



January 8, 2019

Makana Nova, AICP
Associate Planner
Community Development Department
City of Newport Beach
100 Civic Center Drive
Newport Beach, CA 92660

Subject: Response to Comments and Errata/Revisions on the Initial Study/Mitigated Negative Declaration for the Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A

Dear Ms. Nova, AICP:

The Initial Study/Mitigated Negative Declaration (IS/MND) for the Big Canyon Coastal Habitat Restoration and Adaptation Project – Phase 2A was circulated for public review from September 4, 2018 to October 5, 2018. The City of Newport Beach received seven comment letters, one email and one phone message that included a map. Following are the comments and responses on the IS/MND as well as errata/revisions to the IS/MND.

Responses to comments are not required per the CEQA Guidelines for an MND but are provided as a courtesy.

Response to Comments

The comments that were received are presented in **Table 1** and have been bracketed and assigned a comment letter and then each comment has been assigned a number.

**TABLE 1
LIST OF COMMENTS RECEIVED**

Letter Name	Commenter	Date of Letter
Comment Letters		
A	Citizens of The Bluffs	September 12, 2018
B	Tony Knox	September 14, 2018
C	Orange County Public Works	October 4, 2018
Comment Email		
D	Robert B. Olds	September 25, 2018
Comment Phone Message		
E	Anonymous	September 26, 2018



Ms. Nova, AICP
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Letter Name	Commenter	Date of Letter
Comment Letter		
F	California Department of Fish and Wildlife	October 4, 2018
G	South Coast Air Quality Management District	October 5, 2018
H	California Governor's Office of Planning and Research	October 2, 2018
I	Carl Cassidy	November 14, 2018



September 12, 2018

To: Mr. Kevin Muldoon
City Of Newport Beach

Mr. David Webb
Public Works Director

From: Citizens of The Bluffs
Newport Beach, CA

Subject: Big Canyon Coastal Habitat Restoration and Adaptation Plan

Per new notifications of intent to adopt a negative Declaration, on behalf of citizens of The Bluffs, we are requesting to maintain the natural Habitat of Big Canyon Natural Preserve Park and the creek by cleaning up all the debris from old dry broken dead trees, graffiti on the trees and make an effort save the healthy ones. Also installation of appropriate fencing around the Big Canyon Creek area is a must to keep the public out of sensitive habitats and for safety purposes.

A-1
A-2

We appreciate the beauty of the Big Canyon natural Park environment plays an important role in environmental studies but prefer to maintain this natural preserve native habitat presence as much as possible by avoiding any significant changes to this surrounding Big Canyon natural park area.

A-3

We would appreciate some minor changes that include the following:

- Installation of more signs placed throughout the entire Big Canyon Natural Park area with same content as current signage
- Add to signage that the area is “closed and entrance prohibited from dusk to dawn” or 9PM to 6 Am
- We want to be assured that the currently installed and authorized metal pole gate on the back Bay Dr side of the Big Canyon adjacent to the Newport Back Bay Parking lot (picture attached)) is not going to be removed for the safety of our neighborhood.
- We are requesting for regularly random patrolling by police officers or rangers of the Big Canyon nature park from different sides to eliminate camp fires, illegal activities, littering, and graffiti, especially in the evening hours for the safety our neighborhood and its citizens.
- We are requesting that the existing, healthy trees not be removed to prevent erosion from flooding and not creating an unnatural park setting.

A-4
A-5
A-6

Thank you for your assistance in supporting these actions in an effort to maintain and sustain the beauty of The Back Bay.

A-7

Sincerely,



September 12, 2018

Subject: Big Canyon Coastal Restoration

Signatures of the residents of The Bluffs, Newport Beach, California

ROBERT HARTMAN *Robert Hartman* 1987 VISTA CAUDAL, NB. 9/12/18

AA Knox *AA Knox* 302 Avenida Carlos NB 9-13-18

Donald Weld *Donald Weld* 1963 Vista Caudal 9-13-18
Richard Woods *Richard Woods* 627 VISION BURN, NB 92660 9/13/18

~~XXXXXXXXXXXXXXXXXXXX~~

Jaime Brady *Jaime Brady* 1965 VISTA CAUDAL 9-13-18

Ryenne A Mendell *Ryenne A Mendell* 1957 Vista Caudal 9/13/18

John Sturidge *John Sturidge* 525 AVENIDA CAMPO 9-13-18

David + Kaye Ross *David + Kaye Ross* 501 Avenida campo 9-13-18

Carolyn Galt *Carolyn Galt* 2017 Vista Caudal NB 9-13-18

~~XXXXXXXXXXXX~~

Kit LaScala *Kit LaScala* 657 Vista Punta 9/13/18

September 12, 2018



Subject; Big Canyon Coastal Restoration

Signatures of the residents of The Bluffs, Newport Beach, California

Millicela Cruz Millington 617 Vista Bonita NB 9/13/18

John Keimil 1957 Vista Caudal Newport Beach 9/13/18

Ant Peter 2039 Vista Cal/W 9-13-18
1957 San Bruno 9.14.18

John Pagrossotti NB 677 Vista Bonita 9/14/18

Elena Grant NB Glenhurst 9/14/18
2019 Vista Caudal 9/14/18

Margaret Wilburn

STEPHEN BEATT 323 AVENIDA CERRITOS 9/14/18

MICHAEL ESTABROOK 314 Avenida Corbne 9/15/2018

Mohammed Ghazi 1979 Vista Caudal 9/17/18

ROSEMARY Galeski 12660 1983 VISTA CAUDAL 9/17/18
R. Galeski



September 12, 2018

subject: Big Canyon Coastal Restoration


Signatures of the residents of The Bluffs, Newport Beach, California

Arane Miller - 1925 Vista Caudal CA 92668

Brenda Peterson 1971 Vista Caudal 92660
9/17/2018

~~_____

_____~~

 <p>CITY OF NEWPORT BEACH 100 Civic Center Drive P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200</p>	<h2>Notice of Intent to Adopt a Negative Declaration</h2>	
<p>To:</p> <p><input checked="" type="checkbox"/> Office of Planning and Research State Clearinghouse P.O. BOX 3044 Sacramento, CA 95812-3044</p>	<p>From:</p> <p>City of Newport Beach Planning Division 100 Civic Center Drive, Bay 1-B Newport Beach, CA 92658-8915</p>	
<p><input checked="" type="checkbox"/> County Clerk, County of Orange Public Services Division Santa Ana, CA 92702</p>	<p>Date: 09/04/2018</p>	
<p>Public Review Period:</p>	<p>30 days (September 4, 2018 through October 4, 2018 at 5:30 p.m.)</p>	
<p>Project Name and Activity Number:</p>	<p>Big Canyon Coastal Habitat Restoration and Adaptation - Phase 2A CD2018-027 and ND2018-001 (PA2018-078)</p>	
<p>Project Location:</p>	<p>1900 Back Bay Drive, APN 440-092-79, Big Canyon Park, generally bounded by Back Bay Drive, Amigos Way, Jamboree Road, and Park Newport Drive</p>	
<p>Project Description:</p>	<p>A coastal development permit and mitigated negative declaration for the Phase 2a habitat restoration at an 11.3-acre site located at the mouth of Big Canyon. The City of Newport and the Newport Bay Conservancy propose to restore historic riparian habitat by removing non-native vegetation and replanting native species, creating a mosaic of native and sustainable habitats, stabilizing the creek and floodplain with erosion control measures, and enhancing public access and education within the Big Canyon Nature Park with improved trails and closure of illegal trails. The project also includes maintenance of the restored habitat area and erosion quality measures to ensure that the plants are established and erosion features function as designed.</p>	
<p>Finding: Pursuant to the provisions of City Council K-3 pertaining to procedures and guidelines to implement the California Environmental Quality Act, the City of Newport Beach has evaluated the proposed project and determined that the proposed project would not have a significant effect on the environment and therefore recommended preparation of a Mitigated Negative Declaration (MND). The MND reflects the independent judgment of City staff and recognizes project design features, previous environmental evaluations, standard construction and engineering practices, and the implementation of mitigation measures requiring review and reevaluation of future projects as contributing to avoidance of potential impacts. The project does not include any sites on an Environmental Protection Agency hazardous waste site list compiled pursuant to Government Code Section 65962.5.</p>		
<p>A copy of the Initial Study containing the analysis supporting this finding is on file at the Planning Division and is available for review during the comment period cited above between the hours of 7:30 a.m. and 5:30 p.m., Monday through Thursday and between the hours of 7:30 a.m. and 4:30 p.m. on Friday. The document can also be accessed online at: https://www.newportbeachca.gov/ceqa. Additionally, the document is also available for review at the following City public libraries:</p>		
<p>Newport Beach Public Library Central Library 1000 Avocado Avenue Newport Beach, CA 92660</p>	<p>Newport Beach Public Library Mariners Branch 1300 Irvine Boulevard Newport Beach, CA 92660</p>	<p>Newport Beach Public Library Balboa Branch 100 East Balboa Boulevard Newport Beach, CA 92660</p>
<p>The Initial Study includes mitigation measures that would eliminate or reduce potential environmental impacts. This document will be considered by the decision-maker(s) prior to final action on the proposed project.</p>		

NO

- GOLFING
- SMOKING

IN OR WITHIN 100 FT. OF PARK

- M.C. 6.04.060
- M.C. 7.04.020
- M.C. 10.04.010
- M.C. 11.04.040
- M.C. 11.04.070
- M.C. 11.04.080
- M.C. 12.57.020

- ALCOHOLIC BEVERAGES
- LITTERING
- USE OF PARK BETWEEN 11:00 P.M. AND 6:00 A.M.
- GRAFFITI
- DOGS WITHOUT LEASH
- SKATEBOARDING ON:
GRADES OF 6% OR MORE,
BRICKWORK, ORNAMENTAL
SURFACES, PICNIC TABLES,
SEATING, ATHLETIC COURTS,
STEPS, STAIRS, PLANTER
WALLS, RETAINING WALLS,
SCULPTURES, OR HANDRAILS.

**AUTHORIZED
VEHICLES
ONLY**









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Comment No. A-1

The comment requests that the natural habitats of the Big Canyon Nature Preserve Park and the creek are maintained by cleaning up all debris from old broken dead trees and graffiti.

Response to Comment No. A-1

The proposed Project encompasses 11.32 acres and includes the removal of the non-native habitat that includes the pepper trees and replacement with a mosaic of habitat types consisting of native vegetation. The native habitats on the Project site that includes the freshwater marsh, alkali heath marsh and the Menzies's goldenbush scrub are not proposed to be removed (see Figure 4 of the IS/MND). Up to 0.5 acres of mixed habitat containing native arroyo willows and non-native pepper trees may also be removed, as well as individual willow trees and branches that are infested with the Polyphagous Shot Hole Borer (PSHB).

The implementation of the proposed restoration would result in the removal of existing debris from old broken trees as well as the removal of graffiti on the 11.32-acre project site.

Cleaning up all debris from old broken dead trees and graffiti outside of the Project site is not part of the proposed Project.

Comment No. A-2

The comment requests the installation of appropriate fencing adjacent to the existing trails that extend around the Big Canyon Creek area to keep the public out of sensitive habitats and for safety purposes.

Response to Comment No. A-2

Currently, there is no fencing along the existing trails around the Big Canyon Creek area. Signs along the trails will be included to direct visitors to remain on the trails and out of the habitat restoration area as depicted on Figure 14 in the IS/MND, as amended in the Errata. Temporary construction fencing is proposed to enclose the construction area, and is also illustrated on Figure 15 in the IS/MND, as added in the Errata. The temporary fencing would avoid removal of healthy native vegetation. Operational fencing is not proposed to be installed at the time of the restoration efforts. However, if the City determines a need to install fencing for safety or to prevent the formation of illegal trails into the habitat restoration area, the project would include posts and wire fencing in locations identified on Figure 14 in the IS/MND, as amended in the Errata and illustrated on a new Figure 15 in the IS/MND, as added in the Errata.

Comment No. A-3

The comment requests installation of more signs placed throughout the entire Big Canyon Natural Park area with the same content as the current signage.



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Response to Comment No. A-3

As illustrated on Figure 14 of the IS/MND, the Project includes proposed interpretive signs and signs for rest areas. The current signs in the Big Canon Nature Park that are located outside of the Project site prohibit certain activities within the park. The Project does not include additional signs that prohibit activities because these signs are appropriate at entrances to the park.

Comment No. A-4

This comment requests that signage in the area state that the park is closed and entrance prohibited from dusk to dawn or 9 pm to 6 am.

Response to Comment No. A-4

Based on discussions with City staff, there will be a recommendation to modify the park hours restrictions by stating “No Use of Park Between Dusk and Dawn” and eliminate the current restriction which is “No Use of Park Between 11:00 PM and 6:00 AM. This recommendation is not a part of the proposed project, but would require an ordinance approved by the City Council at a later date.

Comment No. A-5

This comment requests that the currently installed metal pole gate on the Back Bay Drive side of the Big Canyon Nature Park adjacent to the Newport Back Bay Parking lot is retained for the safety of the neighborhood.

Response to Comment No. A-5

The existing metal pole gate is located off of the Project site. Modification to the existing gate is not included in the proposed Project.

Comment No. A-6

The comment requests that a regular random patrolling by police officers or rangers of the Big Canyon nature park is provided to eliminate camp fires, illegal activities, littering, and graffiti, particularly within the evening hours.

Response to Comment No. A-6

According to City staff, the Newport Beach Police Department does not regularly patrol the Big Canyon Nature Park, but will respond to incidents. Recreation and Senior Services also provides a Parks Patrol Officer that provides regular patrol of park areas. After the construction activities for Phase 1 were completed, there have been no incidents within the Phase 1 area because the trees are not as dense. The removal of the pepper trees



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within the Project site and the establishment of a meadow habitat within the majority of the Project site would substantially reduce opportunities for illegal activities because these activities would not be hidden from views.

Comment No. A-7

The comment requests that the existing, healthy trees not be removed to prevent erosion from flooding and not create an unnatural park setting.

Response to Comment No. A-7

The proposed restoration project would remove non-native trees and selective removal of some native trees that exhibit infestation by Polyphagous Shot Hole Borer (PSHB). The project will also continue to improve water quality related to selenium resulting from runoff in the areas upstream. In one discrete 0.5-acre area within the mixed arroyo willow/pepper tree grove as illustrated on Figure 11, some willow trees may be removed to conduct stream and bank stabilization. The project as proposed will improve the long term productivity and health of the site by replacing the invasive pepper trees with native trees within and adjacent to a stabilized stream and floodplain. The proposed restoration plan includes engineering the creek and adjacent area to reduce the potential for erosion during floods.

RECEIVED BY
COMMUNITY
DEVELOPMENT
OCT 02 2018

September 14, 2018

City of Newport Beach Planning Division
Attn: Makana Nova, Associate Planner
100 Civic Center Drive, Bay 1-B
Newport Beach, CA 92658-8915

CITY OF
NEWPORT BEACH

Re: **Big Canyon Coastal Habitat Restoration & Adaptation – Phase 2A - COMMENTS**
#CD2018-027 and ND2018-001 (PA2018-078)

Gentlemen:

In response to your Notice of Intent to Adopt a Mitigated Negative Declaration regarding the above application, be advised that the proposed project will most definitely have significant negative impacts on the environment. In my view, it would be blind and deaf to arrive at any other conclusion. To rip out a mature forest of evergreen trees standing 20 to 30 feet tall and replacing them with bushes 3 to 4 feet tall will leave this park a hot, barren waste land of little interest to anyone, at least anyone that I know.

B-1

Here are the significant impacts that I see:

1. Removal of the mature pepper tree forests in this park (3.4.2 (d) & (e) will also:

- A. Remove (kill) the most beautiful habitat in the park
- B. Remove the root systems that prevent erosion when the creek floods
- C. Remove the tree cover for birds, including two endangered species you noted
- D. Result in intense heat in summer as there will be no shade from the trees
- E. Result in removal of native species that are close to and intermingled with the pepper trees
- F. Prevent new evergreen trees from re-growing
- G. Deprive the existing educational program from utilizing the forest to foster adventure, shade and learning experiences for underprivileged children bussed into the area for nature study
- H. Take away protection for the indigenous animals from surrounding urban intrusion
- I. Interfere with the natural symbiosis between plants and animals existing for decades there
- J. Replace beautiful green with ugly, useless brown brush and stunted green desert plants
- K. Eliminate totally the scenic beauty of the forest from all directions, including the homes and apartments surrounding the park and individuals walking through the park
- L. Deplete the oxygen making capacity of the park's habitat – green trees make more oxygen than desert bushes. They also absorb more carbon dioxide (CO2).
- M. Contrary to Section 3.4.2 (D) of the project plan, it WILL “Result in the loss of forest land or conversion of forest land to non forest use”.

