stormwater runoff and maintain water quality. Furthermore, with the incorporation of **Mitigation Measure WQ-1**, the proposed project would not provide substantial additional sources of polluted runoff during construction. Increased runoff would not exceed the capacity of existing storm drain systems or generate polluted runoff. Therefore, impacts on stormwater would be less than significant with mitigation incorporated.

f. Otherwise substantially degrade water quality?

Less-than-Significant Impact with Mitigation Incorporated. The proposed project would not substantially degrade water quality. As outlined under Response IX(a) and (e), the proposed project would not substantially increase surface runoff, would not drain into the Koll Center Newport retarding basin, would comply with all General Plan policies minimizing flooding impacts, and would otherwise have less-than-significant impacts on water quality with the incorporation of **Mitigation Measure WQ-1** and BMPs described in the Preliminary WQMP (Appendix B). Impacts on water quality would be less than significant with mitigation incorporated.

g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. The project site is not located in a flood zone area (City of Newport Beach 2006b). Furthermore, the proposed project does include the construction of housing. Therefore, the proposed project would not place housing within a 100-year flood hazard area, and no impacts would occur.

h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

No Impact. As discussed in Section IX(g), the proposed project is not located in a flood zone area (City of Newport Beach 2006b). Therefore, the proposed project would not impede or redirect 100-year floodflow, and no impacts would occur.

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

No Impact. As discussed in Section IX(g), the proposed project is not located in a flood zone area (City of Newport Beach 2006b). No impacts would occur.

j. Inundation by seiche, tsunami, or mudflow?

No Impact. Implementation of the proposed project would not increase exposure to inundation by seiche, tsunami, or mudflow. The project site is not located in a 100- or 500-year zone for tsunami inundation at extreme high tide (City of Newport Beach 2006a). Furthermore, due to the elevation of the site and absence of nearby waterfront, impacts from a tsunami would be negligible. Finally, seiches result from the rhythmic movement of water within a lake or other enclosed or semi-enclosed body of water, generally caused by earthquakes. Since the Koll Center Newport retarding basin is too small to cause seiche waves, and since no big lakes or other bodies of water lie on or near the project site, the hazard from seiches is very low at the project site (TGR Geotechnical, Inc. 2008). No impacts would occur.

X.	LAND USE AND PLANNING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Physically divide an established community?	☐	☐	☐	☒
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion

Would the project:

a. Physically divide an established community?

No Impact. The proposed project involves the construction and operation of an office building within an existing office complex in the City of Newport Beach. There are no residential uses surrounding the complex. The proposed project would be constructed on an existing surface parking lot. Therefore, the proposed project would not physically divide an established community. No impacts would occur.

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

Less-than-Significant Impact. The project site is designated as Mixed-Use Horizontal 2 (MU-H2) per the General Plan Land Use Element. The development limit for the project site is identified in Table LU2 of the General Plan Land Use Element as Anomaly Number 2. The development limit for Anomaly Number 2 is 1,060,146 gross square feet, as identified in Table LU2. The project site is currently zoned PC-15, Koll Center Newport Planned Community). The project site is located in a development site identified as Professional and Business Office Site B in the Koll Center Newport Planned Community. The Allowable Building Area for Site B is 967,803 square feet as defined by the Koll Center Newport Planned Community Text. The provision of a new office building would be consistent with the land use designation and zoning of the site and the surrounding area, and would be consistent with all General Plan policies.

The proposed project involves a General Plan Amendment and a Koll Center Newport Planned Community text amendment to increase the allowable development square footage on the project site. The General Plan Amendment would increase the development limit in General Plan Anomaly

Location 2 by 11,544 gross square feet, and the Koll Center Newport Planned Community text amendment would increase the allowable building area in Office Site B by 9,917 net square feet. The General Plan Amendment and the Koll Center Newport Planned Community text amendment would accommodate the development of the proposed office building that is consistent with the land use designation, zoning, and community plan use designation. See Appendix C for additional details regarding land use consistency analysis with applicable General Plan policies. Impacts would be less than significant.

c. Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The project site is located in an urbanized setting, and no locally designated species or natural communities are known to exist in the project area. The project site is not part of any habitat conservation plan or natural community preservation plan. See Response IV(f). No impacts would occur.

XI.	MINERAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Discussion

Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. According to the Natural Resources Element of the Newport Beach General Plan (City of Newport Beach 2006a), other than oil and gas resources, there is no active mining within the Newport Beach area. The Mineral Resource Zones (MRZ) in the City are classified as either containing no significant mineral deposits (MRZ-1), or the significance of mineral deposits has not been determined (MRZ-3). The proposed project is located in an area designated as MRZ-3 (California Department of Conservation 1994 and U.S. Geological Survey 2009). The project site is surrounded by land uses that are not compatible with pit mining (office buildings, industrial, and roads), which would preclude the site from being developed as a mine, even if there is an extractable mineral resource present. Therefore, no impacts associated with the loss of a mineral resource would occur.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. The site is not delineated in the City of Newport Beach General Plan as containing a locally important mineral resource (City of Newport Beach 2006a). No impacts would occur.

XII.	NOISE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project result in:				
a.	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b.	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c.	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d.	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
e.	For a project located within an airport land use land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐
f.	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

Prior to addressing the checklist questions, the discussion below provides an overview of the existing conditions and regulations relative to noise impacts. A detailed discussion of noise terminology is included in Appendix D.

Existing Conditions at Project Site

Noise-sensitive receptors in the vicinity of the project site include high-density residences approximately 2,500 feet to the east at the intersection of Campus Drive and Jamboree Road. Other noise-sensitive land uses include the University of California Irvine Child Development Center located at 19262 Jamboree Road in the City of Irvine, approximately 1,300 feet (0.25 mile) to the east, and land planned for future mixed uses immediately to the south of the project site. Short-term attended sound level measurements were conducted on March 10th, 2010, with a Larson Davis Type 812 sound level meter, which is classified as a Type 1 (precision grade) instrument. Noise was

measured at three representative noise-sensitive locations near the project site. Figure 3-3, Noise Measurement Locations, identifies the measurement locations. During the field measurements, physical observations of the predominant noise sources were noted. The noise sources in the project area typically included traffic along Jamboree Road and Campus Drive, HVAC units, aircraft departing out of John Wayne Airport, and ambient noise sources such as birds and rustling leaves.

The results of the attended short-term sound level measurements are summarized in Table 3-7. As shown in Table 3-7, measured noise levels during daytime hours in and around the project site ranged from 60 to 63A-weighted decibels (dBA) equivalent continuous noise level (L_{eq}).

Table 3-7. Short-Term Sound Level Measurement Data

		Measurement Period				Noise Measurement Results (dBA)					
Site ID	**Measurement Location**	**Date**	**Start Time**	**Duration (mm:ss)**	**Noise Sources**	**L_{eq}[1]**	**L_{max}**	**L_{min}**	**L_{90}**	**L_{50}**	**L_{10}**
ST-1	3000 Jamboree Road; Plaza Condos	3-10-10	9:40	15:00	Traffic along Campus Avenue and Jamboree Road, Aircraft out of John Wayne Airport, leaves rustling	60.4	67.7	54.8	56.3	59.7	63.1
ST-2	4311 Jamboree Road; Jazz Semiconductor	3-10-10	10:28	15:00	Traffic along Campus Avenue and Jamboree Road, Aircraft out of John Wayne Airport, HVAC towers	60.2	71.5	56.2	57.4	58.7	61.8
ST-3	19262 Jamboree Road; Jamboree Child Development Center	3-10-10	10:53	15:00	Traffic along Campus Avenue and Jamboree Road, Aircraft out of John Wayne Airport, Birds	63.4	72.8	54.7	57.3	62.1	66.4

[1]The 15-minute duration, energy-averaged noise level L_{eq} is commonly accepted as being representative of a 1-hour average. It is used as the basis for community noise equivalent level calculations.

Regulatory Background: Noise Standards and Thresholds of Significance

The proposed project is subject to the policies and standards contained in the Noise Element of the Newport Beach General Plan and the Noise Ordinance incorporated therein.

The Noise Element establishes standards for exterior sound levels based on land use categories. The City also has established policies and regulations concerning the generation and control of noise that could adversely affect its citizens and noise-sensitive land uses. The noise element states that an outdoor noise exposure level of 60 to 65 dBA community noise equivalent level (CNEL) is

k:\irvine\gis\projects\city_of_newport_beach\00873_09\mapdoc\ls_mnd\2010may\fig3-3_noise.mxd DEG&SM (05-12-10)

ICF Jones & Stokes
an ICF International Company

Figure 3-3
Noise Measurement Locations
PRES Office Building B

considered "normally compatible"[4] for single-family and multifamily residential development (see Table N2 in Appendix D). The General Plan Noise Element also sets interior and exterior thresholds of 45 and 55 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m., and 40 and 50 dBA L_{eq} between the hours of 10:00 p.m. and 7:00 a.m., respectively, for single-family and multifamily residential units (City of Newport Beach 2006a).

The noise element also states that an outdoor noise exposure level of 60 to 65 dBA CNEL) is considered "clearly compatible"[5] for commercial development, such as retail, banks, restaurants, and movie theaters (see Table N2 in Appendix D). The General Plan Noise Element also sets exterior thresholds of 65 and 60 dBA L_{eq} between the hours of 7:00 a.m. and 10:00 p.m., and 10:00 p.m. and 7:00 a.m., respectively, for commercial (Zone II) commercial land uses (City of Newport Beach 2006a).

Title 10 Chapter 10.26 Section 10.26.025 of the Municipal Code specifies exterior noise standards for single-family and multi-family residential units from 7:00 a.m. to 10:00 p.m. at 55 dBA L_{eq} and from 10:00 p.m. to 7:00 a.m. at 50 dBA L_{eq}. It also specifies exterior noise standards of 65 dBA L_{eq} from 7:00 a.m. to 10:00 p.m. and 60 dBA L_{eq} from 10:00 p.m. to 7:00 a.m. for commercial land uses. Construction noise is exempt from the above noise standard, pursuant to Title 10 Chapter 10.26 Section 10.26.035 of the Municipal Code.

Title 10, Chapter 10.28, Section 10.28.040 of the Municipal Code specifies permitted hours for construction activities. Construction or other noise-generating activity that would disturb a person of normal sensitivity who works or resides in the vicinity may occur only between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday, and 8:00 a.m. to 6 p.m. on Saturdays. No construction that would disturb a person of normal sensitivity may occur on Sundays or federal holidays.

Would the project result in:

a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less-than-Significant Impact with Mitigation Incorporated. Although sensitive receptors in the area would be exposed to temporary increases in noise from construction activities, City noise standards would not be exceeded. The construction and operational noise impacts and required mitigation measures are discussed below.

Construction Noise

Construction of the proposed project is anticipated to begin in October 2010 and continue through June 2011, and to last for approximately 8 months. Noise from construction activity is generated by the use of a broad array of powered mechanical equipment. In order to assess the potential noise effects of construction, this noise analysis used a list of construction equipment provided for the proposed project to assess noise levels during construction phases. Noise levels at sensitive receptor locations associated with various construction phases were calculated using the Federal Highway Administration's Roadway Construction Noise Model and were based on the type of construction equipment used during each phase, percent of time that the equipment was in use, and distance from

[4] *Normally compatible* is defined in the land use noise compatibility matrix in the City's General Plan and is included as Appendix D to this document.
[5] *Clearly compatible* is defined in the land use noise compatibility matrix in the City's General Plan and is included as Appendix D to this document.

source to receiver. Results from the calculations are shown in Table 3-8. This information indicates that the overall noisiest phase of construction would be the demolition phase. During the demolition phase of construction, noise levels are estimated to be approximately 92 dBA L_{eq} at the project site. Construction noise levels of this magnitude would attenuate at the closest sensitive receptor (ST-3) to approximately 59 dBA L_{eq}.[6] Because existing noise levels at the closest sensitive receptor were measured at approximately 63 dBA L_{eq}, the noise levels would be marginally higher at this location during the loudest phase of construction. Therefore, construction noise would likely be perceptible, but would not dominate the noise environment at the sensitive receptor.

Table 3-8. Typical Noise Levels at Sensitive Receptors from Construction Activities[7]

Construction Activity	Predicted Sound Level at ST-1 (dBA Leq)a	Predicted Sound Level at ST-3 (dBA Leq)a
Demolition	52	59
Grading	50	57
Construction	46	53
Paving	47	53

Source: Federal Highway Administration 2006
[a] Sound level with all pertinent equipment operating.

ST-1 would likely not experience significant noise increases (less than 3 dBA) because construction noise levels are below the ambient measured noise levels. The City's Municipal Code exempts construction from the noise restrictions discussed above as long as it occurs between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday; and between 8:00 a.m. and 6 p.m. on Saturdays and does not occur at any time on federal holidays or on Sundays. In addition to the City's construction restrictions, the following mitigation measures would ensure construction noise results in a less-than-significant impact:

Mitigation Measures:

Mitigation Measure N-1. All noise-producing project equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed "package" equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.

Mitigation Measure N-2. All mobile and fixed noise-producing equipment used on the proposed project that is regulated for noise output by a local, state, or federal agency shall comply with such regulation while in the course of project activity.

Mitigation Measure N-3. Electrically powered equipment shall be used instead of pneumatic or internal combustion–powered equipment, where feasible.

[6] Noise attenuates at a rate of 6 dB per doubling distance.
[7] ST-2 was not used in this evaluation. During construction of the proposed project, sensitive receptors associated with the residential development of the conceptual site plan of the Conexant/Koll development at ST-2 would not exist and the existing industrial land use would still be in place, which is not considered a sensitive receptor.

Mitigation Measure N-4. Mobile noise-generating equipment and machinery shall be shut off when not in use.

Mitigation Measure N-5. Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practical from noise-sensitive receptors.

Mitigation Measure N-6. Construction site and access road speed limits shall be established and enforced during the construction period.

Mitigation Measure N-7. The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only.

Mitigation Measure N-8. No project-related public address or music system shall be audible at any adjacent receptor.

Mitigation Measure N-9. The on-site construction supervisor shall have the responsibility and authority to receive and resolve noise complaints. A clear appeal process to the project proponent shall be established prior to construction commencement that shall allow for resolution of noise problems that cannot be immediately solved by the site supervisor.

Operational Noise

The proposed project would generate some operational noise through HVAC units; however, these units would be enclosed appropriately to minimize noise. Furthermore, office and commercial uses surround the project site and these uses are not considered sensitive noise receptors. Therefore, any slight increase in operational noise associated with the units would not represent a significant impact. The proposed project would generate vehicle trips on the surrounding roadways. Based on generation rates for specific land use types provided by the City, the proposed office building would generate as many as 132 total daily trips per day. To determine potential impacts from the increase in traffic volumes on the surrounding roadway network, peak hour traffic volumes[8] were calculated on surrounding roadway network. Analysis of the peak hour traffic volumes was based on peak hour traffic volumes from the Traffic Study for the Draft Environmental Impact Report for the City Hall and Park Development Plan prepared in September 2009 (LSA 2009). The proposed project's traffic increase was added to the total. The analysis assumes that traffic accessing the project site would primarily use Jamboree Road, passing by all sensitive receptors. There are no sensitive receptors on other roads such as Von Karmen; therefore, these roads were not included in the noise analysis. PM peak hour traffic with and without the project are compared. PM peak hour traffic volumes are presented in Table 3-9 below.

[8] Peak hour traffic volumes are the AM or PM (whichever is a higher volume) traffic volumes, and are considered to have the highest noise levels due to the largest traffic volume. The PM peak hour trips were used for the analysis of the surrounding roadways because traffic volume is highest during these hours. Therefore, to be consistent, the PM peak hour trips generated by the proposed project were also used in the analysis.

Table 3-9. PM Peak Hour Traffic Volumes

Roadway Segment	PM Peak Hour Traffic Volume[9]
Jamboree south of Campus	4046
Jamboree north of Campus	4171
Campus east of Jamboree	1374
Campus west of Jamboree	1721
Source: LSA 2009	

The proposed project is anticipated to add approximately 18 PM peak hour trips to the surrounding roadway network. Noise is not additive in a linear sense; doubling the noise energy of a source (for example, doubling the traffic volume on a roadway) does not result in a perceived doubling of the noise level, nor does it result in a doubling of the noise level as expressed in decibels. All other factors being held constant, a doubling of the power from a noise source results in an increase of 3 dBA in the noise level.

