~~December 2023~~March 2024

Addendum No. ~~7~~ 8 to the
City of Newport Beach General Plan 2006 Update EIR, July 2006
(SCH No. 2006011119)

1401 Quail Street Residential Project

City of Newport Beach

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1. Introduction

1.1 BACKGROUND, PURPOSE, AND SCOPE

This document is an Addendum to the previously certified City of Newport Beach General Plan Environmental Impact Report (EIR):

- General Plan 2006 Update Final Environmental Impact Report, July 2006 (State Clearinghouse No. 2006011119), as addended by ~~six~~ seven subsequent EIR Addendums:
  - Addendum No. 1 to the City of Newport Beach General Plan 2006 Update Final Environmental Impact Report, November 2007.
  - Addendum No. 2 to the City of Newport Beach General Plan 2006 Update Final Environmental Impact Report, June 2012.
  - Addendum No. 3 to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, Newport Airport Village, May 2020.
  - Addendum No. 4 to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, Residences at 4400 Von Karman, October 2020.
  - Addendum No. 5 to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, Residences at 1300 Bristol Street, February 2022.
  - Addendum No. 6 to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, The Ritz-Carlton Residences Project, May 2022.
  - Addendum No. 7 to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, The Residences at 1400 Bristol Street project, April 2024.

The comprehensive 2006 General Plan Update (GPU) EIR analyzed the potential impacts of a citywide comprehensive update to the land use plan, and goals and policies for 10 general plan elements. The EIR encompasses proposed land uses for the Airport Area community and includes the project site that is the subject of this Addendum.

The subject property is a 1.71-acre site at 1401 Quail Street in Newport Beach (APN 427-332-04). The property is at the northwest corner of Quail Street and Spruce Avenue and currently has one single-story commercial office building totaling approximately 22,956 square feet, and a 1,744 square foot ancillary garage. The 2006 GPU designated the site for the following uses:

1. Introduction

- **2006 GPU:** General Commercial Office (CO-G). The CO-G land use designation is intended to provide administrative, professional, and medical offices with limited accessory retail and service uses. Hotels, motels, and convalescent hospitals are not permitted. The project site is in Statistical Area L4 of the GPU's Land Use Plan (see Figure 1, *Statistical Areas J6 and L4*) in anomaly location 16.[1] The development limit for this area is 344,231 square feet of commercial uses (Newport Beach 2006).[2] Statistical Area L4 encompasses 21 APNs with a total area of 21.29 acres (see Appendix A, *Parcel Reports for Anomaly Area L4-16*) (Newport Beach 2023a). The project site accounts for approximately 8 percent of the L4 statistical area, which would equate to approximately 27,647 square feet of the statistical area's allocated commercial use.

Under CEQA, an EIR Addendum evaluates the net impact of a proposed project in comparison to the impacts associated with the land uses as approved in the original EIR. Since the existing commercial square footage onsite is consistent with the square footage allowed for the site per the GPU, the existing 22,956 square foot commercial building, and 1,744 square foot ancillary garage have been used as a conservative baseline in this Addendum.

The proposed 1401 Quail Street Residential Project (proposed project) would develop 67 for-sale multifamily condominiums of which 59 units would be market rate and 8 units would be affordable housing units. The proposed project is entitled to a density bonus of 17 units that corresponds with its affordable units pursuant to state density bonus law and consistent with Chapter 20.32 of the NBMC. The proposed project includes 15 density bonus units. The incremental impacts of the proposed project are evaluated relative to the certified 2006 GPU EIR described above as addended by six subsequent addendums. This Addendum substantiates that no supplemental or subsequent EIR is required pursuant to Section 21166 of the California Environmental Quality Act (CEQA) and Sections 15162 and 15164 of the CEQA Guidelines for the entitlements proposed (general plan amendment, planned community development plan amendment, affordable housing implementation plan, and development agreement). In comparison to the 2006 EIR, the project would not result in new or substantially more severe environmental impacts. Further, since the 2006 EIR was certified, there has been no substantial change with respect to the circumstances under which the project is being undertaken that would require major revisions to the EIR.

[1] The 2006 GPU Land Use Element includes defined Statistical Areas. Table LU1 of the Land Use Element specifies the primary land use categories, types of uses, and, for certain categories, the densities/intensities to be permitted. Density/intensity for the General Commercial Office (CO-G) land use designation is not included in Table LU1. The permitted densities/intensities or amount of development for land use categories not included in Table LU1 are specified on the land use plans for the Statistical Areas. These are intended to convey maximums and, in some cases, minimums that may be permitted on any parcel within the designation or as otherwise specified in Table LU2 for anomaly locations.

[2] As shown in Table LU2 of 2006 GPU Land Use Element.

Figure 1 - Statistical Areas J6 and L4

Source: EIP Associates 2011.

1. Introduction

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2. Environmental Procedures

2.1.1 CEQA Requirements

According to Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines, when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR or negative declaration shall be prepared for the project unless the lead agency determines that one or more of the following conditions are met:

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

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

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

    a. The project will have one or more significant effects not discussed in the previous EIR.

    b. Significant effects previously examined will be substantially more severe than identified in the previous EIR.

    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or,

    d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Preparation of an Addendum to an EIR is appropriate when none of the conditions specified in Section 15162 (above) are present and some minor technical changes to the previously certified EIR are necessary.

After careful consideration of the potential environmental impacts of the proposed project, the City of Newport Beach, as lead agency, has determined that none of the conditions requiring preparation of a subsequent or supplemental EIR have occurred. The City, therefore, has determined that the circumstances described in CEQA Guidelines Section 15164 apply to the proposed project, and an Addendum to the 2006

certified GPU EIR is appropriate. This Addendum compares the proposed project to the designated land uses for the project site as approved in the 2006 GPU and the associated environmental impacts assessed in the GPU EIR.

This Addendum includes analysis of new topical sections that were not included in the previous EIR; specifically, it includes a new energy section and a new wildfire section (see discussion in Section 2.1.3, *CEQA Checklist Update*). These additional analyses are appropriate for inclusion in the Addendum, but none result in new significant impacts that would require preparation of a subsequent EIR pursuant to Section 15162 of the CEQA Guidelines.

2.1.2 Scope of Subsequent Analysis

The discretionary approvals subject to CEQA for the proposed project include:

- General Plan Amendment from General Commercial Office (CO-G) to Mixed Use Horizontal (MU-H2)
- Planned Community Development Plan amendment to designate the property as part of the Residential Overlay of the Newport Place Planned Community (PC-11). The site is currently designated as Industrial.
- Approval of a Development Agreement between the applicant and the City of Newport Beach describing development rights for the residential development pursuant to Newport Beach Municipal Code (NBMC) Section 15.45.020.A.2, development of 50 or more residential units.
- Approval of the Affordable Housing Implementation Plan (AHIP) that specifies how the proposed project would meet the City's affordable housing requirements in exchange for a request of a 27.5 percent density bonus. The AHIP includes the following development incentives, and development standard waivers:

  Development incentives:

  - Reduction of the park in-lieu fee payment
  - Relief from the affordable unit mix

  Development standard waivers:

  - Relief from street setback requirements
  - Relief from building height requirements
  - Relief from General Plan park land dedication requirements
  - Relief from NBMC Title 19 park land dedication requirements

- Major Site Development Review in accordance with the standards of the of the Newport Place Planned Community (PC-11), as amended, pursuant to the NBMC Section 20.52.80, Site Development Reviews.
- Tentative Tract Map approval for condominium purposes.

As lead agency under CEQA for this action, the City of Newport Beach is required to evaluate the environmental impacts associated with these discretionary approvals. The scope of the review for project-related impacts for this Addendum is limited to changes between the land uses as evaluated in the 2006 EIR and in the currently proposed project. The approved, designated land uses in the 2006 General Plan and the GPU policies identified in the 2006 GPU EIR that mitigate potential environmental impacts for the site serve as the baseline for the environmental impact analysis of the proposed project.

With respect to cumulative impacts, the General Plan Program EIR states "In many cases, development under the General Plan Update serves as the context for cumulative analysis, as it includes all development within the Planning Area over the next 25 years. For some environmental resource areas, however, the cumulative context extends beyond the borders of the Planning Area and may be the boundaries of a particular service provider (such as the Irvine Ranch Water District) or the entire County." This methodology is appropriate for the Addendum analysis. Where a specific cumulative study area is assumed, it is addressed in the respective sections of this Addendum.

Note that the 2006 GPU EIR did not include mitigation measures. The 2006 GPU EIR relied on detailed policies adopted in the 2006 General Plan to mitigate potential environmental impacts. As applicable, in addition to 2006 General Plan policies, this Addendum documents regulatory requirements and City conditions of approval that reduce potential environmental impacts. This Addendum also includes updated policies included in the Sixth Cycle Housing Element (adopted September 13, 2022),the Circulation Element (adopted October 25, 2022), the Land Use Element and Noise Element as amended by Resolution No. 2023-72, Title 20 Section 20.30.080.F of the Municipal Code as amended by Ordinance No. 2023-20, and the Newport Place Planned Community (PC-11) as amended by Ordinance No. 2023-21 and Ordinance No. 2023-13. As described further below, existing enforcement and monitoring mechanisms are in place to ensure that these measures will be implemented. A CEQA Mitigation Monitoring Program, therefore, is not required. This document is intended to provide sufficient information to allow the City of Newport Beach and any other permitting agencies to evaluate the potential impacts from construction and operation of the proposed project.

2.1.3 CEQA Checklist Update

This Addendum has been prepared to fully address the requirements of the most updated CEQA guidelines. The updated Appendix G checklist includes some impact areas that were not in the 2006 certified EIR. However, as discussed in this Addendum, the proposed project in comparison to the site uses assumed under the General Plan would not result in significant impacts or require mitigation in those impact areas. The addition of impact areas to the Appendix G Checklist do not necessitate a new EIR.

2.2 CONTENT AND ORGANIZATION OF THIS ADDENDUM

This EIR Addendum consists of:

1. Introduction (Section 1), Environmental Procedures (Section 2), Environmental Setting (Section 3), and Project Description (Section 4).

2. The completed Environmental Checklist Form and its associated analyses (Sections 5 and 6), which conclude that the proposed project would not result in any new significant environmental impacts or

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substantially increase the severity of environmental impacts beyond the level disclosed in the 2006 General Plan Update EIR as addended.

This Addendum relies on the most current CEQA environmental checklist (Appendix G, 2023 CEQA Guidelines), which addresses environmental issues section by section. The completed checklist and conclusions in the checklist are included and substantiated in Section 6, *Environmental Analysis,* which includes the following subheadings for each environmental topic:

- Summary of Impacts Identified in the 2006 Certified GPU EIR
- Impacts Associated with the Proposed Project
- Cumulative Impacts
- Standard Conditions of Approval

Relevant General Plan goals and policies associated with each topical section are included in Appendix B, *General Plan Goals and Policies*. Appendix B includes updated policies included in the Sixth Cycle Housing Element (adopted September 13, 2022), the Circulation Element (adopted October 25, 2022), and the Land Use Element and Noise Element as amended by Resolution No. 2023-72.

3. Where applicable, specific regulatory requirements identified in the 2006 GPU EIR to reduce project-related environmental impacts are reproduced in this Addendum. Appendices to this Addendum:

    - Appendix A: Parcel Reports for Anomaly Area L4-16
    - Appendix B: General Plan Goals and Policies
    - Appendix C: Trip Generation Calculations
    - Appendix D: Air Quality, Greenhouse Gas, Energy, and Natural Gas Calculations
    - Appendix E: Geotechnical Exploration Report
    - Appendix F: Preliminary Water Quality Management Plan
    - Appendix G: Noise Impact Analysis
    - Appendix H: Sewer Study
    - Appendix I: Assessment of Water Availability

4. The 2006 General Plan Update EIR as Addended, Technical Appendices to the GPU EIR, Findings and Statement of Facts, Statement of Overriding Considerations, and City Council Resolution No. 2006-75 are all herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for review at City of Newport Beach Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660 and online at www.newportbeachca.gov.

5. Addendums No. 1 to 6 to the General Plan Update EIR are incorporated by reference pursuant to CEQA Guidelines Section 15150 and is available for review at City of Newport Beach Community Development Department, 100 Civic Center Drive, Newport Beach, CA 92660 and online at www.newportbeachca.gov.

3. Environmental Setting

3.1 PROJECT LOCATION

The 1.71-acre project site is generally located southwest of John Wayne Airport (JWA) and within the Airport Area as defined by the Newport Beach General Plan (see Figure 2, *LU22 Airport Area*). The Airport Area includes approximately 360 acres in the northernmost portion of Newport Beach, bounded by Campus Drive to the west and north, Jamboree Road to the east, and Bristol Street to the south. The City of Irvine is north and east of the Airport Area. The Airport Area is near Interstate 405 and State Routes 55 and 73 and is within a commercial area of Newport Beach that is gradually redeveloping into a mixed-use community integrating residential development with commercial office, retail, and other uses. The regional and local contexts for the project site are depicted on Figures 3, *Regional Location*, and 4, *Local Vicinity*, respectively. An aerial photograph of the project site, which is northwest of Spruce Avenue, southwest of Quail Street, northeast of Bristol Street, and about 450 feet southeast of Upper Newport Plaza Drive., is provided on Figure 5, *Aerial Photograph – Project Site.*

3.2 ENVIRONMENTAL SETTING

3.2.1 Existing Land Use

The site is flat and currently used for a commercial office building with several surface parking stalls. The improvements to the subject property consist of a 22,956-square-foot, single-story commercial building and a 1,744 square foot ancillary garage. The property includes parking stalls along the south and west parts of the site (84 total stalls) and ornamental landscaping around the buildings, including several mature ornamental trees (see Figure 5, and Figure 6, *Site Photographs*).

Access is currently provided by a driveway from Quail Street and an additional two from Spruce Avenue. Both frontages along Quail Street and Spruce Avenue include curb-adjacent sidewalks. The south and west boundaries feature a narrow planter space behind the parking lot curb.

3.2.2 Surrounding Land Use

Surrounding land uses include miscellaneous commercial uses, including retail, office, banks, service uses, medical offices, and restaurants, as depicted on Figure 5. The JWA is approximately 0.35 mile to the west of the site.

