



HUGH NGUYEN

CLERK-RECORDER

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JUN 28 2022

CITY OF
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PROPERTY RECORDS

CITY OF NEWPORT BEACH
100 CIVIC CENTER DR PO BOX 1768
NEWPORT BEACH, CA 92658-8915

Office of the Orange County Clerk-Recorder

Memorandum

SUBJECT: NOTICE OF EXEMPTION

The attached notice was received, filed and a copy was posted on 05/17/2022

It remained posted for 30 (thirty) days.

Hugh Nguyen
Clerk - Recorder
In and for the County of Orange

By: Angel Estrada

Deputy

Public Resource Code 21092.3

The notice required pursuant to Sections 21080.4 and 21092 for an environmental impact report shall be posted in the office of the County Clerk of each county *** in which the project will be located and shall remain posted for a period of 30 days. The notice required pursuant to Section 21092 for a negative declaration shall be so posted for a period of 20 days, unless otherwise required by law to be posted for 30 days. The County Clerk shall post notices within 24 hours of receipt.

Public Resource Code 21152

All notices filed pursuant to this section shall be available for public inspection, and shall be posted ***** within 24 hours of receipt** in the office of the County Clerk. Each notice shall remain posted for a period of 30 days.

*** Thereafter, the clerk shall return the notice to the local lead agency *** within a notation of the period it was posted. The local lead agency shall retain the notice for not less than nine months.

Additions or changes by underline; deletions by ***



ORANGE COUNTY
CLERK-RECORDER
CEQA FILING COVER SHEET

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



* \$ R 0 0 1 3 7 3 5 8 3 8 \$ *

202285000426 9:08 am 05/17/22

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THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk-Recorder

TYPE OR PRINT CLEARLY

Project Title

HARBOR ISLAND BRIDGE RETROFIT

Check Document being Filed:

- ☐ Environmental Impact Report (EIR)
☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
☒ Notice of Exemption (NOE)
☐ Other (Please fill in type):

POSTED

MAY 17 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY: _____

DEPUTY

FILED

MAY 17 2022

HUGH NGUYEN, CLERK-RECORDER

BY: _____

DEPUTY

30-05/17/2022-0440

FILED IN THE OFFICE OF THE ORANGE
COUNTY CLERK-RECORDER ON May 17, 2022


Posted May 17, 2022 Removed _____

Returned to agency on _____

DEPUTY ANGEL ESTRADA

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Notice of Exemption

To: County Clerk County of Orange Public Services Division Santa Ana, CA 92702	From: City of Newport Planning Division 100 Civic Center Drive P.O. Box 1768 Newport Beach, CA 92658-8915 (949) 644-3200	
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Project Title: Harbor Island Bridge Retrofit

Project Applicant: Harbor Island Community Association 23792 Rockfield Blvd, #100, Lake Forest, CA 92630

Attention: Brad Mielke, Michael Baker International

Project Location – Specific: 40 Harbor Island, Newport Beach, CA 92660

Project Location – City: Newport Beach **Project Location – County:** Orange

Description of Nature, Purpose and Beneficiaries of Project: Retrofit the existing Harbor Island bridge structure in accordance with current seismic codes.

Name of Public Agency Approving Project: City of Newport Beach

Name of Person or Agency Carrying out Project: Agency Name and complete mailing address

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ **Categorical Exemption. State type and section number:** Section 15301 under Class 1 (Existing

Facilities)

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: See attached Declaration of Exemption.

POSTED

MAY 17 2022

ORANGE COUNTY CLERK-RECORDER DEPARTMENT
BY: AS DEPUTY

FILED

MAY 17 2022

HUGH NGUYEN, CLERK-RECORDER

BY: AS DEPUTY

Lead Agency

Contact Person/Title: Patrick Achis, Assistant Planner **Contact Phone No./Ext:** 949-644-3237

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: Patrick Achis **Title:** ASST. Planner **Date:** 5/13/22

☒ Signed by Lead Agency ☐ Signed by Applicant

30-05/17/2022-0440

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*We Make a Difference***MAY 17 2022**

ORANGE COUNTY CLERK-RECORDER DEPARTMENT

DECLARATION OF CATEGORICAL EXEMPTIONBY: AS DEPUTY**FILED****MAY 17 2022**

HUGH NGUYEN, CLERK-RECORDER

BY: AS DEPUTY**To:** James Campbell, City of Newport Beach**From:** Alan Ashimine, Michael Baker International**Date:** March 29, 2022**Subject:** Harbor Island Bridge Retrofit Project – Declaration of Categorical Exemption**INTRODUCTION**