The City of Newport Beach General Plan Policy N 1.8 states that an increase of 2 dBA would be considered significant in an area with where existing land uses are exposed to noise levels between 60 and 65 dBA CNEL. In the case of this proposed project, the addition of approximately 18 additional vehicle trips to the surrounding roadways would result in a very small increase in the traffic noise (less than 0.1 dB). Such a change in the noise level would be imperceptible. The proposed project's traffic would not significantly increase noise from the existing roadway network. Therefore, noise impacts would be less than significant.

b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less-than-Significant Impact. Construction activities associated with grading and excavation may result in minor levels of ground vibration. Construction of the proposed project would not involve special construction methods such as pile driving or blasting. Vibration from conventional construction activity is typically below a level of human perception and well under levels that would cause damage to existing buildings when the activity is more than approximately 50 feet from the receiver. For this proposed project, construction activities would take place at distances greater than 50 feet from sensitive receptors. Based on data from the Federal Transit Administration (FTA), small bulldozers (which are representative of the size of construction equipment that would be on site) produce vibration levels of 0.003 inch per second (IPS) peak particle velocity (PPV) at a distance of 25 feet. This level is well below widely accepted levels of perception thresholds (for example, California Department of Transportation [Caltrans] has identified a PPV of between 0.0059 and 0.019 IPS PPV as the threshold of human perception.) The FTA maintains a 0.12 IPS PPV threshold for potential damage to "extremely fragile historic buildings" (U.S. Department of Transportation 2006). Additionally, vibration from these activities would be short-term and would end when construction is completed. Therefore, this impact is considered less than significant.

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

[9] PM peak hour volumes were used as they were the highest volumes and would represent the worst case scenario.

Less-than-Significant Impact. The proposed project would generate some operational noise through HVAC units; however, these units would be enclosed appropriately to minimize noise. Furthermore, office and commercial uses surround the project site and these uses are not considered sensitive noise receptors. Therefore, any slight increase in operational noise associated with the units would not represent a significant impact. Noise associated with the operation of the proposed project would be generated primarily by traffic. The proposed project would increase traffic volumes marginally by adding 18 trips during the PM peak hour. As discussed above, the increase in noise from the proposed project would not be perceptible. Therefore, noise from traffic associated with the proposed project would be less than significant.

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

Less-than-Significant Impact with Mitigation Incorporated. As stated above, the construction of the proposed project would result in a temporary increase in noise levels. These levels would be perceptible at the closest sensitive receptor (ST-3) but would not dominate the noise environment. The City exempts construction provided that it occurs only between the hours of 7:00 a.m. and 6:30 p.m., Monday through Friday, and 8:00 a.m. and 6:00 p.m. on Saturdays and at no time on federal holidays or Sundays. **Mitigation measures NOI-1 to NOI-9** included in Section XII(a) above would reduce construction impacts. These measures would reduce construction noise levels. Therefore, impacts from construction would be less than significant with mitigation incorporated.

e. For a project located within an airport land use land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less-than-Significant Impact. The project site is located approximately 0.5 mile from John Wayne Airport. Figure N2 of the City of Newport Beach General Plan shows the existing 65 dBA CNEL noise contour for John Wayne Airport. Figure N2 shows that the project site is located approximately 0.25 to 0.5 mile outside the 65 dBA CNEL noise contour for John Wayne Airport (City of Newport Beach 2006a). Therefore, noise impacts related to air traffic would be less than significant.

f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not located in the vicinity of an airstrip, private or public. No impacts would occur.

XIII. POPULATION AND HOUSING		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

Would the project:

a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure?

Less-than-Significant Impact. The proposed project would allow for the construction and operation of one three-level office building. Construction of the proposed project would provide short-term employment opportunities for a total of approximately 67 construction workers over all construction phases of the project. The supply of general construction labor in the local and regional vicinity of the project site is not constrained; the construction industry is in an economic downturn, suggesting an available labor pool. Therefore, it is expected that local and regional construction workers would be available to serve the proposed project (Employment Development Department 2009a). Because the existing labor pool could meet the construction needs of the proposed project, the proposed project would not be expected to induce substantial population growth or development through increased construction employment.

The proposed project would also provide long-term employment opportunities. The average number of employees for an office building of this size would be approximately 53 persons. The employment would include professional real estate and development services. Orange County has a labor force of approximately 1.6 million with approximately 152,100 people unemployed (Employment Development Department 2009b). Although the November 2009 unemployment rate for Orange County was 9.4%, down from a 9.7 % in October 2009, it is still above the 2008 estimate of 6.1%. Furthermore, professional and business services posted the second largest decline in December 2009, declining by 1,200 jobs over the month (Employment Development Department 2009a). This suggests an available local and regional labor pool to serve the long-term employment opportunities. The proposed project has the potential to stimulate the economy by providing jobs in the region. As a result of the general availability in the local and regional labor market and the current unemployment

rates, there would be an opportunity to hire local residents to fill the proposed project's employment needs. It is unlikely that a substantial number of employees would need to be relocated from outside the region. Therefore operation of the proposed project would not induce substantial population growth. Population and housing impacts would be less than significant.

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

No Impact. The proposed project would amend and increase the allowable development square footage on the project site, which would allow for the construction and operation of a three-level office building on approximately 25 stalls of the existing 84-stall surface parking lot. The proposed project would not displace any housing and would not necessitate the construction of replacement housing elsewhere. No impacts would occur.

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

No Impact. As discussed in (b) above, the project site is currently developed with an 84-stall surface parking lot and no people currently live on the project site. Therefore, the proposed project would not displace any housing or people. No impacts would occur.

XIV. PUBLIC SERVICES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1. Fire protection?	☐	☐	☒	☐
2. Police protection?	☐	☐	☒	☐
3. Schools?	☐	☐	☒	☐
4. Parks?	☐	☐	☐	☒
5. Other public facilities?	☐	☐	☒	☐

Discussion

Would the project result in substantial adverse physical impacts associated with:

a1. Fire protection?

Less-than-Significant Impact. Implementation of the proposed project could potentially contribute additional demand for fire protection and emergency medical services, including possible additional demand on and use of fire equipment and medical supplies. However, the additional 53 employees resulting from the proposed project are expected to come from the local population, and are not likely to result in many more additional demands than the City average on fire and emergency services. The project site is located in the City of Newport Beach Fire Department service area. There are eight fire stations strategically located throughout the City so that a fire unit can respond to residents and businesses in less than 5 minutes. The City of Newport Beach Fire Department is considered an all-risk Fire Department and provides services for all types of emergencies (City of Newport Beach 2009b). The project site is served by the nearest fire station, Santa Ana Heights Fire Station #7, which is located at 20401 Southwest Acacia Street at the intersection of Southwest Acacia Street and Mesa Drive, approximately 1.9 miles to the southwest of the project site. The proposed project would include all necessary fire protection devices, including fire sprinklers, and would be required to comply with all Building and Fire Codes adopted by the City, including compliance with applicable water pressure and fire equipment regulations. Emergency vehicle access for the proposed project would be provided to the project site from Von Karman Avenue. . The proposed project would be

within the current capacity of the Newport Beach Fire Department and would not create the need for any new facilities or personnel (Bunting pers. comm.). Impacts would be less than significant.

a2. Police protection?

Less-than-Significant Impact. The Newport Beach Police Department would provide police protection services for the proposed project. The Police Department is located at 870 Santa Barbara Drive, at the intersection of Jamboree Road and Santa Barbara, approximately 3.5 miles from the project site. The project site is located in Newport Beach Police Department Area 2 (Newport Beach Police Department 2010). As discussed above in Response XIV(a1), although the proposed project would increase the population at the project site by approximately 53 employees, these employees are expected to come from the local population and would not place a significant added burden on the Newport Beach Police Department. Additionally, the department is currently patrolling the project site and surrounding areas. The proposed project would not require new or additional police facilities. Impacts would be less than significant.

a3. Schools?

Less-than-Significant Impact. School services in the City are provided by the Newport-Mesa Unified School District. The demand for new schools is generally associated with population increases or impacts on existing schools. The proposed project would increase the number of employees at the project site by an average of 53 employees; however, these employees are expected to come from the local population and would not require any persons to be relocated from out the region as described in Section XIII(a). Therefore, the proposed project is not expected to substantially increase the number of school age children in the City and no additional school facilities would be required. Impacts would be less than significant.

a4. Parks?

No Impact. The proposed project would involve the demolition of approximately 25 stalls of the existing 84-stall surface parking lot and landscaping for the construction and operation of one three-level office building. The demand for parks is generally associated with the increase of housing or population in an area. As discussed above in Response XIII(a), the proposed project is not expected to induce substantial population growth. Furthermore, according to Figure R1 of the City of Newport Beach General Plan, there are no existing recreational facilities in the project vicinity (City of Newport Beach 2006a). Therefore, the proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities resulting in the need for additional facilities. See Section XV(a) and (b), Recreation, for additional discussion on parks and recreation. No impacts would occur.

a5. Other public facilities?

Less-than-Significant Impact. The proposed project would increase the number of employees at the project site by approximately 53 employees; however, these employees are expected to come from the local population and would not require any persons to be relocated from out the region as discussed above in Response XIII(a). The proposed project is not expected to substantially increase the use of other public facilities requiring the need for new or altered service facilities. Therefore, the proposed project would not result in substantial adverse impacts on other public facilities or require new facilities to maintain acceptable performance standards. Impacts would be less than significant.

XV. RECREATION		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a.	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b.	Does the project include recreational facilities or require the construction of or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed project would not affect neighborhood or regional parks or other recreational facilities. An increase in the use of parks is generally associated with an increase of housing or population in an area. As discussed in Section XIII(a), Population and Housing, the proposed project is not expected to substantially induce population growth. The proposed project would provide approximately 67 short-term construction jobs and an average of 53 long-term professional jobs. The employment opportunities are expected to be fulfilled by the local population and it is unlikely that a substantial number of employees would need to be relocated from outside the region. Furthermore, according to Figure R1 of the City of Newport Beach General Plan, there are no existing recreational facilities in the project vicinity (City of Newport Beach 2006a). Therefore, the proposed project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur. No impacts would occur.

b. Does the project include recreational facilities or require the construction of or expansion of recreational facilities that might have an adverse physical effect on the environment?

No Impact. As discussed in Section XIII(a), Population and Housing, the proposed project is not expected to substantially induce population growth. The proposed project would not include recreational facilities or require the construction of or expansion of recreation facilities that might have an adverse physical effect on the environment. No impacts would occur.

XVI. TRANSPORTATION AND TRAFFIC		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☒	☐
d.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
e.	Result in inadequate emergency access?	☐	☐	☒	☐
f.	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Discussion

Would the project:

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Less-than-Significant Impact. The Traffic Phasing Ordinance (TPO) identifies City requirements for the preparation of traffic studies. Per the TPO, any project that generates fewer than 300 average daily trips (ADT) does not require a traffic study. Therefore, the City of Newport Beach has determined that a traffic study for the proposed project is not required because the project would generate fewer than 300 ADTs.

The project site is located along Von Karman Avenue in the Koll Center Newport Planned Community. Table 3-10 below identifies the roads in the vicinity of the project site.

Table 3-10. Roads in the Vicinity of the Project Site

Road Name	Number of Lanes	Speed Limit Range (miles per hour)	Description
Von Karmen Ave	Four-lane divided	40	Trending in an east-west direction with a painted median and on-street parking prohibited
Jamboree Road north of East Coast Highway (SR-1)	Six-lane divided	50	Trending in a north-south direction with a raised landscaped median and on-street parking prohibited
MacArthur Boulevard North of the SR-73 Ramps	Six-lane divided roadway with a raised landscaped median	50	Trends in a north-south direction and on-street parking is prohibited on MacArthur Boulevard
MacArthur Boulevard between Bonita Canyon Drive and the SR-73 Ramps	Eight-lane divided roadway with a raised landscaped median		
Birch Street	Four-lane divided	40	Trending in an east-west direction with a painted median and on-street parking prohibited
Campus Drive east of MacArthur Boulevard	Four-lane divided	45 – 50	Trending in an east-west direction with a painted median and on-street parking prohibited east of MacArthur Boulevard
Campus Drive west of MacArthur Boulevard	Six-land divided		Raised median on-street parking prohibited west of MacArthur Boulevard

Level of Service (LOS) is commonly used as a qualitative description of intersection operation. It is based on the capacity of the intersection and the volume of traffic using the intersection. A range of LOS is used to describe traffic conditions. LOS A indicates free-flowing conditions, whereas LOS F indicates severely congested conditions, based on the volume-to-capacity ratios (V/C) shown in Table 3-11 below.

Table 3-11. Volume-to-Capacity Ratio and Level of Service Ranges

Signalized Intersections		
V/C Ratio	**LOS**	**Description**
≤ 0.60	A	LOS A describes operations with low control delay, up to 10 seconds per vehicle. This LOS occurs when progression is extremely favorable and most vehicles arrive during the green phase. Many vehicles do not stop at all. Short cycle lengths may tend to contribute to low delay values.
0.61 to ≤ 0.70	B	LOS B describes operations with control delay greater than 10 and up to 20 seconds per vehicle. This level generally occurs with good progression, short cycle lengths, or both. More vehicles stop than the LOS A, causing higher levels of delay.
0.71 to ≤ 0.80	C	LOS C describes operations with control delay greater than 20 and up to 35 seconds per vehicle. These higher delays may result from only fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear at this level. Cycle failure occurs when a given green phase does not serve queued vehicles, and overflows occur. The number of vehicles stopping is significant at this level, though many still pass through the intersection without stopping.
0.81 to ≤ 0.90	D	LOS D describes operations with control delay greater than 35 and up to 55 seconds per vehicle. At LOS D, the influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, and high V/C ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
0.91 to ≤ 1.0	E	LOS E describes operations with control delay greater than 55 and up to 80 seconds per vehicle. These high delay values generally indicate poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent.
> 1.0	F	LOS F describes operations with control delay in excess of 80 seconds per vehicle. This level, considered unacceptable to most drivers, often occurs with oversaturation; that is, when arrival flow rates exceed the capacity of lane groups. It may also occur at high V/C ratios with many individual cycle failures. Poor progression and long cycle lengths may also contribute significantly to high delay levels.

Both the City of Newport Beach and the City of Irvine have specific performance criteria associated with intersections along the City limits and within the John Wayne Airport and Irvine Business Complex areas (LSA 2009). The City of Newport Beach target for peak hour intersection operation as stated in the Circulation Element of the General Plan is LOS D or better except at the following locations where LOS E is considered acceptable: intersections in the John Wayne Airport Area shared with the City of Irvine (City of Newport Beach 2006a, LSA 2009). The City of Irvine target for peak hour intersection operation is LOS D or better except in the following areas where LOS E is considered acceptable: intersections in the John Wayne Airport Area shared with the City of Newport Beach, and Irvine Business Complex Area (LSA 2009).

In 2009 as part of the Draft Environmental Impact Report for the City Hall and Park Development Plan, existing conditions of roads and intersections around the project site were determined (LSA 2009). They are described in Appendix E.

During construction, the maximum daily trips would depend on the number of truck trips received in a day and the number of employees at the construction site. Furthermore, no more than 15

construction workers would be at the construction site at one time. Table 3-12 below provides the estimated daily roundtrip truck trips and number of construction employees associated with each phase of construction.

Table 3-12. Estimated Truck Trips and Construction Employees

Construction Activity	Phase Duration (Days)[a]	Construction Worker Per Day	Construction Worker Roundtrips Per Day	Roundtrip Truck Trips Per Phase	Roundtrip Truck Trips Per Day[d]	Total Trips Per Day
Demolition	6	6	12	20	3	15
Grading	24	6	12	40	2	14
Construction, asphalting, and architectural finishing[b]	168	15	30	12[c]	2	32

[a] Phase duration assumes a six-day construction work week.

[b] There is overlap between the construction of the proposed project, asphalting, and architectural finishing.

[c] Twelve roundtrip truck trips would only occur during a 1 week (5 day) period of asphalting.

[d] Numbers are rounded to nearest whole number.