B-2

B-3

B-4

B-5

B-6

B-7

B-8

B-9

B-10

B-11

B-12

B-13

B-14

Discussion:

These 13 major impacts are just the beginning. I invite you to walk through Phase 1 – it is not anything like a park. It is hot, everything except the dirt paths is full of weeds so tall you cannot see through them and there is no “nature”! There is nothing to do or to see! – only the City's attempt to tame the creek's flood waters and mitigate the soil's salinity and other chemistry. Phase 2A would just extend the horrid result further into the park from Jamboree Road, leaving nothing but an arid trail nobody would want to use, except maybe to traverse the park and exit it as soon as possible. The evergreen forest is the gem, not the foe.

B-15

The pepper trees have been dubbed “invasive”, but so what. There are invasive trees all over the

city, and there is no good reason to replace them with “native” vegetation, basically desert scrub. Since I have lived in the area (a quarter century), there have been 2 attempts to replace the scrub outside the confines of the creek in what is now the park, with native vegetation, to no avail – it still looks like the desert, which it always has been.

↑
B-15

Mitigation of the pepper trees. It is reported that some of the trees have been infested with some kind of “borer” and eventually this will kill the trees. This has been the mainstay reason for tearing them out, that is, they are going to die anyway, so let's just take them out now. Not a good reason. If they die, they have seeds, and new trees will grow in their stead, as a natural progression of vegetative life. The report does not state that all the trees are infected, so let the uninfected trees stay. The report is silent about whether or how these trees might be treated to protect against the “borers” - would that be better than tearing down all the forests? We need more light shined on this alternative. Thinning out the forest makes sense not only from the perspective of users' enjoyment and the neighborhoods' lovely view out over the forests, but also increasing the utility of the forest as an integral part of the park, where new nature trails might be made so that the public could actually use the forest instead of just viewing it.

B-16

Use of the forest – another view. Apart from rare vandalism, e.g. burning of palm trees not too long ago, the forest has been **primeval** and undebased – until very recently. Neighbors have told me that nefarious activities are now occurring there, particularly from young people from out of town, e.g. smoking pot, sex, and most recently, graffiti on the trees themselves. To preserve the forest, it has been suggested that the city fence off the forest with a gate to be opened only for scheduled uses, e.g. educational programs. That seems a good idea, because the city's idea of promoting use of the nature park (whereas it has been inconspicuous before now) is bound to also promote accelerated vandalism, not only in the forest but throughout the park. That means more police surveillance and visitor fear and reluctance. So, consider keeping the evergreen forest and preserving it from vandalism.

B-17

One last thought from a neighbor: if you really are intent on tearing out all these trees, you should erect a fence along the fire road above the forest where it is very possible that people could fall over the cliff, such as where the fire road T's into the other dirt road which goes left to the Bluffs and right towards Jamboree Road under the apartments.

And oh – an afterthought – the parking lot, which I understand is owned by the Dept. of Fish and Wildlife, but is in the city limits, needs to be chained off at night (or speed bumps installed, or both) because in the last few months, almost every night between 10 PM and 2 AM there are cars doing really loud brodies there, which is (mildly to very) disturbing to hundreds of nearby residents. A hidden motion actuated camera might catch these (probably juvenile) culprits.

B-18

2. Construction of this project will **denude** the land with **no** guarantee that replanting with immature native bushes will prevent severe **erosion** from flood waters of Big Canyon Creek.

Discussion:

It cannot be denied that the centerpiece of this park is a creek. This creek undoubtedly formed the canyon through which it flows. In other words, historic hydraulic forces carved out this canyon, just as such forces carved out our mini Grand Canyon back bay, now seen from space. The point is that hydraulic forces of **flood waters take out small vegetation** along with soil, and in nature, only strong trees, if anything, can withstand such forces and afford protection to smaller, sturdier and mature plants. Removal of the forests in this park cannot help but to destroy the plants which the city intends to replace the trees with – all it will take is a good winter storm to wipe out the park's new plant life and leave an ugly mess. Replanting after that is always subject to the vagaries of future storms, not to mention the cost to taxpayers of funding this process.

B-19

A much better scenario is the forest left in tact, thinned out for better park use, but remaining to

continue protecting the canyon, its inhabitants and provide a worthy habitat for the creek.

↑ B-19

3. Heavy equipment and hundreds of truckloads of earth, uprooted trees and vegetation over a period of several months in the rainy winter season will be seen, heard, smelled and endured unnecessarily by park goers, joggers, cyclists, regular street traffic and surrounding neighborhoods, resulting in the following significant impacts:

A. NOISE. The plan calls for 5 months (weather permitting during winter) of 6-day-a-week destruction/construction followed by more months of repairing, planting, landscaping and maintenance of the newly manufactured contours of this park. This is a BIG, intensive project. This means big noise. Presently the park is completely silent. Quite a contrast to utter tranquility.

1. Excessive noise will be made by enormous diesel dump trucks traversing the dirt roads of the park (hundreds and hundreds of trips are projected to haul dirt, trees etc).

2. Heavy diesel earth moving equipment, like bulldozers, backhoes etc. will be employed to regrade the banks of the creek and other loud equipment will be needed to uproot all the trees etc,

3. Loud chain saws will cut up the trees and other “unwanted” plants

4. Stump grinders and tree chippers will scream.

B-20

Those of us who live on the bluffs of this park (like I do) know that you can sometimes hear voices across the back bay, it is that quiet. The loud, excessive noise and vibration from this project over the course of many months will most certainly irritate every person within earshot, and it will deprive all the hundreds of surrounding residences of peace and quiet.

B. AIR/WATER POLLUTION. Plenty of dust, diesel and gasoline fumes, pollen, construction and plant particulate will contaminate the air in, on, around and over the project site and the surrounding neighborhoods. The creek itself cannot be fully protected against construction and earth moving work, let alone changing its banks and meanderings. The creek’s pollution, of course, runs out into the harbor via the back bay.

B-21

C. VEHICULAR DANGER. The project depends on all the necessary workers, vendors, trucks and equipment to access the park, coming and going, via Back Bay Road. As a lot of us know, Back Bay Road is dangerous already, because it is not a real road but a multi-use TRAIL. It was obviously designed as very slow (15 MPH max) one-way travel except for bicyclists, who share the trail with motorized vehicles, joggers, baby carriages, lots of dogs and pedestrians, all within feet of each other without curbs or center dividers. Back Bay Road is not straight, but rather a series of reverse curves, some of them blind. Not uncommonly, motorists who embark on the trail will become worried or disoriented and turn around and go the wrong way to exit, rather than complete the course, despite the “Wrong Way” signs.

B-22

Heavy trucks and equipment plus all the other traffic on this narrow, one-way trail will create unusually dangerous condition for all users, especially those exposed to extra wide vehicles which will encroach on to the bike lanes and cause bicyclists to encroach into the pedestrians lane. That, combined with the dust and noise of construction vehicles will make the Back Bay Road untenable.

Discussion:

The above impacts (A, B & C) on humans are self evident. They are many, and they are more than “significant”. In totality, they preclude the magnitude of and misguided vision for this project. But how about the animals. The park is full of animals. They have no voice to speak out or object. Their only choice is to leave the area and take their chances somewhere else, or try to survive in a much changed environment

B-23

of construction, deforestation, and confrontation. Some of the animals are admittedly "endangered species". **A lot of animals will be displaced, injured or killed.** That is not what we want.

B-23

4. Destruction of aboriginal historical site. Native American artifacts and evidence of aboriginal culture dating back perhaps 5000 to 10,000 years ago are likely in the zone of proposed construction and must be identified and preserved; if this is not possible, neither should this project be approved or pursued further.

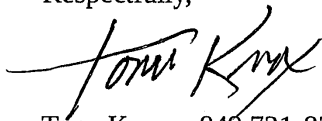
It is well documented that local villages of Native Americans once lived on the shores and canyons of our back bay, particularly on the side of the back bay where this project is intended, such as the Moyogna, or perhaps outposts of the Kenyaangna, both of which were tribes in Newport Beach. Known variously as the Gabrielino, Tongva or Kizh (pronounced "Keech"), these aboriginals left many artifacts and other indicia of their civilization, some of which has been saved from other construction projects in our city. These must be found, preserved and turned over to the descendents of these people. Reference: <http://gabrielenoindians.org/> and <http://socialstorytelling.blogspot.com/>

B-24

I have personally spoken with people driving through the park claiming to represent the Kizh nation who say they have found native artifacts there.

I have re-read this letter and have to add, if this isn't convincing, I don't know what is.

Respectfully,



Tony Knox 949 721-8311
P. O. Box 8678
Newport Beach, CA 92658



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Comment No. B-1

This comment expressed an opinion that the proposed Project will most definitely have significant negative impacts.

Response to Comment No. B-1

As discussed in the IS/MND, there are potential significant impacts related to biological resources, cultural resources, and noise; however, mitigation measures have been recommended to reduce the potential significant impacts to less than significant.

Comment No. B-2

This comment identified that removal of the mature pepper trees on the Project site would remove (kill) the most beautiful habitat in the park.

Response to Comment No. B-2

This comment expressed an opinion and does not address the contents of the IS/MND. The proposed project includes restoration with native habitats and the removal of non-native vegetation. Although the restoration would alter existing views from Jamboree Road, Back Bay Drive, as well as the public viewpoint west of the project site, the quality of the views of the project site would be subjective, but would remain aesthetically pleasing, and impacts to the scenic quality of the project area would be less than significant.

Comment No. B-3

This comment identified that removal of the mature pepper trees on the Project site would remove the root systems that prevent erosion when the creek floods.

Response to Comment No. B-3

Construction activities would remove the root system of the existing pepper trees. The proposed restoration plan includes engineering the creek and adjacent areas as well as establishing resilient and adaptive habitat areas to reduce the potential for erosion during floods. The project includes erosion control measures as part of the Construction Pollution Prevention Plan (CPPP) located on pages 2, 6, and 8 of the 60% Design Plans in Appendix A of the IS/MND. In addition, the project includes long-term stabilization measures as part of the Water Quality Management Plan to convey seasonal inundation and reduce potential erosion.

Comment No. B-4

This comment identified that removal of the mature pepper trees on the Project site would remove the tree cover for birds, including two endangered species.



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Response to Comment No. B-4

One State and federally-listed Endangered species, least Bell's vireo, which is common to riparian habitat at low elevations and may occur occasionally in the vicinity of the Project site but has not been reported in the project area. California gnatcatcher, which is federally-listed as Threatened is known to occur in coastal sage scrub habitat to the south and west of the project area but does not occur on the Project site. The pepper trees are non-native and do not provide suitable habitat for either species. Current use of the project area by other avian species is very low as compared with areas containing more native vegetation. Although there may be a temporary disturbance to nesting habitat and permanent removal of non-native stands of trees, all construction activities would occur outside of nesting season or nesting surveys would be conducted. There will be an overall benefit to native avian species, as well as other wildlife, through implementation of the proposed project by restoring native habitat to the area, which can be utilized for nesting and foraging.

Comment No. B-5

This comment identified that removal of the mature pepper trees on the Project site would result in intense heat in summer as there will be no shade from the trees.

Response to Comment No. B-5

This comment expressed an opinion and does not address the contents of the IS/MND. The vegetation proposed as part of the restoration is better suited to provide habitat for native wildlife than the existing non-native trees and shrubs.

Comment No. B-6

This comment identified that removal of the mature pepper trees on the Project site would result in removal of native species that are close to and intermingled with the pepper trees.

Response to Comment No. B-6

The existing pepper trees which are non-native do not provide good habitat value for native plant or wildlife species. The description of the proposed project acknowledged that some removal or damage of native vegetation from the Polyphagous Shot Hole Borer would occur. All vegetation removal is temporary since the project proposes to establish native vegetation throughout the project area, in all areas subject to removal. The vegetation proposed as part of the restoration is better suited to provide habitat for native wildlife than the existing non-native trees and shrubs.

Comment No. B-7

This comment identified that removal of the mature pepper trees on the Project site would prevent new evergreen trees from re-growing.



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Response to Comment No. B-7

The proposed Project includes a restoration plan that has specific plant species based on the soil conditions of the Project site. Furthermore, based on historical records, the native plant species that were located in the Big Canyon Nature Park in the past did not include evergreen trees. Therefore, re-growing evergreen trees does not meet the objectives of the project to replant native vegetation.

Comment No. B-8

This comment identified that removal of the mature pepper trees on the Project site would deprive the existing educational program utilizing the forest to foster adventure, shade and learning experiences for underprivileged children bussed into the area for nature study.

Response to Comment No. B-8

This comment expressed an opinion and does not address the contents of the IS/MND. Access to the educational programs would only be restricted during the 5-month construction period of the project. Access around the site on trails would only be limited to allow construction vehicles to access the proposed construction area.

Comment No. B-9

This comment identified that removal of the mature pepper trees on the Project site would take away protection for the indigenous animals from surrounding urban intrusion.

Response to Comment No. B-9

This comment identified that the Project would eliminate protection of native animals from surrounding urban intrusion. The non-native pepper trees provide habitat for relatively few local wildlife. Therefore, the removal of the non-native pepper trees and replacement with native trees, shrubs, succulents, and herbaceous species in the near term would not eliminate protection of native animals from surrounding urban intrusion. Native animals as discussed in Section 3.4.4, Biological Resources in the IS/MND largely inhabit surrounding riparian and coastal scrub habitats.

Comment No. B-10

This comment identified that removal of the mature pepper trees on the Project site would interfere with the natural symbiosis between plants and animals existing for decades at the Project site.

Response to Comment No. B-10

This comment identified the relationship of the existing pepper trees and plants and animals. The commenter does not acknowledge that the invasion of non-native pepper trees constitutes an unnatural condition for this area. Native animals and wildlife are not associated with the non-native pepper trees.

Comment No. B-11

This comment identified that removal of the mature pepper trees on the Project site would replace beautiful green with ugly, useless brown brush and stunted green desert plants.

Response to Comment No. B-11

This comment expressed an opinion regarding the beauty of the proposed vegetation. There are no desert plants proposed to be planted in association with this project. Every plant species selected for planting or seeding occurs in the Upper Newport Bay area. The goal of the project is to implement native habitat rather than supporting existing invasive species that have resulted from urban interference such as irrigation runoff.

Comment No. B-12

This comment identified that removal of the mature pepper trees on the Project site would eliminate the scenic beauty of the forest from all directions, including the homes and apartments surrounding the park and individuals walking through the park.

Response to Comment No. B-12

This comment expressed an opinion of the scenic view of the Project site and does not comment on the contents of the IS/MND. The City's General Plan and Coastal Land Use Plan policies protect public views points and do not protect private property views. A discussion of public viewpoints is provided in the Aesthetics section of the IS/MND.

Comment No. B-13

This comment identified that removal of the mature pepper trees on the Project site would deplete the oxygen making capacity of the park's habitat because green trees make more oxygen than desert bushes and green trees absorb more carbon dioxide.

Response to Comment No. B-13

This comment regarding the cycle of oxygen is correct. The existing green trees on the project site would most likely absorb more carbon dioxide than the proposed native habitats due to a greater surface area of leaves. The



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decrease in carbon dioxide absorption due to the removal of the existing green trees is not quantifiable, and would represent a negligible decrease.

Comment No. B-14

This comment disagreed with the finding that the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use.

Response to Comment No. B-14

As discussed on page 44 of the IS/MND, in determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies refers to information compiled by the Department of Forestry and Fire Protection regarding the State's inventory of forest lands, including the Forest and Range Assessment Project and the Forest Legacy Assessment project. Forest lands refer to productive land for timber; and therefore, the Project site is not identified as forest land because it is not used for producing timber.

Comment No. B-15

This comment refers to the current environmental conditions of Phase 1 after the construction activities were completed. The comment provided an opinion that the evergreen trees (i.e., the non-native pepper trees) should remain and not be replaced with native vegetation.

Response to Comment No. B-15

This comment expresses an opinion and does not provide a specific comment on the contents of the IS/MND. There are a number of objectives of the Project as listed on Page 18 of the IS/MND. The primary purpose is to restore the Big Canyon Nature Park by removing the exotic and invasive plants and create a mosaic of ecologically appropriate natural coastal habitats as well as restoring the creek. The existing pepper trees are non-native and do not provide habitat for sensitive wildlife species.

Comment No. B-16

This comment states that the removal of the pepper trees is proposed because the trees are infested with the PSHB. It suggests thinning out the pepper tree grove rather than removing it.

Response to Comment No. B-16

The removal of the pepper trees is proposed because the trees are considered invasive and are non-native. The trees that are infested with the PSHB are willow trees that are located within the mixed arroyo willow/pepper tree grove. There are a number of objectives of the proposed Project as listed on page 18 of the IS/MND. The primary purpose is to restore the Big Canyon Nature Park by removing the exotic and invasive plants and create a mosaic



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of ecologically appropriate natural coastal habitats as well as restoring the creek. The existing pepper trees are non-native and do not provide habitat for sensitive wildlife species. Some of the native arroyo willows trees are currently infested with PSHB and are proposed to be removed to reduce the spread of infestation. The infested willow trees as well as the pepper trees are proposed to be selectively removed so that the healthy arroyo willow trees can remain.