At the direction of the City of Newport Beach, this Declaration of Categorical Exemption under the California Environmental Quality Act (CEQA) has been prepared for the Harbor Island Bridge Retrofit Project in the City of Newport Beach. Based on a review of the project's environmental effects and the existing conditions at the project site, there is no reasonable possibility that the project would have a significant effect on the environment. The proposed project would include required seismic upgrades to an existing bridge and would not result in any increase in vehicular capacity or other expansion of use. The bridge, which was constructed in 1963, has been determined to be structurally deficient and would be retrofitted using commonly-utilized substructure improvements consistent with current seismic design standards. For that reason, a Categorical Exemption for the proposed project, under Section 15301 of the CEQA Guidelines (Class 1 Exemption) can be utilized. The Class 1 Categorical Exemption applies to the repair, maintenance, and minor alteration of existing public or private structures, involving negligible or no expansion of existing or former use. It has also been determined that no unusual environmental circumstances exist that would preclude the use of a Categorical Exemption for this project. Additional information supporting the use of a Categorical Exemption is provided below.

PROJECT DESCRIPTION**Project Location**

The project site is located in the City of Newport Beach, County of Orange, State of California. The project site consists of the Harbor Island Bridge, a bridge structure over Newport Bay connecting Harbor Island to the mainland via Harbor Island Road. Specifically, the project site is located to the south of State Route 1 (SR-1), approximately one-quarter mile south of the intersection of Bayside Drive and Harbor Island Road within the Newport Bay.

Need for the Project

The Harbor Island Bridge is an existing 5-span bridge that provides vehicle and pedestrian access to and from Harbor Island. The bridge is owned by Harbor Island Community Association. Based on the bridge plans for the existing structure, the bridge structure was constructed in 1963 to

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replace a single lane wooden bridge. Based on analysis conducted for the proposed project, the bridge has been determined to be structurally deficient by current standards (American Association of State Highway and Transportation Officials [AASHTO] Load and Factor Design [LRFD] Specifications, 8th Edition with Caltrans Amendments, April 2019 and Caltrans Seismic Design Criteria [SDC], Version 2.0, April 2019). Based on the *Harbor Island Bridge Study*, prepared by RBF Consulting, dated July 2002, the concrete piles and bent caps were deemed deficient to resist vertical and seismic loads. Specifically, the existing precast concrete piles are showing severe signs of corrosion, do not extend sufficiently into competent rock material, and were not designed for liquefaction effects. Further, although bent caps have been retrofitted by sealing cracks, treating the concrete, and replacing the grout pads supporting the steel girders, they appear to be insufficiently reinforced. Since the bridge was designed prior to 1963, it was designed in accordance with bridge design codes and standards at the time and does not safely withstand effects of earthquake (seismic) loading per existing design codes and standards for collapse prevention. As such, a bridge retrofit (i.e., proposed project) or replacement would be necessary.

Existing Structure

The existing bridge is approximately 158 feet long and 15 feet wide, with five spans ranging from 30 to 34 feet. The bridge currently accommodates a single 11-foot-wide travel lane, curbs, railing, and a pathway on the east side. The bridge superstructure consists of steel girders supporting precast concrete deck panels and a variable concrete fill which follows the profile of the bridge. The superstructure is supported by seat type abutments on piles, concrete pier caps, and concrete pile foundations.

Project Characteristics



The project proposes to retrofit the existing Harbor Island Bridge structure through improvements to the bridge substructure in accordance with the most current seismic design standards, including Caltrans's SDC. The existing superstructure, abutments, and bent caps would remain in place.

The existing 2'-2" x 1'-10" bent caps will be encased by new 3'-6" x 5'-0" bent caps. The new bent caps will be connected to the existing bent caps by drill and bond epoxy dowels. The new cast-in-drilled-hole (CIDH) piles will be Type 1 shafts, 36" in diameter. The shafts will be rigidly connected to the bent caps and extend below grade to a tip elevation adequate for seismic and vertical load demands. The existing railings will be replaced.

The bridge is located over a waterway and in a residential neighborhood setting. Traffic over the bridge will be maintained with minor temporary closures as required for certain work activities. The waterway access to the public beneath the bridge will be closed during construction. The work involves heavy equipment for drilling new piles in the waterway and forming new concrete bent caps. Temporary work platforms will be placed on each side of the bridge. The first substantive activity for the bridge retrofit construction will be the CIDH piles on each side of the bridge. The existing bent caps will remain in place and will be encased by the new concrete bent caps. After the new bent caps are completed, the existing 16" x 14" rectangular precast concrete piles will be removed to a depth approximately 5'-0" below the mud line.