Figure 7*, Aerial Photograph –Airport Area*, depicts sites in the Airport Area that are approved for mixed-use and/or residential uses to replace existing commercial uses. The recently approved Residences at 1300 Bristol Street is 120 feet to the southeast of the project site at the intersection of Spruce Avenue and Bristol Street. The Residences was approved in February of 2022 and will include a multifamily, six-story podium building

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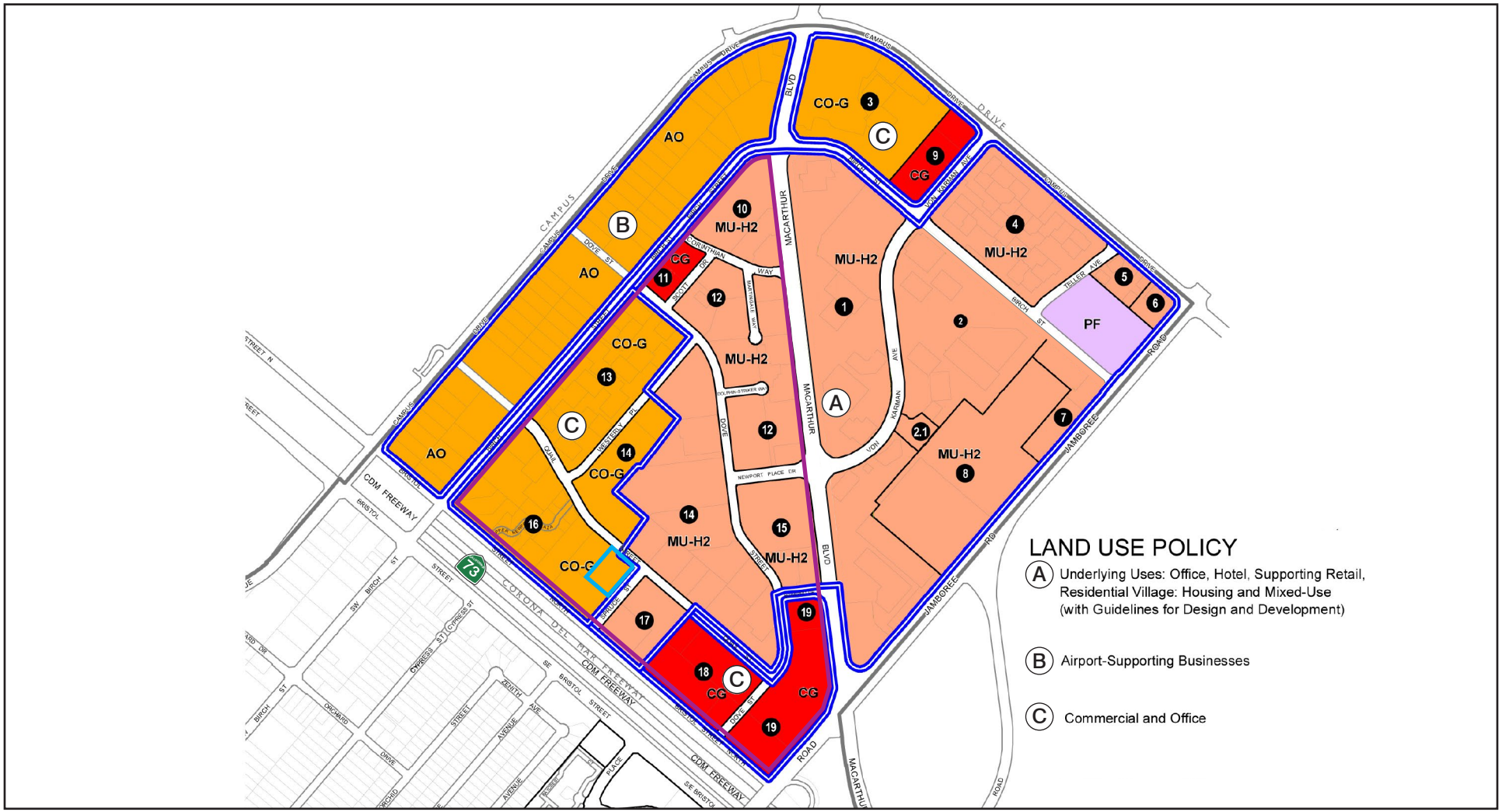
with 193 dwelling units on the current office building site. The Newport Crossings Mixed Use Project site is 1,667 feet north of the project site. Newport Crossings was approved in 2018 for development of a five-story, 350-unit residential project with 7,500 square feet of commercial use. The Newport Airport Village project was approved in May 2022 and is approximately 2,000 feet to the northwest of the project site. The Newport Airport Village included redesignation of the project site from CO-G to MU-H2 to allow a maximum of 444 residential dwelling units and a maximum of 297,572 square feet of commercial uses in buildings up to six stories high. The Uptown Newport project was approved in February of 2013 and is approximately 2,700 feet to the northeast of the project site. Uptown Newport includes redevelopment of a 438,127-square-foot industrial complex into 1,244 residential units, 11,500 square feet of neighborhood-serving retail area, and 2 acres of public parks on a 25-acre site.

Figure 2 - LU22 Airport Area



Source: City of Newport Beach General Plan 2006.

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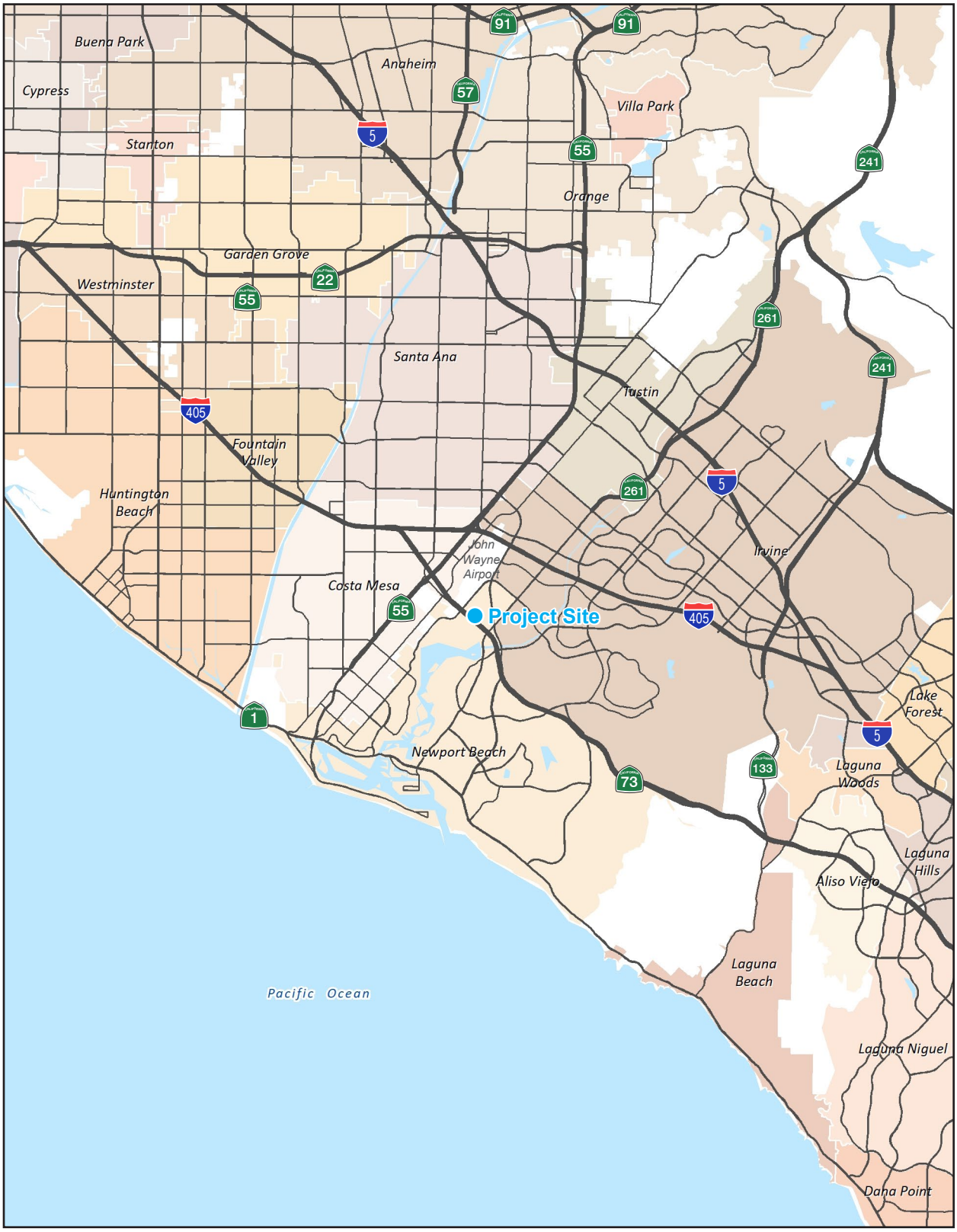
Figure 3 - Regional Location



Note: Unincorporated county areas are shown in white.

Source: Generated using ArcMap 2023.

0 3
Scale (Miles)

3. Environmental Setting

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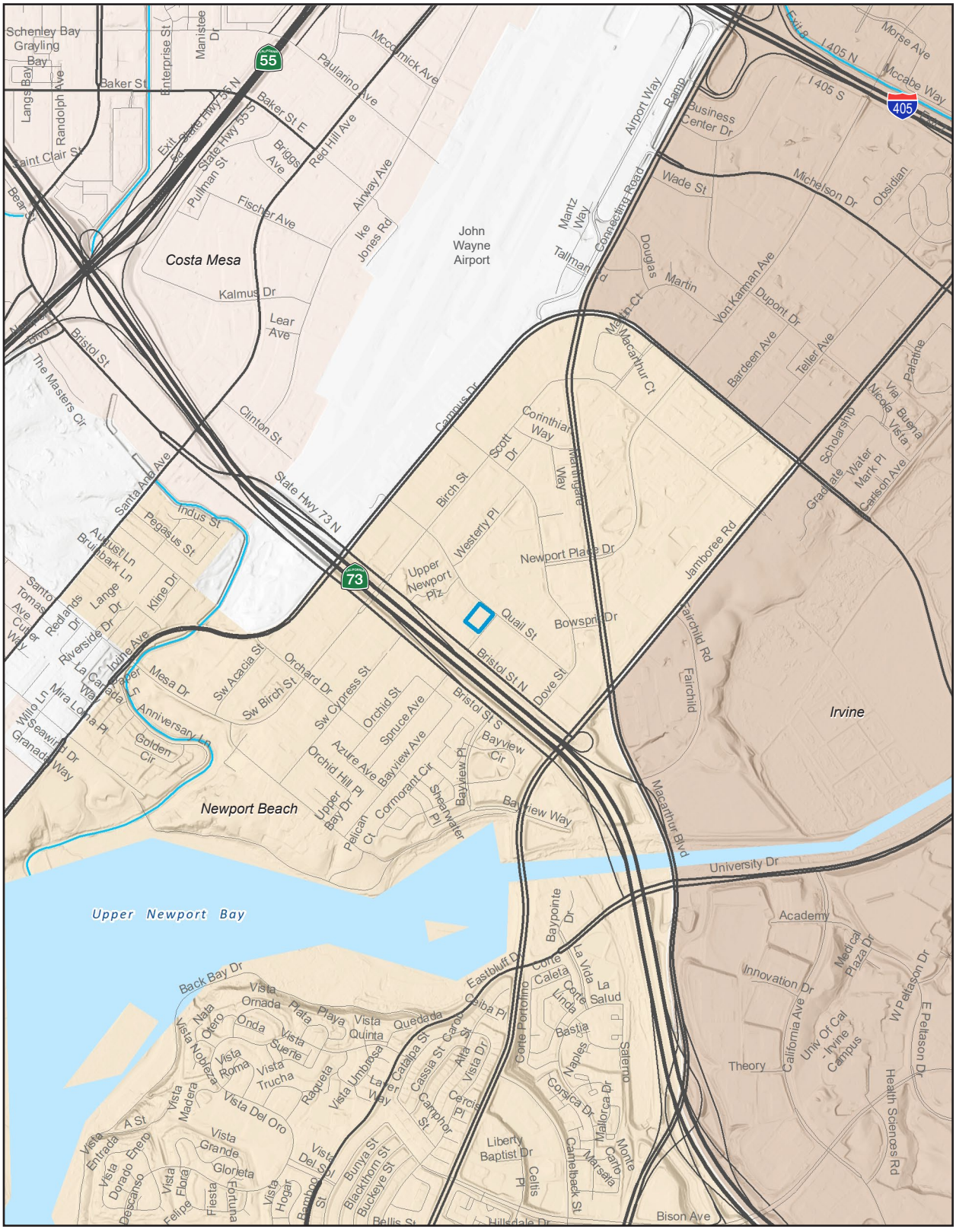
Figure 4 - Local Vicinity



Project Boundary

Note: Unincorporated county areas are shown in white.

Source: Generated using ArcMap 2023.

0 2,000
Scale (Feet)

3. Environmental Setting

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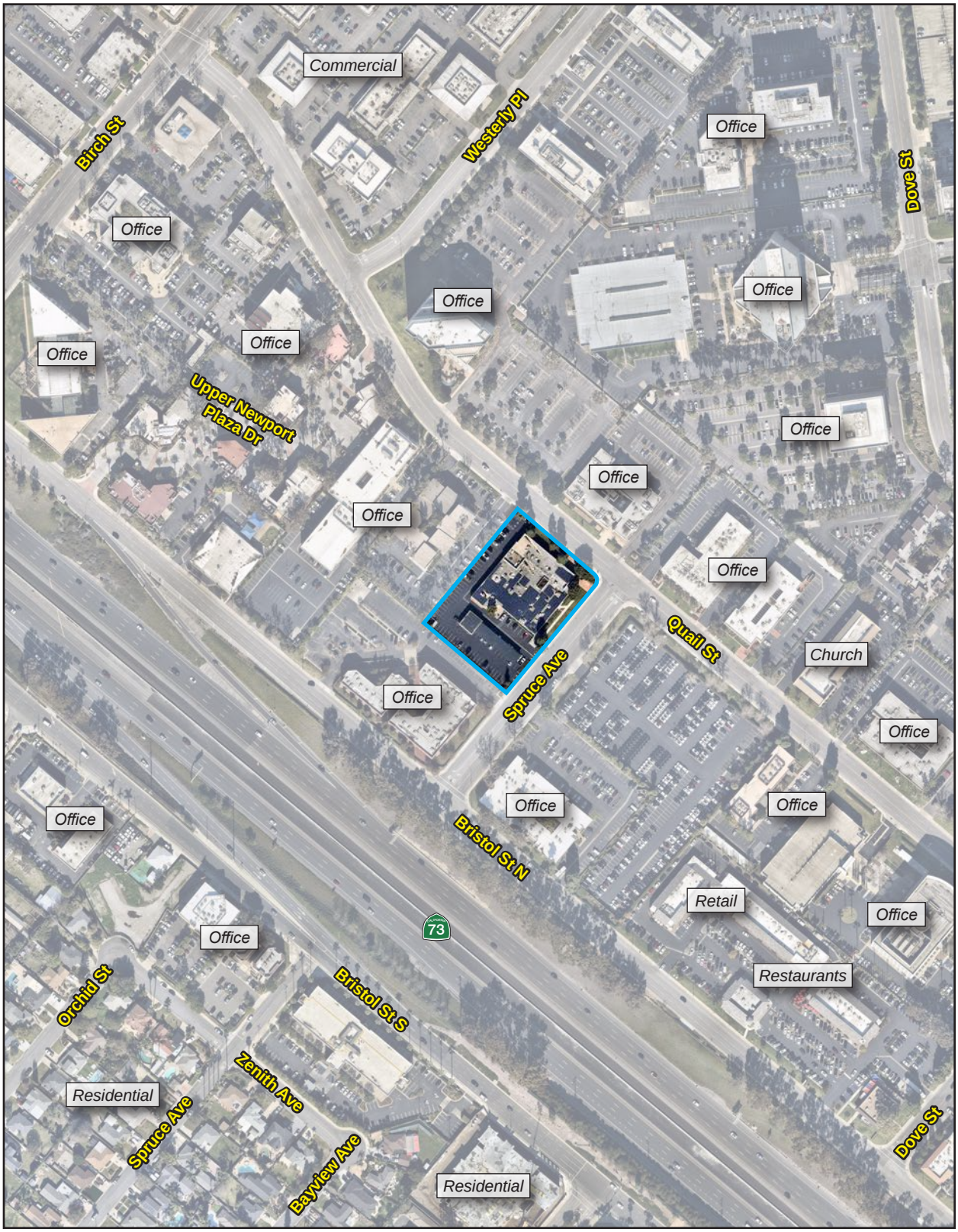
Figure 5 - Aerial Photograph



Project Boundary

0 300
Scale (Feet)

Source: Generated using ArcMap 2023.