Comment No. B-17

This comment requests that a fence be constructed along the fire road around Big Canyon Creek area to prevent people from falling over the cliff.

Response to Comment No. B-17

As stated in Response to Comment No. A-2 above, there is currently no fencing along the existing fire roads which are trails around the Big Canyon Creek area. Signs along the trails will be included to direct visitors to remain on the trails and out of the habitat restoration area. Fencing is not initially proposed because the proposed vegetation will be dense and will discourage trespassing. In addition, the removal of the pepper trees would increase visibility to the project area and would discourage nefarious activities that currently occur within the pepper tree grove area. The suggested fencing at the fire access road "T" does not occur within the Phase 2A area. This "T" location is within the Phase 1 project area.

If the City determines a need to install fencing for safety or to prevent the formation of illegal trails into the habitat restoration area, the project would include posts and wire fencing in locations identified on Figure 14 in the IS/MND, as amended in the Errata and illustrated on a new Figure 15 in the IS/MND, as added in the Errata.

Comment No. B-18

This comment requested that the existing parking lot off of Back Bay Drive be chained off at night.

Response to Comment No. B-18

The Back Bay Drive parking lot is not located on the Project site, and the Project does not include modifications to the operation of the existing parking lot. As stated in Response to Comment A-4, there will be a recommendation by City staff to modify the park hours restrictions by stating "No Use of Park Between Dusk and Dawn" and eliminate the current restriction which is "No Use of Park Between 11:00 PM and 6:00 AM. However, this restriction would only apply to the Big Canyon Nature Park and not the Back Bay. The recommendation is not part of the proposed project and would require an ordinance approved by the City Council.



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Comment No. B-19

This comment states that the construction of the Project would denude the land because hydrologic forces would remove smaller plantings and that there would be no guarantee that the restoration efforts would prevent erosion from flood waters.

Response to Comment No. B-19

As described in the IS/MND, the proposed Project includes the re-contouring of the creek and flood area as well as provide stabilization of the creek channel. These efforts will reduce the potential for erosion during flood events.

Comment No. B-20

This comment states that the proposed construction activities will substantially increase noise levels during the approximately five months of construction activities.

Response to Comment No. B-20

The comment is correct. Construction activities for the Project will increase noise levels at the nearby residences; however, as stated on page 122 of the IS/MND, construction activities would comply with the current City noise ordinance which limits construction hours between 7:00 am and 6:30 pm on any weekdays and between 8:00 am and 6:00 pm on any Saturday. All construction work would be prohibited on any Sunday or federal holiday. Although construction noise levels would be less than significant, noise reduction devices and techniques are recommended as mitigation measures to reduce construction noise as discussed on pages 126 and 127 of the IS/MND.

Comment No. B-21

This comment raises a concern regarding the increase of air emissions and surface water pollution during construction activities.

Response to Comment No. B-21

Construction air emissions are discussed on pages 58 through 60 of the IS/MND and determined that the Project would not exceed the construction air quality significance thresholds established by the South Coast Air Quality Management District.

The Project includes a Construction Pollution Prevention Plan (CPPP) that would reduce water quality effects during construction activities of the Project. The CPPP includes a diversion of water if there is flow in the channel. This diversion would allow grading activities to occur within the area of the previous active channel.



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Comment No. B-22

This comment raises a safety concern regarding the use of Back Bay Drive by workers, vendors, trucks, and equipment to access the park because Back Bay Drive as a multi-use trail.

Response to Comment No. B-22

As discussed on page 136 of the IS/MND, construction vehicles such as the haul trucks as well as construction employees, vendors and equipment, would use Back Bay Drive. As noted in the comment, the current speed limit on Back Bay Drive is 15 miles per hour. All vehicles associated with construction activities of the Project would limit their speeds to 15 miles per hour. Construction employees and haul truck drivers would be advised of the haul route and staging locations prior to commencing the construction activities. Information would be provided that identifies access to the site includes vehicles travelling north on Back Bay Drive from Jamboree Road and access from the Project site includes vehicles travelling north on Back Bay Drive to East Bluff Drive. Pages 134 and 135 of the IS/MND identified peak hour traffic associated with the Project would include about 24 one-way trips by employees during the peak hour while during the non-peak hour which is when haul truck would operate, a maximum of 26 one-way trips over 6 hours during the non-peak hours each day would occur. This would result in a maximum average of 4 to 6 one-way trips per hour. Because the speed limit on Back Bay Drive is 15 miles per hour, less than significant traffic safety impacts would occur.

Comment No. B-23

The comment identified that animals in the Project area would be impacted during construction activities.

Response to Comment No. B-23

Pages 67 through 71, provided an evaluation of the potential impacts on plant and wildlife species during construction activities. As discussed, potential impacts to special-status plant, nesting birds and special-status bats were found to be potentially significant. Mitigation measures BIO-1 through BIO-3 are provided to reduce the potential impacts to less than significant.

Comment No. B-24

This comment identified the potential for Native American artifacts within the Project area and that the construction activities could impact them.

Response to Comment No. B-24

As discussed on pages 83 through 85 of the IS/MND, there is a potential for construction activities to impact currently unknown historical and archaeological resources. Mitigation measures CR-1 (Archaeological Monitoring) and CR-2 (Native American Monitoring) have been included to reduce the potential impacts to



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unknown historical and archaeological resources to less than significant. This is also analyzed in detail in Appendix D, Cultural Resources Study/Archaeological Research Plan of the IS/MND.



October 4, 2018

NCL-18-052

Makana Nova, Associate Planner
City of Newport Beach Planning Division
100 Civic Center Drive, Bay 1-B
Newport Beach, CA 92658-8915

Subject: Notice of Intent to Adopt a Negative Declaration—Big Canyon Coastal Habitat Restoration and Adaptation

Dear Ms. Makana Nova:

The County of Orange has reviewed the Notice of Intent to Adopt a Negative Declaration for the Big Canyon Coastal Habitat Restoration and Adaptation Project and has no comments at this time. We would like to be advised of further developments on the project. Please continue to keep us on the distribution list for future notifications related to the project.

C-1

If you have any questions, please contact Cindy Salazar in Development Services at (714) 667-8870.

Sincerely,

Richard Vuong, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Richard.Vuong@ocpw.ocgov.com



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Comment No. C-1

This comment stated that the County of Orange has no comments on the IS/MND and requests that they receive future notifications related to the Project.

Response to Comment No. C-1

The City acknowledges this comment from the County of Orange.

From: rbolds@pacbell.net
Date: September 25, 2018 at 4:03:19 PM PDT
To: mnova@newportbeach.gov
Subject: **Big Canyon Restoration-Phase 2A**

Following comment submitted regarding subject project.

The location of the project, as stated, is not accurate. The Northern boundary of Project 2A does not abut Amigos Way, but does encompass Vista Bonita and Vista Caudal, which together comprise the vast majority of the Northern boundary of the entire restoration project. Recommend the project location information be changed to properly reflect the streets along the Northern boundary.

|
D-1
|

Sincerely,
Robert B.Olds
641 Vista Bonita
Newport Beach, CA 92660



Ms. Nova, AICP
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Comment No. D-1

The comment states that the description of the project location was not accurate because the northern boundary of the Project site does not abut Amigos Way. The comment suggests that describing the northerly project boundary as Vista Bonita and Vista Caudal.

Response to Comment No. D-1

This comment was provided on the Notice of Intent to Adopt a Negative Declaration (NOI). The NOI was providing a general description of the location of the proposed Project. The Project location within the IS/MND provided a detailed description of the location, and Figure 2 illustrated the streets that are located north of the Project site. These streets included Amigos Way, Domingo Drive, and Vista Bonita. The reference to Vista Caudal in this comment as being located north of the Project site is not accurate. Vista Caudal is located north of future Phase 2C area. City staff has responded to this commenter and provided a vicinity map of the project location. After seeing the vicinity map, City staff and the commenter have mutually agreed that Vista Bonita and Amigos Way best describe the northerly project boundary.

September 26, 2018

Voicemail Recording

Approximately 2 minutes and 41 seconds long

Citizen of Newport Beach

This is a message from a City of Newport Beach citizen representing others living around Big Canyon Nature Park. The commenter states that the City should implement a fence around the Big Canyon Creek because there is graffiti and trash around the area, and this is disrespectful to nature. The Park/Creek area looks like it is a disaster. A fence would keep the public out and stop the graffiti, littering, decrease the chance of fires starting in the area, and prohibit the use of drugs and other substances in the Park/Creek area. The commenter recommends that if the City wants to use the area for educational purposes, then they have someone open the gate for the group/educational entity, then close it after they are done. The commenter expresses extreme concern over these issues and states that it is unacceptable what is currently happening in the Park. The commenter clearly states that a new fence would keep people out and decrease these existing issues.

E-1



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Comment No. E-1

This comment requested fencing to be included in the proposed Project and located around the entire Project site.

Response to Comment No. E-1

As stated in Response to Comment No. A-2 above, there is currently no fencing along the existing trails around the Big Canyon Creek area. Signs along the trails will be included to direct visitors to remain on the trails and out of the habitat restoration area. Temporary fencing would be provided around the Phase 2A project area as shown in Figure 14 and illustrated in Figure 15. The project does not include the installation of long-term (operational) fencing because the proposed vegetation will be dense and will discourage trespassing. However, if the City determines a need to install fencing for safety or to prevent the formation of illegal trails into the habitat restoration area, the project would include posts and wire fencing in locations identified on Figure 14 in the IS/MND, as amended in the Errata and illustrated on a new Figure 15 in the IS/MND, as added in the Errata.



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
 www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



October 4, 2018

Ms. Makana Nova
 City of Newport Beach Planning Division
 100 Civic Center Drive, Bay 1-B
 Newport Beach, CA 92658-8915
 Mnova@newportbeachca.gov

Subject: Comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A, Newport Beach, CA (SCH# 2018081098)

Dear Ms. Nova:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A Mitigated Negative Declaration (MND), dated August 4, 2018. Thank you for granting the Department request to submit late comments. The following statements and comments have been prepared pursuant to the Department’s authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA], Guidelines §15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning program (NCCP). The City of Newport Beach (City) and the County of Orange (County) are participating landowners under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP). Additionally, the Department owns and manages the Upper Newport Bay Ecological Reserve.

Collectively, Big Canyon Coastal Habitat Restoration and Adaptation Project endeavors to restore the undeveloped parcels of the watershed, remove dominant invasive species, improve water quality, and increase habitat value; the Department commented on the draft MND for Phases 1A and 1B in a letter dated April 4, 2016.

Phase 2A of the project, analyzed in the draft MND, involves the restoration of at least 9.2 acres of Big Canyon Creek, including alkali wet meadow, dry meadow, and arroyo willow scrub habitats. The project is located on an 11.32-acre parcel within the eastern portion of the 60-acre Big Canyon Nature Park, east of Upper Newport Bay, west of Jamboree Road, in the City. Big Canyon is the only natural, undeveloped portion of the Big Canyon Watershed and the only significant remaining natural canyon on the east side of Newport Bay. Directly downstream of the project area, the lower 15-acre portion of Big Canyon Nature Park is owned by the Department and is a part of the Upper Newport Bay Ecological Reserve. Big Canyon Nature Park is located in the Upper Newport Bay State Marine Conservation Area and is part of southern California’s coastal estuarine environment. In addition, Newport Bay discharges adjacent to the Newport Coast Area of Special Biological Significance.

F-1

Ms. Makana Nova
 City of Newport Beach Planning Division
 October 4, 2018
 Page 2 of 2

Our primary concern regarding the proposed project is appropriate disposal of cleared vegetation and management of the spread of invasive Polyphagous and Kuroshio shot hole borers (collectively, ISHBs). We offer the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

The Biological Technical Report (Appendix C) states that, “the proposed project will use pest management techniques in consultation with experts from the University of California Riverside” (page 8); however, the draft MND states that, “project implementation would result in the need for disposal of vegetative debris from construction and maintenance activities” at Prima Deshecha Landfill in San Juan Capistrano” (pages 140-141). Currently, this facility does not have the US Composting Council's Seal of Testing Assurance (STA) as recommended by Dr. Eskalen’s lab at the University of Riverside(<http://eskalenlab.ucr.edu/pshb.html>). The Department, therefore, recommends consideration of a disposal facility that meets this criteria. More information can be found at <https://compostingcouncil.org/seal-of-testing-assurance/>.

We appreciate the opportunity to comment on the MND for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. The Department requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of the forthcoming hearing date for the project (CEQA Guidelines; §15073(e)). If you have any questions or comments regarding this letter, please contact Jennifer Turner, Environmental Scientist at (858) 467-2717 or via email at jennifer.turner@wildlife.ca.gov.

Sincerely,

Gail K. Sevens
 Environmental Program Manager
 South Coast Region

ec: Christine Medak (U.S. Fish and Wildlife Service)
 Scott Morgan (State Clearinghouse)

↑
 F-1



Ms. Nova, AICP
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Comment No. F-1

This comment expressed a concern that the Prima Deshecha Landfill located in San Juan Capistrano does not have a U.S. Composting Council's Seal of Testing Assurance (STA) for the treatment of the Polyphagous Shot Hole Borer (PSHB) that has infected individual willow trees and branches on the project site.

Response to Comment No. F-1

As discussed on page 27 of the IS/MND, a portion of the 800 cubic yards of chip material is anticipated to be infested by the PSHB. Only the potential infested wood chips which are anticipated to come from some of the onsite willow trees would be treated through solarization at locations along the existing trail that are illustrated on Page 6 of the 60% Design Plans in Appendix A of the IS/MND. The remaining wood chips that are not infested as well as the dead and non-native vegetation would be disposed of at the Prima Deshecha Landfill.



SENT VIA E-MAIL AND USPS:

October 5, 2018

mnova@newportbeachca.gov
 Makana Nova, Associate Planner
 City of Newport Beach
 100 Civic Center Drive
 Newport Beach, CA 92660

**Mitigated Negative Declaration (MND) for the Proposed
 Big Canyon Coastal Habitat Restoration and Adaption Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final CEQA Document.

SCAQMD Staff's Summary of Project Description

The lead agency proposes the restoration of the Big Canyon Coastal Habitat through removal of non-native plants, replanting of native plants, enhancing public access, and stabilizing the creek and floodplain with erosion control measures, on 11.3 acres (proposed project).¹ The proposed project is located at 1900 Back Bay Drive, south of the State Route 55 and State Route 73 (SR-73) interchange.

SCAQMD Staff's Summary of Air Quality Analysis

In the air quality analysis, the lead agency quantified emissions resulting from construction and operation of the proposed project and compared those emissions to SCAQMD's air quality CEQA significance thresholds. Upon review of the air quality analysis, SCAQMD staff found multiple inconsistencies between the MND and the CalEEMod output file. For example, the lead agency quantified emission reductions resulting from mitigation measures input into CalEEMod² but SCAQMD staff found that no mitigation measures or project design features were identified in the MND. Detailed comments are provided below.

G-1

General Comments

Based on the CalEEMod output file, the lead agency relied on mitigation measures to reduce the proposed project's NOx emissions during construction from 169 pounds per day to 63 pounds per day. However, in the MND, the lead agency only reports the proposed project's mitigated construction emissions value of 63 pounds per day³ of NOx and does not include the mitigation measures that are identified in the CalEEMod output file that reduce the proposed project's construction emissions to this less than significant level. Therefore, SCAQMD staff recommends the lead agency revise the air quality analysis to include both unmitigated and mitigated emissions resulting from the proposed project.

Additionally, the lead agency states in the MND that the construction phase of the proposed project will occur over a five month period, however, based on the CalEEMod output file⁴ the construction period is nine months. Therefore, SCAQMD staff recommends the lead agency clarify which construction schedule is more accurate and incorporate this clarification in the final CEQA document.

G-2

¹ MND. Page 1.

² MND. Appendix B, *Air Quality Modeling*, CalEEMod Output, Winter Run, 1.3 User Entered Comments & Non-Default Data, Page 1 of 49.

³ MND. Table 7, Page 60

⁴ MND. Appendix B, *Air Quality Modeling*, CalEEMod Output, Winter Run, 3.0 Construction Detail, Page 13 of 49.

Makana Nova

-2-

October 5, 2018

Recommended Mitigation Measures

The lead agency included Tier 4 off road-construction equipment in the CalEEMod file but did not include it in the MND. Therefore, SCAQMD staff recommends the lead agency incorporate AQ-1(a) to ensure tier 4 standards are met, and AQ-2(b) to further reduce emissions resulting from on-road trucks during all construction phases of the proposed project in the MND. Details regarding these recommended mitigation measures are provided below.

AQ-1 Construction equipment maintenance records (including the emission control tier and/or the engine emission standard of each equipment) shall be kept on site during construction and shall be available for inspection by the lead agency.