FILED**POSTED****MAY 17 2022****MAY 17 2022**HUGH NGUYEN, CLERK-RECORDER
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ORANGE COUNTY CLERK-RECORDER DEPARTMENT

BY:  DEPUTYBY:  DEPUTY

**Please contact the Clerk-Recorder to review the rest of the document.*

5 Hutton Centre Drive, Suite 500 | Santa Ana, CA 92707

Office: 949.472.3505 | Fax: 949.472.8373

There is no right-of-way acquisition for this project. Temporary construction easements are anticipated for access to the temporary work area platforms on each side of the bridge (refer to Attachment A, Temporary Construction Staging).

The project is anticipated to undergo regulatory approvals and final design through December 2022. Construction is anticipated to occur in a single phase, beginning in April 2023 and lasting approximately eight months.

REVIEW OF ENVIRONMENTAL CONDITIONS

Based on the environmental criteria provide in Appendix G of the CEQA Guidelines, and by virtue of the scope of the project and nature of proposed improvements, the proposed Harbor Island Bridge Retrofit Project is not anticipated to result in significant impacts related to the following topical areas:

- Aesthetics: The project site is surrounded by residential uses and a publicly-accessible beach along the northeasterly side of the channel. The project proposes seismic rehabilitation of the existing Harbor Island Bridge. Although the project would include new bridge railing and CIDH piles, these improvements would not substantively alter the aesthetic characteristics of the bridge or surrounding area. Although views from residential uses and the beach may be altered during construction, this process would be short-term in nature and views would be similar to pre-project conditions upon completion of the construction phase. The project would adhere to existing City standards, including City of Newport Beach Waterfront Project Guidelines and Standards - Harbor Design Criteria related to aesthetics/views both during and after construction. Thus, impacts would be less than significant in this regard.
- Agriculture and Forestry Resources: The project vicinity is developed and urbanized. There is no prime farmland, unique farmland, farmland of statewide importance, other agricultural operations, or areas zoned for agricultural uses or on a Williamson Act contract located within the project area. Further, no forest land, timberland, or timberland zoned Timberland Production is located within the project area. As such, the project would not conflict with or result in conversion of farmland to non-agricultural uses forest land to non-forest use. No impacts would occur in this regard.
- Air Quality: The project would include rehabilitation of an existing bridge for seismic safety purposes. The project would not include bridge widening or increase vehicular capacity that would lead to additional air pollutant emissions over the long term. Although the project would result in construction-related emissions during the short-term construction process, given the scope and nature of the proposed improvements (seismic retrofit of a single-lane bridge), impacts would be less than significant.
- Cultural Resources: As noted above, the proposed project site and surrounding areas are urbanized and developed. Given the limited area of ground disturbance associated with construction activities and previous disturbance within the area, it is not anticipated that archaeological resources will be encountered during construction. In addition, the existing bridge does not appear to be associated with events or people that are significant to the region or area, nor does it have distinctive characteristics or yield information relevant to the history or prehistory of the area or region. Thus, impacts would be less than significant in this regard.

- Energy: As noted above, the project would include the seismic rehabilitation of an existing bridge. No widening or increase in vehicular capacity would occur, and thus there is no potential for increased energy usage over the long term. Although the project would result in the use of energy resources for construction, no significant impacts are anticipated given the scale and nature of the proposed project.
- Geology/Soils: The proposed project would result in beneficial impacts related to geology and soils. The existing Harbor Island Bridge has been deemed structurally deficient; thus, the project is proposed to rehabilitate the bridge to meet current design standards. The bridge rehabilitation would be designed and constructed according to current American Association of State Highway and Transportation Officials (AASHTO) Bridge Design Specifications, and applicable Caltrans standards (including the SDC). Thus, impacts in this regard would not occur.
- Greenhouse Gas Emissions: The project would include rehabilitation of an existing bridge for seismic safety purposes. The project would not include bridge widening or increase vehicular capacity that would lead to additional greenhouse gases (GHG) over the long term. Although the project would result in construction-related GHG during the short-term construction process, given the scope and nature of the proposed improvements (seismic retrofit of a single-lane bridge), impacts would be less than significant.
- Hazards and Hazardous Materials: Based on online resources provided by the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB), no known corrective action, restoration, or remediations related to hazardous materials have occurred on the project site. Given the limited area of ground disturbance associated with construction activities, it is not anticipated that impacts related to hazardous materials will occur.
- Land Use/Planning: As a roadway facility, the Harbor Island Bridge does not have a land use designation under the *City of Newport Beach General Plan* or the *City of Newport Beach Zoning Code*. However, the project would rehabilitate the bridge in its existing location, and no alteration of its current use as a transportation facility would occur. While the bridge does not itself have a land use/zoning designation, it does provide Harbor Island with transportation and utility access. The bridge would continue to provide transportation/utility access upon completion of the project, with no changes in vehicular or utility capacity. As such, no impacts would occur in this regard.
- Mineral Resources: The proposed project would rehabilitate the existing Harbor Island Bridge to address identified structural deficiencies. No mineral recovery activities currently occur in the project area, and the project site is not underlain by any known mineral resources of value to the region and residents of the state.¹ Thus, no impacts would occur in this regard.
- Population/Housing: The project consists of improving the existing Harbor Island Bridge through seismic retrofitting techniques. Although the project would improve the overall safety and resiliency of the existing bridge, it would not induce population growth because: 1) the project area is urbanized and built-out; 2) the project would not increase the vehicular capacity of the Harbor Island Bridge; and 3) the project would not represent the removal of a barrier to growth, since roadway facilities exist throughout the project area.