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Figure 6 - Site Photographs

Photo 1. From Quail Street looking southwest across the project site.

Photo 2. Northeast corner of the site looking towards Quail Street.

Photo 3. From Spruce Avenue looking west across the site.

Photo 4. From the parking lot to the south of the building looking northeast.

Source: PlaceWorks 2023; Google Earth 2022.

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Figure 7 - Aerial Photograph – Airport Area

Project Boundary
Airport Area
Newport Place Planned Community
Mixed-Use and Residential Projects

0 1,000
Scale (Feet)

Source: Google Earth Pro 2017.

3. Environmental Setting

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4. Project Description

4.1 PROJECT BACKGROUND

4.1.1 2006 General Plan

Since Newport Beach is almost fully developed, the 2006 GPU focused on "new development that would result as re-use of economically underperforming properties and obsolete development, conversion of uses in response to market demand (e.g., office and industrial to residential) and more intense use of land in defined areas" (Newport Beach 2006). The General Plan identified several subareas as special study areas, including the John Wayne Airport Area. The plan for the Airport Area, shown on Figure 2, allows for the maintenance and/or limited expansions of a currently developed mix of uses, including office, airport-supporting commercial, hotel, and public uses. The 2006 General Plan also introduced the opportunity to develop new residential neighborhoods in the MU-H2 land use designation as replacements for existing and allowed future uses, and in some cases, for underutilized surface parking lots. Policies establish criteria for the development of cohesive residential neighborhoods oriented around neighborhood parks and local-serving convenience commercial facilities and interconnected by a network of pedestrian-oriented streets. Buildout of the Airport Area in accordance with the approved General Plan would allow a maximum of 2,200 residential units within the MU-H2 designation (1,650 replacement and 550 additional units) excluding density bonus and transfer units within the same statistical area, while the 2006 GPU EIR conservatively studied a maximum of 4,300 residential units in the Airport Area.[3,4]

Table 1, *Airport Area MU-H2 Residential Units*, illustrates the approved residential mixed-use projects with their corresponding unit categories. As shown in the Table 1, 1,297 replacement units and 550 additive units have already been approved. The 2006 General Plan limits MU-H2 replacement units to 1,650, therefore, the Airport Area can still accommodate 353 residential units as replacement units. All 550 additive units allowed under the 2006 General Plan have been allocated.

[3] Land Use Element policies LU4.3, Transfer of Development Rights, allows development rights (e.g., square footage) to be transferred in certain circumstances without an amendment to the General Plan. The policies are implemented by NBMC Chapter 20.46, Transfer of Development Rights. This chapter provides procedures for the transfer of development rights from a property to one or more other properties.

[4] Projects are entitled to a density bonus that corresponds with their affordable units pursuant to state density bonus law and consistent with Chapter 20.32 of the NBMC.

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Table 1 Airport Area MU-H2 Residential Units

Residential Development Allocation	Base Units				Density Bonus Units	Project Totals with Density Bonus
	Replacement Units	Additive Units	Transferred Units	Total Units		
2006 General Plan Unit Limit (MU-H2)	1,650	550	0	2,200	-	-
Approved Projects						
Uptown Newport	632	290	-77	845	322	1,167
Newport Crossings	259	0	0	259	91	350
Newport Airport Village	329	0	0	329	115	444
Residences at 4400 Von Karman	-	260	0	260	52	312
Residences at 1300 Bristol	77	0	+77	154	39	193
Total	**1,297**	**550**	**0**	**1,847**	**629**	**2,476**
Remaining Development Allocation	**353**	**0**	**0**	**353**	**-**	**-**

As shown on Figure 2, the project site is designated for General Commercial Office (CO-G) businesses. Residential uses per the 2006 General Plan are not a permitted use on the 1.71-acre project site. The proposed project requires a general plan amendment to allow for residential use.

4.1.1.1 ADDENDUMS TO THE 2006 GENERAL PLAN UPDATE EIR

Subsequent to approval of the General Plan Update and approval and certification of the GPU EIR in 2006, six GPU EIR addendums were approved. None of the addendums changed land uses or environmental findings related to the project site. Following is a brief summary of actions covered:

- **Addendum No. 1** to the City of Newport Beach General Plan 2006 Update Final Environmental Impact Report, November 2007.

  This addendum established a "Planned Community District" and adopted the North Newport Center Planned Community (PC) Text. The action incorporated Fashion Island, Block 600 and Block 500, and San Joaquin Plaza owned by The Irvine Company (applicant) into a single Planned Community District. Respective areas and PC Text within the San Joaquin Planned Community District were removed.

  The PC District is intended to provide the classification and development of land use parcels as a coordinated, comprehensive project to take advantage of large-scale community planning. The North Newport Center PC Text was developed to be consistent with the 2006 adopted General Plan and reflects the uses and land designations permitted under the plan. As detailed in Addendum No. 1, Table 1, "Development Area Summary," land uses would not allow for any increase beyond the development intensities allowed in the General Plan for those subareas.

- **Addendum No. 2** to the City of Newport Beach General Plan 2006 Update Final Environmental Impact Report, June 15, 2012.

  This addendum addressed proposed transfers of unbuilt development intensity in the North Newport Center PC (NNCPC). Specifically, the Addendum analyzed:

- Conversion of unbuilt, nonresidential development intensity (79 hotel rooms) to multifamily residential development intensity and transfer into the NNCPC.
- Assignment of 15 residential units within the MU-H3 portions of Newport Center to San Joaquin Plaza.
- Amendment of NNCPC Development Plan to increase allowable residential development by 94 units and to allocate the 94 units plus the 430 residential units currently allocated to the MU-H3 portions of the NNCPC solely to San Joaquin Plaza.
- Amendment of the Public Benefit Agreement between the City of Newport Beach and the Irvine Company concerning North Newport Center to vest the revised development intensities and allocations.
- Approval of a traffic study for 94 units pursuant to the City's Traffic Phasing Ordinance and Amendment to the Affordable Housing Implementation Plan.

Based on the facts and analysis in Addendum No. 2, the City Planning Commission found that the project, when compared to the 2006 GPU EIR, would not result in any new or more severe adverse environmental impacts. The Planning Commission also specifically concluded that, based on the Traffic Phasing Ordinance traffic analysis prepared for Addendum No. 2, the project would not have any new or more significant adverse traffic or circulation impacts.

- **Addendum No. 3** to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, Newport Airport Village, May 2020.

  This addendum relates to the development of a 16.46-acre site within the Airport Area. The site is bounded by MacArthur Boulevard, Birch Street, Dove Street, and Campus Drive. The project applicant proposed redesignation of the project site to allow a maximum of 329 residential dwelling units, additional density bonus units, and a maximum of 297,572 square feet of office, retail, service, and auto rental facilities. The proposed uses would replace existing commercial and office uses on the site. The project also included the adoption of the Newport Airport Village Planned Community Development Plan.

  The proposed site had a General Plan designation of AO (Airport Office and Supporting Uses) and was zoned OA (Office Airport). The project required a general plan amendment to MU-H2 (Mixed Use Horizontal) and a zone change to PC (Newport Airport Village Planned Community). The project is adjacent to John Wayne Airport, and the proposed residential uses were all outside the 65 dBA[5] Community Noise Equivalent Level (CNEL)[6] contour of the airport and Safety Zone 3 to ensure consistency with the Airport Environs Land Use Plan for John Wayne Airport.

[5] Noise is measured on a logarithmic scale of sound pressure level known as a decibel (dB). A-weighted decibels (dBA) approximate the subjective response of the human ear to broad frequency noise source by discriminating against very low and very high frequencies of the audible spectrum.

[6] The CNEL is the weighted average of the intensity of a sound, with corrections for time of day, and averaged over 24 hours.

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The Addendum found that potential impacts associated with this proposed project would either be the same or not substantially greater than those described in the 2006 GPU EIR. In addition, there were no substantial changes to the circumstances under which the proposed project would be undertaken that would result in more severe environmental impacts than previously addressed in the General Plan Program EIR.

- **Addendum No. 4** to the City of Newport Beach General Plan Update Environmental Impact Report, October 2020, The Residences at 4400 Von Karman.

  This addendum studied the approval of a residential development at 4400 Von Karman Avenue. The project included a five-story residential building with 312 multifamily rental units—299 market-rate units and 13 very-low-income affordable units—with a 1.1-acre public park and a freestanding parking structure on an approximately 13-acre site. The proposed uses would replace the existing surface parking area for office tenants in Koll Center Newport. The site is in the Airport Area, and the General Plan land use category is Mixed Use Horizontal 2 (MUH2). Project implementation did not require a change to the General Plan land use category.

  In September 2010, the Newport Beach City Council approved the Airport Business Area Integrated Conceptual Development Plan (ICDP) for the portion of the Airport Area generally bordered by MacArthur Boulevard, Jamboree Road, and Birch Street. The Airport Business Area ICDP is approximately 37.7 acres, of which approximately 25 acres is the Uptown Newport site, with approximately 12.7 additional acres in Koll Center Newport. The Airport Business Area ICDP identified 1,244 units on the Uptown Newport site and 260 units on the surface parking area of Koll Center Newport where the Residences at 4400 Von Karman project was proposed. The Airport Business Area ICDP was developed to be consistent with the 2006 adopted General Plan. As detailed in Addendum No. 2, Table 2-1, "Airport Business Area ICDP Residential Dwelling Unit Allocation," Residences at 4400 Von Karman project was found to be in compliance with the intent of the Airport Business Area ICDP.

  As a part of Residences at 4400 Von Karman project, the Koll Center Newport Planned Community (PC-15) was amended to create a Residential Overlay zone allowing residential development consistent with the City of Newport Beach General Plan and the Airport Business Area ICDP.

  The addendum found that potential impacts associated with the Residences at 4400 Von Karman project would either be the same or not substantially greater than those described in the 2006 GPU EIR. In addition, there were no substantial changes to the circumstances under which the proposed project would be undertaken that would result in more severe environmental impacts than previously addressed in the General Plan Program EIR.

- **Addendum No. 5** to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, The Residences at 1300 Bristol Street, February 2022.

  This addendum relates to the approval of a multifamily residential development at 1300 Bristol Street on a 1.97-acre office site. The project proposed 193 multifamily apartments—169 market rate units and 24 affordable units—in a six-story podium building with three levels of structured parking.

The site is in the Airport Area and is designated MU-H2 in the 2006 GPU. No general plan amendment was required. The site is also in the Newport Place Planned Community in the Residential Overlay area of PC-11, which allows multifamily residential development as a stand-alone use provided minimum affordable housing requirements are met. No zone change was required.

The addendum found that the number of housing units was within the 4,300 units studied in the GPU EIR for the Airport Area, and potential impacts would either be the same or not substantially greater than those described in the 2006 GPU EIR. In addition, there were no substantial changes to the circumstances under which the proposed project would be undertaken that would result in more severe environmental impacts than previously addressed in the General Plan Program EIR.

- **Addendum No. 6** to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, The Ritz-Carlton Residences Project, May 2022.

  This addendum relates to the development of 2.78 acres within the 9.53-acre Newport Beach Marriott Report Hotel property at 900 Newport Center Drive. The project proposed the conversion of up to 30 percent of the existing 532 hotel rooms to hotel-branded residences in a new 22-story building.

  The site has a General Plan designation of Visitor Serving Commercial (CV), a Coastal Land Use Plan designation of Visitor Serving Commercial (CV-B), and a Zoning designation of Commercial Visitor-Serving (CV). All CV designations allow for overnight accommodation and accessory land uses. The proposed hotel-branded residences are an allowable accessory land use, consistent with the applicable CV land use designations, and did not require a general plan amendment or rezoning.

  The addendum found that potential impacts associated with the Ritz-Carlton Residences would be the same or not substantially greater than those described in the 2006 GPU EIR. There were no substantial changes to the circumstances under which the proposed project would be undertaken that would result in more severe environmental impacts than previously addressed in the General Plan Program EIR.

- **Addendum No. 7** to the City of Newport Beach General Plan 2006 Update Environmental Impact Report, The Residences at 1400 Bristol Street project, April 2024.

  This addendum relates to the development of 229 apartment units, including a 422-space parking structure. The project includes an amendment to the General Plan to change the land use designation from General Commercial Office (CO-G) to Mixed Use Horizontal (MU-H2) and an additional 64 dwelling units above the General Plan allowance.

  The addendum found that potential impacts associated with the Residences at 1400 Bristol Street would be the same or not substantially greater than those described in the 2006 GPU EIR. There were no substantial changes to the circumstances under which the proposed project would be undertaken that would result in more severe environmental impacts than previously addressed in the General Plan Program EIR.

None of the approvals addressed in the GPU EIR Addendums affect the project site. Therefore, they are not addressed further in this addendum.

4. Project Description

4.1.2 Sixth Cycle Housing Element

On September 13, 2022, the Newport Beach City Council adopted the 6th cycle housing element for the 2021-2029 planning cycle in response to the Regional Housing Needs Assessment (RHNA) allocation of 4,845 new housing units for Newport Beach. On October 5, 2022, the City received a letter from the California Department of Housing and Community Development certifying that the City's housing element is in full compliance with State housing element law.

The housing element identifies and analyzes the City's existing and projected housing needs and contains a detailed outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future. The policy program identifies ways in which housing needs of current and future residents can be met. It also ensures that the City establishes policies, procedures, and incentives in its land use planning and development activities to address the maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live in Newport Beach (Newport Beach 2022).