- a) Off-road diesel-powered construction equipment greater than 50 horsepower shall meet United States Environmental Protection Agency Tier 4 off-road emissions standards. A copy of each unit's certified tier specification shall be available for inspection by the lead agency at the time of mobilization of each applicable unit of equipment.
- b) All on-road diesel haul trucks used during the construction phase shall meet or exceed 2010 engine emission standards specified in California Code of Regulations Title 13, Article 4.5, Chapter 1, Section 2025 or be powered by natural gas, electricity, or other diesel alternative. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards.

Permits and Compliance with SCAQMD Rules

In the event that the proposed project requires a permit from the SCAQMD, the SCAQMD should be identified as a responsible agency for the proposed project. For more information on permits, please visit SCAQMD webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD's Engineering and Permitting staff at (909) 396-3385.

Conclusion

Please provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the final CEQA Document. The SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Robert Dalbeck, Assistant Air Quality Specialist - CEQA IGR Section, at (909) 396-2139, if you have any questions regarding these comments.

Sincerely,

Daniel Garcia

Daniel Garcia
Program Supervisor
Planning, Rule Development & Area Sources

DG/RD
ORC180904-05
Control Number

G-3



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January 8, 2019
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Comment No. G-1

The comment provided an overview of the project and states that the air quality evaluation relied on mitigation measures to reduce the proposed project's NO_x emissions during construction from 169 pounds per day to 63 pounds per day.

Response to Comment No. G-1

Appendix B of the IS/MND includes the assumptions and air quality modeling that were used for the proposed project. Various construction phasing scenarios were evaluated because some of the phases of construction were assumed to be overlapped with other phases of construction. CalEEMod assumes a different fleet mix based on the year of construction activities because as the years progress older, more inefficient equipment is replaced by newer equipment, and therefore, the average fleet emissions profile is somewhat reduced. Because this project is anticipated to span both 2019 and 2020 (construction starting in October of 2019 and ending in 2020), CalEEMod would assume a different construction fleet and different emissions profile for the two construction years. In reality, unless a piece of equipment breaks down, it is unlikely that there will be an equipment change between the beginning of project construction and the end of project construction. Therefore, the modeling was designed to ensure that the emissions profile for the construction fleet would be consistent with the 2019 construction fleet regardless of when that portion of construction actually began. Specifically, each phase is modeled as if it would begin in October of 2019. When in reality the later phases would not begin until 2020. This being said, the timeline shown in the CalEEMod model is not the actual timeline of project construction. Based on every phase being input in CalEEMod as starting in October, the model assumes that every phase would be occurring at the same time, and therefore, the totals presented in the summary tables of the CalEEMod model sum the emissions of all phases and overestimate the peak daily emissions from the project. Therefore, the summary table provided at the beginning of the CalEEMod output was not intended to be used for the emissions estimate. Instead, the unmitigated emissions for each phase were pulled from the CalEEMod model and were then combined based on the actual phase overlaps, as provided in Appendix B of the IS/MND beginning on page 10 of the PDFed appendix. Once the actual construction schedule is accounted for and the phases overlapped as anticipated, the maximum unmitigated emissions are 61.14 lbs per day for NO_x. Because the unmitigated emissions do not exceed the daily SCAQMD thresholds, no mitigation was applied to the project.

For expediency in modeling, a potential mitigated scenario is incorporated such that if the unmitigated emissions exceeded the thresholds, mitigation could be incorporated and another round of modeling would not need to be incorporated. Additionally, the CalEEMod model does not incorporate SCAQMD Rule 403 reductions in the unmitigated calculations, and therefore, fugitive dust emissions are pulled from the "mitigated" CalEEMod outputs to adequately report fugitive dust emissions even though SCAQMD Rule 403 compliance is not mitigation. Therefore, while CalEEMod shows a mitigation scenario, the mitigation was not necessary for the project and the MND findings are based on the anticipated unmitigated emissions summaries.



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Comment No. G-2

This comment states that the CalEEMod model used a nine-month construction schedule and not the proposed five-month construction schedule to determine the amount of emissions that would be generated.

Response to Comment No. G-2

The comment refers to a table that identifies the length of construction of each phase. As identified on pages 59 and 60 of the IS/MND, the specific phases that would overlap were described. The table within the CalEEMod model on page 13 of 49 of Appendix B provides the number of construction days for each phase. Each phase with its respective construction equipment was modeled separately and then each phase within their respective overlap was added to the other phases within the overlap. This calculation determined the maximum daily emissions for each overlap as identified in Table 7 on page 60 of the IS/MND. Note that Phase 5 is only 42 days long as identified in the CalEEMod Construction phase. However, once the number of days was set to 42, the model did not auto adjust the end date of the project to limit it to the 42 days, it still shows a construction date through July of 2020 (which would have been the end date of that phase based on the default construction scenario identified by CalEEMod). While this date is inconsistent with the end date of the actual anticipated project schedule, it does not change the peak daily emissions reported for that phase as peak daily emissions are determined by the amount of equipment used on site and that would not change on a day to day basis as there are no vendor or haul trips associated with this phase. Therefore, while CalEEMod may show a 9-month schedule, it is an error on the part of the model's not adjusting to the actual 42-day construction schedule as identified in the inputs and does not reflect the actual project phasing.

As a result, the maximum emissions identified on Table 7 on page 60 of the IS/MND are accurate.

Comment No. G-3

The comment suggests that the lead agency included Tier 4 off-road construction equipment to reduce emissions but did not incorporate it into the MND. Therefore, the comment suggested that mitigation measures AQ-1 as identified in the comment letter be included in the MND.

Response to Comment No. G-3

As detailed in Response to Comment 1, the construction schedule modeled in CalEEMod shows all phases starting in October 2019 in order to ensure a conservative construction fleet was analyzed throughout the project. This results in CalEEMod assuming that all phases will overlap, and therefore, overestimates the peak daily emissions as presented in the CalEEMod summary tables. In reality, the phases do not all occur at the same time, and therefore, when you take into account the actual phase overlaps that will occur, the peak unmitigated emissions for all criteria pollutants are below the SCAQMD regulatory thresholds, and no mitigation is required for the project. The CalEEMod output shows a mitigated scenario for two reasons. For fugitive dust emissions, the most expedient way to incorporate Rule 403 is by using the mitigation available in CalEEMod. Secondly, as an expedient way to model potential project impacts, the analyst included the potential for Tier 4 equipment to be



Ms. Nova, AICP
January 8, 2019
Page 42

used if unmitigated emissions exceeded regulatory thresholds. As detailed in Appendix B of the IS/MND, starting on page 10 of the PDFed file, the unmitigated emissions do not exceed regulatory thresholds when the emissions from actual phase overlaps are combined. Therefore, while the CalEEMod output shows a mitigated scenario, only the fugitive dust emissions from the mitigated scenario were used and that was to incorporate compliance with Rule 403 which, is not technically mitigation, but a regulation.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH

AGENCY AND
COMMUNITY
DEVELOPMENT

OCT 09 2018



KEN ALEX
DIRECTOR

October 2, 2018

CITY OF
NEWPORT BEACH

Makana Nova
City of Newport Beach
100 Civic Center Dr
Newport Beach, CA 92660

Subject: Big Canyon Coastal Habitat Restoration and Adaptation - Phase 2A
SCH#: 2018081098

Dear Makana Nova:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on October 1, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

H-1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018081098
Project Title Big Canyon Coastal Habitat Restoration and Adaptation - Phase 2A
Lead Agency Newport Beach, City of

Type MND Mitigated Negative Declaration
Description A coastal development permit and mitigated negative declaration for the Phase 2A habitat restoration at an 11.3-acre site located at the mouth of Big Canyon. The city of Newport and the Newport Bay Conservancy propose to restore historic riparian habitat by removing non-native vegetation and replanting native species, creating a mosaic of native and sustainable habitats, stabilizing the creek and floodplain with erosion control measures, and enhancing public access and education within the Big Canyon Nature Park with improved trails and closure of illegal trails. The project also includes maintenance of the restored habitat area and erosion quality measures to ensure that the plants are established and erosion features function as designed.

Lead Agency Contact

Name Makana Nova
Agency City of Newport Beach
Phone (949) 644-3249 **Fax**
email
Address 100 Civic Center Dr
City Newport Beach **State** CA **Zip** 92660

Project Location

County Orange
City Newport Beach
Region
Lat / Long 33° 37' 49" N / 117° 52' 49." W
Cross Streets Back Bay Dr, Amigos Way, Jamboree Rd, and Park Newport Dr
Parcel No. 440-092-79

Township	Range	Section	Base
----------	-------	---------	------

Proximity to:

Highways 1
Airports
Railways
Waterways Newport Back Bay
Schools Our Lady Queen of An
Land Use passive park/OS/OS

Project Issues Biological Resources; Vegetation; Wetland/Riparian; Tribal Cultural Resources; Noise

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 5; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 12; Regional Water Quality Control Board, Region 8; Native American Heritage Commission; State Lands Commission

Date Received 08/31/2018 **Start of Review** 08/31/2018 **End of Review** 10/01/2018



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January 8, 2019
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Comment No. H-1

The comment acknowledged that the review period for the IS/MND closed and that no state agencies submitted comments by October 1, 2018.

Response to Comment No. H-1

The comment is noted. No response is required because there are no comments on the contents in the Public Review Draft IS/MND.

From: carl cassidy <carlrcassidy@att.net>
Sent: November 14, 2018 4:49 PM
To: Nova, Makana
Subject: 11-15-18 Public Hearing - Zoning Administrator
Attachments: Regional board recent status on ford motor impact on NB residents doc-4-16-09.pdf; Updated draft community fact sheet ford motor property regional board fact sheet(00281926-3).DOC.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Ms Nova

I left an earlier voice message with you today.

Thank you in advance for reading my email and for your work on the Big Canyon Restoration project. I appreciate the alacrity that the Planning Department has proceeded with coastal development permit and mitigated negative declaration for the Phase 2a habitat restoration at an 11.3-acre site located at the mouth of Big Canyon

1) I have been unable to locate a response to the Public Comment from the South Coast Air Quality Management District (SCAQMD) in the materials for the Hearing. I would suggest that a careful consideration be included with an opportunity for Public Comment to an appropriate response to the SCAQMD in evaluating the proposed acceptance of the Mitigated Negative Declaration (MND) for the Proposed Big Canyon Coastal Habitat Restoration and Adaption Project prior to continuing with the LCP permitting process.

2) I have been unable to locate any contact with or response in the Public Comments from the Santa Ana Regional Water Quality Control Board (Regional Board) in the materials for the Hearing. I would suggest that a careful consideration be included with an opportunity for Public Comment to an appropriate response to the Regional Board in evaluating the proposed acceptance of the Mitigated Negative Declaration (MND) for the Proposed Big Canyon Coastal Habitat Restoration and Adaption Project prior to continuing with the LCP permitting process. I would suggest that a careful consideration be included with an opportunity for Public Comment to an appropriate response to the Regional Board in evaluating the proposed acceptance of the MND for the Proposed Big Canyon Project prior to continuing with the LCP permitting process.

I-2

Attached is a background fact sheet showing information regarding the specific interest of the Regional board in the project from the Ford Motor Company and Water Board, as the lead state agency overseeing the environmental investigation and cleanup of impacts associated with the Big Canyon site.

3) The 11-15-18 Public Hearing specifies Applicant: Newport Bay Conservancy without any documentation of the Conservancy application and how the monitoring will continue into the future.

I-3

4) There are encumbrances for monitoring wells without any notice to the property owners of the monitoring wells that are not discussed without prior opportunity for Public comment on the most salient environmental impact in the ESA initial draft CEQA report.

I-4

5) The ESA initial draft CEQA report does not include any discussion of the updated selenium reports and comments from CA Fish and Game from the Project Phase I.

I-5

6) The changes to properly recognize the Big Canyon project as entirely within Coastal Tidelands have not been incorporated into the initial

CEQA study, with mapping and notices to that effect.

I-6

7) The project has not been properly noticed with opportunity to provide specific public comment provided by City Charter and Council Resolution by the City parks and Recreation Commission and the Water Quality/ coastal Tidelands committee.

I-7

The ESA CEQA Report as an Initial Study and Mitigated Negative Declaration does not include any discussion or opportunity on the above items such that careful consideration of the omitted items should be part of submission the State Coastal Commission for approval.

I-8

I respectfully request that my comments be included in the materials and Public Comment for the record at the 11-15-18 Zoning Administrator Hearing.

I-9

Thank you,
Carl R.Cassidy

State of California
California Regional Water Quality Control Board
Santa Ana Region

October 19, 2018

STAFF REPORT

ITEM: 10

SUBJECT: VAPOR INTRUSION ASSESSMENT AT THE FORMER FORD
AERONUTRONICS FACILITY IN NEWPORT BEACH

DISCUSSION:

The former Ford Aeronutronics facility (Ford) operated from 1957 until 1993 on approximately 98 acres in the city of Newport Beach (see Figure 1). As part of its aerospace operations, Ford utilized chlorinated solvents, including trichloroethylene (TCE). Historical operations at the site resulted in discharges of TCE and other chemicals to the soil and groundwater beneath the site.

TCE is a volatile organic compound that can migrate in the vapor phase from soil and groundwater into the indoor air of overlying structures. TCE exposure is now known to raise a number of health effect concerns which include cancer and other diseases, and can also cause health effects in the developing fetus from both acute and chronic exposure.

The Ford facility was shut down in 1993. Facility demolition and environmental remediation was conducted through 1996. In 1996, based on information provided to the Santa Ana Regional Water Quality Control Board (Regional Board) from Ford Motor Company, remediation of the Main Area was determined to be complete. In 1997, the Orange County Health Care Agency granted soil closure, with residual contamination left in place at concentrations that conformed with standards for the protection of human health at that time. The environmental oversight responsibilities were transferred to the Regional Board, focusing on continuation of the off-site groundwater assessment and remediation activities. The Site was rezoned from "industrial" to "residential," and the area was redeveloped with single family homes.

The former Ford site investigation has been divided into four distinct areas for environmental characterization purposes (see Figure 2), as described below:

- Main Area – The 90-acre active operations portion of the former site that consisted of 15 buildings in which Ford conducted research and development, and manufactured electronic controls for missile and guidance systems. Drums were also stored in the Main Area.

Item 10
Former Ford Aeronutronics Facility
Newport Beach

Page 2

- AeroThermal Chemical (ATC) Building – The 8 acres on the southern portion of the former site is where rocket research was conducted, which included the development of liquid and solid propellants, testing and development of rocket motors, and ordinance assembly.
- The North Area – The impacted groundwater beneath the area located north of the former site. The groundwater plume originates from the Main Area and extends in a northerly direction. The principal contaminant of concern (COC) for the North Area is TCE.
- The Big Canyon Arroyo (BCA) Area – The impacted groundwater beneath the area located south of the former site. The groundwater plume originates from the ATC and extends in a southerly direction. The COCs for the BCA Area include TCE and its “daughter” products, produced during chemical degradation.

After completion of the on-site remediation in 1996, Regional Board staff has performed oversight of the following activities:

- Since 1996, groundwater monitoring of the North and BCA Areas has been conducted and is currently occurring on a semi-annual basis.
- From 2001 through 2004, active remediation was conducted in the BCA Area, which included enhanced in-situ bioremediation downgradient of the ATC Area.
- In 2006, 2008, and 2012, limited soil gas surveys were conducted, which concluded health risks from vapor intrusion of TCE and other chemicals were not present. This conclusion was based on the screening levels and standards at that time.

In 2014, the USEPA published a memorandum regarding TCE acute exposure risk to pregnant women, which defined “accelerated” and “urgent acute” exposure levels for TCE for commercial and residential properties. As a result, the San Francisco Bay Regional Board updated their Environmental Screening Levels (ESLs), which Board staff utilize for evaluating risk from impacted soil, soil gas, and groundwater.

In 2017, Ford prepared and submitted a conceptual site model (CSM) to evaluate all of the site’s historical data in order to compare that data to current ESLs and guidance.

The CSM identified the following data gaps:

- Potential for groundwater/surface water interaction of Bonita Creek in the North Area and of Big Canyon Creek in the BCA Area.
- Delineation of the downgradient extent of the TCE groundwater plume in the North Area.
- Evaluation of the North and BCA Areas for potential vapor intrusion of COCs, principally TCE, into the indoor air of the overlying structures, based on the potential for groundwater contaminants to off-gas, and the historical soil gas data.

Assessment activities at the former Ford facility are ongoing; most notably, the installation and sampling of soil gas probes and indoor air sampling of commercial and residential properties has taken precedence. Indoor air sampling results have identified TCE in the indoor air above ESLs in a number of homes, resulting in further evaluation

Item 10
Former Ford Aeronutronics Facility
Newport Beach

Page 3

of seven homes, and an interim mitigation measure (installation of air purifiers) in at least one home.