¹ California Department of Conservation, *Mine Classification of the Greater Los Angeles Area, Part III* 1981.

and the project area is urbanized and built-out. As such, no impacts would occur in this regard.

- Public Services: As a bridge rehabilitation improvement, the project would not result in any change in land use or increase in population. As such, the project would not affect enrollment in local schools or result in any increase in demand for park usage, fire, or police services. Impacts would be less than significant in this regard.
- Recreation: As a roadway bridge rehabilitation, the proposed project would not induce population growth. Thus, the project would not result in an increase in demand on parks or other recreational facilities over the long term. During short-term construction, areas immediately east and west of the existing northerly terminus of the bridge would be utilized for construction access, within areas of the publicly-accessible beach. However, these areas would only be affected during the short-term construction phase, and would not preclude access and use of the primary areas of the beach further southeast. The beach adjacent to the northerly terminus of the bridge would be returned to pre-project conditions upon completion of the construction process. As such, no impacts would occur in this regard.
- Tribal Cultural Resources: The project location is highly developed and urbanized, and there are no known Native American cultural resources within the project area. No impacts would occur in this regard.
- Utilities/Service Systems: The proposed project would involve structural improvements to an existing bridge and would not result in any increase in demand for utilities/service systems. Existing utilities located along the bridge would be maintained and protected in place, and utility service to Harbor Island would remain uninterrupted throughout construction. As such, no impacts would occur in this regard.
- Wildfire: The project area is not located within an area designated as a high fire hazard severity zone.² As such, no impacts relative to wildfires are anticipated.

Given their relevance to the project location, range of construction activity, and project scope, the following topical issue areas related to biological resources, hydrology and water quality, noise, and transportation require a more detailed level of analysis. While impacts related to topical areas is anticipated to be less than significant, the analysis is provided below.

Biological Resources

The information presented in this analysis is based on the *Results of a Biological Resources Assessment for the Harbor Island Bridge Project-City of Newport Beach, Orange County, California*, prepared by Michael Baker International (Biological Assessment), dated October 1, 2021, the *Pre-Construction Survey Eelgrass (Zostera marina) Harbor Island Bridge Retrofit Project Newport Beach, California Final Report*, prepared by Six Scientific Service (Eelgrass Survey), dated October 2021, the *Harbor Island Bridge Retrofit Project Essential Fish Habitat Assessment Newport Beach, California*, prepared by Six Scientific Service (EFH Assessment), dated November 2021; and the *Harbor Island Bridge Retrofit Project, Delineation of State and Federal Jurisdictional Waters*, prepared by Michael Baker International (Jurisdictional Delineation), dated November 2021.

² California Department of Forestry and Fire Protection, *Fire Hazard Severity Zones in Local Responsibility Areas – Newport Beach*, updated October 2011.

Special-Status Plant and Wildlife Species

As part of the Biological Assessment, a literature review and a field survey of the project area. The literature review included a records search for sensitive biological resources with potential to occur on or within the vicinity of the project site. The resources used for the literature reviewed included the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) RareFind 5, the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) project planning tool, and other databases. Additionally, previously prepared reports were survey results, and literature, that detailed the biological resources previously observed on or within the vicinity of the survey area were reviewed as available.

A field survey of the project site and surrounding area was conducted on August 24, 2021. Based on vegetation mapping and observations from the field survey, the project area contains ornamental, developed, sandy beach, and open water vegetation communities/land cover types. Clearing and grubbing activities would be limited to areas of ornamental landscaping adjacent to the existing northerly terminus of the bridge to allow for temporary construction access; refer to Attachment A, Temporary Construction Staging. Additionally, the project site is not located within a proposed reserve area or restoration opportunity area under the County of Orange Central and Coastal Subregion Natural Community Conservation Plan (NCCP) and Habitat Conservation Plan (HCP). There were no special-status plant species were observed within the project site, and no special status species are expected to occur with the area. However, the project site was determined to potentially support special-status wildlife species that are listed by the USFWS and the CDFW as federal and state endangered species, respectively. This includes a moderate potential to support osprey (*Pandion haliaetus*) and California least tern (*Sternula antillarum browni*) and low potential to support Cooper's hawk (*Accipiter cooperii*) during foraging activities. To minimize potential impacts to the listed wildlife species, Project Design Feature BIO-1 would require the implementation of a pre-construction clearance survey would be performed if project activities occur during the breeding season (technically January 1st through August 31st). Impacts to special status species would be less than significant.