State law requires the City to identify adequate sites to accommodate its fair share allocation for the 6th cycle housing element. The City identified an adequate amount of land that was determined to be "feasible" or "potentially feasible" for future development through extensive analysis and in collaboration with the community and stakeholders. The opportunity sites underwent a rigorous process to evaluate site features, development potential, developer/owner interest, and other factors to deem them appropriate for housing during the 2021-2029 planning period. The Airport Area Environs (Airport Area) is one of the five focus areas where new housing opportunity sites are identified to satisfy the RHNA allocation. The total RHNA allocation is accommodated by sites in West Newport Mesa, Dover-Westcliff/Mariner's Mile, Newport Center, Coyote Canyon, the Airport Area, and the 5th Cycle sites. The Airport Area includes 62 new housing opportunity sites that could accommodate up to 2,577 housing units. This comprises approximately 25 percent of the total housing units identified in the various focus areas identified in the Housing Element. The project site was identified in the Airport Area as an opportunity site with a potential unit yield of 85 units that can help accommodate a portion of the City's RHNA allocation (Newport Beach 2022).

4.1.3 Newport Place Planned Community (PC-11)

The Newport Place Planned Community (PC-11) is a triangular-shaped, 145-acre area that includes all parcels bordered by Birch Street to the northwest, McArthur Boulevard to the east, and Bristol Street to the southwest (see Figure 2). PC-11 permits professional and business offices, hotels and motels, retail, restaurants, and light industrial in addition to residential units within the Residential Overlay. The project site is zoned Industrial Site 3A and is not within the PC-11 Residential Overlay (Newport Beach 2021). The proposed project requires an amendment to PC-11 to allow for multifamily use.

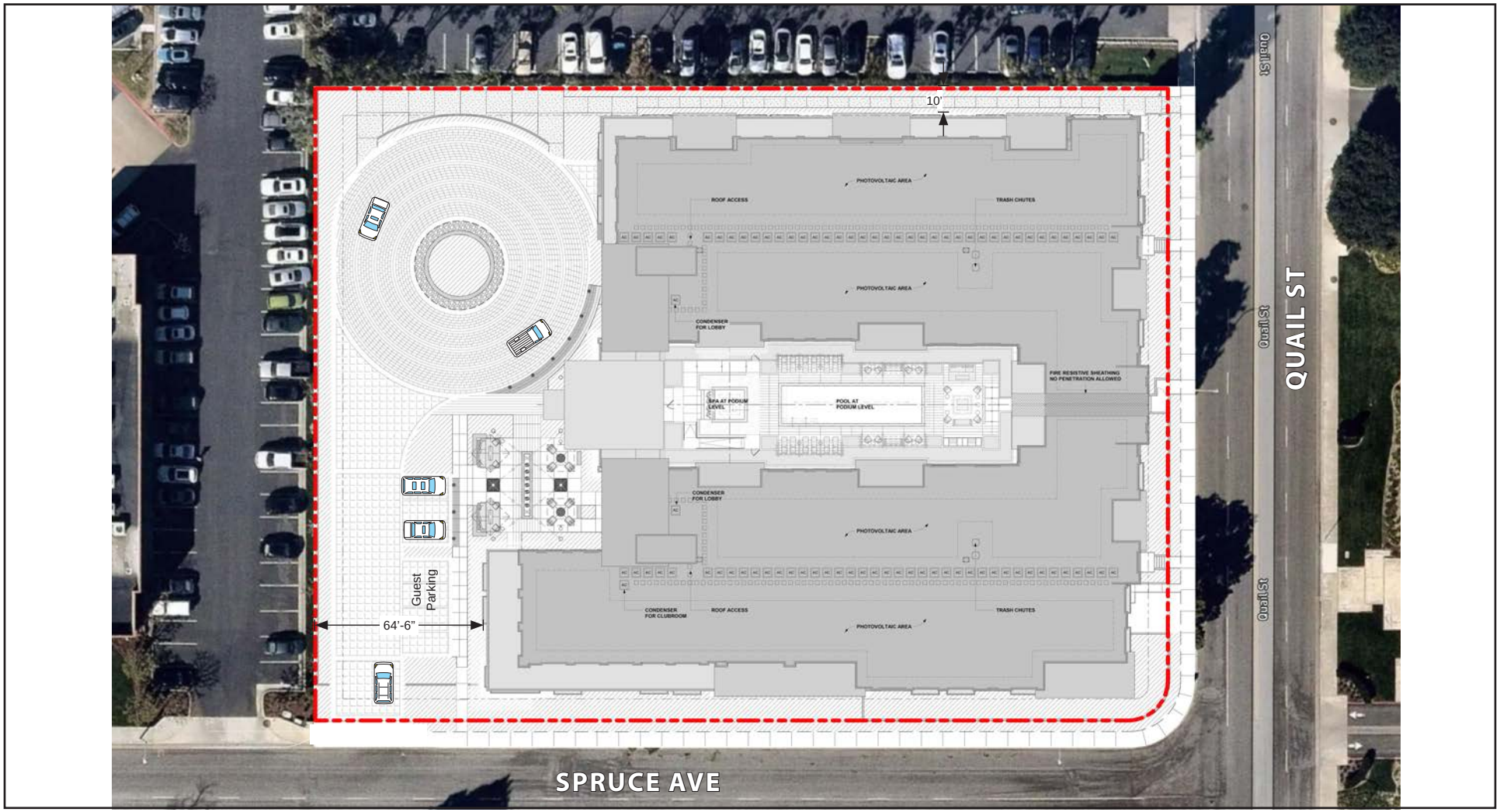
PC-11, as amended by Ordinance No. 2023-21 allows residential development to be located up to the 65 dBA CNEL noise contour as shown in Figures N5 of the Noise Element as updated by Resolution No. 2023-72, and subject to compliance with Section 20.30.080.F of the Municipal Code as amended by Ordinance No. 2023-20.

PC-11 requires a minimum density of 30 dwelling units per acre (du/ac) in the Residential Overlay. Per Ordinance No. 2023- 13, a minimum of 15 percent of the base units need to be set aside as affordable to lower-income households.

4.1.4 Project Characteristics

The project applicant (Intracorp) proposes redesignation of the approximately 1.71-acre project site to allow a maximum of 67 residential dwelling units including density bonus units. The proposed configuration of the land uses is shown in Figures 8a through 8f, *Proposed Site Plans*.

Figure 8a - Proposed Site Plan: Roof Level



Project Boundary

0 55
Scale (Feet)

Source: Intracorp 2023.

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Figure 8b - Proposed Site Plan: First Floor

Project Boundary | Guest Parking - Exterior | Guest Parking - In Garage | Assigned Parking - In Garage

0 50
Scale (Feet)

Source: Intracorp 2023.

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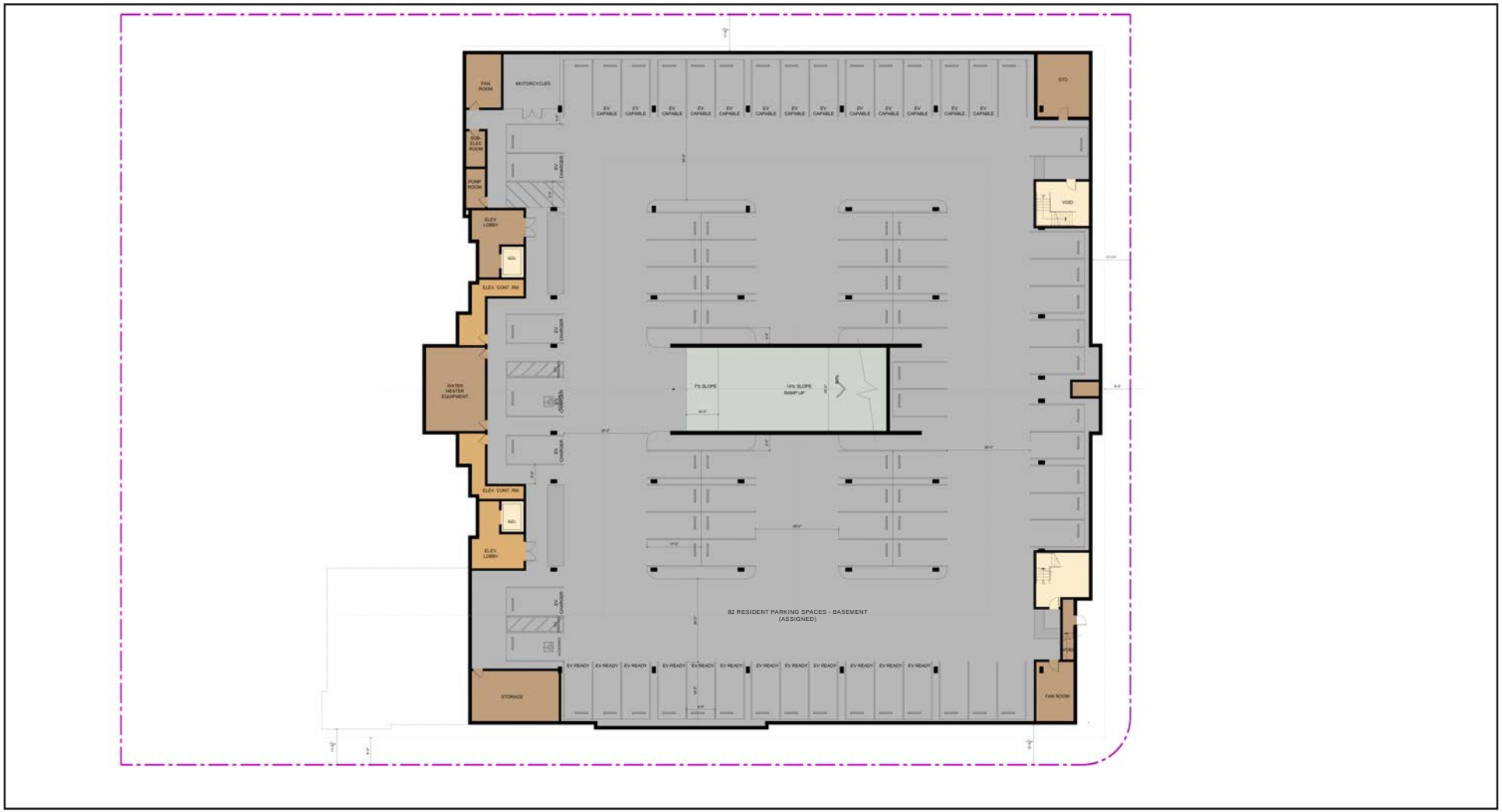
Figure 8c - Proposed Site Plan: Basement Floor



Project Boundary

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Scale (Feet)

Source: Intracorp 2023.

4. Project Description

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Figure 8d - Proposed Site Plan: Second Floor

UNIT TYPE	NO. OF UNITS
PLAN 1	2
PLAN 2	2
PLAN 2X	0
PLAN 3	2
PLAN 4	2
PLAN 5	2
PLAN 5X	0
PLAN 6	2
PLAN 7	1
PLAN 8	1
PLAN 9	0
PLAN 9X	0
PLAN 10	0
TOTAL	14

Project Boundary

0 50
Scale (Feet)

Source: Intracorp 2023.

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Figure 8e - Proposed Site Plan: Third-Fifth Floors

UNIT TYPE	NO. OF UNITS
PLAN 1	2
PLAN 2	0
PLAN 2X	2
PLAN 3	2
PLAN 4	2
PLAN 5	0
PLAN 5X	2
PLAN 6	2
PLAN 7	1
PLAN 8	1
PLAN 9	0
PLAN 9X	0
PLAN 10	0
TOTAL	14

Project Boundary

0 50
Scale (Feet)

Source: Intracorp 2023.

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Figure 8f - Proposed Site Plan: Sixth Floor

UNIT TYPE	NO. OF UNITS
PLAN 1	0
PLAN 2	0
PLAN 2X	0
PLAN 3	1
PLAN 4	2
PLAN 5	0
PLAN 5X	2
PLAN 6	2
PLAN 7	1
PLAN 8	0
PLAN 9	1
PLAN 9X	1
PLAN 10	1
TOTAL	11

Project Boundary

0 50
Scale (Feet)

Source: Intracorp 2023.

4. Project Description

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4. Project Description

4.1.4.1 RESIDENTIAL DEVELOPMENT

The proposed project includes 67 for sale condominiums in an 81-foot, six-story podium building at a density comparable to other projects recently approved in the Airport Area. The unit mix for the proposed project incorporates several different floor plans, for two-bedroom and three-bedroom configurations ranging from 1,304 to 3,174 square feet, as shown in Table 2, *Unit Mix*. Each residence would have a balcony to provide each homeowner with their own private outdoor space. The proposed development would be 139,546 net square feet with a density of 39 du/ac. A photovoltaic system (solar) that provides 55 percent of the total electricity demand would be installed.

Table 2 Unit Mix

Unit Type	Unit Size (SF)	Count	Total Square Feet
2BD/2BA	1,304	8	10,432
2BD/2.5BA	1,784	2	3,568
2BD/2.5BA	1,893	8	15,144
2BD+Office/2.5BA	1,963	9	17,667
3BD/3.5BA	2,097	10	20,970
3BD/3.5BA	2,214	2	4,428
3BD/3.5BA	2,327	8	18,616
3BD/3.5BA	2,257	8	18,056
3BD/3.5BA	2,320	5	11,600
3BD/3.5BA	2,405	4	9,620
3BD+Office/3.5BA	2,968	1	2,968
3BD+Office/3.5BA	3,303	1	3,303
3BD/3.5BA	3,174	1	3,174
Total	**-**	**67**	**139,546**

SF = Square Feet
BD = Bedroom
BA = Bathroom

As proposed, the project site would be governed by the Residential Overlay of Newport Place Planned Community development standards, which allows a minimum density of 30 dwelling units per acre. A minimum of 15 percent of the base units must be set aside for lower-income households. The Newport Place Planned Community development standards define lower-income households as those making less than 80 percent of the area median income, as adjusted for family size by the United States Department of Housing and Urban Development. The proposed project would provide 6 units of affordable units to very low-income households, and 2 units for low-income households, which is 15 percent of the base units, as outlined in Table 3, *Density Bonus Calculation*. The proposed project would be entitled to a density bonus of 32.5 percent that corresponds with its affordable units pursuant to state density bonus law and consistent with Chapter 20.32 of the NBMC. The proposed project includes a density bonus of 27.5 percent. This will comply with the provisions of Government Code Section 65915. The MU-H2 land use designation allows for a maximum density of 50 units per adjusted gross acre.

Table 3 Density Bonus Calculations

Project Area	1.71 acres
Minimum Allowable Density	30 du/ac
Minimum Allowable Residential Units Before Density Bonus (Base Units)	52 du
Very Low-Income Units Set Aside	6 du
Low-Income Units Set Aside	2 du
Eligible Density Bonus (32.5 percent)	17 du
Total Allowable Units with Density Bonus	
Total Units proposed	67 du

du/ac = Dwelling units per acre

The proposed project is approximately 0.4 miles to the southeast of John Wayne Airport and the site is within the 60 dBA and 65 dBA CNEL noise contours of the airport. The Land Use Element and Noise Element, as amended by Resolution No. 2023-72, allow residential uses in this area. Residential units in this area are consistent with the JWA Airport Environs Land Use Plan (AELUP) if the interior noise standard of 45 dBA CNEL can be maintained.