Access agreements have been sent to 300 homes and 3 commercial businesses, requesting access to allow Ford's representatives to sample the indoor air. An Open House style public participation event was conducted on September 27, 2018 at the Newport Beach Civic Center, to reach out to the community regarding the recent and ongoing vapor intrusion assessment activities. Regional Board and State Water Board staff, as well as staff from Cal EPA's Office of Environmental Health Hazard Assessment (OEHHA), the Ford Motor Company, and Ford's technical and public relations consultants were present at the event. Over 70 residents attended the event that evening. In addition to some concerns about short-term and long-term risks to their health, the residents were concerned about possible impacts to their property values as a result of the actual or possible contamination in their neighborhoods. Based on feedback received from the attendees, there will be additional informational meetings to promote the ongoing exchange of information and to provide updates about the activities that are in progress. Staff will keep the Board advised as the project activities continue.

STAFF RECOMMENDATION:

This is an information item; no action will be taken by the Board.

DRAFTER: MRP/JDB

APPROVED: GB

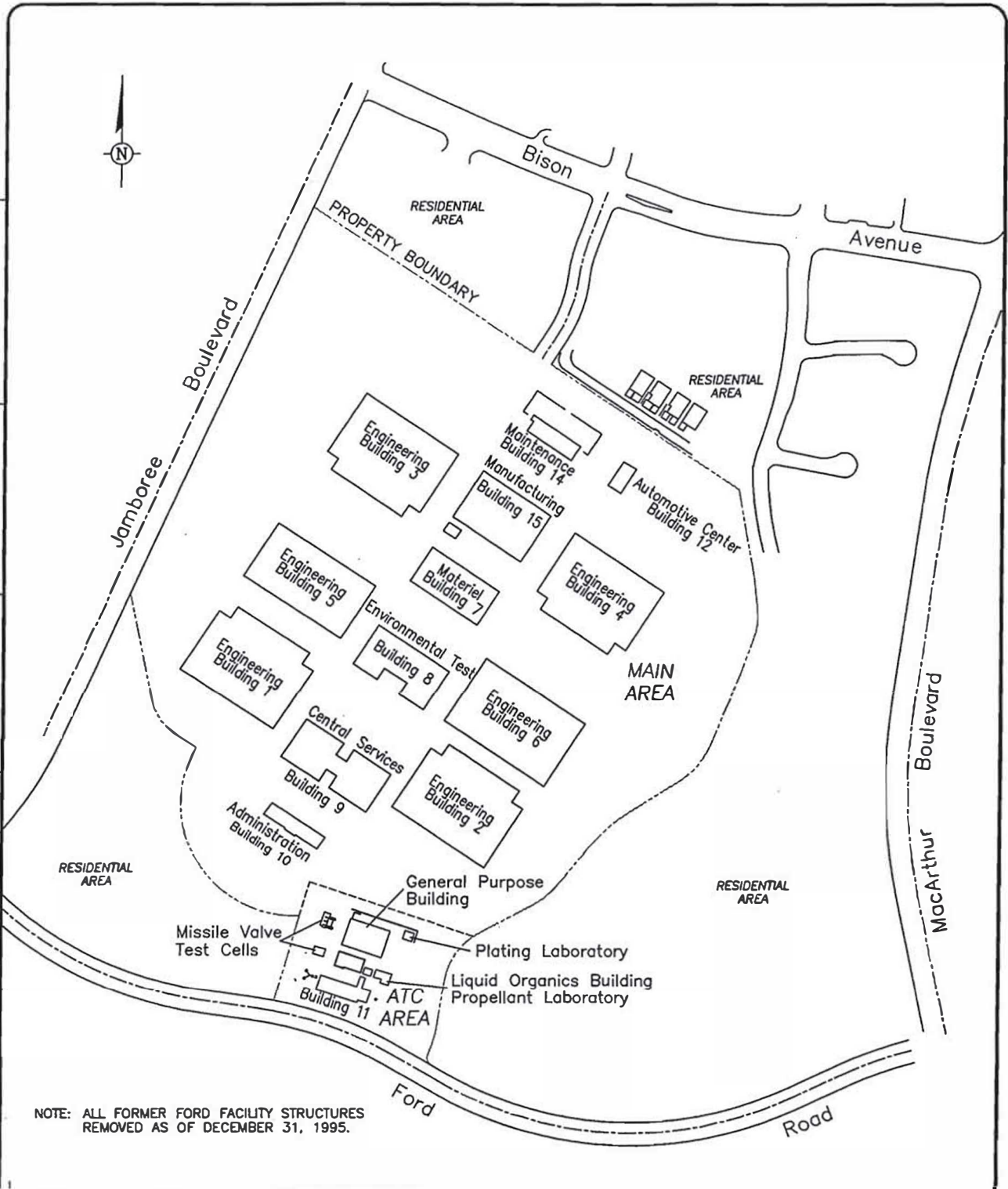
CHECKED: HPS

DRAWING: SILE_6

FILE NO.: R11775C

PRJCT NO.: CA0186.032

DATE: 20 MAY 97



NOTE: ALL FORMER FORD FACILITY STRUCTURES REMOVED AS OF DECEMBER 31, 1995.



SITE PLAN

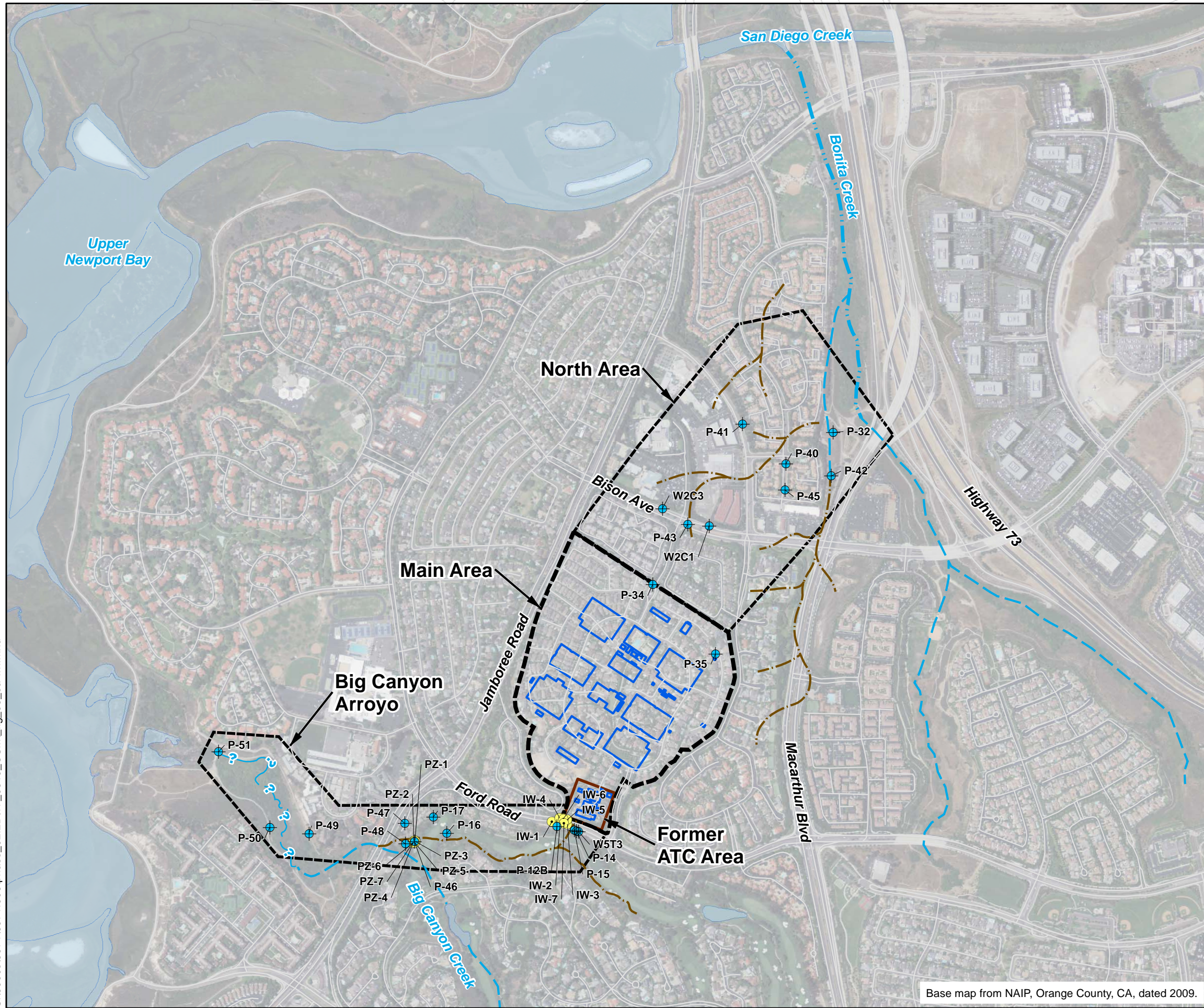
FORMER FORD AERONUTRONIC FACILITY
NEWPORT BEACH, CA

FIGURE

1

0 500 FT

S:\3900s\3971\3971.006\phase_02.2\B17_0519_CSM\fig_03_sa-wn.mxd



Explanation

- Monitoring well or piezometer
- Former IRZ injection piezometer
- Creek (current)
- Creek (former)
- Creek dashed with queries where inferred
- Former Arroyo (1931 USGS topographic map)
- Former facility boundary
- Approximate investigation areas
- Location of former facility buildings
- Former ATC area
- Water Features

INVESTIGATION AREAS AND EXISTING WELL NETWORK
Former Ford Aeronautic Property
Newport Beach, California

Date: 07/25/2017

Project No. 8615397106.02.2B

Figure
2

Base map from NAIP, Orange County, CA, dated 2009.



Santa Ana Regional Water Quality Control Board
and Ford Motor Company

Community Fact Sheet No. 2

September 2018

Environmental Investigation - Former Ford Aeronutronics Site, Newport Beach, CA

For more information, please contact:

Ford Project Information Hotline
(833) 949-3673

Ford Project Website
www.FordNBFacts.com

Jessica Law
Santa Ana Regional Water
Quality Control Board
(951) 782-4381
jessica.law@waterboards.ca.gov

SITE HISTORY

The former Ford Aeronutronics facility occupied the property at 1000 Ford Road, Newport Beach, from 1957 to 1993. Its primary operation consisted of aerospace and electronic research, development, and production.

Ford has been working voluntarily under regulatory oversight since early 1990s to address environmental impacts associated with the previous operations.

Volatile organic compounds (VOCs) associated with past operations are in soil, soil vapor and groundwater on- and off-site. On-site assessment and remediation was completed in 1997 and off-site investigations are ongoing.

Why am I receiving this? The Santa Ana Regional Water Quality Control Board (Water Board) and Ford Motor Company (Ford) are distributing this fact sheet to provide information on Ford's ongoing environmental investigation in the area of the former Ford Aeronutronics property at 1000 Ford Road in Newport Beach (site). The Water Board is the lead state agency overseeing the environmental investigation and cleanup of impacts associated with this site. You are receiving this fact sheet because you reside, work, or own property near the site.

What environmental work has been completed? Ford recently conducted environmental investigations to determine the extent of volatile organic compounds (VOCs), specifically trichloroethene (TCE) and tetrachloroethene (PCE), in soil vapor (tiny air pockets between soil grains) in public rights-of way and common areas in neighborhoods surrounding the former facility. Using data gathered from these investigations, additional areas will be investigated this fall (see map showing investigation areas on the back page of this fact sheet or visit the project website).

What are TCE and PCE? TCE is a chemical compound that was commonly used as an industrial solvent and metal degreaser in the manufacturing industry. PCE is a chemical compound that was commonly used in clothes dry cleaning and metal degreasing. TCE and PCE are among a group of chemicals called chlorinated solvents, which evaporate easily, are highly stable, and nonflammable at room temperature. Due to its widespread use, very low levels of TCE are common in the air of homes and businesses and in outdoor air in urban areas.

Under certain conditions, VOC's, including TCE and PCE, can move through soil and the foundations of buildings and accumulate inside buildings, negatively impacting air quality. This process is called vapor intrusion.

Is my drinking water safe to drink? Yes. Your water is provided by the City of Newport Beach Public Works Department and meets state and federal standards for quality.

Upcoming Investigation Activities - This fall, Ford will be conducting the following environmental investigation work. All work is reviewed and approved by the Water Board.

Soil Gas Investigation: A crew of 5 to 6 individuals will be collecting samples of soil gas in public rights-of-way to determine the extent of TCE and PCE vapors in soil. New areas where samples will be collected are shown on the map on the back page of this fact sheet. Data collected will be used to determine if further investigation is needed.

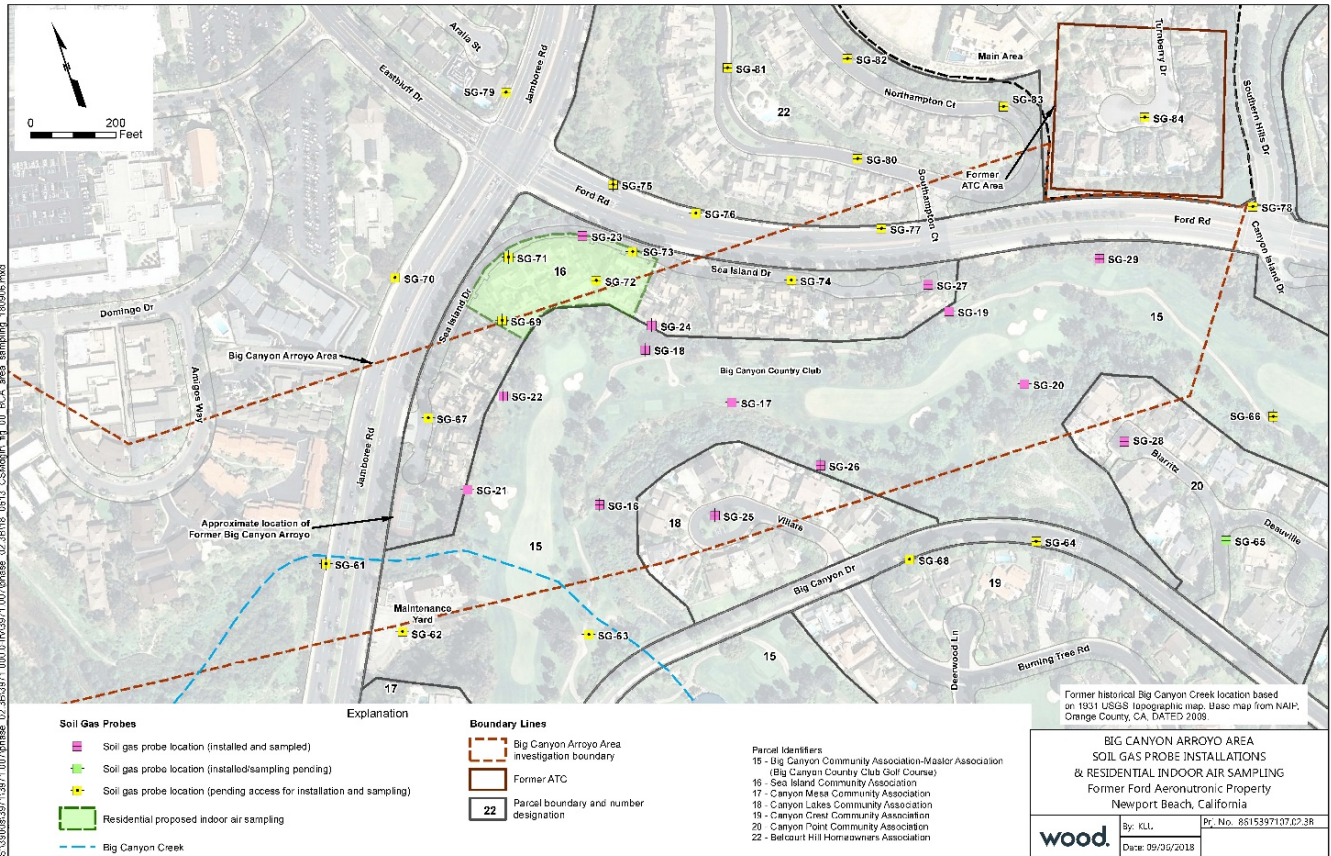
Vapor Intrusion Investigation: Ford is requesting access to select homes and businesses within the study area, shown on the back of this fact sheet, to test indoor air and beneath building foundations for VOCs. Sample results will be compared against the Water Board's established environmental screening levels (ESLs) for indoor air quality. The Water Board's ESLs are very conservative allowing us to proactively take actions to improve the quality of indoor air, if needed. Test results will be shared with property owners and further actions, if necessary, will be agreed upon based on results. It is important to note, that ESLs are designed to provide long-term protection of the health of adults and children and the site does not present an immediate health or safety risk.

How long will this work take? - Investigation work is conducted in phases, and this phase of work is anticipated to continue into 2019.

Reports: The results of this investigation and documents containing site history and details about the past and planned environmental investigations are available for review at the Water Board office in Riverside and can also be viewed and downloaded online at:

http://geotracker.waterboards.ca.gov/profile_report?global_id=SL188023848

Big Canyon Arroyo Area



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Santa Ana Regional Water Quality Control Board
3737 Main St #500
Riverside, CA 92501

INFORMATION ON FORD NEWPORT BEACH ENVIRONMENTAL INVESTIGATION INSIDE

OPEN HOUSE/INFORMATION SESSION

The Water Board will host a drop-in information session to provide project information and answer questions.