It is assumed construction employees and trucks would use Jamboree, MacArthur, and Von Karman to access the project site during construction. Furthermore, it is conservatively assumed that the estimated daily construction trips would occur during the AM and PM peak travel periods. For example, during demolition it is estimated there would be 7.5 AM trips and 7.5 PM trips for a total of 15 trips per day (the total trips per day identified above in Table 3-12 during demolition). Typically, truck trips associated with the deliveries of materials and goods would not occur during peak hour traffic times, but rather off peak times throughout the day. It is also conservatively assumed the AM and PM trips generated by construction would occur on every single road segment. Typically, trips are assigned to road segments. These assumptions provide a conservative analysis of the estimated increase in trips associated with construction of the proposed project. The 31estimated AM trips that would be generated by construction would increase traffic levels over existing conditions on Jamboree, MacArthur, and Von Karman by 0.2% to 1.4%. The 31estimated PM peak trips that would be generated by construction would increase traffic levels over existing conditions by 0.17 to 1.23% on Jamboree, MacArthur, and Von Karman (See Appendix E for a table of each roadway segment and the percent increase in traffic associated with the construction of the proposed project during the AM and PM). The trips generated by construction would be temporary and would cease to exist once construction is completed. And finally, as discussed below, most of the conditions at the existing intersections described above within the vicinity of the proposed project are operating at acceptable levels of LOS. Therefore, trips associated with the construction of the proposed project would be less than significant.

The Institute of Transportation Engineers Trip Generation, 8th Edition assigns a total of 132 ADTs per day for an office building of 11,960 gross square feet (Institute of Transportation Engineers 2008). A total of 19 AM peak hour trips and 18 PM peak hour trips are assigned to office buildings of this size. The same assumptions described above for construction are assumed for operation. The addition of 19 AM peak hour trips would increase traffic levels over existing conditions between

0.5% and 1.61% during AM peak hour traffic and between 0.44% and 1.38% during PM peak hour traffic. (See Appendix E for a table of each roadway segment and the percent increase in traffic associated with the operation of the proposed project). Therefore, the addition of 19 AM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS D or worse during the AM peak hour. Furthermore, the addition of 18 PM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS E, for those intersections shared between the City of Newport Beach and the City of Irvine. Therefore, impacts associated with the operation of the proposed project would be less than significant.

b. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less-than-Significant Impact. Within the defined Orange County Congestion Management Program highway network, intersections and freeway segments are not allowed to deteriorate to a condition worse than LOS E, or the base year LOS if worse than E (Orange County Transportation Authority 2003). The following intersections are Congestion Management Program intersections within the vicinity of the proposed project: MacArthur Boulevard/Jamboree Road, I-405 northbound ramps/Jamboree Road, and I-405 southbound ramps/Jamboree Road. Table 3-13 below summarizes the 2003 AM and PM peak hour LOS for these Congestion Management Program intersections.

Table 3-13. Peak Hour Level of Service for Congestion Management Program Intersections

Intersection	2003 AM Peak Hour LOS	2003 PM Peak Hour LOS
MacArthur Boulevard/Jamboree Road	C	E
I-405 northbound ramps/Jamboree Road	C	C
I-405 southbound ramps/Jamboree Road.	D	D

All intersections are operating at LOS C or worse. Therefore, the addition of the proposed project's AM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS D or worse, for those intersections shared between the City of Newport Beach and the City of Irvine. Furthermore, the addition of the proposed project's PM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS E, for those intersections shared between the City of Newport Beach and the City of Irvine (see discussion of LOS above in Response XVI(a) for individual proposed project impacts related to LOS and measures of effectiveness for the performance of the circulation system). There are a number of projects proposed in the cities of Newport Beach and Irvine which could cumulatively increase traffic to levels on the roads and intersections surrounding the project site. The proposed project was included in the cumulative projects list of the traffic study for the City Hall Draft Environmental Impact Report for the City Hall and Park Development Plan, which included other cumulative projects located within the City of Newport Beach and the City of Irvine (LSA 2009). Table 17 of the City Hall DEIR summarizes the cumulative analysis and identifies there would be no significant impacts at any of the studied intersections, which include the intersections identified above, in 2013 (LSA 2009). Furthermore, for all intersections shared by the City of Irvine and the City of Newport Beach a LOS of E is acceptable during AM and PM peak periods. Table 22 of the DEIR indicates the MacArthur Boulevard/Jamboree Road intersection would continue to operate at an acceptable level of service (LSA 2009). Finally, the Orange County Congestion Management Program (2007) Appendix B-2 identifies specific criteria for which projects are exempt. Any development applications generating

vehicular trips below the ADT threshold for CMP traffic analysis include any project generating less than 2,400 ADT total, or any project generating less than 1,600 ADT directly onto the CMP Highway System. The proposed project would generate approximately 132 trips per day, and thus would be below the criteria established by the Congestion Management Program. Therefore, the proposed project would not exceed, either individually or cumulatively, a LOS standard and impacts would be less than significant.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less-Than-Significant Impact. As described in Section VIII(e) Hazards and Hazardous Materials, the project site is located within the boundaries of the AELUP for John Wayne Airport. The proposed project would be within the height restriction zone for the John Wayne Airport and the notification area of the FAR Part 77 Imaginary Surfaces aeronautical obstruction area. The proposed project includes constructing one three-level office building with a maximum height of 50 feet. The project site is approximately 42 feet above mean sea level (AES Due Diligence 2004). The proposed project would not require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would not be more than 200 feet above ground level and would not be more than 206 feet above mean sea level; the proposed project would not create any imaginary surfaces with any of the specific slope characteristics identified within Section 77.13; the proposed project is not a highway; and the proposed project is not a modification to an existing airport. Therefore, the proposed project would not result in a change of air traffic patterns including either an increase in traffic levels or a change in location that would result in substantial safety risks. Impacts would be less than significant.

d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less-than-Significant Impact. The proposed project would not alter the alignment of any of the adjacent roads. Prior to issuance of grading and building permits, Newport Beach Department of Public Works would review and approve all plans, including plans for commercial driveway approaches. Impacts would be less than significant.

e. Result in inadequate emergency access?

Less-than-Significant Impact. Construction or operation of the proposed project would not affect streets or otherwise affect emergency access routes. The proposed project would be designed to incorporate all standards required City of Newport Beach Fire Department to ensure that project implementation would not result in hazardous design features or inadequate emergency access to the site or areas surrounding the site. Therefore, impacts would be less than significant.

f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. Transit service is provided by the Orange County Transportation Authority (OCTA) in the vicinity of the project site. OCTA Bus Line 75 travels along Harvard Avenue and Jamboree Road between the Tustin Marketplace area and the Newport Transportation Center. Furthermore, there are pedestrian and bicycle easements along the street frontage along Von Karman Avenue. In the Newport Beach General Plan Circulation Element, Figure CE4 shows the Master Plan of Bikeways in the City. Von Karman Avenue is designated as a Class I bikeway. *Bikeway* is a term used to

designate all facilities which provide for bicycle travel. A Class I bikeway provides for bicycle travel on a paved right-of-way separated from any street or highway. This includes sidewalk bikeways adjacent to the street (City of Newport Beach 2006a). The proposed project includes the construction and operation of an office building in the Koll Center Newport Planned Community area. The construction and operation of an office building would maintain all pedestrian and bicycle easements and would not conflict with any adopted policies, plans, or programs supporting alternative transportation. Impacts would not occur.

XVII. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
	Would the project:				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	☐	☐	☒	☐
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion

Would the project:

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

Less-than-Significant Impact. The proposed project would not exceed wastewater treatment requirements of SARWQCB. The City requires NPDES permits, as administered by SARWQCB according to federal regulations, for both point source discharges and nonpoint source discharges to surface waters of the United States. In addition, wastewater service in the project vicinity is provided

by the City (City of Newport Beach 2006b). Wastewater from the City's sewer system is treated by the Orange County Sanitation District (OCSD). The majority of the City's wastewater flow is pumped to the OCSD Plant No. 2, while flows from the portion of the City north of State Route 73 are pumped to Plant No.1.See Figure 3-4, Wastewater Infrastructure and Service Areas. The proposed project is located north of State Route 73; therefore, wastewater would be treated by Plant No. 1. The OCSD Reclamation Plant No.1 currently maintains a design capacity of 174 million gallons per day and treats an average of 90 million gallons per day. Therefore, it operates at 52% of its capacity (City of Newport Beach 2006b).

The proposed office building would be constructed in an area on the project site that is currently developed with a surface parking lot and some landscaped area. The project site currently generates wastewater from urban runoff during rain events. The proposed project would increase wastewater generation above the current wastewater generation rate, as office commercial would be expected to generate more water than a surface parking lot. Approximately 20 gallons of wastewater per employee per day are produced for office type commercial uses (Brown pers. comm. b). Therefore, the proposed project would generate approximately 1,060 gallons of wastewater per day. This would equate to approximately 386,900 gallons per year of wastewater, which is 0.2% of the remaining capacity (84 million gallons per day) of Plant No. 1.[10] The proposed project would not exceed the wastewater treatment requirements of SARWQCB and would comply with all provisions of the NPDES program and applicable wastewater discharge requirements issued by the State Water Resources Control Board as discussed in Section IX, Hydrology and Water Quality. Furthermore, the proposed project would comply with the NPDES Phase I and Phase II requirements that would regulate discharge from construction (also described in Section IX, Hydrology and Water Quality). Finally, since OCSD Plant No. 1 operates at 52% of its capacity, the additional wastewater generated by the proposed project would be accommodated by OCSD. Therefore, the proposed project would not cause any violation of standards set forth by OCSD. Impacts would be less than significant.

b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less-than-Significant Impact. No new or expanded water or wastewater treatment facilities would be required to accommodate the proposed project. The proposed project would connect to the existing OCSD sewer system. OCSD, as stated above in Response (a), manages and oversees all wastewater in Orange County and would be able to accommodate the wastewater generated by the proposed project. See Response (d) below regarding the proposed project's potable water demand. The proposed project would not require additional new water supplies or water entitlements due to its small increase in demand; therefore, no new potable water facilities would be required. Impacts would be less than significant.

c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

[10] The proposed project combined with the existing PRES building would also result in a negligible increase in wastewater generated. Approximately 24 people work in the existing PRES building (which is based on 6,850 gross square feet and SCAG data of 287 square feet per employee). Therefore, approximately 480 gallons of wastewater per day or approximately 175,200 gallons per year is generated by the existing PRES building (using a factor of 20 gallons of wastewater per employee per day). Approximately 1,540 gallons per day or approximately 562,100 gallons per year of wastewater would be generated by adding the proposed project wastewater generation to the existing PRES building generation.

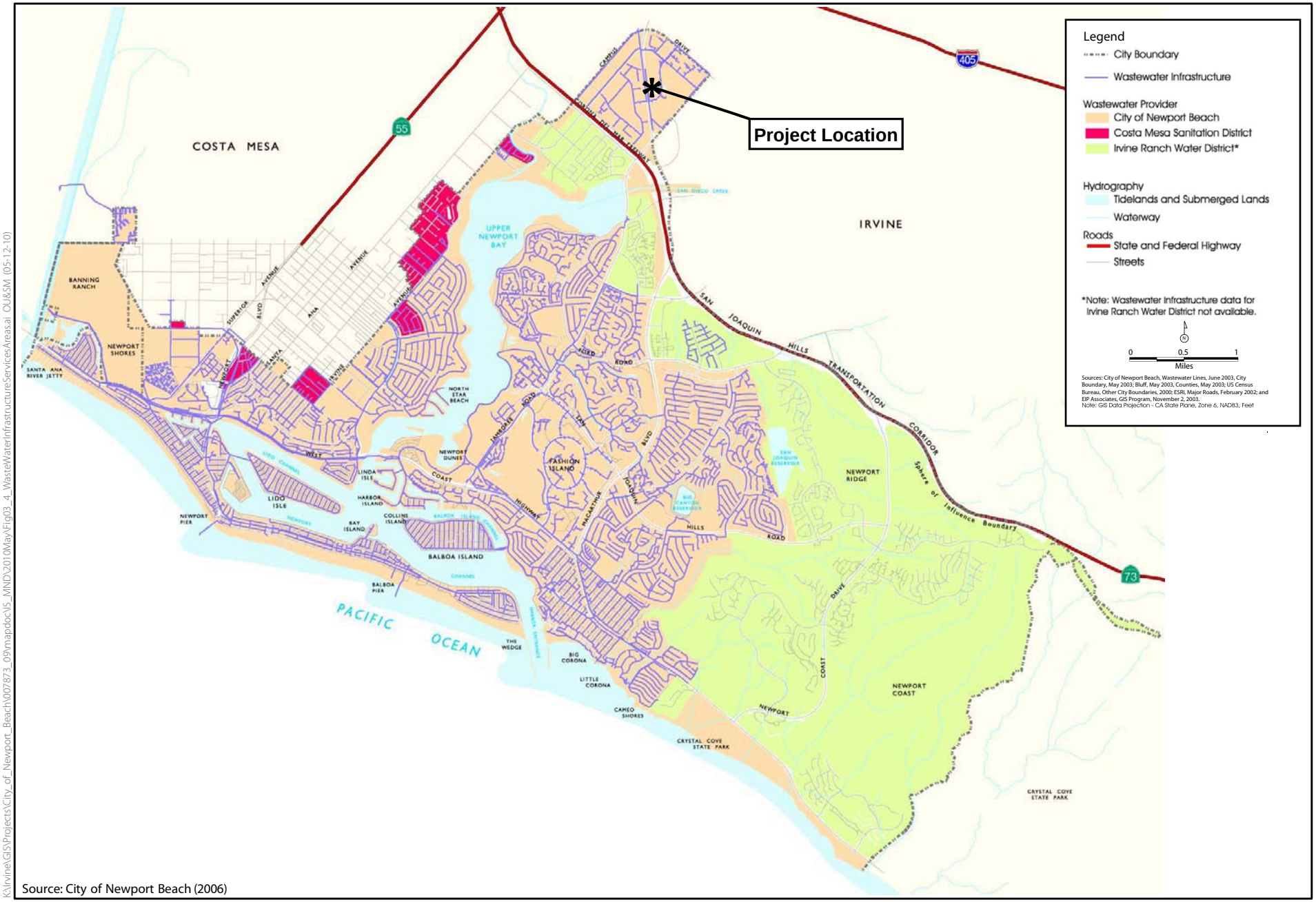
Less-than-Significant Impact with Mitigation Incorporated. The project site consists mostly of impervious surfaces. The proposed project would not substantially alter the existing drainage pattern of the site and would not increase the pervious area as described in Section IX, Hydrology and Water Quality. During construction, runoff from the project site would be managed by BMPs and as directed in the City's stormwater protection requirements per **Mitigation Measure WQ-1**. BMPs would be incorporated into the proposed project as part of a SWPPP to prevent discharges of polluted stormwater from construction sites from entering the storm drains per **Mitigation Measure WQ-1**. Storm runoff generated through project operations would be diverted to the infiltration trench and catch basin per the Preliminary WQMP (Appendix B). Roof drainage would be routed into underground perforated pipes to allow for infiltration and treatment of roof runoff and all of the drainage from the parking area would drain into an existing 4-foot-wide catch basin on the west side of the site. This catch basin would be fitted with media-filled cartridges that would provide the regulatory level of treatment (see Appendix B, Preliminary WQMP). Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. Impacts would be less than significant after mitigation.

d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?

Less-than-Significant Impact. Water service is provided by the City of Newport Beach, Irvine Ranch Water District (IRWD), and Mesa Consolidated Water District. Figure 3-5, Water Infrastructure and Service Areas, illustrates the service boundaries of each provider. The proposed project is located within the boundaries of IRWD. IRWD encompasses a 179-square mile service area and its current population of 330,000 is approximately 76% of the ultimate projected population estimated at 434,511 for 2030. In 2009, IRWD had approximately 96,829 connections serving approximately 57,795 acre-feet of potable water, 8,036 acre-feet of non-potable water, and 26,185 acre-feet of recycled water annually (Irvine Ranch Water District 2009).

Approximately 35% of IRWD's current water supply is purchased from the Metropolitan Water District of Southern California, with the remaining 65% coming from local groundwater wells (Irvine Ranch Water District 2009). IRWD prefers to diversify and rely less on imported and more on local supplies, and has therefore developed extensive groundwater pumping capacities to meet potable demands in addition to Metropolitan Water District supplies. IRWD's non-potable water system meets the majority of the landscape irrigation and agricultural water demands. IRWD has an extensive dual distribution system, which delivers recycled water from the Michelson Water Reclamation Plant and the Los Alisos Water Reclamation Plan. The source of IRWD's groundwater supply is the Lower Santa Ana River Basin. IRWD is an operator of groundwater-producing facilities in the Orange County Groundwater Basin. Within the Basin, degraded groundwater from the Irvine Subbasin provides non-potable water for agricultural and landscape use. IRWD also currently operates six wells within the unadjudicated Lake Forest area; however, this area has much less groundwater production capability. The majority of these wells produce poor quality supply which supplements the tertiary reclamation plant production in order to meet peak seasonal demand (Irvine Ranch Water District 2005).