Nesting Birds

According to the Biological Assessment, eleven bird species were detected during the field survey, including great blue heron (*Ardea herodias*), rock pigeon (*Columba livia*), American crow (*Corvus brachyrhynchos*), barn swallow (*Hirundo rustica*), Caspian tern (*Hydroprogne caspia*), western gull (*Larus occidentalis*), scaly-breasted munia (*Lonchura punctulate*), black phoebe (*Sayornis nigricans*), Allen's hummingbird (*Selasphorus sasin*), California towhee (*Melospiza crissalis*), and Swinhoe's white-eye (*Zosterops simplex*). As previously stated, it was determined that the proposed project would have a moderate potential to support osprey (*Pandion haliaetus*) and California least tern (*Sternula antillarum browni*) and low potential to support Cooper's hawk (*Accipiter cooperii*) during foraging activities. The ornamental trees associated with the developed areas on both ends of the existing bridge would have the potential to provide limited nesting opportunities for the Cooper's hawk.

Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and Fish and Game Code (Sections 3503, 3503.3, 3511, and 3513 of the Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs). With the implementation of Project Design

Feature BIO-1, the project would require nesting bird clearance surveys prior to any ground disturbance or vegetation removal activities to avoid direct or indirect impacts to active bird nests and/or nesting birds, thus, maintaining compliance with the MBTA and the Fish and Game Code. Impacts to nesting birds would be less than significant.

Eelgrass and Essential Fish Habitat

The Biological Assessment identified the project site to be located in an area designated Essential Fish Habitat (EFH) for groundfish and coastal pelagic species. As such, an Eelgrass Survey and an EFH Assessment were prepared to identify existing sensitive habitats (i.e., eelgrass) within the established area of potential effects (APE) of the proposed project, and evaluate potential impacts to fish species from construction related activities. A visual eelgrass survey was conducted on September 2, 2021. The survey included the uses of diver transects and underwater photography, as well as GPS units to map the project area for eelgrass communities. As part of the EFH Assessment, semi-annual trawl surveys conducted by the Orange County Sanitation District (OCSD) and two Highly Migratory Species Fishery Management Plans (FMP) (Coastal Pelagic FMP and Pacific Groundfish FMP) were reviewed.

According to the EFH Assessment, construction activities for the project would have a moderate potential to impact fifteen managed fish species, including the Pacific sanddab, Pacific Dover sole, Stripetail rockfish, Halfbanded rockfish, English sole, California scorpionfish, Rex sole, Greenstriped rockfish, Squarespot rockfish, Pacific whiting (hake), Greenblotched rockfish, Greenspotted rockfish, Curlfin sole, Longnose skate, and the Mexican rockfish. Construction activities would also increase the overall tidal height of the project area, resulting in the suspension of sediments that would have a sub-lethal to lethal impact to species immediately adjacent to the construction APE. However, due to the existing tidal habitat, the relative abundance of marine species, and the rapid movement of juvenile and adult species, this impact would be temporary. Additional impacts resulting from in-water construction activities, such as unnatural occurrence of light and noise, would be short-term and were therefore determined to result in less than significant impacts to existing fish species.

According to the Eelgrass Survey and the EFH Assessment, four eelgrass (*Zostera marina*) beds were visually detected within the project site and adjacent to areas where construction activities would potentially occur. However, the observed eelgrass patches were primarily low in density, with intermittent plants comprising low numbers of turions per plant. The Eelgrass Survey also determined that there would be little to no potential for construction activities resulting in impacts to existing eelgrass communities, and the proposed project would not result in substantial operational impacts to the existing eelgrass communities. However, in the unlikely event it is determined that construction would affect eelgrass, project impacts would be minimized through compliance with the existing regulatory framework provided under the Southern California Eelgrass Mitigation Policy (National Marine Fisheries Service, 1991 as amended, Revision 11) for temporary impacts; refer to Project Design Feature BIO-2.

Implementation of Project Design Feature BIO-3 would implement practices prior to and during construction activities of the project that would minimize potential impacts to EFH within the project area. These practices would include regular inspections of construction equipment, the use of drip pans beneath construction equipment, and the implementation of Best Management Practices (BMPs) to provide adequate protections during in-water operations.