4.1.4.2 ARCHITECTURAL DESIGN

As shown in Figures 9a through 9d, *Architectural Renderings*, the architecture of the proposed project would be Contemporary, with an articulated two-story base defined by a darker color, punctuated by vertical elements containing the covered outdoor balconies of the residential units. The façade would be articulated to highlight the columns flanking the decks and window openings. Metal cornices would cap the tallest elements.

4.1.4.3 LANDSCAPING, HARDSCAPING, AND RECREATIONAL AMENITIES

As shown in Figure 10, *Conceptual Landscape Plan: Ground Level*, the proposed landscape and hardscape design reflect the modern architectural style. Italian cypress and pine are proposed along the building to reflect the building verticality. The accent olive trees and palms provide a focal element at the entry. Understory shrubs would be California natives and drought tolerant. The hardscape would emphasize creating a comfortable pedestrian experience.

A pool and spa would be provided on the upper podium level (see Figure 11, *Conceptual Landscape Plan: Podium Level*). A shared amenity rooftop deck would be on the sixth floor with a club room on the first floor.

Figure 9a - Architectural Renderings (Southeast Elevation)

Source: Intracorp 2023.

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Figure 9b - Architectural Renderings (Northeast Elevation)

Source: Intracorp 2023.

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Figure 9c - Architectural Renderings (Northwest Elevation)

Source: Intracorp 2023.

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Figure 9d - Architectural Renderings (Southwest Elevation)

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Scale (Feet)

Source: Intracorp 2023.

4. Project Description

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Figure 10 - Conceptual Landscape Plan - Ground Level

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Scale (Feet)

Source: Intracorp 2023.

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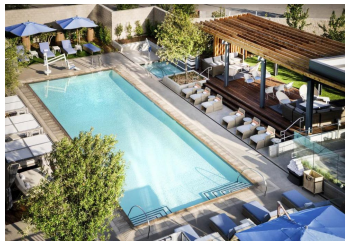
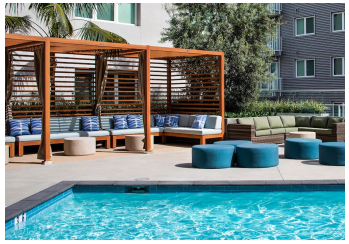
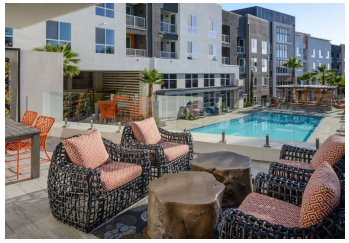
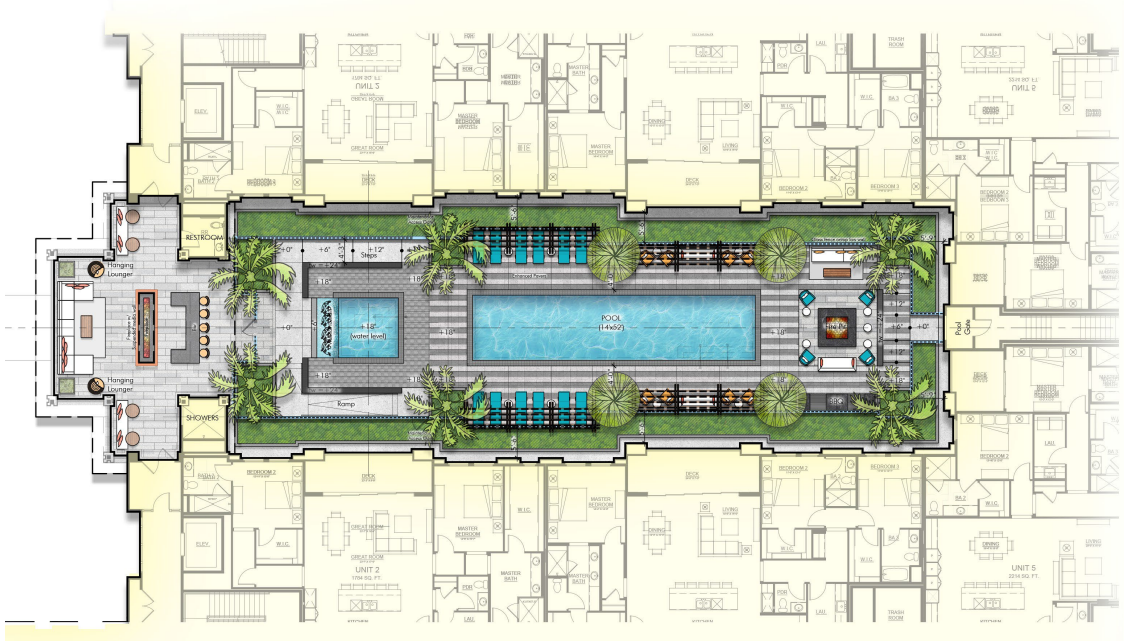
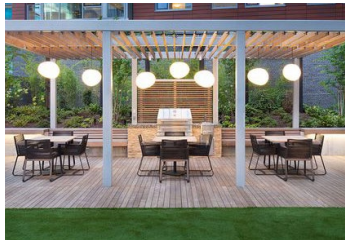
Figure 11 - Conceptual Landscape Plan - Podium Level





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Scale (Feet)

Source: Intracorp 2023.

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4. Project Description

4.1.4.4 CIRCULATION AND PARKING

A proposed entry would be on Spruce Avenue on the west side of the site. The entry would be 26-feet wide and have a roundabout feature at the end of the driveway that allows an adequate radius for fire trucks and would be a pick-up and drop-off location for residents and visitors. The proposed entry would be through a motor court with enhanced paving and landscape that serves as the turnaround and entry drive to the parking garage. Centered on the western façade that faces this arrival zone would be the pedestrian lobby entrance.

The proposed project would include 146 parking spaces: 140 parking spaces in the parking structure and 6 parking spaces along the project entry. A dedicated parking stall at the entry to the project would be designated for ride-share and delivery services. An automated private gate would provide access control within the parking structure for residents.

4.1.5 Utilities and Infrastructure

As shown in Figure 12, *Composite Utility Plan*, an existing sewer lateral services the existing commercial uses and connects to an 8-inch public sewer line in Spruce Street. The 8-inch line extends northeast to a 10-inch sewer main in Quail Street. This line continues southeast to the intersection of Quail Street and Dove Street. The 10-inch line in Dove Street extends to Newport Place, where it increases to 15 inches. The 15-inch line continues east to McArthur Boulevard and then north, where it increases to an 18-inch line before discharging into the Orange County Sanitation District sewer main.

The existing facility is served by a fire water lateral and a second domestic water lateral, both of which connect to a 16-inch water main on Spruce Street. The proposed project would utilize new domestic water, fire water, and irrigation water service laterals with a connection to the 16-inch water main on Spruce Street (see Figure 12).

Runoff from the proposed building would be collected through roof drains that discharge directly into bioretention planters and permavoid boxes along the north, east and west boundaries of the site. The permavoid boxes allow runoff to be used as a means of irrigation for the bioretention planters. Any treated overflow runoff would be discharged to Quail Street and Spruce Avenue via parkway culverts. Runoff from the area south of the building, which includes the entire roundabout access street and the area leading to the main entry of the building, would sheet flow to catch basins on the south side of the proposed roundabout access street. The storm drain system would direct the runoff to the permavoid boxes to be used for irrigation on the project site (see Figure 12).

4.1.6 Construction Phasing

Upon City approval, project construction is anticipated to be completed in four continuous phases: demolition, site preparation, grading/trenching, and building construction/finishing. Overall project construction is estimated to take approximately 21 months, from March 2024 to November 2025. Customized buyer selections inside the units would proceed from December 2025 to March of 2026. Construction activities, start and end dates, and equipment required are shown in Table 4, *Construction Schedule and Equipment*. Construction would occur from 7:00 am to 4:00 pm Monday through Friday.

Table 4 Construction Schedule and Equipment

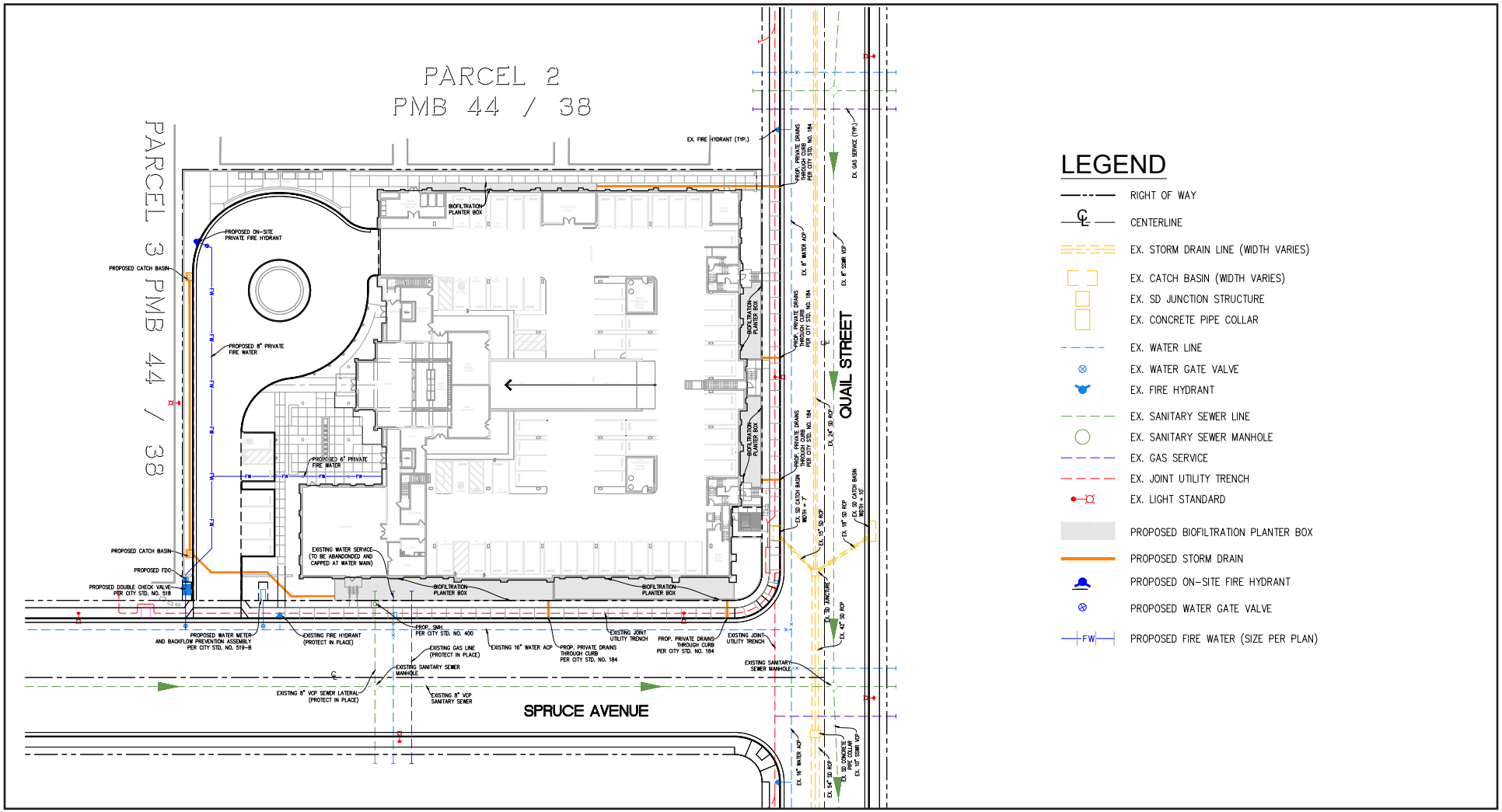
Construction Activities	Phase Type	Start Date	End Date	Equipment Required
Asphalt Demolition	Demolition	3/1/2024	3/9/2024	One Backhoe or Front Loader Twenty 14-Yard Dump Trucks One Skid Steer One Track Excavator One Front End Loader
Building Demolition	Demolition	3/12/2024	3/29/2024	Two Excavators Twenty 14-Yard Dump Trucks One Front End Loader
Site Preparation	Site Preparation	4/2/2024	4/9/2024	One Backhoe/Skid Loader
Rough Grading	Grading	4/12/2024	4/29/2024	One Front End Loader One Tracked Dozer Twenty End Dumps One Grading Tractor One Excavator
Fine Grading	Grading	5/3/2024	5/9/2024	One Grading Tractor One Skid Steer One Mini Excavator
Utility Trenching	Trenching	5/11/2024	5/25/2024	One Backhoe One Excavator/Track Hoe One Skid Steer
Building Construction	Building Construction	6/2/2024	12/5/2025	One Rough Terrain Forklift/Telehandler Fourteen Semi Trucks and Trailers Twenty Box Delivery Trucks One Concrete Boom Pump Twenty Concrete Trucks
Asphalt/Concrete Paving	Building Construction	9/6/2024	9/23/2024	Twenty 10-Wheeler Dump Truck One Vibrator Roller One Skid Steer
Architectural Coating	Building Construction	9/27/2025	10/22/2025	One Forklift One Pump
Finishing/Landscaping	Finishing	11/13/2025	11/28/2025	One Skid Steer Twenty Box Trucks One Backhoe

Demolition of the existing structures on site would generate approximately 1,126 tons of building debris. Approximately 629 tons of building debris would be recycled. Additionally, 648 tons of asphalt would be demolished, of which 420 tons would be recycled. Export of the demolished building and asphalt debris would require approximately 11 trip ends[7] to be hauled off-site.

It is anticipated that up to 9,300 cubic yards of soil would need to be exported during the grading phase to balance the site. Soil export is anticipated to require approximately 691 total trip ends. Although the sites to which soil would be exported are unknown, it is anticipated that they would be less than 25 miles from the project site. All construction staging activities would occur within the confines of the project site.

[7] Each trip end represents a "to" and "from" trip between the landfill site and the project site.

Figure 12 - Composite Utility Plan



Source: Intracorp 2023.

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5. Environmental Checklist

5.1 BACKGROUND

1. **Project Title:** 1401 Quail Street Residential Project

2. **Lead Agency Name and Address:**
   City of Newport Beach
   Community Development Department
   100 Civic Center Drive
   Newport Beach, CA 92660

3. **Contact Person and Phone Number:**
   David Lee, Senior Planner
   949-644-3225

4. **Project Location:**
   The 1.71-acre project site is generally located southwest of John Wayne Airport (JWA) and within the Airport Area as defined by the Newport Beach General Plan. The project site is located northwest of Spruce Avenue, southwest of Quail Street, northeast of Bristol Street, and about 450 feet southeast of Upper Newport Plaza Drive.