An Urban Water Management Plan was prepared by IRWD in 2005 and evaluates water supply and demand within its service area (Irvine Ranch Water District 2005). See Table 3-14 below for current and projected planned water supplies.



Source: City of Newport Beach (2006)

K:\Irvine\GIS\Projects\City_of_Newport_Beach\007873_09\mapdoc\IS_MND\2010May\Fig03_4_WasteWaterInfrastructureServicesAreas.ai OU&SM (05-12-10)

ICF INTERNATIONAL

Figure 3-4
Wastewater Infrastructure and Service Areas
PRES Office Building B

Source: City of Newport Beach (2006)

K:\Irvine\GIS\Projects\City_of_Newport_Beach\00873_09\mapdoc\IS_MND\2010MayFig03_5_WaterInfrastructureServicesAreas.ai OU&SM (05-12-10)

Figure 3-5
Water Infrastructure and Service Areas
PRES Office Building B

Table 3-14: Irvine Ranch Water District Current and Planned Water Supplies

Potable Supplies:	2005 acre-feet/ year	2010 acre-feet/ year	2015 acre-feet/ year	2020 acre-feet/ year	2025 acre-feet/ year	2030 acre-feet/ year
Purchased MWD treated	19,306	25,318	31,508	35,477	37,395	38,161
Clear groundwater	29,960	28,000	28,000	28,000	28,000	28,000
Treated groundwater	7,200	22,988	25,066	27,306	29,459	29,753
Non-potable Supplies:						
Recycled water	15,296	26,203	26,091	27,948	29,231	29,523
Purchased MWD untreated	5,304	6,303	4,556	3,434	3,225	3,225
Native (surface water)	7,251	4,000	4,000	4,000	4,000	4,000
Non-potable groundwater	2,285	3,898	3,898	3,898	3,898	3,898
Total	86,602	116,710	123,119	130,063	135,208	136,560

Note: The water supplies projected here do not represent the total supply capacity available to IRWD, but rather the projected supplies to meet the projected demands.

Note: All connections for IRWD are metered and therefore appropriately capture the demand of IRWD's service area.

Source: Irvine Ranch Water District 2005

The service area population of IRWD is expected to increase 15% from approximately 366,000 in 2010 to 434,000 in 2030. Commercial accounts are expected to increase approximately 35% from approximately 4,600 accounts in 2010 to 7,100 accounts in 2030. This would result in a 30% increase in commercial water demand, which would total an estimated 13,500 acre-feet for 2030. The Urban Water Management Plan identifies that IRWD's demands for water can be met in average, single dry, and multiple dry years through the year 2030 based on current and projected water supplies and the demands forecast for normal, a single dry year, and multiple dry year scenarios through 2030 (Irvine Ranch Water District 2005). IRWD's water supply reliability is enhanced through development of multiple sources of supply and adequate storage, pumping and distribution facilities. See Table 3-15 below for past, current and future water uses based on monthly records of water sales throughout the service area.

Table 3-15: Past, Current, and Future Water Uses

Year	Service Area Population	Water Use Sectors	Single Family	Multi-Family	Commercial	Industrial	Instit/Gov	Landscape	Ag.	Total
2005	316,000	# of accts.	47,650	30,147	3,973	1,054	223	5,306	81	88,434
		AFY	26,103	4,868	7,663	6,047	2,842	23,371	8,801	79,696
2010	366,192	# of accts.	68,409	34,947	4,631	1,141	224	5,923	38	115,313
		AFY	36,475	6,300	9,584	8,615	3,769	34,332	8,615	107,690
2015	384,502	# of accts.	74,937	44,723	5,385	1,204	254	6,308	41	132,851
		AFY	39,156	7,901	10,922	8,904	4,183	35,829	9,295	116,190
2020	403,727	# of accts.	82,896	48,076	6,017	1,347	272	6,841	31	145,479
		AFY	42,665	8,366	12,020	9,813	4,416	38,272	7,115	122,668
2025	423,914	# of accts.	86,363	52,698	6,694	1,433	329	7,102	21	154,641
		AFY	43,783	9,033	13,173	10,287	5,269	39,141	4,767	125,453
2030	434,511	# of accts.	91,053	54,966	7,011	1,504	343	7,431	18	162,326
		AFY	45,468	9,280	13,590	10,635	5,405	40,339	4,008	128,725

Source: Irvine Ranch Water District 2005

The project site currently does not have a demand for potable water since it is primarily existing surface parking spaces and some landscaped area. The proposed project would increase water demand, as a commercial office building would use more water than surface parking and some landscaping area. A standard assumption is that potable water usage is approximately 111% of the sewerage generation rate; therefore, the proposed project would use approximately 1,177 gallons of potable water per day. This would equate to approximately 429,605 gallons per year or approximately 1.32 acre-feet per year. This demand would be approximately less than 0.001% of the total projected demand identified in the IRWD Urban Water Management Plan for 2015 to 2030. It would be approximately 0.01% of the commercial water demand in 2015 to 2030. This demand is approximately 0.001% of the total supply identified in the IRWD for 2015 to 2030. Therefore, the increase in the water demand by the proposed project over the existing use would be negligible when compared to the projections planned for in the IRWD Urban Water Management Plan. Therefore, based on IRWD's evaluation and planning for reliability of water supplies and the anticipated proposed project water demand, no new or expanded entitlements would be required to serve the project site. Therefore, impacts would be less than significant.

e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less-than-Significant Impact. See Response XVII(b).

f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less-than-Significant Impact. The proposed project would generate an increase in solid waste production as a result of the proposed commercial office building. The majority of commercial solid waste generated in the City is collected by the waste haulers and transported to a City-owned transfer station. Refuse is consolidated and transported to a materials recovery facility where recyclable materials are sorted from refuse by machines and other methods. The remaining solid waste is then taken to one of three Orange County landfills (City of Newport Beach 2006b). Currently, only the Frank R. Bowerman Sanitary Landfill serves the City of Newport Beach. Closure is currently estimated at year 2022; however, Integrated Waste Management Department is preparing an environmental impact report to support expansion of the landfill and extending its closure date to 2053 (City of Newport Beach 2006b). The permitted daily tonnage limit for the Bowerman Landfill is 8,500 tons per day of refuse except for 36 days per year when a higher tonnage of 10,625 tons per day is allowed. If the expansion is approved, the landfill would accept 11,500 tons per day (City of Newport Beach 2006b).

A study of the Frank R. Bowerman landfill and its remaining capacity is presented in Table 3-16 below.

Table 3-16. Frank R. Bowerman Landfill Capacity

Landfill	Current Remaining Capacity (million tons)	Maximum Capacity (million tons)	Estimated Close Date	Maximum Daily Load (Tons)	Annual Usage (Tons)
Frank R. Bowerman	44.56	81.60	2022	8,500	2,332,576

Source: City of Newport Beach 2006b

The proposed project would increase the commercial solid waste generated at the proposed project site as the existing land use does not generate any solid waste that must be disposed of in a landfill. The proposed project involves the construction of two levels of office space above ground-level parking spaces. Assuming each employee produces 10.53 pounds of solid waste per day, the proposed project during operation would produce, on average, 558 pounds of solid municipal waste per day (City of Newport Beach 2006b). This would be less than 1% of the daily load of the Frank R. Bowerman Landfill[11]. Construction waste generated by the proposed project would result in a temporary increase in the total construction and demolition waste the landfill receives; however, much of the asphalt would be recycled. The Frank R. Bowerman Landfill would be able to accommodate the increase in solid waste generated by the proposed project during construction and operation. Impacts would be less than significant.

g. Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. The proposed project would comply with all regulations related to solid waste, such as the California Integrated Waste Management Act and City recycling programs; therefore, no impacts would occur.

[11] The proposed project combined with the existing PRES building would also result in a negligible increase in solid waste generated. Approximately 24 people work in the existing PRES building (6,850 gross square feet and SCAGs data of 287 square feet per employee). Therefore, approximately 253 pounds of solid waste per day or approximately 92,345 pounds per year is generated by the existing PRES building (using a factor of 10.53 pounds of solid waste per employee per day). Approximately 811 pounds per day or approximately 296,015 pounds per year of solid waste would be generated by adding the proposed project solid waste generation to the existing PRES building generation.

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

Discussion

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

Less-than-Significant Impact with Mitigation Incorporated. The project area is urban in character and does not contain biological resources that would be affected by the implementation of the proposed project. **Mitigation Measure BIO-1** would reduce impacts on migrating birds to less- than-significant levels. Additionally, no historical or archaeological cultural resources would be affected by the construction or operation of the proposed project. Although the proposed project is unlikely to disturb paleontological resources during construction, should the construction be located at depths greater than 5 feet, **Mitigation Measure CR-1** would reduce impacts on paleontological resources to less than significant. See Appendix F, Mitigation Monitoring Plan and Report, for a description of mitigation measures and methods for implementation, verification, and responsible parties. Therefore, impacts would be less than significant with mitigation.

b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Less-than-Significant Impact. The proposed project would not result in impacts that would be cumulatively considerable. The City of Newport Beach identified 12 individual projects within the City. Projects located in the Irvine Business Complex area of the City of Irvine identified on the list of Current Discretionary Projects Under Review are also added to the cumulative project list below. These 17 projects are considered cumulative because of the proximity of the project site to the Irvine Business Complex. The majority of the City of Irvine's projects are currently delayed and/or pending as indicated on the list of discretionary projects. The total 29 cumulative projects are described below.

City of Newport Beach

- **Newport Beach Country Club**, located at 1600 East Coast Highway. This development includes five residential dwelling units, 27 hotel units with a 2,048-gross-square-foot concierge and guest center, 3,523-gross-square-foot tennis club with a 6,718-gross-square-foot spa, 41,086-gross-square-foot golf club with accessory facilities, seven tennis courts and a swimming pool.
- **Mariner's Medical Arts**, located at 1901 Westcliff Drive. This development includes 12,245 gross square feet of a medical office addition.
- **City Hall & Park Development**, located at 1100 Avocado Avenue. This development includes 98,000 gross square feet for City Hall, 17,135 gross square feet of library expansion, 450-space parking structure, and a 15-acre park.
- **Newport Business Plaza**, located at 4699 Jamboree Road and 5190 Campus Drive. This development includes 43,951 gross square feet of new office building, 5,744 gross square feet of bank uses, 2,214 gross square feet of retail uses, and 2,263 gross square feet of restaurant uses.
- **Banning Ranch**, located at 4520 West Coast Highway. This development includes 1,375 dwelling units, 75,000 gross square feet of commercial retail, 75-room guest accommodations, parks, and open space.
- **Sunset Ridge Park**, located at 4850 West Coast Highway. This development includes 13.67 acres of active park land.
- **Old Newport GPA**, located at 328-340 Old Newport Boulevard. This development includes 25,725 gross square feet of medical office uses.
- **Marina Park**, located at 1700 Balboa Boulevard. This development includes 10.45 acres of public marina, beach, and park with recreational facilities as follows: 26,990 gross square feet of Balboa Center Complex, 23 slips for Visiting Vessel Marina, 1,328 gross square feet of Marina Services Building, 5,500 gross square feet of Girl Scout House, and 153 parking spaces.
- **Conexant/Koll Conceptual Plan**, located at 4343 Von Karman Avenue. This development includes 974 residential dwelling units.
- **AERIE**, located at 201 Carnation Avenue. This development includes a six-unit condominium building with subterranean parking, which would include 25,500 cubic yards of grading.
- **Coast Community College District**, located at 1505-1533 Monrovia Avenue. This development includes 67,000 gross square feet of a higher education learning center.

- **Beauchamp**, located at 2000-2016 East Balboa Boulevard, General Plan Amendment and Coastal Land Use Plan Amendment for new residential units (5 single-unit dwellings).

City of Irvine

- **Michelson and Jamboree (Park Place),** tentative tract map and park plan for the Bosa residential development Phase 2 (566 units).
- **Avalon Jamboree II**, located at 16901 Jamboree, General Plan Amendment, zone change, park plan, and conditional use permit for new residential units (180 residential apartments).
- **Irvine Tech Center**, located at the northwest corner of Jamboree and Campus, Master Plan, General Plan Amendment, and zone change for new mixed use project to include 1,000 units.
- **Kilroy,** located at 17150 Von Karman Avenue, General Plan Amendment, zone change, park plan, and tentative tract map to increase Irvine Business Complex residential intensity cap to 7,190 units to provide for 469 residential units.
- **Alton & Millikan Apartments**, located at 16952 Millikan General Plan Amendment, zone change, park plan, tentative tract map, and conditional use permit for 156 residential apartments.
- **2852 Kelvin**, General Plan Amendment, zone change, park plan, and conditional use permit for 194 apartments/condominiums.
- **3333 Michelson Drive,** minor modification to Conditional Use Permit of Park Place.
- **Aquinaga Green Materials Recovery Facility**, located at 16355 Construction Circle West, conditional use permit to establish materials recovery facility.
- **GIFREH**, located at 18691 Jamboree Road, multi-use center.
- **2062 Business Center Drive,** Tentative Parcel map to create two parcels for condominium purposes.
- **Element**, located at 17662 Armstrong, conditional use permit for 122-room, limited-service hotel.
- **2555 Main Street,** Tentative Tract Map to create 481 residential condominium units.
- **Hindu Temple**, located at 16540 Aston, conditional use permit for shared parking.
- **16952 Millikan,** conditional use permit to operate a music and martial arts school.
- **Ocean Blue Day Spa**, located at 17801 Main Street, conditional use permit to establish a massage use.
- **166321 Hale Avenue,** conditional use permit to establish a martial arts studio in 3,179 square foot suite.
- **St. Marks Church,** located at 17840 Skypark Circle, conditional use permit to establish the St. Marks Church.

The analysis of cumulative projects addresses only those environmental issues that have the potential to be affected by the combined cumulative project list. This environmental document provides a determination of whether or not a significant cumulative impact exists, and whether the proposed project would contribute to such a significant cumulative impact to a considerable degree. Only project impacts that are deemed cumulatively considerable are considered potentially significant impacts in the context of this analysis.

Implementation of the proposed project would include the construction and operation of a new office building within an existing urban office complex area. The construction and operation of the proposed project would be of similar nature to the existing office buildings and surrounding urban uses within the vicinity of the project site. The past, present, and reasonably foreseeable future projects would not degrade or detract from the urban built-out nature of the City of Newport Beach and the Irvine Business Complex of the City of Irvine. Furthermore, should the Conexant/Koll Conceptual Plan be approved, the proposed project would support the aesthetics of a mixed-use area, which would include the existing office complex and the new residential and commercial development associated with the Conexant/Koll Conceptual Plan. Therefore, any less-than-significant impact the proposed project has on aesthetics would not represent a considerable degree when combined with the past, present, and reasonably foreseeable cumulative project list and would not contribute to a cumulative impact. Impacts would be less than cumulatively considerable.

Implementation of the proposed project has the potential to result in the disturbance of undiscovered paleontological and archaeological cultural resources. In conjunction with the projects listed above, the proposed project would have the potential to contribute to a cumulative impact on cultural resources. The mitigation measure identified in Section V, Cultural Resources, would reduce the significance of impacts on cultural resources associated with disturbance of an undiscovered cultural resource. Other projects in the vicinity of the proposed project would be required to implement similar measures. As such, cumulative impacts associated with the proposed project would not be cumulatively considerable. Impacts would be less than cumulatively considerable.

Implementation of the proposed project would not contribute to a considerable cumulative impact on agriculture and forest resources, hazards and hazardous materials, mineral resources, population and housing, public services, recreation, or utilities. As discussed above in Sections II, Agriculture and Forest Resources; XI, Mineral Resources; XIII, Population and Housing; XIV, Public Services; XV, Recreation; and XVII, Utilities and Service Systems, the proposed project is not located in an agricultural area; would not cause a hazardous release; is not located in a valuable mineral resource area; would not add to the population of the region or necessitate new housing; and, would not substantially increase the use of public services or utilities such that new services would be required. Therefore, any less-than-significant impact the proposed project has on these resources would not contribute to significant cumulative impacts to a considerable degree when combined with the past, present, and reasonably foreseeable cumulative project list. Impacts would be less than cumulatively considerable.

Implementation of the proposed project has the potential to contribute to cumulative air quality impacts. Construction of the proposed project would temporarily increase dust levels in the project area. SCAQMD's approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the federal and state Clean Air Acts. As discussed earlier in Response III(a), the proposed project would be consistent with the AQMP, which is intended to bring the Basin into attainment for all criteria pollutants.[12] In addition, the mass regional emissions calculated for the proposed project (Forecast of

[12] CEQA Guidelines Section 15064(h)(3) states "A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g. water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency."