Project Design Features

- BIO-1** Should project-related activities are to be initiated during the nesting season (January 1st to August 31st), a pre-construction nesting bird clearance survey shall be conducted by a qualified biologist no more than three days prior to the start of any vegetation removal or ground disturbing activities. The qualified biologist shall survey all suitable nesting habitat within the project impact area, and areas within a biologically defensible buffer zone surrounding the project impact area. If no active nests are detected during the clearance survey, project activities may begin, and no additional avoidance and minimization measures would be required. If an active nest is found, the bird species shall be identified, and a “no-disturbance” buffer shall be established around the active nest. The size of the “no-disturbance” buffer shall be increased or decreased based on the judgement of the qualified biologist and level of activity and sensitivity of the species. The qualified biologist shall periodically monitor any active nests to determine if project-related activities occurring outside the “no-disturbance” buffer disturb the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new nests in the restricted area.
- BIO-2** In the unlikely event it is determined that construction would affect eelgrass, project impacts would be minimized through compliance with the existing regulatory framework provided under the Southern California Eelgrass Mitigation Policy (National Marine Fisheries Service, 1991 as amended, Revision 11) for temporary impacts.
- BIO-3** To minimize impacts related to fish habitats, the following practices shall be implemented during construction:
- Equipment shall be inspected regularly (daily) during construction, and any leaks found shall be repaired immediately.
 - Refueling of vehicles and equipment shall be in a designated, contained area.
 - Drip pans shall be used under stationary equipment when refueling or maintenance.
 - Drip pans that are used shall be covered during rainfall to prevent leaching of contaminants.
 - Construction and maintenance of appropriate containment structures to prevent offsite transport of pollutants from spills and construction debris.
 - Monitoring to verify Best Management Practices (BMPs) are implemented and kept in good working order.

Jurisdictional Waters

The Jurisdictional Delineation was prepared to determine project related impacts to riparian habitat and other sensitive natural communities. The proposed project is comprised of a bridge structure located over Newport Bay, a tidally influenced coastal estuary with a direct connection to the Pacific Ocean. According to the Jurisdictional Delineation, Newport Bay is considered a non-wetland “Waters of the United States” (WoUS) and would be subject to regulation by the U.S.

Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB) and the California Coastal Commission (CCC). The project would result in 0.20 acres of temporary impact and 0.002 acres of permanent impact under USACE, RWQCB, and CCC jurisdictions. As such, the project would be subject to the following permits/approvals prior to the commencement of any construction activities: A Clean Water Act Section 404 permit and a Section 10 of the Rivers and Harbors Act permit authorization from the USACE, a Clean Water Act Section 401 Water Quality Certification (WQC) from the RWQCB; and a Coastal Development Permit (CDP) from the CCC. Accordingly, compliance with USACE, RWQCB, and CCC regulations would reduce impacts to a less than significant level.

Hydrology/Water Quality

The primary water quality concern related to the proposed project would be potential erosion impacts during construction activities. Grading and excavation activities associated with construction of the project would expose soils to potential short-term erosion by wind and water. Generally, construction activities within the City would be regulated under the National Pollutant Discharge Elimination System (NPDES) program, as administered by the Santa Ana Regional Water Quality Control Board (RWQCB). The RWQCB administers an NPDES Construction General Permit (CGP) for any construction project disturbing more than one acre of land. The project is not anticipated to disturb over one acre of land; thus, the CGP would not apply. However, construction of the proposed project would be required to comply with water quality control measures included in Chapter 15.10, Excavation and Grading Code, of the City's Municipal Code. The Excavation and Grading Code includes measures to minimize water quality impacts related to erosion during the short-term construction process. Upon adherence to these requirements, impacts in this regard would be less than significant.

In regards to long-term operational impacts, the proposed project would be required to implement a Water Quality Management Plan (WQMP) under the City of Newport Beach General Plan and Coastal Land Use Plan (CLUP) to minimize impacts related to water quality. Moreover, the project would involve construction within Waters of the U.S. and State and would require the following permits pertaining to hydrology and water quality:

- Section 404 and Section 10 Permit – United States Army Corps of Engineers;
- Advanced Approval pursuant to the Code of Federal Regulations (CFR§ 115.70) – U.S. Coast Guard;
- Section 401 Water Quality Certification – Santa Ana Regional Water Quality Control Board; and
- Coastal Development Permit – California Coastal Commission

Acquisition of the aforementioned permits from Federal, State, and local agencies would ensure adherence to construction requirements and minimize potential impacts pertaining to the violation of any water quality standards or waste discharge requirements during project construction. Upon project completion, the proposed drainage and impervious area associated with the proposed bridge retrofit project would be similar to existing condition as no changes has been proposed to the superstructure and the bridge would continue to serve as transportation use which does not involve water usage. Operation of the bridge would continue to comply with City and State regulations. Additionally, as the project site is not located near a slope, impacts involving seiche or mudflow would also be less than significant. Based on the magnitude of the project, significant impacts involving a 100-year flood plain, flooding as a result of the failure of a levee or dam, and

groundwater depletion/recharge, would not occur. Thus, potential hydrology and water quality impacts associated with construction activities and long-term operations would be less than significant.