5. **Project Sponsor's Name and Address:**
   Rick Puffer, Project Manager
   Intracorp Homes
   895 Dove Street, Suite 400
   Newport Beach, CA 92660

6. **General Plan Designation:** General Commercial Office (CO-G).

7. **Zoning:** Newport Place Planned Community – Residential Overlay

8. **Description of Project:**
   Proposed redesignation of the approximately 1.71-acre project site to allow 67 condominiums that include 6 units of affordable units to very low-income households and 2 units of affordable units to low-income households. The proposed project includes an 81-foot, six-story podium building with subterranean parking. The first floor of the building is also dedicated to parking. A proposed entry would be on Spruce Avenue. The entry would be 26 feet wide and have a roundabout at the end of the driveway. The proposed entry would be through a motor court with enhanced paving and landscape that serves as the turnaround and entry drive to the parking garage. Centered on the western façade that faces this arrival zone would be the pedestrian lobby entrance.

9. **Surrounding Land Uses and Setting:**

Surrounding land uses include miscellaneous commercial uses, including retail, office, banks, service uses, medical offices, and restaurants. The JWA is approximately 0.35 mile to the northwest of the site.

10. **Other Public Agencies Whose Approval or Consideration Is Required:** (e.g., permits, financing approval, or participation agreement):

- Airport Land Use Commission (ALUC): John Wayne Airport
- Santa Ana Regional Water Quality Control Board Agency

5.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

This Addendum evaluates the potential incremental impacts of the proposed project in comparison to the 2006 GPU EIR to determine if there are potentially new project-related significant impacts, an increase in the severity of previously determined significant impacts, or changes in circumstances that could result in new significant impacts.

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

5.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

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

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☒ I find that although the proposed project could, as originally proposed, have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR , including revisions or mitigation measures or conditions or approval that are imposed upon the proposed project, nothing further is required prior to consideration and adoption of this modified Checklist and Addendum.

Signature	*Date*
Printed Name	*For*

5.4 COMPARING CHANGES AND/OR NEW INFORMATION TO PREVIOUS EIR

The purpose of the checklist is to evaluate the categories in terms of any **"changes"** or **"new information"** that may result in a changed environmental impact evaluation pursuant to Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 to 15164. A "no" answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no substantial change in the project or circumstances surrounding the project that would result in new significant adverse environmental impacts from those identified in the previously adopted negative declaration.

5.4.1 Explanation of Checklist Evaluation Categories

Are Substantial Changes Proposed to the Project Which Require Major Revisions to the Prior EIR or Negative Declaration Involving New Significant Impacts or a Substantial Increase in the Severity of Previously Identified Significant Impacts?

Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether any changes to the project would require major revisions to the prior EIR or negative declaration due to the involvement of new significant adverse environmental effects. If a "yes" answer is given, additional mitigation measures, or revised measures, will be specified in the discussion section, including a statement of impact after mitigation.

Any Substantial Change in Circumstances Involving New Significant Impacts or Substantial Increase in the Severity of Previously Identified Significant Impacts?

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been substantial changes to the project site or the vicinity (environmental setting) that have occurred after certification of the EIR or adoption of the prior negative declaration and which would result in the project having new significant impacts that were not considered or mitigated by the prior environmental document.

Any New Information of Substantial Importance Requiring Additional Analysis?

Pursuant to Section 15162(a)(3)(A) to (D) of the CEQA Guidelines, this column asks whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR or negative declaration, shows any of the criteria listed above.

6. Environmental Analysis

This section provides evidence to substantiate the conclusions in the environmental checklist. The section will briefly summarize the conclusions of the 2006 GPU EIR, then discuss whether or not the proposed project is consistent with the findings contained in the EIR.

Applicable 2006 General Plan policies as updated and amended are reproduced for each topical area and listed in Appendix B, and upon approval, the project would be required to comply with these policies. The 2006 GPU EIR did not include any mitigation measures.

6.1 AESTHETICS

6.1.1 Summary of Impacts Identified in the 2006 General Plan EIR

After implementation of 2006 General Plan policies, impacts related to aesthetics and scenic vistas were deemed less than significant and no mitigation measures were required. The GPU EIR acknowledged that new uses, including the introduction of mixed-use development and higher density residential development in the Newport Center/Fashion Island area, the Airport Area, and West Newport Mesa would change the visual character of these areas of the city. The GPU EIR noted that both City-wide and area-specific policies would reinforce design standards, protect visual character and views, and enhance the city's existing aesthetic qualities while simultaneously accommodating projected growth. The GPU EIR also stipulated that new development would undergo a subsequent environmental review consisting of a case-by-case analysis of visual impacts, and that these developments would be required to conform to General Plan Update standards, the City's municipal code, and as applicable, the local coastal plan. Visual impacts were concluded to be less than significant.

6.1.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Have a substantial adverse effect on a scenic vista?					x
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					x

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				x	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				x	

Comments

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

No Impact. Vistas provide visual access or panoramic views to a large geographic area and are generally at a location where surrounding views are greater than one mile away. Panoramic views are usually associated with vantage points over a section of urban or natural area that provides a geographic orientation not commonly available. Examples of panoramic views might include an urban skyline, valley, mountain range, a large open space area, the ocean, or other water bodies.

The Airport Area does not have public viewpoints or coastal view roads. The closest designated coastal view road is Jamboree Road south of SR-73. Since the coastal view portion of Jamboree Road is 0.7 mile from the Airport Area, the project would not impact public views along this coastal road. Therefore, there are no impacts to scenic vistas and no changes or new significant information that would require preparation of an EIR.

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

No Impact. State Route 1, or Pacific Coast Highway, is identified as eligible for State Scenic Highway designation, but the City of Newport Beach would need to adopt a scenic corridor protection program and apply for scenic approval from Caltrans to officially designate the highway. Therefore, there are currently no officially designated state scenic highways in Newport Beach. Thus, the proposed project would have no impact on scenic resources within a state scenic highway, and there are no changes or new significant information that would require preparation of an EIR.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly

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accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project would result in a change in land use designation and structure heights for the project site. The proposed land use changes would allow residential development and alter the visual character of the site in comparison to the offices and limited accessory retail and service uses permitted under the GPU EIR and the Industrial uses permitted under the PC-11 zoning.

The Newport Place Planned Community Development Standards ensure consistency between the City's General Plan and proposed development projects within PC-11. For industrial uses within the project site, the height limit is 35 feet, and no residential units are allowed.

Upon approval, the project site would be included in the Residential Overlay of PC-11 which allows a maximum building height of 55 feet, a minimum density of 30 du/ac, and a maximum density of 50 du/acre. A minimum of 15 percent of the base units must be set aside for lower-income households. The proposed project would provide 6 units of affordable units to very low-income households, and 2 units of affordable units to low-income households, which is 15 percent of the base units. The proposed project would be entitled to a density bonus that corresponds with its affordable units pursuant to state density bonus law and consistent with Chapter 20.32 of the NBMC. This will comply with the provisions of Government Code Section 65915. The proposed project would also comply with the density standards for the Residential Overlay of PC-11.

The proposed project has a maximum building height of 81 feet measured from existing grade to the top of the rooftop parapet. As part of the approval of the proposed project's Affordable Housing Implementation Plan, the applicant is requesting relief from the building height requirements pursuant to Section 20.32.080 of the City's Zoning Code. When an applicant makes a request for a waiver of development standards, the review authority shall grant the request unless one or more of the following findings is made:

1. The waiver or reduction of development standards would have a specific adverse impact upon public health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

2. The waiver or reduction of development standards would have an adverse impact on any real property listed in the California Register of Historical Resources.

3. The waiver or reduction of development standards would be contrary to State or Federal law.

With respect to requirements no. 1 and 3, any height increase should not penetrate Federal Aviation Regulation Part 77, Obstruction—Imaginary Surfaces, for John Wayne Airport unless approved by ALUC. The project site is at 51 feet above mean sea level (amsl) and the proposed building's maximum height is 81 feet. Therefore, the overall height would be 132 feet amsl. As shown in Figure 13, *Height Restrictions per Federal Air Regulations Part 77*, the height restriction for the project site is 206 amsl. Additionally, the proposed waiver would not have an adverse impact on historical resources. Therefore, the project meets the requirements of Section 20.32.080 of the NBMC.

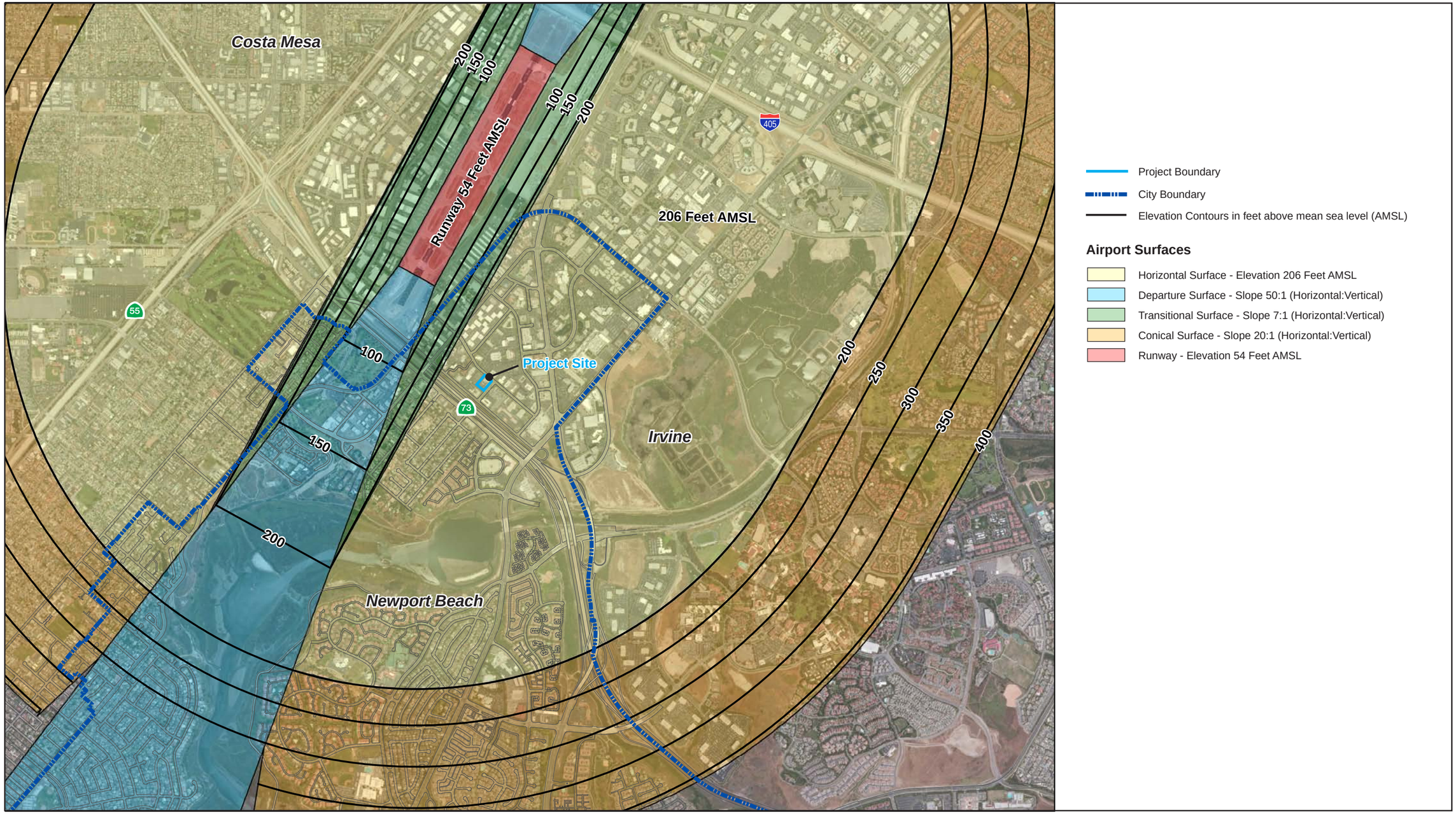
Furthermore, the increase in allowable maximum building height in comparison to the maximum building height currently allowed by the site's zoning (55 feet) would alter the future character of the project site. This increased height, however, is consistent with several surrounding buildings in the Airport Area in Newport Beach and the City of Irvine. Along Birch Street, there are several multistory buildings that range from 3 to 14 stories (office, hotel and retail/restaurant uses). Along MacArthur Boulevard is a 9-story office building.

Therefore, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality and would have a less than significant impact, and there are no changes or new significant information that would require preparation of an EIR.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The Airport Area is nearly built out, and a significant amount of ambient light already exists due to urban uses. Regulatory requirements per the City's municipal code Title 20, Chapter 20.30, Section 20.30.070 "Outdoor Lighting," includes general outdoor lighting standards, parking lot lighting standards, and outdoor lighting (spotlighting and floodlighting). The project site is in a highly urban area with existing sources of light and glare. The replacement of existing uses with new sources of light and glare would not substantially alter the amount of lighting or glare on the site. General Plan Policy LU 5.6.2 would require that new and renovated buildings be designed to avoid the use of styles, colors, or materials that unusually impact the design character and quality of their location, such as the use of reflective surfaces that increase ambient glare and excessive illumination. LU 5.6.3 requires outdoor lighting to be located and designed to prevent spillover to adjoining properties or a significant increase of the overall ambient illumination of its location.

Figure 13 - Height Restrictions per Federal Air Regulations Part 77



Source: Orange County Airport Land Use Commission Airport Environs Land Use Plan for John Wayne Airport 2008.

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The General Plan policies and requirements of the municipal code would ensure that lighting impacts associated with the proposed project, similar to development pursuant to the 2006 GPU, would be less than significant. Thus, the proposed project would not adversely affect day or nighttime views, and there are no changes or new significant information that would require preparation of an EIR.

6.1.3 Cumulative Impacts

Impacts are minimized with implementation of General Plan policies, and impacts related to aesthetics were less than significant and no mitigation was required under the GPU EIR. As identified in the GPU EIR, the General Plan would change the visual aspect of and views from, to, and across the city; add new development to viewsheds; and bring urban development to previously undeveloped areas, resulting in less than significant impacts on scenic vistas, scenic resources within a State scenic highway, and visual character. However, the project site is urbanized with existing development. As discussed above, the proposed project would not cause a new significant aesthetic impact. Therefore, the proposed project would cause neither a new cumulative impact nor an increase in the severity of a cumulative impact previously disclosed. Implementation of the proposed project would not alter the conclusions of the General Plan Program EIR analysis and would not result in a new or substantially more severe project-specific or cumulative aesthetic impact than those already analyzed.

6.1.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Aesthetic resources for the proposed project.

6.2 AGRICULTURE AND FORESTRY RESOURCES

6.2.1 Summary of Impacts Identified in the 2006 General Plan EIR

The 2006 General Plan Initial Study (IS) indicated that the City of Newport Beach does not contain any significant agricultural resources as the city is almost entirely built out. The IS concluded that there would be no impacts to agricultural and forestry resources and did not discuss the topic in the GPU EIR.