Regional Construction Emissions and Forecast of Regional Operational Emissions) are less than the applicable SCAQMD daily significance thresholds that are designed to assist the region in attaining the applicable state and national ambient air quality standards. The regional daily significance thresholds take into account other activity occurring in the region, and therefore inherently address a project's contribution to cumulative air quality impacts. As such, cumulative impacts would be less than cumulatively considerable.

Implementation of the proposed project has the potential to result in cumulative impacts on geology and soils because of erosion or effects from expansive soil. The mitigation measure identified in Section VI, Geology and Soils, would reduce the significance of project impacts on geology and soils to a less-than-significant level. Other projects in the vicinity of the proposed project would be required to institute similar BMPs to control erosion and would be required to follow the California Building Code standards to minimize the risk of seismic-induced effects. Therefore, the proposed project's contribution cumulative impacts on geology and soils would be less than cumulatively considerable.

With regard to GHG emissions, as discussed earlier in Response III(b), the amounts of GHG emissions that would result from development and operations of the proposed project are less than the applicable screening level threshold set by the City. As such, the proposed project would be consistent with the state's goals of reducing GHG emissions to 1990 levels by 2020; therefore, the proposed project's contribution to cumulative climate change/worldwide GHG emissions would be less than cumulatively considerable.

Implementation of the proposed project has the potential to result in cumulative impacts on hydrology and water quality from the generation of stormwater runoff. The mitigation measure identified in Response IX(a) would reduce the significance of project impacts on hydrology and water quality to a less-than-significant level. Other projects in the vicinity of the proposed project would be required to institute water quality management plans and implement BMPs. Implementation of the water quality management plan and BMPs in a cumulative scenario would reduce the cumulative contribution of impacts associated with the proposed project to less-than cumulatively- considerable levels.

Implementation of the proposed project has the potential to expose people to excessive noise levels from construction; however, impacts would be less than significant with the implementation of mitigation measures identified in Response XII(a) during construction. Projects in the vicinity of the proposed project would be required to institute similar measures if they were found to expose people to excessive noise. None of the cumulative projects are located in the immediate vicinity to be audible together with the proposed project construction activities. Therefore, impacts associated with the proposed project would not be cumulatively considerable.

As discussed in Section XVI, Transportation and Traffic, implementation of the proposed project has the potential to increase traffic volumes during construction and operating conditions. The proposed project was included in the cumulative projects list of the traffic study for the Draft Environmental Impact Report for the City Hall and Park Development Plan (LSA 2009), as well as other cumulative projects in the cities of Newport Beach and Irvine. For all intersections shared by the City of Irvine and the City of Newport Beach, LOS of E is acceptable during AM and PM peak periods. There would be no significant impacts at any of the studied intersections with the implementation of the proposed project and future projects. Therefore, the proposed project would not exceed, either

individually or cumulatively, a LOS standard and impacts would be less than cumulatively considerable.

The proposed project would result in less-than-significant environmental impacts or less-than-significant impacts with mitigation incorporated. Additionally, the impacts from the proposed project when combined with the list of cumulative development projects would not result in a significant contribution to cumulative impacts. Thus, impacts associated with the proposed project would not be cumulatively considerable.

c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant with Mitigation Incorporated. See Appendix F, Mitigation Monitoring Plan and Report, for a description of mitigation measures and methods for implementation, verification, and responsible parties. Although construction of the proposed project is expected to create temporary adverse effects related to construction noise and hazardous materials during construction demolition, these impacts would be mitigated to a less-than-significant level. The significant operation impacts associated with geology and soils related to expansive soils would be reduced to less-than-significant levels with mitigation incorporated.

Chapter 4

Errata to the Draft IS/MND (Amended August 13, 2010)

Chapter 4

Errata to the Draft IS/MND

(Amended August 13, 2010)

Introduction

This section of the document addresses modifications to the draft IS/MND for the proposed PRES Office Building B. It presents all revisions related to public comments, as determined necessary by the Department. Only sections that had revisions based on the public comments are included, and sections that had no revisions are not included. Readers are referred to Chapters 1 through 3 of this final IS/MND to view complete sections.

This section provides changes to the draft IS/MND in revision-mode text (i.e., deletions are shown with ~~strikethrough~~ and additions are shown with underline). These notations are meant to provide clarification, corrections, or minor revisions as needed as a result of public comments or because of changes in the project since the publication and distribution of the draft IS/MND.

Changes to the Draft IS/MND

The following changes to the text as presented below are incorporated into the final IS/MND.

Project Description

Office Building Development

As discussed above, the proposed amendments would increase the allowable square footage to accommodate the development of a new 11,960-gross- square-foot office building on the site that is currently occupied by a 6,850-gross-square-foot office building and 84 surface parking spaces. Approximately 25 stalls of the existing 84 stalls of surface parking and some existing landscaping would be

demolished for the development of the proposed office building. The proposed office building would be a total of three levels: two levels of office space and a ground-level parking structure.

The proposed building may be occupied by a single tenant, PRES, or it may have multiple tenants. An average of 53 employees would work at the proposed building.[1]

The parking structure would provide 12 parking spaces, and the exterior surface of project site would provide 30 parking spaces for a total of 42 parking spaces on the proposed parcel two. Primary access to the proposed project would remain from Von Karman Avenue. Figure 2-5, Proposed Project Plan, illustrates the project site plan.

The maximum height of the office building would be ~~approximately~~ a maximum of 47~~50~~ feet 10 inches above the original grade. Figure 2-6, Proposed Project Elevations, shows the side elevations of the proposed building. The architectural style of the office building would be aesthetically diverse and would use textures such as rocks and living walls (i.e., walls covered in plants) to soften the composition of the building. The office buildings would incorporate a mixture of textured aluminum panels, stone, reflective glass, and canopy elements. Figure 2-7, Proposed Project Rendering, shows an architectural rendering of the proposed building.

Mechanical equipment, such as heating, ventilation, and air conditioning units, would be screened from the public view by the height of the buildings. All equipment would be centrally located on the roof surfaces, prohibiting views of the equipment.

Chapter 3. Initial Study Environmental Checklist

I. Aesthetics, Page 3-5

b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings along a scenic highway?

No Impact. ~~The project site does not consist of any rock outcroppings that are of significant visual quality. There are no historic buildings on site or in the project area that would be affected by the proposed project. Furthermore,~~

[1] The Employment Density Study Summary Report prepared by Southern California Association of Governments (SCAG) (2001) provides the number of employees per square foot of office buildings in Orange County based on the average employee per acre and the average Floor Area Ratio of buildings in Orange County. Specifically, Table 11-B identifies that in Orange County a high-rise office building has one employee for every 218 square feet of building. The SCAG data does not identify gross or net square feet. This document uses the gross square feet for the proposed amendment of the General Plan (11,544 gross square feet) to determine the number of employees that would be used for development of the new office building. Therefore, based on this information, an average of approximately 53 employees would be employed at the office building.

This threshold specifically relates to the damage of scenic resources, including but not limited to trees, rock outcroppings, and historic buildings, that are along or adjacent to a scenic highway (i.e., adjacent to or in the vicinity of a scenic highway). Therefore, the scope of analysis for this threshold identifies whether scenic highways are located in the vicinity of the project site, and if so, whether the project would impact scenic resources including but not limited to trees, rock outcroppings, or historic structures along the scenic highway.

~~t~~There are no designated scenic highways in the vicinity of the proposed project (California Department of Transportation 2009). In addition, the County of Orange General Plan was also reviewed to determine if there are locally designated scenic highways within proximity of the project site. County of Orange General Plan Transportation Element Figure IV-11 does not identify any designated scenic highways in the vicinity of the project site (County of Orange 2004). Furthermore, the project site does not consist of any rock outcroppings that are of significant visual quality. There are no historic buildings on site or in the project area that would be affected by the proposed project. Therefore, the proposed project would not damage ~~a~~ scenic resources along a scenic highway, and no impacts would occur. For an analysis of the existing visual character or quality of the retarding basin and the landscaped space in the Koll Center, please see Threshold (c) below.

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

Less-than-Significant Impact. The proposed project would not adversely affect the existing visual character or quality of the site and its surroundings. The project site is located in a fully developed planned community and would not damage any scenic resources. The proposed project would blend in with the existing character of the area and surrounding land uses. ~~The maximum height of the office building would be approximately 50 feet above the original grade.~~

The existing visual setting of the Koll Center is primarily comprised of multi-level office and commercial buildings separated by landscaped space. Within the existing Koll Center boundaries, there are well over 50 existing buildings. Many of these buildings, including two buildings to the north/northeast of the project site, 4340 Von Karman Avenue and 4350 Von Karman Avenue, are more than three stories tall. There are two retarding basins in Koll Center. One is adjacent to the project site and the other is located over 200 feet away from the project site to the west of Von Karman Avenue. Of the eight buildings surrounding the two retarding basins in the Koll Center, the PRES and Meyers buildings are the only single-story buildings. Therefore, the Koll Center and the buildings surrounding the retarding basins offer a wide variety of heights and elevations. This variety adds a multi-level visual complexity to the existing visual setting. See Attachment A depicting the eight buildings and the local area surrounding the two retarding basins.

The landscaped space in Koll Center and the area surrounding the two retarding basins and the basins themselves add to the existing visual character of the Koll Center. Open space is not specifically defined in the Koll Center Newport

Community Development Standards (Koll Center Development Standards). Page 7 of the Koll Center Development Standards identifies that unless otherwise stated in this ordinance [Koll Standards], the requirements of the zoning code, City of Newport Beach, shall apply. The Koll Center Development Standards define landscaped space as walks, plazas, water and all other areas not devoted to building footprints[2] or vehicular parking and drive surfaces. The entire Koll Center is approximately 179 acres, or approximately 7.7 million square feet. Currently, the local area surrounding the two retarding basins is approximately 913,600 square feet, or approximately 21 acres. Of this local area, approximately 344,100 square feet, or approximately 8 acres, would be considered landscaped space. The existing landscaped space and retarding basins are visual amenities experienced by employees and visitors that drive or walk along Von Karman Avenue or that work in buildings facing the retarding basins. However, while the retarding basins and landscaped space are visually pleasing amenities and are a part of the visual character and quality of the Koll Center, they are not designated visual resources according to the General Plan Natural Resources Element.

The existing view of the project site experienced by drivers and pedestrians along Von Karman is comprised of a foreground (ornamental lawn/turf and part of the retarding basin) and a background (the existing black, asphalt paved parking lot). There are no views of the project site from the northeast because the Meyers building has no windows facing the project site that would allow employees or visitors to that building to view the existing landscaped space and black asphalt parking lot. There are no views to the southeast of the project site because a wall more than 6 feet high separates the project site and the existing industrial use to the south and east. There are only partial views of the existing manicured lawn/turf from the existing PRES building to the southwest of the project site because of the angle of the existing PRES building. Thus, only drivers and pedestrians along Von Karman have a full view of the project site at certain locations along Von Karman Avenue and on sidewalks. See Attachments B to I identifying viewpoint locations from and to the project site and the views of those locations.

The proposed project includes the construction and operation of a three-level office building with a maximum height of 47 feet 10 inches. Approximately 25% of the project site would be landscaped, and approximately 75% of the site would be paved. The proposed project would remove approximately 2,000 square feet of existing landscaped space from the Koll Center. The proposed architectural style of the building would be aesthetically diverse and would use textures such as rocks and living walls (i.e., walls covered in plants) to soften the composition of the building. The proposed office building would incorporate a mixture of textured aluminum panels, stone, reflective glass, and canopy elements. Equipment, such as heating, ventilation, and air conditioning (HVAC) units, would be screened from the public view by the height of the building. All equipment would be centrally located on the roof surfaces, prohibiting views of the equipment.

[2] The Koll Center Development Standards define footprint lot as the area of land required for the building pad, encompassing the peripheral area of the building. Appurtenant and contiguous to the footprint shall be all parking, landscaping, setbacks and other areas as described and required by the Standard's text.

The proposed project would change the existing visual character of the site and its surroundings. However, simply changing the existing visual character would not exceed the level of significance established by Threshold (c). The threshold specifies the degradation of the existing visual character or quality and whether the proposed project would result in substantial degradation of the visual character or quality. Therefore, the criteria is substantial degradation of existing visual character or quality and visual character must be substantially degraded for an impact to be determined significant.

The proposed project would not substantially degrade the existing visual character or quality of the site or the surrounding area. The proposed project would be taller than the adjacent PRES and Meyers buildings; however, it would be either the same height or several feet (or stories) shorter than six buildings surrounding the retarding basins. Additionally, the proposed project is a modest office building that would be compatible with other uses in the area and the spacing between it and the existing buildings would be similar to other buildings within the Koll Center. Therefore, the proposed project would continue to support the multi-level visual complexity of not only the area around the two retarding basins, but the entire Koll Center.

The existing landscaped space surrounding the retarding basins is visually pleasing and adds to the visual character and quality of the surrounding area. The proposed project would not substantially degrade these visually pleasing amenities. The proposed project would remove 2,000 square feet of ornamental landscaped space from the Koll Center, or approximately 0.6% of the landscaped space surrounding the two retarding basins. The landscaped space offers no unique or different characteristic than any of the other landscaped space surrounding the retarding basins or in the Koll Center. It is comprised of lawn and ornamental trees, including a 36-foot-tall eucalyptus tree, the likes of which can be found elsewhere in the Koll Center. Furthermore, the proposed project would not alter, change, or otherwise modify the existing retarding basin. The basin would remain as it is. The proposed building would be more than 20 feet from the edge of the outlet of the adjacent retarding basin and more than 40 feet from the edge of the adjacent retarding basin. The proposed building would be located more than 200 feet from the retarding basin across the street and Von Karman Avenue would separate the proposed building from this retarding basin. Therefore, the removal of 2,000 square feet of landscaped area does not constitute a substantial degradation of the visual character or quality of the surrounding area.

The view from Von Karman would change slightly for drivers and pedestrians because they would see less manicured lawn/turf in the foreground. However, drivers and pedestrians would also see less parking lot pavement in the background from Von Karman because the project would remove approximately 25 parking lot spaces. Removing the parking lot pavement and replacing it with a building that has an aesthetically diverse architectural style and uses textures such as rocks and living walls (i.e., walls covered in plants) could enhance the viewing experience of drivers and pedestrians. Therefore, although the proposed project would change the visual character and quality of the site and the surrounding area, it would not substantially degrade it.

Therefore, as the proposed project would be located in a fully developed planned community and the architectural components would blend in with the existing office-complex character of the area, impacts would be less than significant.

IV. Biological Resources, Pages 3-17 and 3-18

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

No Impact. The proposed project would not have an adverse effect on any riparian habitat. According Figure NR2 of the City of Newport Beach General Plan Natural Resources Element, the project site is not located within an Environmental Study Area (City of Newport Beach 2006a). Additionally, field surveys of the site confirmed that the project site is fully developed and void of any riparian habitat or other natural communities. Specifically, ICF performed a biological survey of the site on June 22, 2010 (see new Appendix G for the Biological Memorandum). ICF also performed a biological survey of the site on August 12, 2010 (see new Appendix I). The biological survey (Appendix G) confirmed the project site contains no riparian habitat and the proposed project would not have an impact on the retarding basin. Therefore, there would be no impacts from project implementation on the habitat that the retarding basin provides to bird species, including the great egret (*Ardea alba*), California brown pelican (*Pelecanus occidentalis*), great blue heron (*Ardea herodias*), and mallard (*Anas platyrhynchos*). Of the species listed, the brown pelican, a federally protected species when present in nesting colonies and communal roosts, is only known to breed on Anacapa Island and a few other Channel Islands in southern California. Therefore, there would be no project-related impacts on California brown pelican nesting colonies or communal roosts. While it is possible for the brown pelican to be observed using the retarding basin, the area provides no habitat for the pelican that would be affected as a result of construction or operation of the proposed project. The retarding basin is not within the project site boundaries, and the proposed project would have no permanent or temporary direct impacts on the retarding basin. Therefore, the proposed project would not affect riparian habitat or other sensitive natural community and no impacts would occur.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less-than-Significant Impact with Mitigation Incorporated. The proposed project would not interfere with the movement of fish or wildlife. The project site is located in fully urbanized setting and is not connected to other undeveloped lands. According to Figures NR1 and NR2 of the City of Newport Beach General Plan Natural Resources Element, the project site is not identified as a biological resources area, nor is it located in an Environmental Study Area (City of Newport Beach 2006a) and the site is not connected to any wildlife

corridors. Therefore, the project site is not considered a part of a regional wildlife corridor that would facilitate movement of wildlife species from one area to another.