Date: September 27, 2018

Location: Civic Center Community Room, 100 Civic Center Drive, Newport Beach, CA 92660

Time: 5:00 p.m. to 8:00 p.m. – drop-in and visit various information stations

Refreshments and on-site daycare will be provided

If you need special accommodations, please call 833-949-3673, 24-hours in advance of the event



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Comment No. I-1

The commenter suggested that a response to the comments from the South Coast Air Quality Management District be provided.

Response to Comment No. I-1

Responses to the comments submitted by the South Coast Air Quality Management District on the Public Review Draft IS/MND are provided in Response to Comments G-1 through G-3, above.

Comment No. I-2

The commenter suggested that a response to the comments from the Santa Ana Regional Water Quality Control Board (RWQCB) be provided. The commenter provided a letter that raised a concern regarding an existing environmental investigation and cleanup of trichloroethylene (TCE) and other chemicals occurring from the Ford Motor Company upstream of the project site. The commenter requested information regarding potential impacts from the cleanup on the proposed project.

Response to Comment No. I-2

The RWQCB was sent a copy of the Public Review Draft IS/MND; however, they did not provide comments on the proposed project. The RWQCB letter dated October 19, 2018 and attached to this comment letter stated that since 1996, groundwater monitoring of the Big Canyon area has been conducted and is currently occurring on a semi-annual basis due to the release of TCE and other chemicals from the Ford Motor Company previously located approximately 0.5-mile northeast of the Phase 2A area. There are three monitoring wells located along the existing trail as shown in Figure 2 on page 6 of the IS/MND, as amended in the Errata, below. From 2001 through 2004, active remediation was conducted in the Big Canyon Arroyo area (portion of Big Canyon west of Jamboree Road) which included enhanced in-situ bioremediation down gradient of the AeroThermal Chemical Building located at the previous Ford Motor Company site northeast of the Phase 2A area. In 2006, 2008, and 2012, limited soil gas surveys were conducted which concluded health risks from vapor intrusion of TCE and other chemicals were not present. This conclusion was based on the screening levels and standards at that time. In 2014, the U.S. Environmental Protection Agency (USEPA) published a memorandum identifying modified exposure levels for TCE for commercial and residential properties. As a result, the RWQCB in San Francisco updated their environmental screening levels for evaluating risk from impacted soil, soil gas, and groundwater. A reassessment of the commercial and residential properties is currently occurring and the three monitoring wells along the trails shown in Figure 2 of the IS/MND, as revised in the Errata, below, will continue to be used to sample groundwater. These wells are not located within the area proposed for vegetation removal and restoration efforts, and therefore, the implementation of the proposed project would not impact the existing groundwater wells.



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Comment No. I-3

The commenter raised a concern of how the monitoring will continue into the future.

Response to Comment No. I-3

As stated in Response to Comment No. I-2 above, the three existing groundwater monitoring wells located along the existing trails shown in Figure 2 of the IS/MND, as amended in the Errata below, will continue to be used. These wells are not located within the area proposed for vegetation removal and restoration efforts, and therefore, the implementation of the proposed project would not impact the existing groundwater wells.

Comment No. I-4

The commenter expressed a concern that there are encumbrances for monitoring wells without any notices to the property owners.

Response to Comment No. I-4

As stated in Response to Comment No. I-2 above, the three existing groundwater monitoring wells located along the existing trails shown in Figure 2 of the IS/MND, as amended in the Errata below, will continue to be used. These wells are not located within the area proposed for vegetation removal and restoration efforts, and therefore, the implementation of the proposed project would not impact the existing groundwater wells. Notice of the City Council public hearing for adoption of the IS/MND has also been provided to Ford Motor Company, the beneficiary of the encroachment agreement for the monitoring wells.

Comment No. I-5

The commenter raised a concern that the IS/MND did not include a discussion of the updated selenium reports and comments from the California Department of Fish and Wildlife from Phase 1.

Response to Comment No. I-5

The water quality information from 2018 prepared by Burns and McDonald is included in Appendix F and discussed on page 109 in Section 3.4.9 of the IS/MND. Total selenium was reported to be substantially reduced due to the water quality improvements provided in Phase 1.

Response to Comment No. F-1 addresses the comment letter provided by the California Department of Fish and Wildlife letter dated October 4, 2018. This comment was regarding the PSHB infected wood chips.

Comment No. I-6

The commenter expressed a concern that the IS/MND has not been revised to reflect that the proposed project is within the Coastal Tidelands.



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Response to Comment No. I-6

Section 2.8 of the IS/MND has been revised to identify the California Coastal Commission (CCC) as the responsible agency to issue a Coastal Development Permit for the proposed project. The CCC is responsible because the project site is designated as a Tideland Trust area.

Comment No. I-7

The commenter expressed a concern that the project has not been properly noticed in accordance with the City Charter and Council Resolutions and provided by the City Parks and Recreation Commission and the Water Quality Coastal Tidelands Committee.

Response to Comment No. I-7

The proposed project was presented at the City of Newport Beach Parks, Beaches, & Recreation Commission on December 4, 2018. The meeting was properly noticed by City staff. At the meeting, the Commission recommended City Council approval of the proposed park improvements for the Big Canyon park as well as authorized the removal of the pepper trees in accordance with Council Policy G-1.

Comment No. I-8

The commenter expressed a concern that the above items need to be discussed and provided as part of a submission to the California Coastal Commission.

Response to Comment No. I-8

Each of the comments and the responses provided on the Public Review Draft IS/MND will become part of the Final IS/MND. The Final IS/MND will be submitted to the California Coastal Commission as part of the application for a Coastal Development Permit for the proposed project.

Comment No. I-9

The commenter requested that the comments and materials provided be included in the record prior to the November 15, 2018 Zoning Administrator Hearing.

Response to Comment No. I-9

The comments and materials within this Comment Letter I that were provided at the November 15, 2018 Zoning Administrator Hearing is part of the environmental record for the proposed project and will be part of the submittal to the California Coastal Commission.



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January 8, 2019
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ERRATA/REVISIONS

The following provides the corrections and additions to the sections of the Initial Study/Mitigated Negative Declaration. The corrections and additions are organized by page number. Additional text is shown in underline, and deleted text is shown in ~~strikethrough~~ format.

Some of the revisions included herein are based on input received from the commenters during the public review period, and some are City-identified changes. None of these clarifications and revisions reflect a substantial change to the project, nor do they result in a new impact or intensification of an impact already identified in the Draft MND that would require recirculation of the Draft MND in accordance with Section 15073.5 of the CEQA Guidelines.

Page 1, IS/MND

The first sentence in the second paragraph on page 1 of Chapter 1, Introduction of the IS/MND is revised as follows:

Phase 2A is considered a separate project from other identified phases (i.e. Phase 1, Phase 2B, and Phase 2C) ~~because where~~ specific grant funding was provided to the project applicant, The Newport Bay Conservancy, to provide a restoration design for the 11.32-acre project site (Phase 2A).

Page 6, Figure 2, IS/MND

The locations of existing groundwater wells are added to Figure 2. These wells are used to monitor groundwater quality to determine the migration of potential contamination from chlorinated solvents, including trichloroethylene, and other chemicals that were used by the former Ford Aeronutronics facility operated from 1957 to 1993 located approximately 0.5-mile northwest of the project site. The three groundwater monitoring wells are not located within the area proposed for vegetation removal and restoration efforts, and therefore, the implementation of the proposed project would not impact the existing groundwater wells.

The legend for Figure 2 is modified to identify the existing groundwater monitoring wells.

Page 9, IS/MND

The third paragraph is revised to correct a couple of typographical errors.

As shown on Figure 2, Phase 2 will be implemented in three sub-phases. The proposed project (Phase 2A) is the next downstream restoration phase that includes restoration of at least 9.2 acres of coastal canyon creek, and alkali wet and dry meadow and riparian habitat (which would includes habitat for the endangered Least Bell's Vireo) within the 11.32-acre Phase 2A site. Restoration of the Phases 2B and 2C areas (Figure 2) will follow implementation of Phase 2A. Newport Bay Conservancy (NBC) is conducting feasibility studies for these future phases and developing alternatives to address water quality and mosquito breeding in the freshwater pond, remove invasive plant species, and improve future tidal transitional zones in these downstream areas.



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January 8, 2019
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Page 10, IS/MND

The eighth sentence in the fourth paragraph on page 10 of the IS/MND is revised to correct a typographical error.

In the lower canyon within Phases 2B and 2C, there is evidence of the stockpiling of dredged materials on both sides of Back Bay Drive.

Page 11, Figure 4, IS/MND

The legend for Figure 4 is modified to accurately identify that the Menzies' Golden Scrub Alliance vegetation community is considered an environmentally sensitive habitat area (ESHA) and that the Mixed Arroyo Willow/Pepper Tree Grove is not considered an ESHA. In addition, the legend is modified to identify that the existing Freshwater Marsh, Alkali Heath Alliance and Menzies's Goldenbrush Scrub are not proposed to be removed. The legend for Figure 4 is revised as follows:

Bare Ground

Freshwater Marsh (ESHA) (Not proposed to be removed)

Mixed Arroyo Willow/Pepper Tree Grove (~~ESHA~~)

Pepper Tree Grove

Alkali Heath Marsh Alliance (ESHA) (Not proposed to be removed)

Menzies' Golden Scrub Alliance (~~ESHA~~) (Not proposed to be removed)

The revision to the determination of the Mixed Arroyo Willow/Pepper Tree Grove as not an Environmental Sensitive Habitat Area (ESHA) is based on the integrity of the native arroyo willows. The arroyo willow component of the Mixed Arroyo Willow/Pepper Tree Grove vegetation is substantially compromised by the constantly increasing presence of Brazilian pepper trees and other undesirable non-native species. The mixed vegetation encompasses approximately 25 percent of the total project site. As has obviously occurred in most of the Phase 2A area already, the willows and other native vegetation in the area continue to be increasingly displaced (crowded out) by the non-native pepper trees.

Page 17, IS/MND

Table 1 on page 17 included asterisks at the end of some of the vegetation communities. These asterisks are hereby removed because the specific discussion of special status vegetation communities are provided in the paragraph below Table 1. The asterisks within Table 1 have been removed.

Mixed Arroyo Willow*/Pepper Tree Grove

Alkali Heath Marsh Alliance*

Menzies's Goldenbush Scrub Alliance*



Ms. Nova, AICP
January 8, 2019
Page 63

Page 17, IS/MND

The following correction to the second paragraph on Page 17 of the IS/MND is provided to reflect the revisions of which vegetation communities are and are not Environmental Sensitive Habitat Areas (ESHAs).

As shown in Table 1, the project area currently supports five vegetation communities, as well as bare ground and disturbed and developed areas (i.e., unpaved public access areas and dirt trails). These plant communities include: mixed arroyo willow/pepper tree grove, freshwater marsh, alkali heath marsh alliance, Menzies' goldenbush scrub alliance, and pepper tree grove. Of these, three are special-status vegetation communities: ~~mixed arroyo willow/pepper tree grove~~ freshwater marsh, alkali heath marsh alliance, and Menzies' goldenbush scrub alliance (Figure 4). Sensitive plant communities are those considered to support special-status plant and/or wildlife species, or function as corridors for wildlife movement. Although the arroyo willow trees are located within the mixed arroyo willow/pepper tree grove, this mixed vegetation is not considered a sensitive plant community because it is substantially compromised by the constantly increasing presence of Brazilian pepper trees and other undesirable non-native species. As has obviously occurred in most of the Phase 2A area already, the willows and other native vegetation in the area continue to be increasingly displaced (crowded out) by the non-native pepper trees.

Page 17, IS/MND

The second sentence of the third paragraph is revised to correctly reference the arroyo willows on the project site.

The invasion and establishment of invasive trees and understory vegetation has heavily impacted the arroyo willows on the project site. ~~southern riparian forest habitat.~~

Page 18, IS/MND

The fourth sentence of the first paragraph on page 18 is revised as follows to clarify the habitats illustrated on Figure 4.

As shown on Figure 4 and presented in Table 1, the project area also includes alkali marsh and meadow community (Alkali Heath Marsh Alliance) and upland coastal sage scrub habitat (Menzies's Goldenbrush Scrub Alliance).

Page 19, IS/MND

The second sentence in the second paragraph in Section 2.5.1.1 on page 19 is deleted because it is a duplicate of the first sentence.

~~The proposed project will first remove the invasive pepper tree groves and other invasive plant species.~~

Page 21, Figure 11, IS/MND

The legend for Figure 11 is modified to accurately identify the intent of the site clearing and grubbing.



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Invasive Plant Removal

Site Clearing and Grubbing (complete removal including root mass of non-natives and PSHB-infested willows) – 6.83 acres

Site Selective Tree Removal (removal of invasive pepper trees, other invasive plant species and PSHB-infested willows) – 2.41 acres

Page 28, IS/MND and Appendix C, Page 8

The following correction addresses the comment made by the California Department of Fish and Wildlife who addressed the need for clarification of vegetation disposal and information provided in third paragraph on page 28 of the IS/MND and page 8 in Appendix C, The Biological Resources Technical Report:

The stream corridor outside of the pepper trees groves is dominated by native willows that exhibited evidence of infestation by the Polyphagous Shot Hole Borer (PSHB) noted during field surveys conducted during Phase 1. The potential infested wood chips from the onsite willow trees would be treated through solarization at locations along the existing trail that are illustrated on Page 6 of the 60% Design Plans in Appendix A. The remaining wood chips as well as the dead and non-native vegetation would be disposed of at the Prima Deshecha Landfill. Subsequent to completing the habitat restoration, ~~t~~The proposed project will use long-term pest management techniques in consultation with experts from the University of California Riverside. Such techniques may include heavy pruning of the existing infested mature trees and application of soil amendments and tree injections to improve resilience of existing woody plants. ~~These areas also contain invasive plant species that will be removed selectively and replaced with native plants.~~ To further improve sustainability of the replanted native riparian vegetation, woody species and herbaceous plants will be selected that are not highly susceptible to PSHB infestation. ~~will be selected.~~

Page 33, IS/MND

The last sentence of the second paragraph in Section 2.5.5 on page 33 is revised as follows to clarify the proposed fencing on the project site.

The project ~~does not~~ includes the installation of ~~appropriate~~ fencing to keep the public out of sensitive habitats because the vegetation proposed will be dense and would discourage trespassing. However, if the City determines a need to install fencing for safety or to prevent the formation of illegal trails into the habitat restoration area, the project would include posts and wire fencing in locations identified in Figure 14 in this IS/MND and illustrated on Figure 15 in this IS/MND.

Page 37, IS/MND

The first sentence of the second paragraph on page 37 of the IS/MND is revised to clarify that biologically sensitive areas will be protected with fencing during construction.



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Biologically sensitive areas will be protected with fencing prior to construction and periodically monitored. Water quality protection during construction will be monitored based on a pre-construction Quality Assurance Project Plan (QAPP) and Sampling and Analysis Plan (SAP), to be developed prior to construction.

Page 37, IS/MND

The following is added to the paragraph under Section 2.7.1 on page 37 of the IS/MND to clarify that construction fencing will be used.

Furthermore, the temporary fencing will continue to be located around the project restoration activities during the 120-day plant establishment period to prevent illegal access.

Page 38, IS/MND

The following is added at the end of the first paragraph on page 38 of the IS/MND to clarify when operational fencing would be installed.

During the long-term maintenance (operational) activities, no fencing is proposed. However, if the City determines a need to install fencing for safety or to prevent the formation of illegal trails into the habitat restoration area, the project would include posts and wire fencing in locations identified on Figure 14 in this IS/MND and illustrated on Figure 15 in this IS/MND.

Page 38, IS/MND

Section 2.8 on page 38 of the IS/MND is revised to clarify which agency is responsible for the issuance of the Coastal Development Permit. In addition, the City of Newport Beach will need to issue a grading permit for the project.

The City of Newport Beach will use the proposed project IS/MND and supporting documentation in its decision to adopt this IS/MND and approve the project. Regulatory Agencies would similarly use the IS/MND and supporting documentation to support additional discretionary actions, including:

- ~~City of Newport Beach: Coastal Development Permit~~
- City of Newport Beach: Right of Entry Permit
- City of Newport Beach: Grading Permit
- California Coastal Commission: Coastal Development Permit
- U.S. Army Corps of Engineers (USACE): 404 Certification
- California Department of Fish and Wildlife (CDFW): Streambed Alteration Agreement
- Regional Water Quality Control Board: 401 Certification



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Although the proposed project is in the City of Newport Beach which has an approved local coastal plan, the project site has been identified as a Tideland Trust property. Tideland Trust properties are considered deferred certification areas in the Local Coastal Program and therefore, the California Coastal Commission is the agency who is responsible for the issuance of a coastal development permit for the proposed project. Therefore, after the deliberation and approval of the proposed project by the City of Newport Beach, the proposed project will be required to be submitted to the California Coastal Commission for a determination of issuance of a coastal development permit.