6.2.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?					x
b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?					x
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?					x
d) Result in the loss of forest land or conversion of forest land to non-forest use?					x
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?					x

6. Environmental Analysis

Comments

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

No Impact. As with site development under the 2006 General Plan, the proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (DOC 2018). Thus, there are no changes or new significant information that would require preparation of an EIR.

b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?

No Impact.

The project site is located in an urban area and is not zoned for agricultural use—the site is zoned Industrial Site 3A, which does not permit agricultural uses. The City of Newport Beach does not have any land designated or zoned for agricultural use, used for agriculture, or subject to a Williamson Act contract[8] (DOC 2023). Thus, the proposed project, as with all development pursuant to the 2006 GPU, would have no impacts to agricultural zoning or a Williamson Act contract. No impacts would occur, and there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. The City of Newport Beach does not have any land designated or zoned for forestland, timberland, or timberland zoned Timberland Production. The project site is currently zoned Industrial Site 3A. Thus, the proposed project, similar to all development pursuant to the 2006 GPU, would have no impacts, and there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. See response to Section 6.2.2(c), above. As substantiated in this section, no impact would occur, and there are no changes or new significant information that would require preparation of an EIR.

[8] Williamson Act contracts restrict the use of privately owned land to agriculture and compatible open-space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value.

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

No Impact. See responses to Sections 6.2.2(a), (b), and (c), above. As substantiated in this section, no impact would occur, and there are no changes or new significant information that would require preparation of an EIR.

6.2.3 Cumulative Impacts

As discussed above, the proposed project would not cause a new agricultural resources impact to occur, nor an increase in the severity of an agricultural resources impact previously disclosed in the GPU EIR, with adherence to State and local regulations. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative agricultural resources impact than those already analyzed.

6.2.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to agricultural or forest resources for the proposed project.

6.3 AIR QUALITY

6.3.1 Summary of Impacts Identified in the General Plan Update EIR

Air Quality Management Plan Consistency

The GPU EIR concluded that the 2006 GPU would potentially conflict with implementation of South Coast Air Quality Management District's (South Coast AQMD) 2003 Air Quality Management Plan (AQMP). The 2006 GPU EIR identified that the GPU would increase residential growth projections approximately 10 percent higher than what was accounted for by Southern California Association of Governments (SCAG) projections for Orange County in 2030. Therefore, implementation of the GPU was consistent with the 2003 AQMP attainment forecast, and impacts were significant and unavoidable. Since preparation of the 2006 GPU EIR, South Coast AQMD has adopted the 2022 AQMP, which is the current AQMP for the South Coast Air Basin (SoCAB). The 2022 AQMP reflects the approved Newport Beach General Plan, and therefore the General Plan and designated land uses for the project site are consistent with the AQMP.

Regional Construction Impacts

The GPU EIR concluded that, even after mitigation, construction air emissions from individual projects and total amount of construction assumed in the GPU could exceed South Coast AQMD's significance thresholds as a result of the amount of development activity that is anticipated in the city. Impacts were considered significant and unavoidable.

Regional Operational Impacts

The GPU EIR concluded that the operational emissions would cumulatively contribute to the nonattainment designations of the SoCAB. At the time of the 2006 GPU EIR, the SoCAB was designated nonattainment for ozone (O_3), carbon monoxide (CO) (Los Angeles County only), and coarse particulate matter (PM_{10}). Impacts were considered significant and unavoidable.

Localized Impacts

The GPU EIR demonstrated that there would be no CO exceedances caused by vehicular emissions idling at intersections, and therefore localized CO hotspot impacts would be less than significant.

Odors

The GPU EIR identified that odors generated within the city would not affect a substantial number of people, and impacts would be less than significant.

6.3.2 Impacts Associated with the Proposed Project

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				X	
c) Expose sensitive receptors to substantial pollutant concentrations?				X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X	
e) Conflict with or obstruct implementation of the applicable air quality plan?				X	

The analysis in this section is based in part on the information in Appendices C and D of this Addendum:

- *Trip Generation Calculations*, PlaceWorks, 2023.
- *Air Quality, Greenhouse Gas, Energy, and Natural Gas Calculations*, PlaceWorks 2023.

Comments

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. A consistency determination with an AQMP plays an important role in local agency project review by linking local planning and individual projects to the AQMP. It fulfills the CEQA goal of informing decision makers of the environmental efforts of the project under consideration early enough to ensure that air quality concerns are fully addressed. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals in an AQMP. The South Coast AQMD is responsible in developing AQMPs for the SoCAB region.

The GPU EIR identified that the land plan would increase residential growth projections slightly over what was projected by SCAG for Orange County in 2030. Therefore, implementation of the General Plan was not consistent with the 2003 AQMP attainment forecast, and impacts were found to be significant and unavoidable.

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The South Coast AQMD adopted the 2022 AQMP on December 2, 2022. Regional growth projections are used by South Coast AQMD to forecast future emission levels in the SoCAB. For southern California, these regional growth projections are provided by SCAG and are partially based on land use designations in city/county general plans. Thus, the land uses assumed and the growth anticipated in the 2006 GPU have been incorporated into the current 2022 AQMP.

Typically, only large, regionally significant projects have the potential to affect regional growth projections. In addition, a consistency analysis with the 2022 AQMP is generally only required in connection with the adoption of General Plans, specific plans, and significant projects. Changes in population, housing, or employment growth projections have the potential to affect SCAG's demographic projections and therefore the assumptions in South Coast AQMD's AQMP. These demographic trends are incorporated into SCAG's 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) to determine priority transportation projects and vehicle miles traveled in the SCAG region.

As mentioned in the Chapter 4, *Project Description*, the proposed project would redesignate the project site from Commercial Office (CO-G) to MU-H2, which would expand the overall geographic area designated MU-H2. However, the proposed project would not increase the overall development capacity in MU-H2-designated areas considered in the GPU EIR. Furthermore, as discussed in Section 6.14, *Population and Housing*, the proposed project would redistribute these future units and would not result in an increase in population compared to the 2006 GPU. Thus, the proposed project would not result in increasing growth and would be within the growth assumptions of the 2022 AQMP.

Additionally, as demonstrated in Section 6.3(b), the proposed project is not anticipated to result in a substantial increase in operation-phase emissions compared to what was previously analyzed in the GPU EIR. Therefore, the proposed project would be consistent with the 2022 AQMP and its implementation is not anticipated to result in new or increase the severity of impacts pertaining to consistency with the 2022 AQMP when compared to the 2006 GPU. Therefore, there are no changes or new significant information that would require preparation of an EIR.

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The following describes changes in regional impacts from short-term construction activities and long-term operation of the proposed project.

Regional Construction Impacts

Construction activities would result in the generation of air pollutants. These emissions would primarily be 1) exhaust emissions from off-road diesel-powered construction equipment; 2) dust generated from demolition, site preparation, earthmoving, and other construction activities; 3) exhaust emissions from on-road vehicles; and 4) off-gas emissions of volatile organic compounds (VOCs) from application of asphalt, paints, and coatings.

The GPU EIR determined that construction activities would generate short-term emissions that would exceed the South Coast AQMD regional significance thresholds. Though the proposed 2006 GPU did not include residential uses on the project site, the proposed project would not increase the number of residential units allocated to the Airport Area in comparison to the General Plan Update. Overall, it is anticipated that the required construction processes and activities needed to develop the land uses accommodated under both the proposed project and the 2006 GPU for the Airport Area would be similar.

Construction activities associated with the development of the 67 condominiums would disturb 1.71 acres on the project site. The project would involve building and asphalt demolition, debris onsite processing/recycling, demolition debris hauling, site preparation, rough and fine grading, utilities trenching, building construction, paving, architectural coating, and finishing/landscaping. Construction is anticipated to start in spring 2024 and finish in winter 2025. Construction emissions were estimated using the California Emissions Estimator Model (CalEEMod), version 2022.1.1.14, and are based on the preliminary construction duration and equipment mix provided by the applicant.

Construction emissions modeling is shown in Table 5, *Maximum Daily Regional Construction Emissions*, which shows that maximum daily emissions for VOCs, NO_X, CO, SO_2, PM_{10}, and $PM_{2.5}$ from construction-related activities would be less than their respective South Coast AQMD regional significance threshold values.[9] The proposed project would be subject to South Coast AQMD Rules 402, 403, 1113, and SC AQ-1 to further reduce specific construction-related emissions. Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from project-related increases in criteria air pollutants.

Table 5 Maximum Daily Regional Construction Emissions

Construction Phase	Pollutants (lb/day)[1, 2, 3]					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Year 2024						
Asphalt Demolition	1	13	11	<1	3	1
Building Demolition	1	15	10	<1	5	1
Building Debris Onsite Processing/Recycling	1	6	7	<1	<1	<1
Site Preparation	<1	6	4	<1	1	<1
Rough Grading	2	28	21	<1	6	3
Fine Grading	1	9	8	<1	2	1
Utility Trenching	<1	4	6	<1	<1	<1
Building Construction	1	13	14	<1	3	1
Building Construction and Paving	1	19	20	<1	4	1
Year 2025						
Building Construction	1	13	14	<1	3	1
Building Construction and Architectural Coating	20	12	16	<1	3	1
Building Construction and Finishing/Landscaping	1	17	18	<1	4	1

[9] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

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Table 5 Maximum Daily Regional Construction Emissions

Construction Phase	Pollutants (lb/day)[1, 2, 3]					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Maximum Daily Construction Emissions						
Maximum Daily Emissions	20	28	21	<1	6	3
South Coast AQMD Regional Construction Threshold	**75**	**100**	**550**	**150**	**150**	**55**
Significant?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.1.14.

[1] Based on the preliminary information provided by the applicant. Where specific information regarding project-related construction activities was not available, construction assumptions were based on CalEEMod defaults, which are based on construction surveys conducted by South Coast AQMD of construction equipment.

[2] Includes implementation of fugitive dust control measures required by South Coast AQMD under Rule 403, including watering disturbed areas a minimum of two times per day, reducing speed limit to 25 miles per hour on unpaved surfaces, replacing ground cover quickly, and street sweeping with Rule 1186–compliant sweepers. Includes SC AQ-1 to use super-compliant VOC paints (<10 g/L) for all interior surfaces that meet the South Coast AQMD Rule 1113.

[3] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Long-Term Regional Operational Impacts

Typical long-term air pollutant emissions are generated by area sources (e.g., landscape fuel use, aerosols, architectural coatings, and asphalt pavement), energy use (natural gas), and mobile sources (i.e., on-road vehicles). Implementation of the proposed project would construct a multifamily residential building, and the primary source of long-term criteria air pollutant emissions generated by the proposed project would be mobile emissions from project-generated vehicle trips.

As shown in Table 6, *Maximum Daily Regional Operational Phase Emissions*, air pollutant emissions generated from operation-related activities would be less than their respective South Coast AQMD regional significance threshold values.[10] Projects that do not exceed the South Coast AQMD regional significance thresholds would not result in an incremental increase in health impacts in the SoCAB from project-related increases in criteria air pollutants.

[10] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Table 6 Maximum Daily Regional Operational Phase Emissions

Source	Maximum Daily Emissions (lbs/day)					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Mobile[1]	1	1	11	<1	2	1
Area[2]	4	<1	6	<1	<1	<1
Energy[3]	<1	<1	<1	<1	<1	<1
Total Emissions	5	1	16	<1	3	1
South Coast AQMD Regional Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Regional Threshold?	No	No	No	No	No	No

Source: CalEEMod Version 2022.1.1.14. Highest winter or summer emissions are reported.
Notes: Totals may not add up to 100 percent due to rounding. lbs = pounds
[1] Based on ITE Trip rates (11th edition) for multi-family housing not close to rail transit for net increase in weekday and weekend trips (see Appendix C). Modeling is conservative since at the time of the analysis trips were based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.
[2] Conservative analysis since net increase is based on a smaller existing building square footage modeled. At the time of this analysis, 22,536 square feet was considered for the existing building onsite.
[3] Conservative analysis due to total increase, rather than net increase, in electricity.

It should be noted that the analysis modeled the total increase in electricity and area sources in comparison to a "net" impact, which would have subtracted the emissions associated with the existing building on the site from the emissions related to the proposed project. Therefore, the analysis is conservative.

The proposed project would result in the land use redesignation of the project site from CO-G to MU-H2. However, though the overall geographic area designated MU-H2 would be expanded in the Airport Area, the proposed project would not increase the overall development capacity of the allowable uses in the MU-H2-designated areas as analyzed in the GPU EIR. In addition, emissions from building energy use would be minimized because the older commercial office buildings on the existing project site, which were constructed prior to modern building energy codes, would be replaced with a newer, more energy-efficient residential building that meets the current California Building and Energy Efficiency Standards.

Overall, the proposed project would reduce allowable nonresidential building square footage on the project site, as well as overall Airport Area, and generate a minimal net increase of 105 weekday vehicle trips (see Appendix C). Therefore, buildout of the proposed project is not anticipated to result in an increase in operation-phase emissions compared to what was analyzed in the GPU EIR. No changes or new significant information that would require preparation of an EIR.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The following describes changes in localized impacts from short-term construction activities and long-term operation of the proposed project.

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Localized Construction Impacts

Localized Significance Thresholds

Localized significance thresholds (LST) are based on the California Ambient Air Quality Standards (AAQS), which are the most stringent AAQS to provide a margin of safety in the protection of public health and welfare. They are designated to protect sensitive receptors most susceptible to further respiratory distress, such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. The screening-level construction LSTs are based on the size of the project site, distance to the nearest sensitive receptor, and Source Receptor Area. The nearest offsite sensitive receptors are the single-family residences along Zenith Avenue approximately 1,015 feet to the southwest and Tutor Time of Newport Beach approximately 390 feet to the west of the project site.

Due to the programmatic nature of the General Plan Update, it was not possible to calculate individual, project-related operation and construction emissions at that time. Per South Coast AQMD methodology, quantification of LSTs was not applicable the GPU EIR.

Air pollutant emissions generated by construction activities would cause temporary increases in air pollutant concentrations. Table 7, *Localized Construction Emissions*, shows the maximum daily construction emissions (pounds per day) generated during onsite construction activities compared with the South Coast AQMD's screening-level LSTs for sensitive receptors within 82 feet for NO_X and CO and within 1,015 feet for PM_{10} and $PM_{2.5}$. As shown in Table 7, the construction of the proposed project would not generate construction-related onsite emissions that would exceed the screening-level LSTs.[11] Thus, project-related construction activities would not have the potential to expose sensitive receptors to substantial pollutant concentrations. Localized air quality impacts from construction activities would be less than significant.