Noise

Sensitive uses surrounding the project site include residential uses along each terminus of the bridge. These sensitive uses may be exposed to elevated noise levels during project construction. The City's Municipal Code does not establish quantitative construction noise standards. Instead, Chapter 10.28 of the City's Municipal Code establishes allowable hours of 7:00 a.m. and 6:30 p.m. on weekdays, 8:00 a.m. and 6:00 p.m. on Saturdays, and at no time on Sundays or Federal holidays. Thus, construction activities would be conducted during allowable daytime hours, per the City's Municipal Code. In addition, given the proximity of construction activities to sensitive receptors, the project would not include any pile driving activities. Rather, the project would incorporate CIDH and/or vibratory pile installation for implementation of bridge piles to minimize temporary noise impacts.

Concerning long-term impacts, operation of the bridge would continue to be consistent with the existing land use (i.e., transportation), and no widening or increase in vehicular capacity would occur. Bridge improvement would not lead to an increase in population or required services; thus, additional vehicles trips as a result of the proposed bridge retrofit is not anticipated. Consequently, operational impacts related to mobile noise would not be significant. In conclusion, based on the magnitude of the proposed project and with compliance with applicable Municipal Code provisions, impacts would be less than significant in this regard.

Transportation

On a long-term basis, the project would not result in any changes in operational characteristics or vehicle miles traveled (VMT). As noted above, the proposed improvements would result in widening of the bridge or any increase in vehicular capacity. Thus, impacts in this regard would be less than significant.

The bridge provides the only means of vehicle and pedestrian access from the mainland to the private residential community on Harbor Island. As such, during the short-term construction process, the bridge would remain open to vehicles and pedestrians (including emergency responders) throughout the duration of construction aside from limited, brief closures necessary to protect public safety for both construction workers and travelers. These brief closures are anticipated to last a maximum of 4 hours per occurrence, roughly twice per month during construction. Closures would be coordinated with the Harbor Island residents and Newport Beach Fire and Police Departments to provide advanced notice, minimize inconvenience, and ensure public safety.

SUMMARY

As noted above, the analysis above indicates that there is no reasonable possibility that the project would have a significant effect on the environment. For that reason, it is recommended that a Categorical Exemption is utilized for the proposed project, under Section 15301 of the CEQA Guidelines (Class 1 Exemption). The Class 1 Categorical Exemption applies to the repair, maintenance, and minor alteration of existing public or private structures, involving negligible or

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no expansion of existing or former use. This class of exemption appears well-suited to the proposed project since it would include structural improvements to an existing bridge and would not result in any increase in vehicular capacity or other expansion of use. The bridge, which was constructed in 1963, has been determined to be structurally deficient and would be retrofitted using commonly-utilized substructure improvements consistent with current seismic design standards. If the City proceeds with this course of action, the City (or project applicant, under supervision of the City) shall prepare and file a Notice of Exemption with the Orange County Clerk.