Page 39, IS/MND

The coastal development permit discretionary actions provided on page 39 of the IS/MND under 11. Discretionary Actions is revised to clarify that the California Coastal Commission is the agency responsible for the issuance of a coastal development permit.

California Coastal Commission ~~City of Newport Beach~~: Coastal Development Permit

Page 42, IS/MND

The following correction was required to clarify that the vegetation that is currently infested with the Polyphagous Shot Hole Borer (PSHB) is some of the existing willow trees. The second paragraph on page 42 of the IS/MND is revised as follows:

Furthermore, the proposed project includes the removal of the existing Brazilian pepper trees that are approximately 20 to 30 feet in height, non-native and evergreen. ~~Although these tree species could provide a visually pleasing view, these species are infested with PSHB that will eventually destroy the trees.~~ The proposed removal of these non-native evergreen species as well as other exotics and invasive species would alter distant views from Back Bay Drive and limited views from Jamboree Road, as well as distant eastern views from the nearest public viewpoint located approximately 600 feet west of the project site within the western portion of Big Canyon Park. Although these current views would be altered, the proposed vegetation would provide views of native habitat that can be visually pleasing. ~~the presence of PSHB will result in the ultimate destruction of the existing pepper trees and the visually pleasing resource will be naturally affected.~~ Therefore, ~~t~~the proposed restoration of the project site with alkali wet and high meadow communities with vegetation heights of two to three feet would include more sustainable natural plant species. The final project plantings would continue to provide natural and visually pleasing vegetation as viewed from Back Bay Drive and Jamboree Road. Although the proposed restoration would alter views from Jamboree Road, Back Bay Drive, as well as the public viewpoint west of the project site, views of the project site would remain aesthetically pleasing and impacts to the scenic quality of the project area would be less than significant.

Page 72, IS/MND

The first sentence of the second paragraph on page 72 of the IS/MND is revised to correct a typographical error.

~~of~~Temporary access ramps are proposed at two locations and one additional optional location is proposed (shown on Figures 12 and 13, above) to provide equipment access to the project site to remove exotic and invasive vegetation and to implement habitat restoration activities.



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Pages 72 and 73, IS/MND

The third paragraph on page 72 and extending to page 73 is revised to clarify the special status species located on the project site.

Only ~~three~~ two special status vegetation communities (~~mixed arroyo willow/pepper tree grove~~, alkali heath marsh alliance, and Menzies' goldenbush scrub alliance) occur within the Phase 2A project area as shown ~~depicted on Figure 4 above, and indicated below in Table 10~~. No adverse effects would occur to the alkali heath marsh alliance or to Menzies' goldenbush scrub alliance. In addition, although it is not considered a special-status vegetation community, no adverse effects would occur to the 0.40 acre of freshwater marsh on-site, which is a riparian community. Selective removal of exotic pepper trees and enhancement would occur within 2.41 acres of the total 2.90 acres of mixed arroyo willow/pepper tree grove community on-site. This work would involve tree removal and may also include substantial pruning or removal of native willow trees if they are badly infested with PSHB. Some incidental damage to individual arroyo willow trees ~~native vegetation~~ is also anticipated to occur in order to access, prune and remove the individual exotics and infested willows.

Page 73, IS/MND

Table 10 on page 73 included asterisks at the end of some of the vegetation communities. These asterisks are hereby removed because the specific discussion of special status vegetation communities are provided in the paragraph above Table 10. The following has been revised within Table 10.

Mixed Arroyo Willow^{*}/Pepper Tree Grove
Alkali Heath Marsh Alliance^{*}
Menzies's Goldenbush Scrub Alliance^{*}

Page 73, IS/MND

The first sentence in the second paragraph on page 73 of the IS/MND is revised to clarify the reference to the arroyo willow trees.

To minimize adverse effects to native healthy arroyo willow trees ~~vegetation~~ within the mixed-arroyo willow/pepper tree grove, work would be done manually or by using small, lightweight machines to the extent feasible; however, as a conservative estimate of potential disturbance to the existing mixed arroyo willow/pepper tree grove community on-site, for purposes of this analysis, it is assumed that up to a maximum of 2.90 acres would be effected; even though the selective removal would only result in a portion of the 2.90 acres to be entirely affected.

Page 74, IS/MND

The second paragraph on page 74 of the IS/MND is revised to clarify which existing plant communities are ESHAs, and the project potential impact on these communities.



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Several habitat types identified as ESHAs occur in Big Canyon. Within the Phase 2A area (project site), there are ~~three~~ four ESHAs that include ~~southern willow scrub, southern arroyo willow forest, freshwater marsh, and a version of alkali meadows, and Menzies's Goldenbush Scrub Alliance.~~ These three ESHAs encompass 1.26 acres of the 11.32-acre Phase 2A project site. These ESHA habitat areas are~~The southern willow scrub and southern arroyo willow forest are located within the mixed arroyo willow/pepper tree grove vegetation community as shown on Figure 4 in Chapter 2, Project Description. The freshwater marsh and the Menzies's Goldenbush Scrub Alliance are~~ is also shown in Figure 4.~~The version of alkali meadows is shown as Alkali Heath Marsh Alliance in Figure 4.~~ The proposed project does not include direct effects on the freshwater marsh, and alkali meadows and Menzies's Goldenbush Scrub Alliance.; ~~however, the project will result in the restoration of the areas that contain mixed arroyo willow/pepper tree grove vegetation community.~~

Pages 74 and 75, IS/MND

The last paragraph on page 74, which continues on page 75 is revised to clarify that the proposed project would not impact existing onsite ESHAs.

The City of Newport Municipal Code section 21.30B.030 provides regulations regarding designating ESHAs, requiring protection, reporting of ESHAs, ESHA buffers, development design and siting adjacent to ESHAs, limiting uses within ESHAs, and required findings. As identified above, there are onsite ESHAs that meet the characteristics identified in the City's municipal code and Coastal Act. The ESHA shall be protected against significant disruption of habitat values. No direct effects to the onsite freshwater marsh, Alkali Heath Marsh Alliance or Menzies's Goldenbush Scrub Alliance ESHAs would occur with the proposed project.~~The proposed project includes restoring the natural habitat on the project site and removing the invasive Brazilian pepper tree forest and other invasive plant species, and therefore, would improve the habitat values on the project site.~~ Appendix C of this IS/MND includes a biological resources technical report that addresses the existing onsite plant and wildlife species and the potential effects associated with the proposed project. The Code identifies the need to provide a minimum of a 50-foot buffer between urban development and ESHAs. The nearest urban development to the project site is approximately 75 to 100 feet from the project site, which meets the buffer requirement. The design and siting requirement refers to new urban development which is not applicable to the proposed project because the proposed project is not introducing new urban development but, rather, restoring the native habitat within Big Canyon by removing the invasive species. The Code identifies that land uses for ESHAs shall include limited public access improvements, minor educational, interpretative and research activities and development, and habitat restoration projects. Because the proposed project includes habitat restoration and public access improvements in the form of interpretive signs and resting areas, the project is considered consistent with the required uses. Finally, the required findings ~~are to~~ demonstrate that the existing resources will not be significantly affected. Because the project includes restoring the native habitat on the project site and resulting in no direct effects on the three onsite ESHAs, the project would not ~~significantly~~ affect the ESHA resources on the project site, ~~but~~ The proposed project would improve and enhance the value of the resources on the project site.

Page 75, IS/MND

The analysis in Table 11 on pages 75 and 76 of the IS/MND is modified to accurately identify the onsite ESHAs and the project's potential impact on the ESHAs.

4.1.1-1. Define any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments as an environmentally sensitive habitat area (ESHA). Using a site-specific survey and analysis by a qualified biologist, evaluate the following attributes when determining whether a habitat area meets the definition of an ESHA:

A. The presence of natural communities that have been identified as rare by the California Department of Fish and Game.

B. The recorded or potential presence of plant or animal species designated as rare, threatened, or endangered under State or Federal law.

C. The presence or potential presence of plant or animal species that are not listed under State or Federal law, but for which there is other compelling evidence of rarity, such as designation as a 1B or 2 species by the California Native Plant Society.

D. The presence of coastal streams.

E. The degree of habitat integrity and connectivity to other natural areas.

Attributes to be evaluated when determining a habitat's integrity/connectivity include the habitat's patch size and connectivity, dominance by invasive/non-native species, the level of disturbance, the proximity to development, and the level of fragmentation and isolation.

Existing developed areas and existing fuel modification areas required by the City of Newport Beach Fire Department or the Orange County Fire Authority for existing, legal structures do not meet the definition of ESHA.

Consistent

~~A. Riparian habitat containing native willows and other native woodland and scrub vegetation along a coastal stream leading into Upper Newport Bay is considered sufficiently valuable and uncommon or vulnerable to be categorized as ESHA. CDFW also recognizes willow forest as a sensitive community although this mixed community may not be deemed as sensitive. Therefore, the mixed arroyo willow woodland/pepper tree community in Phase 2A would be ESHA, albeit in a degraded condition due to the presence of exotic Brazilian pepper trees. The location of the onsite habitats that are considered ESHAs are depicted in Figure 4 in Section 2, Project Description.~~

The other vegetation types in Phase 2A, including Menzies' goldenbush scrub (a version of coastal sage scrub), alkali heath marsh alliance, and freshwater marsh dominated by cattails, are each considered rare or vulnerable or otherwise sensitive. These three vegetation communities are ESHAs and are all components of the ESHA within Phase 2A. However, the planned restoration project will not affect these three other communities within the site. The arroyo willow component of the Mixed Arroyo Willow/Pepper Tree Grove vegetation is substantially compromised by the increasing presence of Brazilian pepper trees and other undesirable non-native species and thus, these trees are not classified as ESHA.

~~B. No State or federally-listed species have been identified in the arroyo willow woodland/pepper tree community in Phase 2A. Both the white tailed kite (State fully protected species) and the least Bell's vireo (Federal and State endangered species) were observed offsite, but within the study area, but this community may be potentially suitable for the least Bell's vireo.~~

~~C. Several special-status plants and animals are known from the study area, but outside the project area. The special status species that have been observed in the area (but outside the restoration area) include the southern tarplant, California boxthorn, orange-throated whiptail, yellow warbler, yellow-breasted chat, white-tailed kite, coastal California gnatcatcher, least Bell's vireo, Southern California saltmarsh shrew, pallid bat, and San Diego desert woodrat. Yellow warbler, a California Species of Special Concern has been observed in the area and California box thorn was noted in an adjacent area. Other non-listed species may have some potential to occur.~~

~~D. Big Canyon Creek flows through Phase 2A but does not which flow through existing ESHAs includes ESHAs as depicted on Figure 4.~~

~~E. The habitat that would be affected by the planned activity within Phase 2A exhibits poor integrity as it has been overrun by Brazilian pepper trees that have displaced native vegetation and~~

		<p>provide only very limited habitat values. The remaining willow trees and native riparian elements are threatened by continued encroachment by this exotic vegetation. The area is connected to Upper Newport Bay but is not considered an important wildlife linkage. There is little natural area upstream on the other side of Jamboree Road other than a golf course which provides open space but limited habitat value for terrestrial wildlife.</p>
<p>4.1.1-2. Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for coastal development permit applications where development would occur within or adjacent to areas identified as a potential ESHA. Identify ESHA as habitats or natural communities listed in Section 4.1.1 that possess any of the attributes listed in Policy 4.1.1-1. The ESA's depicted on Map 4-1 shall represent a preliminary mapping of areas containing potential ESHA.</p>	<p>Consistent</p>	<p>A site-specific survey and analysis has been prepared by a qualified biologist. The project involves habitat restoration only. No new development is proposed. Severely degraded <u>habitat</u> ESHA comprised predominantly of non-native trees and up to 0.5 acre containing a mix of native <u>arroyo willow riparian</u> vegetation and non-native trees will be removed but then completely replaced with appropriate mosaic of native vegetation (including special status plant species) along a more stable streambed with better connectivity to the surrounding floodplain. The location of the existing onsite ESHAs are shown in Figure 4. The planned activity would result in restoration of a robust and diverse habitat area with increased potential to attract and support special status wildlife and plants.</p>
<p>4.1.1-3. Prohibit new development that would necessitate fuel modification in ESHA.</p>	<p>Consistent</p>	<p>Project involves habitat restoration only. No new development or other use necessitating fuel modification is proposed.</p>
<p>4.1.1-4. Protect ESHAs against any significant disruption of habitat values.</p>	<p>Consistent</p>	<p><u>The project site contains three ESHAs (freshwater marsh, Alkali Heath Marsh Alliance and Menzies's Goldenbush Scrub Alliance). These three ESHAs would not be impacted by the proposed restoration activities. A 0.5-acre area of the ESHA comprised of the mixed arroyo willow / pepper tree woodland will be cleared and grubbed and other areas will be subject to selective removal of exotic pepper trees and other non-native vegetation. Sections of Big Canyon Creek will also be graded, recontoured and stabilized and, thus, would be temporarily disturbed and flows would be diverted during the work. The purpose of the proposed project is to restore and establish an optimal mix of native vegetation types within the disturbed areas surrounding the ESHA habitat and, thus, substantially improve habitat values within these areas.</u></p>
<p>4.1.1-7. Limit uses within ESHAs to only those uses that are dependent on such resources.</p>	<p>Consistent</p>	<p>Uses of the Phase 2A site will be restricted to passive recreation and education with public access restricted to the existing trail system. Entry into ESHA areas, including restored habitats, would be restricted to authorized persons <u>through the use of signage, and if needed, operational fencing in locations shown on Figure 14 and illustrated in Figure 15.</u></p>



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Page 81, IS/MND

In December 2018, the Parks, Beaches & Recreation Commission reviewed the proposed project and authorized removal of the Brazilian Pepper trees in accordance with Council Policy G-1 within the Big Canyon Phase 2A. In addition, the Commission recommended City Council approval of the proposed park improvements. The second paragraph on page 81 of the IS/MND is modified as follows to reflect the action taken by the Commission.

At the December 4, 2018 Parks, Beaches & Recreation Commission meeting, the Commission authorized removal of the Brazilian Pepper trees in accordance with Council Policy G-1 within the Big Canyon Phase 2A. In addition, the Commission recommended City Council approval of the proposed park improvements. The proposed project would not conflict with the protection of biological resources under the City of Newport Beach Municipal Code. Also, it was determined that the Brazilian pepper trees and other exotic trees within Big Canyon Phase 2A are not subject to the City's tree removal policy, as they are in a designated natural open space area. Further, the City does not inventory, has never maintained them, and has provided direction that these trees will not be subject to the Council Policy G-1. Therefore, removal of the Brazilian Pepper trees will not conflict with the policy.

Page 112, IS/MND

The last paragraph on page 112 of the IS/MND is revised to reflect the action taken by the Parks, Beaches & Recreation Commission at their meeting of December 4, 2018.

At the December 4, 2018 Parks, Beaches & Recreation Commission meeting, the Commission authorized removal of the Brazilian Pepper trees in accordance with Council Policy G-1 within the Big Canyon Phase 2A. In addition, the Commission recommended City Council approval of the proposed park improvements. Further, as discussed above in Section 3.4 Impact e) in Biological Resources, the proposed project would not conflict with the City of Newport Beach Municipal Code, Council Policy G-1, *Retention, Removal, and Maintenance of City Trees*. City staff determined that the Brazilian pepper trees and other exotic trees within Big Canyon Phase 2A are not subject to the City's tree removal policy, as they are in a designated natural open space area. Further, the City does not inventory, has never maintained them, and has provided direction that these trees will not be subject to the Council Policy G-1. Removal of the existing onsite exotic, invasive Brazilian Pepper trees will not conflict with the policy.

Page 126, IS/MND

At the end of the second paragraph on page 126 of the IS/MND, the following is revised to address the intended hours of operation for the Big Canyon Park with the implementation of the proposed project.

Thus, the construction activities associated with the proposed project would be required to adhere to the applicable permitted hours of operation established under the City of Newport Beach's Noise Ordinance. In addition, the City intends to change the hours of operation for Big Canyon Park to close from "dusk till dawn," which may require a future ordinance.