The nearby retarding basin and adjacent areas provide marginal- to low-quality foraging habitat for wading birds such as the great blue heron and great egret. The ornamental trees within and adjacent to the project site provide at best, marginal roosting habitat for wading birds. They provide no reasonable potential for nesting by water birds due to openness, ongoing maintenance, and urban context. No sign of past or current nesting or roosting from wading birds was observed during field visits performed on June 22, 2010 (Appendix G) and August 12, 2010 (Appendix I). Disturbance of the ornamental lawn and trees on the project site would remove approximately 2,000 square feet, or 0.05 acre, of marginal foraging habitat for wading birds. Furthermore, there are many locations of high-quality foraging habitat birds would be more likely use within the cities of Newport Beach and Irvine, including Newport Back Bay and the San Joaquin Marsh.

The retarding basin is not within the project site boundaries, and the proposed project would have no permanent or temporary direct impacts on the retarding basin. Temporary indirect impacts (noise, light, etc.) on the retarding basin during the construction period could occur due to the proximity of the site to the basin. Given that the retarding basin provides low-quality habitat for waterfowl and that the project is in the immediate vicinity of other large local estuaries that birds use, temporary construction-related impacts would be considered less than significant and no mitigation would be required.

The project site does not support daily movement of species. Because of the poor quality of foraging habitat that the ornamental lawn and ornamental trees provide, and because the project is in the vicinity of local estuaries (San Joaquin Marsh, Upper Newport Bay) used by birds, project-related impacts to wading bird foraging habitat would be considered less than significant. Although the existing ornamental trees on site do not ~~are not anticipated to~~ provide important habitat, the removal of ornamental trees on site would require compliance with the Migratory Bird Treaty Act (MBTA) ~~could reduce the number of stopover locations or nesting sites for migratory birds~~. Therefore, **Mitigation Measure BIO-1** is proposed to minimize ~~reduce~~ the impact on migratory birds should the ornamental trees be removed during migration season. The incorporation of Mitigation Measure BIO-1 would further minimize impacts on wading or tree roosting birds. Impacts would be less than significant with mitigation incorporated.

VIII. Hazards and Hazardous Materials, Pages 3-34 to 3-35

e. ***For a project within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?***

Less-than-Significant Impact. The closest airport is John Wayne Airport, which is approximately 1.0 mile north of the project site. The project site is located within the boundaries of the Airport Environs Land Use Plan (AELUP) for John Wayne Airport. The proposed project is within the height restriction zone for the John Wayne Airport and the notification area of the Federal Aviation Regulation (FAR) Part 77 Imaginary Surfaces aeronautical obstruction area.

All building height restrictions identified in the Airport Environs Land Use Plan (AELUP) have as their ultimate limits the imaginary surfaces as applicable and defined in Part 77 of the Federal Aviation Regulations. "Imaginary Surfaces" are defined by means of elevations, heights, and slopes in relation to individual airports, the spaces above which are reserved for air navigation. The proposed project site is located within FAR Part 77 Obstruction for Imaginary Surfaces for JWA as identified by the FAR Part 77 John Wayne Airport Obstruction Imaginary Surfaces Figure in Appendix D of the AELUP. The ALUC uses all of the FAR Part 77.73 standards along with the results of FAA aeronautical studies, or other studies deemed necessary by the ALUC in order to determine if a structure is an "obstruction."

Section 77.13 of the FAR requires the notification of the Federal Aviation Administration (FAA) for any construction or alteration that:

- Exceeds 200 feet in height abov~~u~~t the ground level at its site.
- Exceeds a height greater than an imaginary surface extending outward and upward at specific slope characteristics at 20,000 feet, 10,000 feet, and 5,000 feet from the nearest point of the airport runway.
- Is a highway with specific characteristics.
- Is occurring at an airport.

The proposed project includes construction of a three-level office building with a maximum height of 47 feet 10 inches ~~50~~ feet. The project site is approximately 49~~2~~ feet above mean sea level ~~(AES Due Diligence 2004)~~. Therefore, the proposed project would not exceed the height restrictions set forth by the FAA. ~~tThe proposed project does not require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would not be more than 200 feet above ground level and not more than 206 feet above mean sea level; the proposed project would not exceed a height greater than the imaginary surface planes identified in Section 77.13 (Federal Aviation Administration 2010); the proposed project is not a highway; and the proposed project is not a modification to an existing airport. Therefore, the filing of Form 7460-1 with the FAA is not required. Although the proposed project is exempt from filing the Form 7460-1 notice,~~ Preliminary analysis has suggested that the proposed project does not meet the criteria for FAA requirements to file Form 7460-1. However, the project site could be located in an instrument approach area; and therefore the FAA may request the filing of Form 7460-1 prior to construction. If it is determined the form is required, the applicant would submit the forms as a condition of approval of the project. The City and/or applicant would file a notice of Proposed Construction or Alteration with FAA (FAA Form 7460-1) in accordance with Federal Aviation Regulation (FAR) Part 77. Furthermore, a

referral by the City to the Airport Land Use Commission for Consistency Review is required due to the location of the proposal within the AELUP Planning Area and due to the nature of the required City approvals (i.e. general plan amendment) under PUC Section 21676(b). The proposed project would comply and be compatible with the land use standards established in the City's Municipal Code and the Airport Land use Commission's John Wayne AELUP (Airport Land Use Commission 2008). The AELUP vicinity height guidelines would protect public safety, health, and welfare by ensuring that aircraft could fly safely in the airspace around the airport. Although the proposed project is located within an airport land use plan, it would comply with all established standards, requirements, and plans. Therefore, impacts would be less than significant.

IX. Hydrology and Water Quality, Pages 3-39 to 3-42

Discussion

Would the project:

a. Violate any water quality standards or waste discharge requirements?

Less-than-Significant Impact with Mitigation Incorporated. Land within the City of Newport Beach is included in four watersheds: Newport Bay, Newport Coast, Talbert, and San Diego Creek (City of Newport Beach 2006a). Each of these watersheds is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (SARWQCB) and subject to the objectives, water quality standards, and BMP requirements established in the Santa Ana River Basin Plan and Orange County Drainage Area Management Plan (DAMP). The project site is located in the San Diego Creek Watershed. San Diego Creek is the main tributary to Newport Bay, has a drainage area of 118 miles, and drains all or portions of the cities of Irvine, Laguna Woods, Lake Forest, portions of Newport Beach, Orange, and Tustin (City of Newport Beach 2003). The EPA and Santa Ana Regional Water Control Board have identified San Diego Creek as an impaired water body. Impairments are identified for nutrients, sediments and toxics (see Appendix B, Preliminary WQMP). The main tributary of the San Diego Creek Watershed, San Diego Creek, drains directly into Upper Newport Bay (City of Newport Beach 2006b).

The National Pollutant Discharge Elimination System (NPDES) stormwater program was established under the Clean Water Act (EPA 2010). It is a two-phased national program for addressing the non-agricultural sources of stormwater discharges that adversely affect the quality of receiving waters (EPA 2010). The program uses the NPDES permitting mechanism to require the implementation of controls designed to prevent harmful pollutants from being washed by stormwater runoff into local receiving waters (EPA 2010).

Under the provisions of City of Newport Beach Municipal Code Chapter 14.36 (Water Quality), any discharge that would result in or contribute to degradation of water quality via stormwater runoff is prohibited. New development or

redevelopment projects are required to comply with provisions set forth in the DAMP, including the implementation of appropriate BMPs identified in the DAMP, to control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing beneficial uses of water (City of Newport Beach 2006a). The City is a co-permittee for the NPDES Permit from the Santa Ana Regional Water Quality Control Board (SARWQB). The City's permit regulates the amount of stormwater contaminants delivered into the City's waterways via the roads, gutters, storm drain systems, and other impervious surfaces. These impervious surfaces collectively are called municipal separate storm sewer system (MS4). ~~Furthermore, a municipal separate storm sewer system (MS4) permit is provided to the City by SARWQCB under the National Pollutant Discharge Elimination System (NPDES) to regulate the amount of stormwater contaminants that are delivered into the City's waterways (City of Newport Beach 2009a). MS4~~ The permit~~s~~ requires an aggressive water quality ordinance, specific municipal practices to maintain City facilities like the MS4, and use of BMPs in many residential, commercial, and development-related activities to further reduce the amount of contaminants in urban runoff (City of Newport Beach 2006b). Specifically, the City is required to do the following:

- Control contaminants into storm drain systems.
- Educate the public about stormwater impacts.
- Detect and eliminate illicit discharges.
- Control runoff from construction sites.
- Implement BMPs and other site-specific runoff controls and treatments for new development and redevelopment.
- Prevent pollution from municipal operations, including fixed facilities and field activities.
- Inspect industrial and commercial sites for compliance with NPDES regulations (City of Newport Beach 2006b).

Therefore, the City is responsible for regulating discharges into the MS4s during the construction and operation of projects. Two implementing tools regularly applied to projects within the City to comply with the requirements of the NPDES permit are the Stormwater Pollution Prevention Plan (SWPPP) and the Water Quality Management Plan (WQMP).

SWPPPs are not only required under the NPDES program, but are required to comply with the General Construction Activity Stormwater Permit adopted by the SARWQCB. Construction activity resulting in a land disturbance of 1 acre or more, or less than 1 acre but part of a larger common plan of development or sale, must obtain the Construction Activities Storm Water General Permit (2009-0009-DWQ Permit effective July 2010) (State Water Resources Control Board 2010a). The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP). The SWPPP must list BMPs that the discharger will use to protect storm water runoff and the placement of those BMPs. Additionally, the SWPPP must contain a

visual monitoring program, a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs, and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment (State Water Resources Control Board 2010b). The requirements of the SWPPP are based on the construction design specifications detailed in the final design plans of the proposed project and the hydrology and geology of the site expected to be encountered during construction. These final plans are reviewed and approved by the City prior to the issuance of grading permits. This allows the City to review the plans and require appropriate additional requirements under the SWPPP prior to grading and in compliance with the City's NPDES permit (as described above).

The proposed building footprint is approximately ~~5,800~~ 6,500 square feet; therefore, the amount of disturbed area during construction would be less than 1 acre and would not be part of a larger common plan of development or sale. Consequently, construction of the proposed project would not require the preparation or implementation of a formal SWPPP. However, since the project site is adjacent to a retarding basin, and is located in the San Diego Creek Watershed, which is impaired for sedimentation, **Mitigation Measure WQ-1** is incorporated. Mitigation Measure WQ-1 lists BMPs that could be included in the SWPPP, but are not limited to those specific BMPs. The SWPPP will ultimately list the final design, project-specific BMPs the discharger will use to limit runoff and protect water quality during construction. All BMPs and other requirements in the SWPPP are enforced by City code inspectors, as required under the NPDES permit described above. The SWPPP is specifically designed to avoid and/or minimize impacts on water quality. It is the standard practice to require SWPPPs, and not specify the detailed BMPs until final design, as required by the General Construction Activity Stormwater Permit adopted by the SARWQCB. Furthermore, the SWPPP and BMPs included in the SWPPP are proven as effective measures to avoid and/or minimize impacts to water quality through the standard practices of enforcement and use by the City and SARWQB. The preparation of a SWPPP would comply with the General Construction Activity Stormwater Permit and the NPDES program. Therefore, Mitigation Measure WQ-1 as described below would minimize the potential for construction activities to violate water quality standards or waste discharge requirements, and would reduce impacts to less-than-significant levels.

The existing site consists of mostly impermeable surfaces. However, the proposed project would remove landscaped area, which would be replaced with surface parking and the proposed office building; therefore, slightly increasing the impermeable surface of the project site (see Appendix B for additional details). ~~The Preliminary Water Quality Management Plan (WQMP) would be reviewed and approved by the City prior to the issuance of grading and building permits and would be finalized at that time. The Preliminary WQMP (Appendix B) identifies the following non-structural BMPs that are recommended to manage post-construction stormwater runoff from the proposed project site:~~

~~■ Educate property owners, tenants and occupants regarding the management of fertilizers, pesticides and herbicides in landscaping and gardening practices, and the impacts of littering and improper water disposal.~~

- ~~Common area landscape management, including fertilizer/pesticide usage consistent with Management Guidelines for the Use of Fertilizers per DAMP.~~
- ~~Spill contingency plan.~~
- ~~Common area litter control.~~
- ~~Prohibit the discharges of fertilizers, pesticides, and wastes to streets or storm drains.~~
- ~~Prohibit blowing or sweeping of debris into street or storm drains.~~
- ~~Prohibit hosing down any paved surfaces where the result would be the flow of non-stormwater into the street or storm drains.~~
- ~~Prohibit vehicle washing, maintenance, or repair on site by employees, customers, or the public.~~
- ~~Provide regular dry sweeping of debris and grass clippings instead of using blowers or hosing.~~
- ~~Inspect and maintain catch basins.~~

The Preliminary WQMP (Appendix B) identifies additional BMPs to control the volume of stormwater generated and maintain water quality. The BMPs in the Preliminary WQMP include, but are not limited to: several nonstructural source control BMPs (e.g., activity restrictions, landscape management, etc), several structural BMPs (e.g., stormdrain signage, trash and waste storage, etc.), several site design BMPs (e.g., runoff volume reduction, etc.), and several treatment control BMPs (e.g., Filterra Roof Drain Planter) in order to maintain water quality. These various BMPs would control the pollutants of concern for the proposed project, which include: bacteria and viruses, heavy metals, pesticides, organic compounds, and sediment. ~~These BMPs include, but are not limited to, pavement detention through the use of porous pavement, landscape detention, efficient irrigation, runoff-minimizing landscaping, and a roof drainage planter (see Figure 1 of 2 in Appendix B for the location of all the BMPs proposed).~~ These ~~additional~~ BMPs are designed to retain and infiltrate stormwater to provide water quality benefits and reduce urban storm flow runoff during operation of the proposed project.

Currently, stormwater runoff generated by the project site (e.g., parking lot) and the surrounding tributary area (e.g., remaining parking lot) are collected via sheet flow and discharged into an existing stormwater drain at the entrance of the parking lot adjacent to the parking ticket booth. This is then discharged into the existing 48 inch stormwater drain and routed to the manhole and concrete weir wall. The volumes generated by the project site during low-flow events are routed to the stormdrain within Von Karman Avenue and are not discharged into the retarding basin. This existing stormwater infrastructure would remain the same under the proposed project. Currently, a portion of the existing landscaped area on the project site flows unrestricted into the retarding basin.

The protection of water quality is related to the land use generating the stormwater and to the volume stormwater flow generated under storm events. A preliminary hydrology report was prepared to evaluate the change between the existing and proposed project conditions regarding stormwater capacity and the change in existing and proposed project conditions regarding water quality (see Appendix H). The preliminary hydrology report used criteria established by the County of Orange in the Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (2010). The County of Orange requires that new development perform a hydrologic conditions of concern (HCOC) assessment and incorporate BMPS to ensure any HCOCs created by the new development are mitigated (County of Orange 2010). An HCOC exists when the hydrologic regime of a site is altered or may be altered, and there is a potential for impacts on downstream channels alone or in conjunction with impacts of other projects (County of Orange 2010). The County of Orange technical document specifically defines HCOCs if the following conditions exist:

- post development run off volume for the 2-year, 24-hour storm event exceeds that of pre-development conditions by more than 5 percent; or
- time of concentration[3] of post development runoff for the 2-year, 24-hour storm event is less than the time of concentration of the pre-development condition by more than 5 percent. (County of Orange 2010).

If these conditions do not exist post-development, then an HCOC does not exist and does not need to be considered further (County of Orange 2010).

The 2-, 10-, and 100-year storm event hydraulic calculations for the existing conditions and proposed project conditions were performed using software written per the Orange County Flood Control District Hydrology Manual (1986). The existing conditions (project site plus the surrounding parking lot) and the proposed project conditions (project site with proposed project plus the surrounding parking lot) are included in Table 3-6.1[4] below. As shown, the difference between the two is negligible and the peak flow under proposed project conditions is nearly identical to existing conditions. See Drawing 1 of 2 and Drawing 2 of 2 of Appendix H, which depict the existing and proposed project peak flows on a project area map.