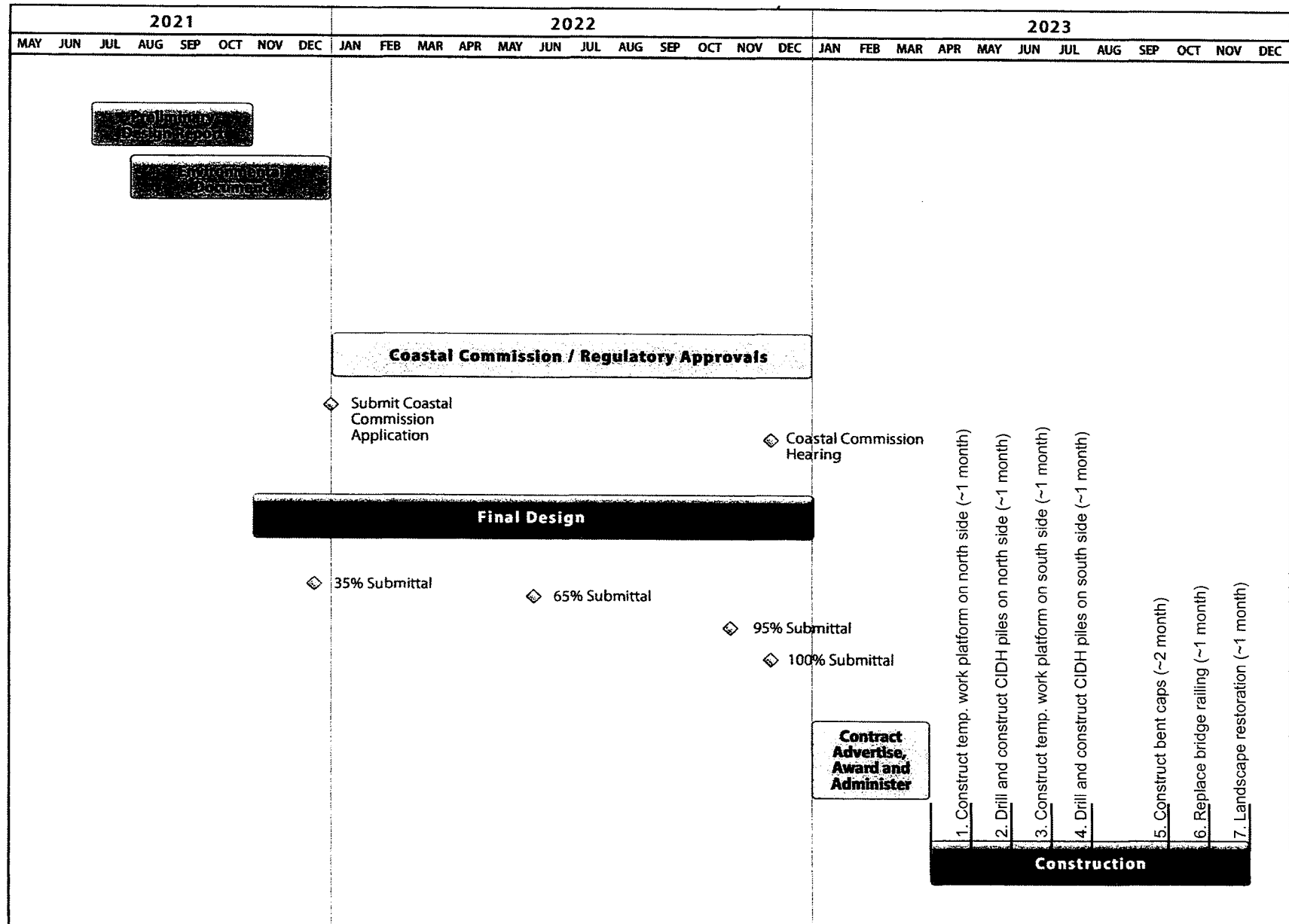
ATTACHMENT A
TEMPORARY CONSTRUCTION STAGING

ATTACHMENT B
PROJECT MILESTONE SCHEDULE

Harbor Island Bridge Project

DRAFT PROJECT SCHEDULE

Michael Baker
INTERNATIONAL





State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print

Sign Over

Save

RECEIPT NUMBER:

30 — 05/17/2022 — 0440

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

CITY OF NEWPORT PLANNING DIVISION

LEAD AGENCY EMAIL

DATE

05/17/2022

COUNTY/STATE AGENCY OF FILING

Orange

DOCUMENT NUMBER

202285000426

PROJECT TITLE

HARBOR ISLAND BRIDGE RETROFIT

PROJECT APPLICANT NAME

HARBOR ISLAND COMMUNITY ASSOCIATION

PROJECT APPLICANT EMAIL

PHONE NUMBER

(949)644-3237

PROJECT APPLICANT ADDRESS

23792 ROCKFIELD BLVD, #100

CITY

LAKE FOREST

STATE

CA

ZIP CODE

92630

PROJECT APPLICANT (Check appropriate box)☐ Local Public Agency☐ School District☐ Other Special District☐ State Agency☒ Private Entity**CHECK APPLICABLE FEES:**☐ Environmental Impact Report (EIR)

\$3,539.25

\$

0.00

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,548.00

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,203.25

\$

0.00

☒ Exempt from fee☒ Notice of Exemption (attach)☐ CDFW No Effect Determination (attach)☐ Fee previously paid (attach previously issued cash receipt copy)☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

PAYMENT METHOD:☐ Cash☒ Credit☐ Check☐ Other**TOTAL RECEIVED**

\$

50.00

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

DEPUTY CLERK, CLAUDIA FRANCO

Orange County
Clerk-Recorder's Office
Hugh Nguyen

601 N. Ross Street
92701

County

Finalization: 20220000180941
5/17/22 9:08 am
401 SC4A

Item	Title	Count
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1	Z01	1
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EIR: Exempt or Previously Paid Document ID	Amount
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DOC# 202285000426	50.00
Time Recorded 9:08 am	

Total	50.00
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Payment Type	Amount
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Credit Card tendered	50.00
# 05565C	

Amount Due	0.00
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