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Page 141, IS/MND

The following text has been revised to address the landfilling of the chipped material from the project site. The second paragraph on page 141 of the IS/MND is revised as follows:

Project implementation would result in the need for disposal of vegetative debris from construction and maintenance activities. Solid waste removed from the project site would include dead or nonnative vegetation. Debris would be removed with construction equipment and transported to the landfill by haul trucks at the designated haul routes discussed above in Section 3.4.16, Impacts a) and d). The total estimated vegetation removal is approximately 7,500 cubic yards and the total estimated soil removal is approximately 1,500 cubic yards. It is anticipated that the project's generation of solid waste would be at its greatest during initial construction activities due to the primary removal of non-native habitat vegetation. Thereafter, the project would result in minimal removal of dead vegetation during operational maintenance activities. Chipped material totaling up to approximately 800 cubic yards may be used for top dressing within the replanted area as well as on the trail located along the northern boundary of the project site. A portion of the 800 cubic yards of chip material is anticipated to be infested by the PSHB. Only the potential infested wood chips which are anticipated to come from some of the onsite willow trees would be treated through solarization at locations along the existing trail that are illustrated on Page 6 of the 60% Design Plans in Appendix A. The remaining wood chips that are not infested as well as the dead and non-native vegetation that are also not infested would be disposed of at the Prima Deshecha Landfill. Given the project's scale, it is anticipated that the specified landfill would have the adequate capacity to accommodate the project's waste disposal needs. Therefore, the project would result in a less than significant impact to landfill capacity.

Page 143, IS/MND

The following is a correction to the cumulative discussion on page 143 of the IS/MND.

Less than Significant with Mitigation. The proposed project along with other related projects such as Phases 1, 2B and 2C would result in several potentially significant project-level cumulative impacts. Impacts associated with the related projects would be similar to the impacts associated with the proposed project. As a result, the cumulative impacts regarding Biological Resources, Cultural Resources and Noise would be significant. Because the proposed project would result in significant impacts associated with these same issues, the would project level impacts regarding Biological Resources, Cultural Resources and Noise. The project's contribution to cumulative impacts to Biological Resources, Cultural Resources and Noise would be cumulatively considerable, and therefore, could result in significant cumulative impacts.

Appendix D, Page 7

Appendix D, Phase 1 Cultural Resources / Archeological Research Plan, is modified to reflect the correct date for earliest human occupation. The first sentence of the second paragraph on page 7 as well as the first sentence of the third paragraph of page 7 of Appendix D in the IS/MND is revised as follows:

The prehistory of the region has been summarized within four major horizons or cultural periods: Early [~~10,000~~ 13,000 to 8,000 before present (B.P.)], Millingstone (8,000 to 3,000 B.P.), Intermediate (3,000 to 1,500 B.P.), and Late Prehistoric (1,500 B.P. to A.D. 1769) (Wallace 1955; Warren 1968). The southern



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California coast may have been settled as early as ~~10,000~~ 13,000 years ago (~~Jones 1992~~ Waters and Stafford 2007). Evidence of human occupation as early as 13,000 B.P. was found at the southern California Fairpoint Site located on Point Dume in Malibu, which was validated by the national museum, The Smithsonian (Stanford 2007).

Appendix D, Page 8

The first sentence of paragraph five on page 8 of Appendix D, Cultural Resources / Archeological Research Plan is revised as follows:

The proposed project is located at the southern extent of ~~Gabrielino-Kizh-Tongva~~ Kizh territory, near the boundary with the Juaneño–Acjachemen territory to the south.

Appendix D, Pages 8 and 9

Appendix D, Phase 1 Cultural Resources / Archeological Research Plan, is modified to reflect the reference to sources for the mentioned “Ethnographic Setting” on pages 8 through 9 and the reference to Mr. Anthony Salas has been revised as follows:

~~Mr. Anthony Salas~~ Mr. Chairman Andrew Salas, Chairperson of the Gabrieleño Band of Mission Indians – Kizh Nation, provided information on known ethnographic village sin the project vicinity. These include Lukupangna, Lopuuknga, Moyonga (or Moyo), Kengaa, and Kenyaanga (or Kenyaangna), two of which are located near Newport Beach. For reasons of confidentiality, more specific locations are not provided. The Gabrielino-Kizh-Tongva are reported to have been second only to the Chumash in terms of population size and regional influence (Bean and Smith, 1978; Johnston, 1962; McCawley, 1996; Teutimes-Salas et al., 2013).

Appendix D, Page 40

The following sources have been added to the References Cited section on page 40 of Appendix D, Phase 1 Cultural Resources / Archeological Research Plan:

Johnston, Bernice. 1962. California Gabrielino Indians. Southwest Museum Pres, Los Angeles.

McCawley, William. 1996. The First Angelinos, the Gabrielino Indians of Los Angeles. Malki Musuem/Ballena Press, Banning, California.

Teutimes-Salas, E.A. Salas, C. Swindall-Martinez and G. Stickel 2013 Toypurnia, the Joan of Arc of California. Kizh Tribal Press, San Gabirel

Waters, Michael B. and Thomas W. Stafford Jr. 2007. Redefining the Age of Clovis: Implication for the Peopling of the Americas. Science, Vol. 315, pp. 1122-1126.



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If you have any questions, please call me at (714) 742-5375.

Sincerely,

A handwritten signature in black ink that reads "Michael E. Houlihan". The signature is fluid and cursive.

Michael Houlihan, AICP
Principal Associate

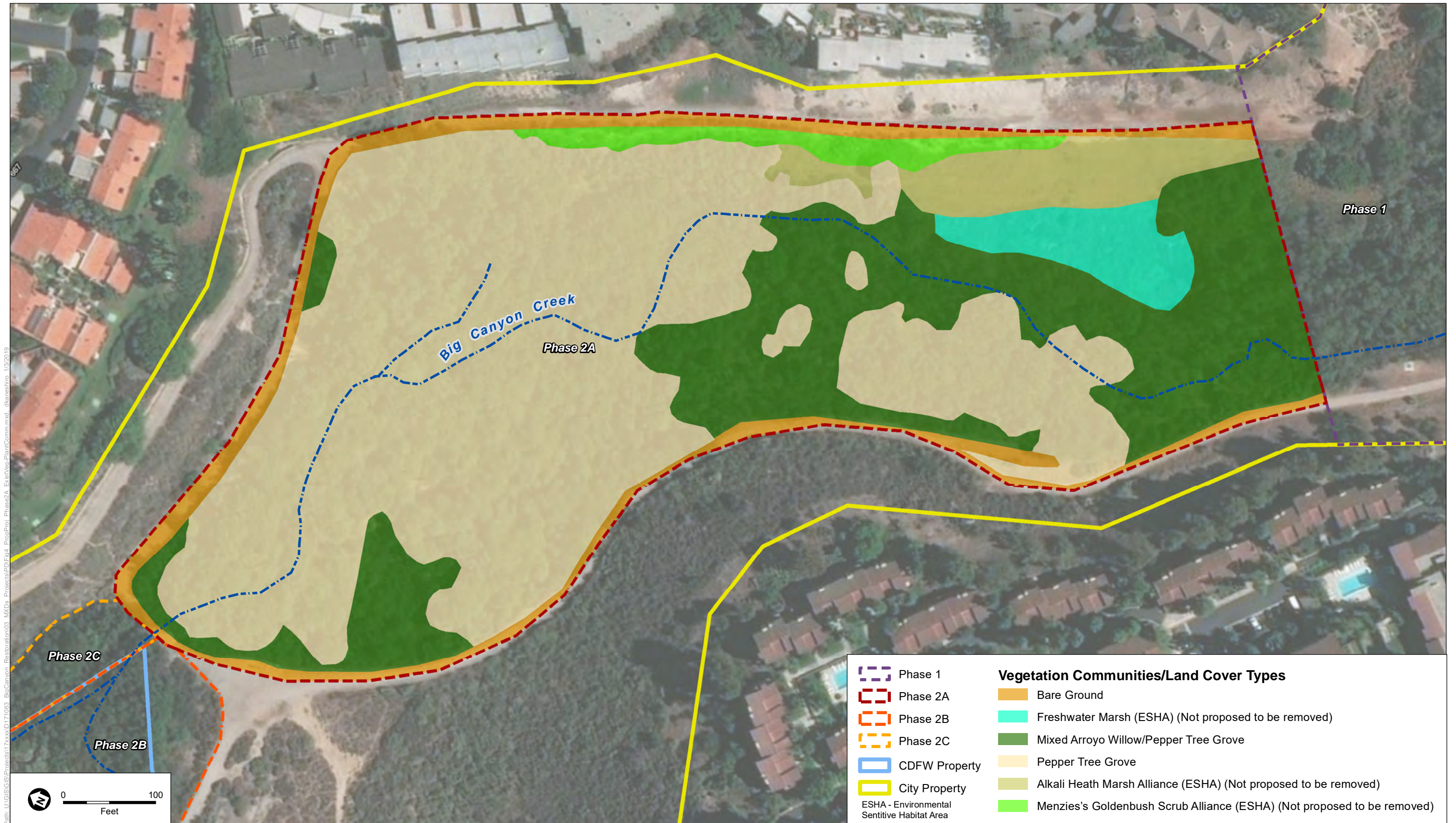
Attachments – Revised Figures



SOURCE: ESRI

Big Canyon Restoration - Phase 2A
Figure 2
 Big Canyon Nature Park
 Planned Restoration Phasing

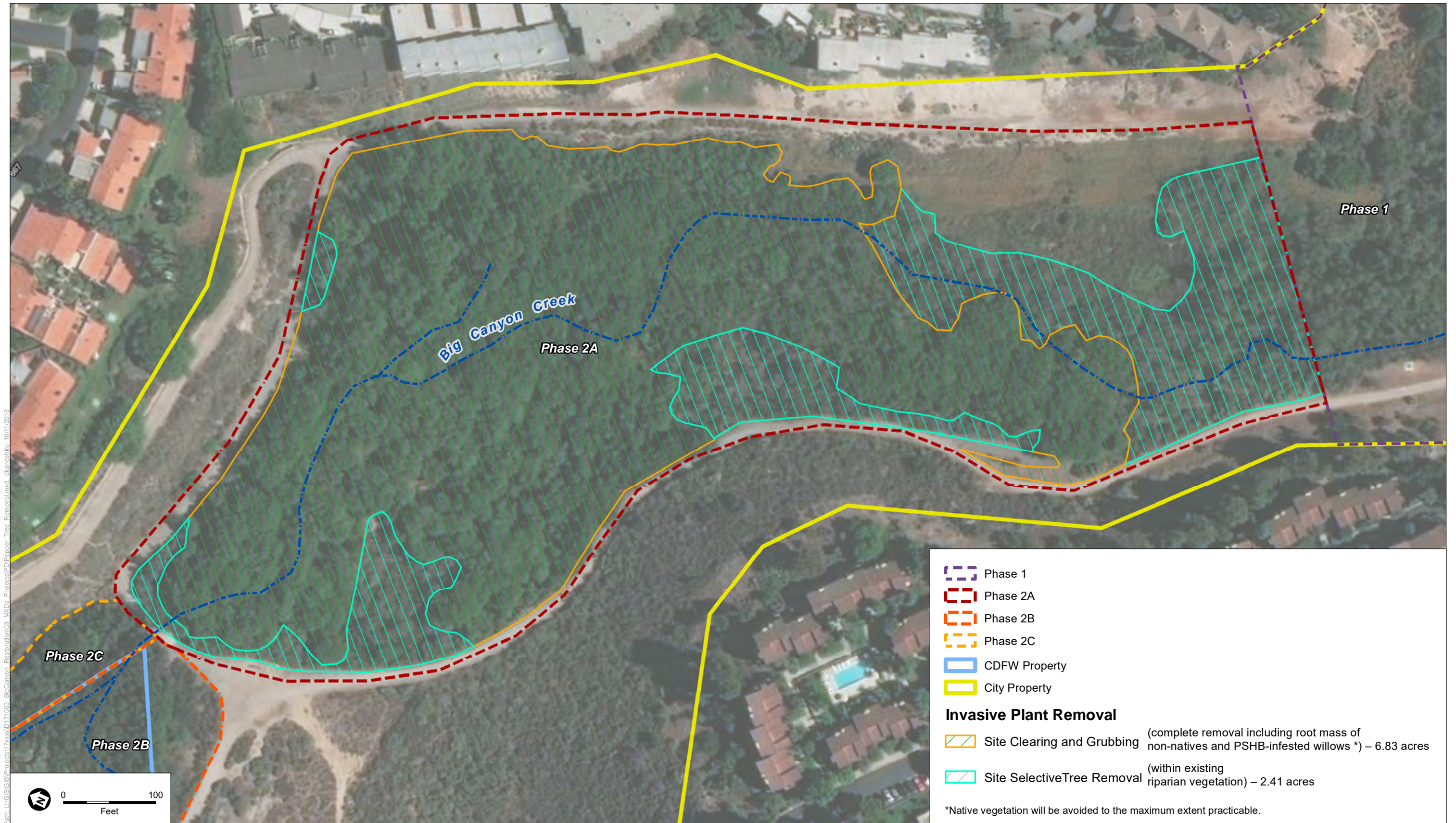




SOURCE: ESRI; Dudek; ESA

Big Canyon Restoration - Phase 2A

Figure 4
Proposed Project (Phase 2A)
Existing Vegetation and Plant Communities

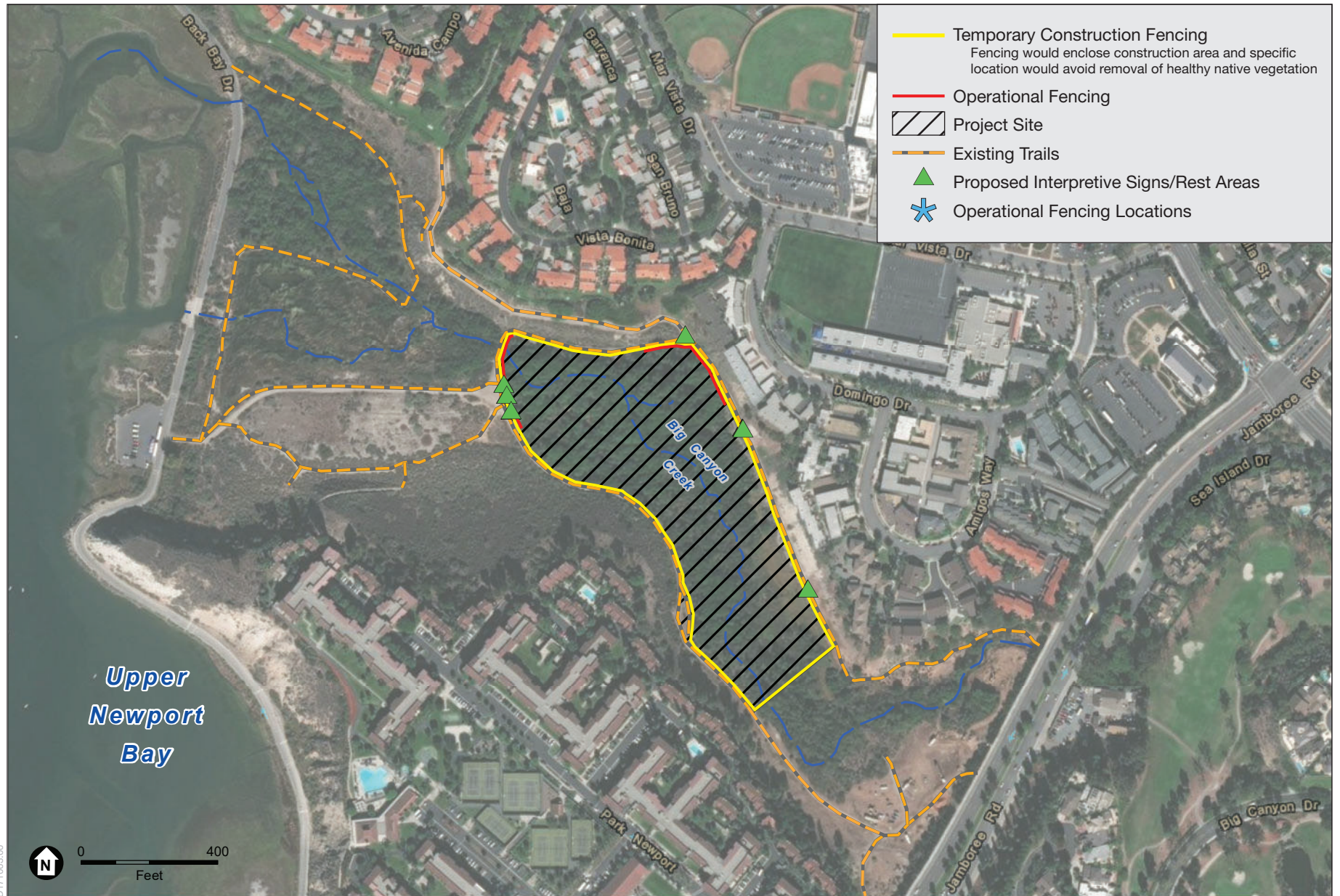


SOURCE: ESRI; Dudek; ESA

Big Canyon Restoration - Phase 2A

Figure 11
Proposed Project - Phase 2A
Extent of Invasive Plant Removal





SOURCE: ESRI, Dudek, ESA, 2018

Big Canyon Restoration - Phase 2A

Figure 14
Coastal Access and Interpretive Signs/Rest Areas and Fencing



Representative Construction Fencing



Representative Operational Fencing



Representative Operational Fencing

D:\71.063.00

SOURCE: ESA, 2018

Big Canyon Restoration - Phase 2A

Figure 15
Representative Construction and Operational Fencing