[3] Time of concentration is generally defined as the length of time it takes from stormwater runoff to travel from the highest point on the project site to the lowest point.

[4] Existing tables have not been renumbered as part of Chapter 4 Errata. If a new table is included in Chapter 4 it is numbered to indicate the Table that would occur before it in Chapter 3. Therefore, Table 3-6.1 would occur after Table 3.6 in Chapter 3, but before Table 3-7.

Table 3-6.1. Change between Existing and Proposed Flow Rates

Storm Event	Existing Conditions Flow Rate (Cubic Feet Per Second)	Proposed Project Flow Rate (Cubic Feet Per Second)	Difference
Q2	1.11	1.17	0.06
Q10	2.05	2.14	0.09
Q100	3.18	3.32	0.14

Westland Group 2010.

Based on these flow rates, the proposed project would generate approximately 79 cubic feet of additional stormwater runoff during a 2-year storm event, when compared to existing conditions (Appendix H). Appendix H calculates the change in the time of concentration between the pre- and post-development under 2-year and 10-year storm event conditions by dividing the pre-development time of concentration by the difference between the time of concentration pre- and post- development. A 2-year storm event has a difference in the time of concentration of 1.76 percent and a 10-year storm event has a difference in the time of concentration of 1.03 percent between pre- and post-development. Since both of these are less than 5 percent, an HCOC would not result as part of the proposed project per the County of Orange Technical Guidance Document discussed above. Similarly, the storm volume difference before and after development for 2-year and 10-year frequencies is less than 2 percent. Therefore, the proposed project meets the County of Orange criteria for control of stormwater runoff, and an HCOC would not occur. However, the Final WQMP will include a BMP such as the Cultec Model PAC 150 to reduce the peak flow generated during a 100-year storm event. This type of BMP could store 24.91 cubic feet of stormwater and would prevent stormwater generated by the proposed project from overflowing the existing weir wall. Furthermore, since the cubic feet generated by the 2-year and 10-year storm events are less than the cubic feet of stormwater generated by the 100-year storm event, volumes generated by those smaller storm events would not create an HCOC and would be contained by the BMP.

Filterra Bioretention Systems are proposed for this site and are included in the Preliminary WQMP and would be included in the Final WQMP methods to maintain existing water quality. Specifically, there would be two locations for the Filterra systems: one at the northeast side of the building to maintain rooftop stormwater runoff water quality (Filtera roof drain) and one in the parking lot at the southwest corner of the building to maintain parking lot water quality (Filtera catch basin). The Filtera Bioretention System is a City of Newport Beach accepted and approved BMP to maintain water quality. It is also Technology Assessment Protocol for Ecology (TAPE) and Technology Acceptance Reciprocity Partnership (TARP) approved. As discussed in Appendix B, the Filtera Bioretention System utilizes physical, chemical, and biological mechanisms of soil, plant, and microbe complex to remove pollutants typically found in urban stormwater runoff (e.g., bacteria and viruses, heavy metals, pesticides, organic compounds, and sediments). Appendix H includes a letter of confirmation from the manufacturer of the Filtera Bioretention System that the

flows and cubic feet of stormwater generated by the proposed project and cited above would be fully contained by two Filtera Bioretention Systems of 6.5 feet by 4 feet for the roof drain and 6.5 feet by 4 feet for the parking lot. Therefore, the entire stormwater volume and flow generated by the proposed project site would be fully treated by the Filtera Bioretention System prior to discharge into the existing stormwater system of the City of Newport Beach. The Filtera Bioretention System would be sized appropriately to deal with the flows generated by the proposed project site and would treat the runoff of the site.

Therefore, operation of the proposed project would comply with City of Newport Beach Municipal Code 14.36 (Water Quality) and provisions set forth in the City's NPDES MS4 Permit and the Orange County DAMP by preparing the Final WQMP. The Final WQMP, which is required for approval as part of the issuance of building and grading permits, will demonstrate that the BMPs discussed above and in Appendix B and Appendix H will control stormwater runoff and maintain water quality. Therefore, operational impacts would be less than significant.

c. Substantially* alter *the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Less-than-Significant Impact. The existing project area is in the San Diego Creek Watershed. The existing landscaped areas surrounding and located on the project site drain predominately into the retarding basin to the northwest of the project site (TGR Geotechnical, Inc. 2008) (Appendix B). The existing parking areas drain via sheet flow to concrete ribbon gutter within the existing parking lot. Stormwater generally travels westerly along the gutter and is discharged into an existing catchment basin in the southwest corner located in the main entrance into the project site, along the west side of the site (Appendix B). No streams or rivers are currently located on or around the project site and the proposed project would not directly affect the flow of a river or stream.

The proposed project would involve some grading and minor soil disturbance during construction. These activities would minimally alter the existing drainage pattern of the site and would comply with the DAMP (described above in Section IX(a), Hydrology and Water Quality).

Once operational, the proposed project would not substantially increase the impervious area on the project site as the existing site is already largely paved with surface parking. Furthermore, operation of the proposed project would not significantly increase the amount of exposed soil thereby contributing to siltation or erosion. The Preliminary WQMP (Appendix B) provides BMPs such as ~~pavement detention~~, landscape detention, efficient irrigation, runoff-minimizing landscaping, and a roof drainage planter to control the volume and quality of runoff generated by the slight increase in impervious surface on site. As described in the Preliminary WQMP (Appendix B) and the Preliminary Hydrology Report (Appendix H), flow would continue to drain in a westerly direction into the existing catchment basin. Therefore, the operation of the project site as an office building would not result in a substantial change to the

existing drainage. Impacts associated with erosion during operation and construction, either on site or off site would be less than significant.

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

Less-than-Significant Impact with Mitigation Incorporated. No streams or rivers are located on site, and therefore, construction and operation of the proposed project would not directly affect the flow of a river or stream. Substantial amounts of stormwater are not readily absorbed into the soil because of the urban character of the area and the existing use of the project site ~~is~~ (84 surface parking spaces).

During construction, runoff quantities and velocity from the project site would be minimized through implementation of **Mitigation Measure WQ-1.** As discussed above in Section IX(a) and (c), operation of the proposed project would not substantially alter the existing drainage pattern of the site and would not substantially increase the impervious area on the project site. As discussed above in Section IX(a) and (c), BMPs would be used ~~capture stormwater volumes. These BMPs are included~~ to improve treatment and storage capacity for the proposed project, which is an improvement over the existing site conditions. Any changes in hydrology are designed to retain and infiltrate stormwater to provide water quality benefits and reduce urban storm flow runoff, providing partial flood relief to receiving waters. Furthermore, peak flows are generally the same under the existing conditions as the proposed project conditions. The proposed project would not substantially alter the existing drainage pattern of the project 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 that would result in flooding on site or off site. Impacts would be less than significant with mitigation incorporated.

d. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less-than-Significant Impact with Mitigation Incorporated. Overall, urban street flooding is rarely considered a problem in the City of Newport Beach (City of Newport Beach 2003). As described above in Section IX(d), the urban character of the area and the existing use of the project site as 84 stalls of surface parking would not allow stormwater to be readily absorbed into the soil. The proposed project would not substantially alter the existing drainage pattern of the site and would not substantially increase the impervious area as discussed in Section IX(a), (c), and (d) above.

The Koll Center Newport retarding basin is located adjacent to the project site. Koll Center Newport Planned Community maintains the retarding basin (Tong pers. comm. a). The purpose of the retarding basin is to reduce the flow rate within the respective downstream storm drain systems so that older, possibly

undersized downstream facilities will be able to carry the discharge from new development areas upstream (City of Newport Beach 2000). The existing stormwater infrastructure is designed to first discharge volumes into the existing stormwater drain in Von Karman Avenue generated by low-flow storm events and then discharge volumes into the retarding basin generated by high-flow storm events. Stormwater volumes are conveyed via a subterranean 48 inch stormdrain, which transverses the existing parking lot of the PRES building in a northerly direction, to an existing subterranean manhole approximately 14 feet from the edge of the retarding basin (see Figure 2-5 of Chapter 2 of the Draft IS/MND and Appendix H). There is a concrete weir wall inside the manhole. The weir wall regulates the volume of stormwater that is generated by the surrounding tributary area of the Koll Center and enters the retarding basin. The existing stormwater infrastructure is designed so that flows from lower frequency storms with lower runoff volumes, such as 2-year and 10-year storm events, are deflected by the weir wall and forced to flow in a northwesterly direction toward the City's public system in Von Karman Avenue. Stormwater volumes generated from upstream and the surrounding Koll Center that would overtop the weir wall and enter the retarding basin would come from large storm events (e.g., 100-year storm events).

As discussed in Section IX(a), the difference between the existing flow rate and the proposed project flow rate is negligible, and the peak flow under proposed project conditions is nearly identical to existing conditions. Therefore, as discussed above, an HCOC would not result as part of the proposed project per the County of Orange Technical Guidance Document. Similarly, the storm volume difference before and after development for 2-year and 10-year storm frequencies is less than 2 percent. Therefore, the proposed project meets the County of Orange criteria established in the technical guidance document for control of stormwater runoff, and an HCOC would not occur. However, the Final WQMP will include a BMP such as the Cultec Model PAC 150 to reduce the peak flow generated during a 100-year storm event. This type of BMP could store 24.91 cubic feet of stormwater and would prevent stormwater generated by the proposed project from overflowing the existing weir wall. Furthermore, since the cubic feet generated by the 2-year and 10-year storm events are less than the cubic feet of stormwater generated by the 100-year storm event, volumes generated by those smaller storm events would not create an HCOC and would be contained by the BMP. Thus, the project design would not funnel water into the retarding basin; all flows from the proposed project would flow toward the existing parking lot and would be contained by the capacity of the existing stormwater infrastructure. ~~The proposed project would not drain into the retarding basin; therefore, it~~ and ~~would not interfere with the ability of the basin to reduce the flow rate generated by upstream development.~~

The proposed project would comply with the policies outlined in the General Plan to minimize runoff-related flooding impacts. These policies include NR 3.11, NR 3.20 and NR 4.4 and implementation would reduce the volume of runoff generated and potential for flooding. The Preliminary WQMP (Appendix B) for the proposed project discusses operational BMPs, inspection and maintenance of catch basins, and design of drainage facilities to minimize adverse effects on water quality. Stormwater drainage flows from the proposed

project would be accommodated by the capacity of the existing catchment basin (Tong. pers. comm. b). Furthermore, as discussed in Section IX(a), Filterra Bioretention Systems are proposed for this site and are included in the Preliminary WQMP and would be included in the Final WQMP as a method to maintain existing water quality. Appendix H includes a letter of confirmation from the manufacturer of the Filtera Bioretention System that the flows and cubic feet of stormwater generated by the proposed project and cited above would be fully contained by two Filtera Bioretention Systems of 6.5 feet by 4 feet for the roof drain and 6.5 feet by 4 feet for the parking lot. Therefore, the entire stormwater volume and flow generated by the proposed project site would be fully treated by the Filtera Bioretention System prior to discharge into the existing stormwater system of the City of Newport Beach. The Filtera Bioretention System would be sized appropriately to deal with the flows generated by the proposed project site and would treat the runoff of the site. The ~~Preliminary~~ Final WQMP would be reviewed and approved by the City prior to the issuance of grading permits. At that time it would be finalized and would demonstrate that the BMPs discussed in the Preliminary WQMP and the Preliminary Hydrology Report will control stormwater runoff and maintain water quality. Furthermore, with the incorporation of **Mitigation Measure WQ-1**, the proposed project would not provide substantial additional sources of polluted runoff during construction. Increased runoff would not exceed the capacity of existing storm drain systems or generate polluted runoff. Therefore, impacts on stormwater would be less than significant with mitigation incorporated.

XII. Noise, Page 3-53

e. For a project located within an airport land use land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less-than-Significant Impact. The project site is located approximately 0.5 mile from John Wayne Airport. Figure N2 of the City of Newport Beach General Plan shows the existing 65 dBA CNEL noise contour for John Wayne Airport. Figure N2 shows that the project site is located approximately 0.25 to 0.5 mile outside the 65 dBA CNEL noise contour for John Wayne Airport (City of Newport Beach 2006a).

Figure N2, "Existing Noise Contours," of the City of Newport Beach General Plan shows that the proposed project is located within the 60 CNEL noise contour of the AELUP Noise Contours. Per Table 1, "Airport Land Use Commission for Orange County Airport Environs Land Use Plan Limitations on Land Use Due to Noise (Applicable to Aircraft Noise Sources)," of the AELUP, commercial land use categories such as retail and office, which experience a CNEL of less than 65 dB, are considered "normally consistent." Furthermore, normally consistent land uses, such as office land uses within the 60 dB contour, are allowed to use conventional construction methods, and no special noise reduction requirements are needed.

The AELUP identifies noise impacts zones and recommends measures to reduce aircraft noise on certain land uses. A Moderate Noise Impact is identified as 60 dB CNEL or greater, but less than 65 dB CNEL, and is included in Noise Impact Zone "2" of the AELUP. The AELUP specifically identifies residential land units in this zone and requires sound attenuation as set forth in the California Code of Insulation Standards, Title 25, California Code of Regulations for residential units. The AELUP text does not identify commercial retail or office land uses as requiring sound attenuation. Since the proposed project does not include residential units and is within the 60 dB CNEL contour, it is normally consistent with the airport and is not required to provide sound attenuation. Therefore, noise impacts related to air traffic would be less than significant.

XIV. Public Services, Pages 3-56 to 3-57

Discussion

Would the project result in substantial adverse physical impacts associated with:

a1. Fire protection?

Less-than-Significant Impact. As discussed in Section XIII, "Population and Housing," employees that would work at the site would likely reside in the Orange County area. Because the type of business would be related to real estate services, unique qualifications are generally not required and would not result in the need to recruit people from out of the state or the region. Therefore, the proposed project would not result in growth-inducing effects because the population of Newport Beach or Orange County would not increase, and there would be no additional demand for fire protection and emergency medical services.

Implementation of the proposed project could potentially contribute additional demand for fire protection and emergency medical services, including possible additional demand on and use of fire equipment and medical supplies at the project site. ~~However, the additional 53 employees resulting from the proposed project are expected to come from the local population, and are not likely to result in many more additional demands than the City average on fire and emergency services.~~ The project site is located in the City of Newport Beach Fire Department service area. There are eight fire stations strategically located throughout the City so that a fire unit can respond to residents and businesses in less than 5 minutes. The City of Newport Beach Fire Department is considered an all-risk Fire Department and provides services for all types of emergencies (City of Newport Beach 2009b). The project site is served by the nearest fire station, Santa Ana Heights Fire Station #7, which is located at 20401 Southwest Acacia Street at the intersection of Southwest Acacia Street and Mesa Drive, approximately 1.9 miles to the southwest of the project site.

The Fire Department reviewed the proposed project's site plans and project description on March 26 and June 2, 2010. The Fire Department reviewed the

proposed project for consistency with the California Fire Code, including the size and location of the building, occupancy safety, fire hydrant necessity, and fire truck and emergency access. Therefore, ~~T~~the proposed project would include all necessary fire protection devices, including fire sprinklers, and would be required to comply with all Building and Fire Codes adopted by the City, including compliance with applicable water pressure and fire equipment regulations. Emergency vehicle access for the proposed project would be provided to the project site from Von Karman Avenue. ~~.~~ The proposed project would be within the current capacity of the Newport Beach Fire Department and would not create the need for any new facilities or personnel (Bunting pers. comm.). Impacts would be less than significant.

a2. Police protection?

Less-than-Significant Impact. As discussed above and in Section XIII, "Population and Housing," employees that would work at the site would likely reside in the Orange County area; therefore, the project would not result in growth-inducing effects because the population of Newport Beach or Orange County would not increase, and there would be no additional demand for police protection services within the City of Newport Beach.

The Newport Beach Police Department would provide police protection services for the proposed project. The Police Department is located at 870 Santa Barbara Drive, at the intersection of Jamboree Road and Santa Barbara, approximately 3.5 miles from the project site. The project site is located in Newport Beach Police Department Area 2 (Newport Beach Police Department 2010). The Newport Beach Police Department confirmed that, if constructed, the proposed project would not change their current operating practices (Hartford pers. comm.). Furthermore, based on the personal communication correspondence, even if employees came from other cities in Orange County, the police department would be able to accommodate the increase in professional office employees. ~~As discussed above in Response XIV(a1), although the proposed project would increase the population at the project site by approximately 53 employees, these employees are expected to come from the local population and would not place a significant added burden on the Newport Beach Police Department.~~ Additionally, the department is currently patrolling the project site and surrounding areas. Therefore, the proposed project would not require new or additional police facilities. Impacts would be less than significant.

XVI. Transportation and Traffic, Pages 3-59 to 3-63,

a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

In 2009 as part of the Draft Environmental Impact Report for the City Hall and Park Development Plan, existing conditions of roads and intersections around the project site were determined (LSA 2009). They are described in Appendix E.

As described in Chapter 2, "Project Description," of the Draft IS/MND, the construction staging area would be located along the southwest property line adjacent to the Conexant property. Access from the project site to the office buildings to the east may be temporarily unavailable during construction, but employees and visitors to these offices could use the other access road off Von Karmen Avenue. Furthermore, since construction would last approximately 8 months, employees and visitors to these offices would use the other access road off Von Karmen Avenue during construction time, after which normal access would be restored. Therefore, impacts associated with circulation due to construction staging would be less than significant.

During construction, the maximum daily trips would depend on the number of truck trips received in a day and the number of employees at the construction site. Furthermore, no more than 15 construction workers would be at the construction site at one time. Table 3-12 below provides the estimated daily roundtrip truck trips and number of construction employees associated with each phase of construction.

Table 3-12. Estimated Truck Trips and Construction Employees

Construction Activity	Phase Duration (Days)[a]	Construction Worker Per Day	Construction Worker Roundtrips Per Day	Roundtrip Truck Trips Per Phase	Roundtrip Truck Trips Per Day[d]	Total Trips Per Day
Demolition	6	6	12	20	3	15
Grading	24	6	12	40	2	14
Construction, asphalting, and architectural finishing[b]	168	15	30	12[c]	2	32

[a] Phase duration assumes a six-day construction work week.

[b] There is overlap between the construction of the proposed project, asphalting, and architectural finishing.

[c] Twelve roundtrip truck trips would only occur during a 1 week (5 day) period of asphalting.

[d] Numbers are rounded to nearest whole number.

b. Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less-than-Significant Impact. Within the defined Orange County Congestion Management Program highway network, intersections and freeway segments are not allowed to deteriorate to a condition worse than LOS E, or the base year LOS

if it is worse than E (Orange County Transportation Authority 2007 and 20092003). The following intersections are Congestion Management Program intersections within the vicinity of the proposed project: MacArthur Boulevard/Jamboree Road, I-405 northbound ramps/Jamboree Road, and I-405 southbound ramps/Jamboree Road. Table 3-14 below summarizes the 20073 AM and PM peak hour LOS for these Congestion Management Program intersections.

Table 3-14. Peak Hour Level of Service for Congestion Management Program Intersections[1]

Intersection	20073 AM Peak Hour LOS	20073 PM Peak Hour LOS
MacArthur Boulevard/Jamboree Road	C	D E
I-405 northbound ramps/Jamboree Road	C	C
I-405 southbound ramps/Jamboree Road.	D	C D

[1] Figure 5 page 2 of 3 "Orange County Congestion Management Program Level of Service 2009" in the Orange County 2009 Congestion Management Program (Orange County Transportation Authority 2009) does not identify a deterioration of LOS at any of the intersections above.

Two of the intersections (I-405 northbound ramps/Jamboree Road and I-405 southbound ramps/Jamboree Road) are not within the jurisdiction of the City of Newport Beach, as they are located in the City of Irvine. All intersections in Table 3-14 are operating at LOS E D or better. The 19 AM peak hour trips and 18 PM peak hour trips generated by the proposed project would be dispersed throughout the roadway system and would not affect any one CMP intersection at any one time. Therefore, the addition of the proposed project's 19 AM peak hour trips and 18 PM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS DE or worse per the CMP LOS requirements, for those intersections shared between the City of Newport Beach and the City of Irvine. Furthermore, the addition of the proposed project's PM peak hour trips would not downgrade the existing LOS at the intersections described above to LOS E, for those intersections shared between the City of Newport Beach and the City of Irvine (See discussion of LOS in Section XVI(a) for individual proposed project impacts related to LOS and measures of effectiveness for the performance of the circulation system). The proposed project was included in the cumulative projects list of the traffic study for the City Hall Draft Environmental Impact Report for the City Hall and Park Development Plan, which included other cumulative projects located within the City of Newport Beach and the City of Irvine (LSA 2009). Table 17 of the City Hall DEIR summarizes the cumulative analysis and identifies there would be no significant impacts at any of the studied intersections, which include the intersections identified above, in 2013 (LSA 2009). Furthermore, for all intersections shared by the City of Irvine and the City of Newport Beach a LOS of E is acceptable during AM and PM peak periods. Table 22 of the DEIR indicates the MacArthur Boulevard/Jamboree Road intersection would continue to operate at an acceptable level of service (LSA 2009). Finally, the Orange County Congestion Management Program (2007) Appendix B-2 identifies specific criteria for which projects are exempt. Any development applications

generating vehicular trips below the ADT threshold for CMP traffic analysis include any project generating less than 2,400 ADT total, or any project generating less than 1,600 ADT directly onto the CMP Highway System. The proposed project would generate approximately 132 trips per day, and thus would be below the criteria established by the Congestion Management Program. Therefore, the proposed project would not exceed, either individually or cumulatively, a LOS standard and impacts would be less than significant.

c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less-Than-Significant Impact. As described in Section VIII(e) Hazards and Hazardous Materials, the project site is located within the boundaries of the AELUP for John Wayne Airport. The proposed project would be within the height restriction zone for the John Wayne Airport and the notification area of the FAR Part 77 Imaginary Surfaces aeronautical obstruction area. The proposed project includes constructing one three-level office building with a maximum height of 47 ~~50~~ feet 10 inches. The project site is approximately 49~~2~~ feet above mean sea level. As discussed in Section VIII(e) the project site could be located in an instrument approach area; therefore, the FAA may request the filing of Form 7460-1 prior to construction. If it is determined the form is required, the applicant would submit the forms as a condition of approval of the project. Therefore, the AELUP vicinity height guidelines would protect public safety, health, and welfare by ensuring that aircraft could fly safely in the airspace around the airport. ~~(AES Due Diligence 2004). The proposed project would not require notification to the FAA in accordance with Section 77.13 of the FAR because the proposed project would not be more than 200 feet above ground level and would not be more than 206 feet above mean sea level; the proposed project would not create any imaginary surfaces with any of the specific slope characteristics identified within Section 77.13; the proposed project is not a highway; and the proposed project is not a modification to an existing airport.~~ Therefore, the proposed project would not result in a change of air traffic patterns including either an increase in traffic levels or a change in location that would result in substantial safety risks. Impacts would be less than significant.

Chapter 4. References

County of Orange. 2004. General Plan.

County of Orange. 2010. Exhibit 7.III Technical Guidance Document for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (WQMPs). Submitted to the Santa Ana Regional Water Quality Control Board May 24. Available at: http://www.ocwatersheds.com/Documents/TechnicalGuidance.pdf. Accessed on: July 27, 2010.

Environmental Protection Agency (EPA). 2010. National Pollutant Discharge Elimination System (NPDES) Frequently Asked Questions. Available: <http://cfpub.epa.gov/npdes/faqs.cfm>. Accessed: June 18, 2010.

Heartford, Bill. Lt. Support Services Division of the City of Newport Beach Police Department. June 16, 2010—Email.

Orange County Flood Control Division. 1986. Orange County Hydrology Manual. Available at: < http://www.ocflood.com/Documents/pdf/OC_Hydrology_Manual.pdf> Accessed on: July 27, 2010.

Orange County Transportation Authority. 2007. Orange County Congestion Management Program.

Orange County Transportation Authority. 2009. Orange County Congestion Management Program. Available at: < http://www.octa.net/pdf/cmp09.pdf> Accessed on: July 27, 2010.

~~Orange County Transportation Authority. 2003. Orange County Congestion Management Program. Available: <http://www.octa.net/ctfp/Final%20CMP%202003%20Document.pdf>. Accessed: March 25, 2010.~~

Chapter 5

References

Chapter 5
References

Printed References

AES Due Diligence, Inc. 2004. Phase I Environmental Site Assessment. Prepared for The PRES Companies. San Diego, CA.

Airport Land Use Commission. 2008. Airport Environs Land Use Plan for John Wayne Airport. April 17, 2008.

California Air Resources Board. 2008a. News Release: CARB Adopts Landmark Rules to Clean Up Pollution From "Big Rigs." Revised: December 12, 2008. Available: < http://www.arb.ca.gov/newsrel/nr121208.htm>. Accessed: March 30, 2010.

———. 2008b. Preliminary Draft Staff Proposal – Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act. October 24.

California Department of Conservation. 1994. DMG Open-File Report 94-15. Division of Mines and Geology.

———. 2007. California Geological Survey—Alquist-Priolo Earthquake Fault Zone. Available: <http://www.consrv.ca.gov/cgs/rghm/ap/Pages/affected.aspx>. Accessed: November 11, 2009.

———. 2009. Orange County Important Farmland 2008. Farmland Mapping and Monitoring Program. Sacramento, CA. August 2009.

California Department of Toxic Substances Control. 2007. DTSC's Hazardous Waste and Substances Site List – Site Cleanup. Available: <http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm>. Accessed: March 8, 2010.

California Department of Transportation. 2009. Officially Designated State Scenic Highways and Historic Parkways. Available: <http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm>. Accessed: November 12, 2009.

California Division of Mines and Geology. 1997. Seismic Hazard Zone Report for the Anaheim and Newport Beach 7.5 Minute Quadrangles, Orange County California. Seismic Hazard Report 03.

California Environmental Protection Agency. 2009a. List of "active" CDO and CAO from Water Board. Available: http://www.calepa.ca.gov/SiteCleanup/CorteseList/. Accessed: November 10, 2009.

City of Newport Beach. 2000. Storm Drain Master Plan. Cited in the City of Newport Beach (2006b).

———. 2003. Hazards Assessment Study. Cited in City of Newport Beach (2006b).

———. 2006a. City of Newport Beach General Plan. July 25, 2006.

———. 2006b. City of Newport Beach Draft Environmental Impact Report General Plan 2006 Update. State Clearing Housing Number: 2006011119. April 2006.

———. 2009a. Coastal Land Use Plan. Certified by the Coastal Commission on October 13, 2005; adopted by the City of Newport Beach on December 13, 2005. Last revised: June 26, 2009. Available: <http://www.city.newport-beach.ca.us/PLN/LCP/LCP.htm#Coastal_Land_Use_Plan>. Accessed: March 26, 2010.

———. 2009b. Fire Operations Division. Available: <http://www.newportbeachca.gov/index.aspx?page=1131>. Last revised: July 15, 2009. Accessed: November 6, 2009.

County of Orange. 2005. County of Orange General Plan. Available: <http://www.ocplanning.net/GeneralPlan2005.aspx>. Accessed: November 10, 2009.

Department of Water Resources. 2004. Coastal Plain of Orange County Groundwater Bain: South Coast Hydrologic Region Coastal Plain of Orange County Ground Water Basin. California's Groundwater Bulletin 118. February 27.

Employment Development Department. 2009a. Santa Ana–Anaheim–Irvine Metropolitan Division (Orange County). Orange County loses 3,100 jobs over the month and 53,000 jobs over the year. December 18, 2009.

Available: <http://www.calmis.ca.gov/file/lfmonth/oran$pds.pdf>. Accessed: January 21, 2010.

———. 2009b. Monthly Labor Force Data for Cities and Census Designated Places (CDP). November 2009-Preliminary. Sacramento, CA. Available: <http://www.labormarketinfo.edd.ca.gov/?pageid=164>. Accessed: January 21, 2010.

Federal Aviation Administration. 2010. Notice Criteria Tool. Available: https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp?action=doNoNoticeRequiredTool&latD=33&latM=39&latS=47.81&latDir=N&longD=117&longM=51&longS=39.75&longDir=W&datum=NAD83&siteElevation=0&structureHeight=50&traverseway=NO&onAirport=false&submit=Submit>. Accessed: May 5, 2010.

Federal Highway Administration. 2006. Roadway Construction Noise Model.

Governor's Office of Planning and Research. 2008. Technical Advisory on CEQA and Climate Change. June 19. Available: <http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf>. Accessed: March 30, 2010.

Institution of Transportation Engineers. 2008. Trip Generation, 8th Edition. December.

Irvine Ranch Water District. 2005. 2005 Urban Water Management Plan. November.

———. 2009. Fact Sheet. Last revised: February 2009. Available: <http://www.irwd.com/MediaInfo/factsheet.pdf>. Accessed: March 5, 2010.

King, Chester. 1963. Site Record for CA-Ora-115. Site Record on File at the South Central Coastal Information Center, California State University, Fullerton.

LSA. 2009. Draft Environmental Impact Report City Hall and Park Development Plan. Prepared by LSA for the City of Newport Beach. SCH No. 2009041010.

Morton, P.K. and R. V. Miller. 1981 Geologic Map of Orange County California, Showing Mines and Mineral Deposits. California Division of Mines and Geology, Bulletin 204, Plate 1.

Newport Beach Police Department. 2010. Patrol and Traffic Division. Available: <http://www.nbpd.org/insidenbpd/divisions/pat_trf/default.asp>. Accessed: February 3, 2010.

Orange County Transportation Authority. 2003. Orange County Congestion Management Program. Available:

<http://www.octa.net/ctfp/Final%20CMP%202003%20Document.pdf>. Accessed: March 25, 2010.

South Coast Air Quality Management District. 1993. *CEQA Air Quality Handbook*. April. Revised November 1993.

Southern California Association of Governments. 2001. Employment Density Summary Report.

———. 2008. Regional Transportation Plan.

Stadum, Carol J. 2010. The Geologic History of Orange County. Modified from Orange County Geology-Teacher's Guide. Available: <http://www.ivc.edu/geology/pages/ocgeo.aspx>. Accessed: Mar 11, 2010

State Water Resources Control Board. 2010a. Stormwater Program: 2009-0009-DWQ Construction general permit (effective July 1, 2010) Available: <http://www.swrcb.ca.gov/water_issues/programs/stormwater/gen_const_faq.shtml#1>. Accessed: March 13, 2010.

———. 2010b. Stormwater Program: Construction Storm Water Program. Available: <http://www.swrcb.ca.gov/water_issues/programs/stormwater/construction.shtml>. Accessed: March 13, 2010.

TGR Geotechnical, Inc. 2008 Preliminary Geotechnical Investigation Report. Proposed PRES HQ2 Office Building, 4300 Von Karman, Newport Beach California. TGR Project No. 07-1994. Submitted to PRES Companies, Newport Beach California. Santa Ana, California.

U.S. Department of Transportation. 2006. Transit Noise and Vibration Impact Assessment. Prepared for the Federal Transit Authority.

U.S. Geological Survey.1896. Santa Ana 30-minute topographic quadrangles.

———. 1901. Santa Ana 30-minute topographic quadrangles.

———. 1965. Tustin 7.5 minute topographic quadrangles. Revised 1981.

———. 2009. Mineral Resources On Line Spatial Data Orange County. Last revised: December 9, 2009. Accessed: January 5, 2010. Available: <http://tin.er.usgs.gov/mrds/select.php?place=f06059&div=fips>.

Personal Communications

Brown, Janet. (a) Associate Planner. City of Newport Beach. Newport Beach, CA. May 4, 2010–Email with Drainage Plan as attachment.

Brown, Janet. (b) Associate Planner. City of Newport Beach. Newport Beach, CA. February 17, 2010—Email.

Bunting, Steve. Division Chief/Fire Marshal. Newport Beach Fire Department. Newport Beach, CA February 3, 2010 – Email.

Tong, Michael. (a) PRES. Newport Beach, CA. February 18, 2010—Email.

Tong, Michael. (b) PRES. Newport Beach, CA. March 11, 2010—Email.

Chapter 6

List of Prepareres

Chapter 6
List of Preparers

City of Newport Beach

Associate Planner	Janet Johnson Brown

ICF Jones & Stokes

Project Director	Chad Beckstrom, AICP
Project Manager	Nicole Williams
Aesthetics, Agriculture and Forest Resources, Biological Resources, Geology and Soils, Hazards and Hazard Resources, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, and Utilities and Service Systems	Tanya Jones
Land Use and Planning, Transportation and Traffic, and Mandatory Findings of Significance	Nicole Williams
Air Quality and Greenhouse Gas Emissions	Victor Ortiz
Cultural Resources	Mark Robinson
Noise	Peter Hardie
Graphics	Soraya Mustain
Editor	Laura Cooper
Publication Specialist	Jenelle Mountain-Castro