Table 7 Localized Construction Emissions

Construction Activity	Pollutants(lbs/day)[1,2]			
	NO_X	CO	PM_{10}[3]	$PM_{2.5}$[3]
South Coast AQMD ≤1.00 Acre LST	**92**	**647**	**31.68**	**11.26**
Asphalt Demolition	7	7	1.86	0.46
Building Demolition	6	6	3.32	0.67
Building Debris Onsite Processing/Recycling	6	6	0.21	0.20
Site Preparation	1	2	0.20	0.07
Rough Grading	18	16	3.86	2.11
Fine Grading	5	6	0.59	0.25
Utility Trenching	4	6	0.28	0.14
Building Construction	5	6	0.24	0.22
Building Construction and Paving	8	10	0.32	0.30

[11] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Table 7 Localized Construction Emissions

Construction Activity	Pollutants(lbs/day)[1,2]			
	NO_X	CO	PM_{10}[3]	$PM_{2.5}$[3]
Building Construction and Architectural Coating (2025)	4	8	0.22	0.20
Building Construction and Finishing/Landscaping	6	9	0.24	0.22
Exceeds LST?	No	No	No	No

Source: CalEEMod Version 2022.1.1.14. South Coast AQMD 2008 and 2011.
Notes: In accordance with South Coast AQMD methodology, only onsite stationary sources and mobile equipment are included in the analysis. Screening level LSTs are based on an 82 ft receptor for NO_X and CO and 1,015 ft receptor for PM_{10} and $PM_{2.5}$ in Source Receptor Area 18.
[1] Where specific information for project-related construction activities or processes was not available modeling was based on CalEEMod defaults. These defaults are based on construction surveys conducted by the South Coast AQMD.
[2] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.
[3] Includes fugitive dust control measures required by South Coast AQMD under Rule 403, such as watering disturbed areas a minimum of two times per day, reducing speed limit to 25 miles per hour on unpaved surfaces, replacing ground cover quickly, and street sweeping with Rule 1186–compliant sweepers.

When compared to the land uses considered for the project site under the 2006 GPU, the proposed project would result in a reduction in commercial square footage and an increase in residential dwelling units on the project site. However, development under the proposed project would not introduce new types of construction processes or activities compared to what was previously considered in the 2006 GPU and would not increase maximum allocated residential units within the Airport Area (see Table 1). Additionally, the proposed project would not result in developing a new area because the project site was considered for development under the 2006 GPU. Thus, it is not anticipated that development of the land uses accommodated under the proposed project would result in new or increase the severity of construction related LST impacts compared to the land uses considered for the project site in the 2006 GPU.

Construction Health Risk

Emissions from construction equipment primarily consist of diesel particulate matter (DPM). In 2015, the Office of Environmental Health Hazards Assessment adopted guidance for preparation of health risk assessments that included the development of a cancer risk factor and noncancer chronic reference exposure level for DPM over a 30-year time frame (OEHHA 2015). Currently, South Coast AQMD does not require the evaluation of long-term excess cancer risk or chronic health impacts for a short-term project. The proposed project is anticipated to be completed in approximately 20 months, which would limit the exposure of onsite and offsite receptors. Furthermore, construction activities would not generate onsite exhaust emissions that would exceed the screening-level construction LSTs.

Improvements under the proposed project would not introduce new types of construction processes or activities compared to what was previously considered in the 2006 GPU EIR. Thus, it is not anticipated that construction of the land uses accommodated under the proposed project would result in new or increase the severity of construction-related health risk impacts compared to the land uses considered for the project site in the 2006 GPU EIR. Therefore, no changes or new information would require preparation of a subsequent EIR.

6. Environmental Analysis

Localized Operational Impacts

Operational LSTs

Types of land uses that typically generate substantial quantities of criteria air pollutants and toxic air contaminants include industrial (stationary sources) and warehousing (truck idling) land uses. The types of land uses planned for the proposed project include 67 condominiums in an 81-foot, six-story podium building at a density comparable to other projects recently approved in the Airport Area. Thus, the type of land use proposed under the proposed project would not be expected to generate substantial quantities of criteria air pollutants and toxic air contaminants.

Rather than the commercial/industrial land uses considered for the project site under the 2006 GPU EIR, the proposed project would introduce residential uses. As stated before, the proposed project would not develop a new area because the project site was considered for development under the 2006 GPU. Overall, it is not anticipated that development of the land uses accommodated under the proposed project would result in new or increased severity of operation-related localized air quality impacts compared to the land uses considered in the GPU EIR.

CO Hotspot

Vehicle congestion has the potential to create pockets of CO called hotspots. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles are backed up and idle for long periods and subject to reduced speeds. These pockets could exceed the state one-hour standard of 20 parts per million (ppm) or the eight-hour standard of 9.0 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to AAQS is typically demonstrated through an analysis of localized CO concentrations.

The GPU EIR conducted a carbon monoxide (CO) hotspot analysis to identify whether the 2006 General Plan would expose sensitive receptors to substantial pollutant concentrations. At that time, the SoCAB was designated nonattainment under the California AAQS and National AAQS for CO. Currently, the SoCAB is designated attainment under both the National and California AAQS for CO. Under existing and future vehicle emission rates, a project would have to increase traffic volumes at a single intersection to more than 44,000 vehicles per hour—or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited—to generate a significant CO impact (BAAQMD 2023).

The proposed project would result in a maximum of 30 PM peak-hour vehicle trips at buildout (see Appendix C), which would not generate a CO hotspot. The traffic impact assessment for the Residences at 1300 Bristol Street project, a similarly situated project about 0.1 mile south of the project site, analyzed peak-hour intersection volumes for 13 intersections in the surrounding area at the project's 2026 buildout year (refer to Residences at 1300 Bristol Street, Appendix F, Figures 25 and 26) (Gandinni 2021). The traffic impact analysis concluded that there were no level of service impacts at the study intersections. The proposed project's peak-hour trips are nominal compared to the peak-hour intersection volumes studied in the traffic impact assessment for the Residences at 1300 Bristol Street. Therefore, buildout of the proposed project is not anticipated to

result in new significant impacts or impacts of greater severity pertaining to CO hotspots. Overall, there are no changes or new significant information that would require preparation of an EIR.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Nuisance odors from land uses in the SoCAB are regulated under South Coast AQMD Rule 402, *Nuisance*, which states:

> A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

The type of facilities that are considered to have objectionable odors include wastewater treatments plants, chemical manufacturing, sanitary landfill, fiberglass manufacturing, transfer station, painting/coating operations (e.g., autobody shops), composting facility, food processing facility, petroleum refinery, feed lot/dairy, asphalt batch plant, and rendering plant.

The GPU EIR identified that odors generated in the city would not affect a substantial number of people, and impacts would be less than significant. The proposed project involves the development of 67 condominiums and would not fall within the objectionable-odors land uses or generate odors different than the land uses accommodated under the 2006 GPU.

Emissions from construction equipment, such as diesel exhaust, and from VOCs associated with architectural coatings and paving activities may generate odors. However, these odors would be temporary and intermittent, and are not expected to affect a substantial number of people. In addition, land uses accommodated under the proposed project would be subject to South Coast AQMD Rule 402, which would contribute to minimizing odor-related nuisances.

Compared to the land uses considered for the project site in the GPU EIR, the types of land uses accommodated under the proposed project would result in similar construction odors. It is not anticipated that the proposed project would introduce or require any new construction processes that would generate substantial odors compared with what was previously considered in the GPU EIR. Therefore, buildout of the proposed project is not anticipated to result in new significant impacts or impacts of greater severity pertaining to objectionable odors compared to the GPU EIR. Overall, there are no changes or new significant information that would require preparation of an EIR.

6.3.3 Cumulative Impacts

A project that exceeds South Coast AQMD's significance criteria in the context of emissions from all other development projected within the entire SoCAB would cumulatively contribute to impacts.

As described above, the proposed project would not result in significant long-term operational nor short-term construction air quality impacts with incorporation of SC AQ-1. Thus, the proposed project would not be considered by South Coast AQMD to be a substantial source of air pollutant emissions that would have the potential to affect the attainment designations in the SoCAB.

Based on the scope and nature of the proposed project, the proposed project would not substantially affect housing, employment, or population projections in the region. Therefore, the proposed project would not affect the regional emissions inventory or conflict with strategies in the 2022 AQMP.

Therefore, the proposed project would neither cause a new cumulative impact nor an increase in the severity of a cumulative impact previously disclosed. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative air quality impacts than those already analyzed.

6.3.4 Standard Conditions of Approval

SC AQ-1 The construction contractor shall specify in the construction bid that the construction contractor(s) shall only use interior paints with a low VOC (volatile organic compound) content with a maximum concentration of 9 grams per liter (g/L) for building architectural coating to reduce VOC emissions. Prior to construction, the construction contractor(s) shall ensure that all construction plans submitted to the City of Newport Beach Building Division clearly show this requirement.

6.4 BIOLOGICAL RESOURCES

6.4.1 Summary of Impacts Identified in the 2006 General Plan EIR

The GPU EIR identifies City-wide biological resources, including habitat types; sensitive biological resources, including special status species; marine resources; and sensitive marine sources. Identified biological resources are mapped in the GPU EIR (Figure 4.3-1) and reproduced here as Figure 14, *2006 General Plan Biological Resources*. The GPU EIR also delineates Environmental Study Areas (ESA), as shown on Figure 15, *Environmental Study Areas (ESAs*). Undeveloped areas supporting natural habitats that may be capable of supporting sensitive biological resources in the city are referred to as ESAs. An ESA may support species and habitats that are sensitive and rare within the region or may function as a migration corridor for wildlife.

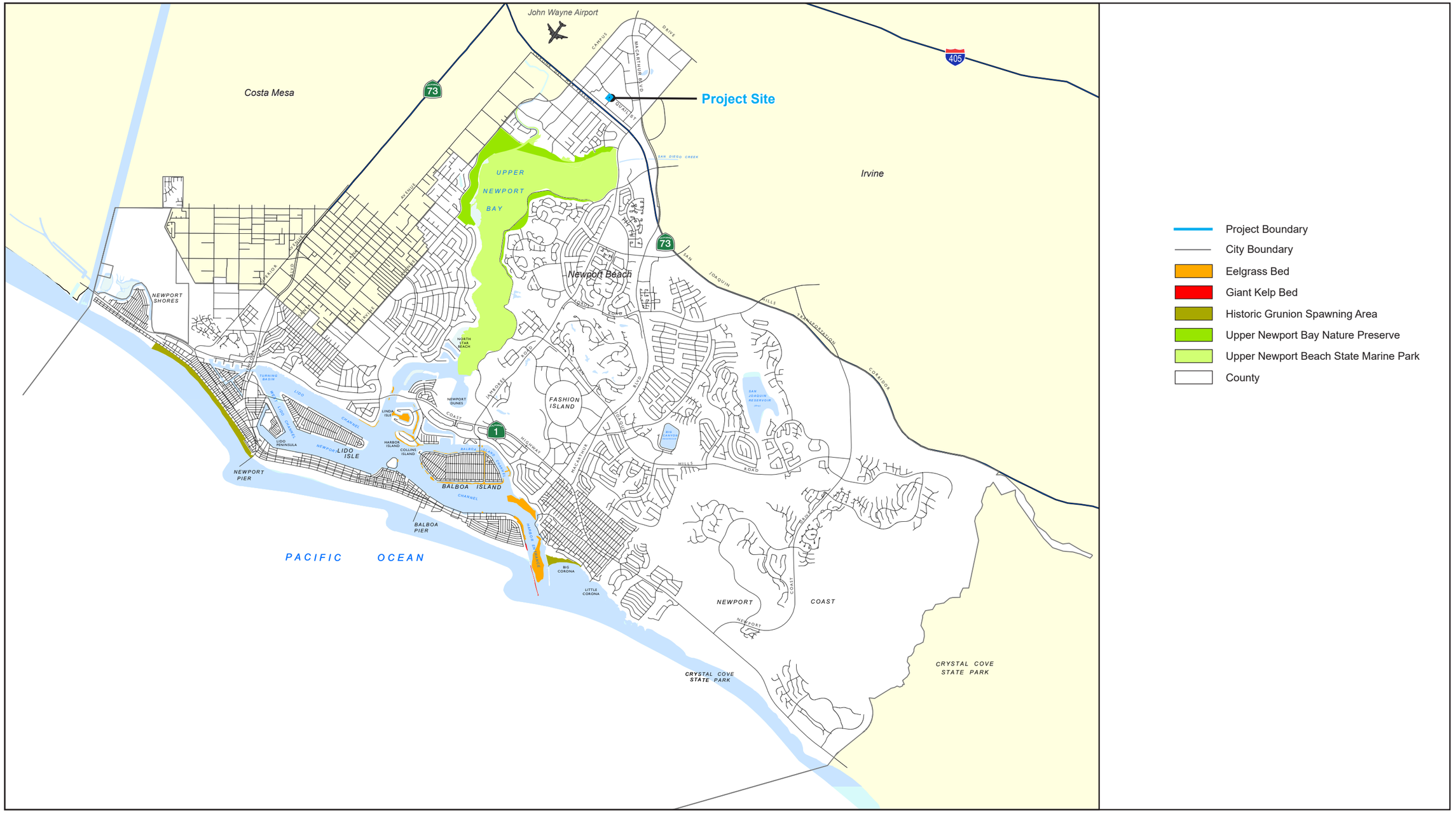
The GPU would allow infill development throughout the city. A variety of plant and animal species are present within the GPU planning area, including, but are not limited to, California least tern (*Sterna antillarum browni*), yellow warbler (*Dendroica petechia brewsteri*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), golden eagle (*Aquila chrysaetos*), light-footed clapper rail (*Rallus longitrostris levipes*), and western snowy plover (*Charadrius alexandrinus nivosus*).

Development under the proposed GPU could also result in the removal of mature trees that may serve as perching or nesting sites for migratory birds and raptors in both developed and undeveloped areas. Several federal and state regulations restrict activities that may result in the "take" (kill, harm, harass, etc.) of certain species, including active nests. During the project-level analysis of development proposed under the GPU, project-specific mitigation, such as preconstruction surveys, may be necessary to ensure that development under the GPU does not result in the "take" of such species as a result of vegetation removal.

Numerous GPU-identified goals and policies would aid in protecting sensitive habitats and species. These policies provide protection to habitats containing candidate and special status plant and wildlife species and increase the level of protection of these plant and wildlife species within the city's regulatory framework. Compliance with federal and California Endangered Species Acts and CEQA, and implementation of proposed GPU goals and policies would reduce potential impacts on sensitive plant and wildlife species to less than significant.

The GPU EIR also noted that GPU policies restricting development within wetland areas and ESAs and federal and State regulations, such as the Clean Water Act Section 404 permitting, and the California Department of Fish and Game's Section 1600 Lake or Streambed Alteration Agreement requirements would reduce impacts to riparian habitats and wetlands to a less than significant level. Additionally, GPU policies would maintain buffers around significant or rare species and would shield and direct exterior lighting away from significant or rare species and therefore impacts to wildlife corridors were found to be less than significant.

Figure 14 - 2006 General Plan Biological Resources



Source: EIP Associates 2006.

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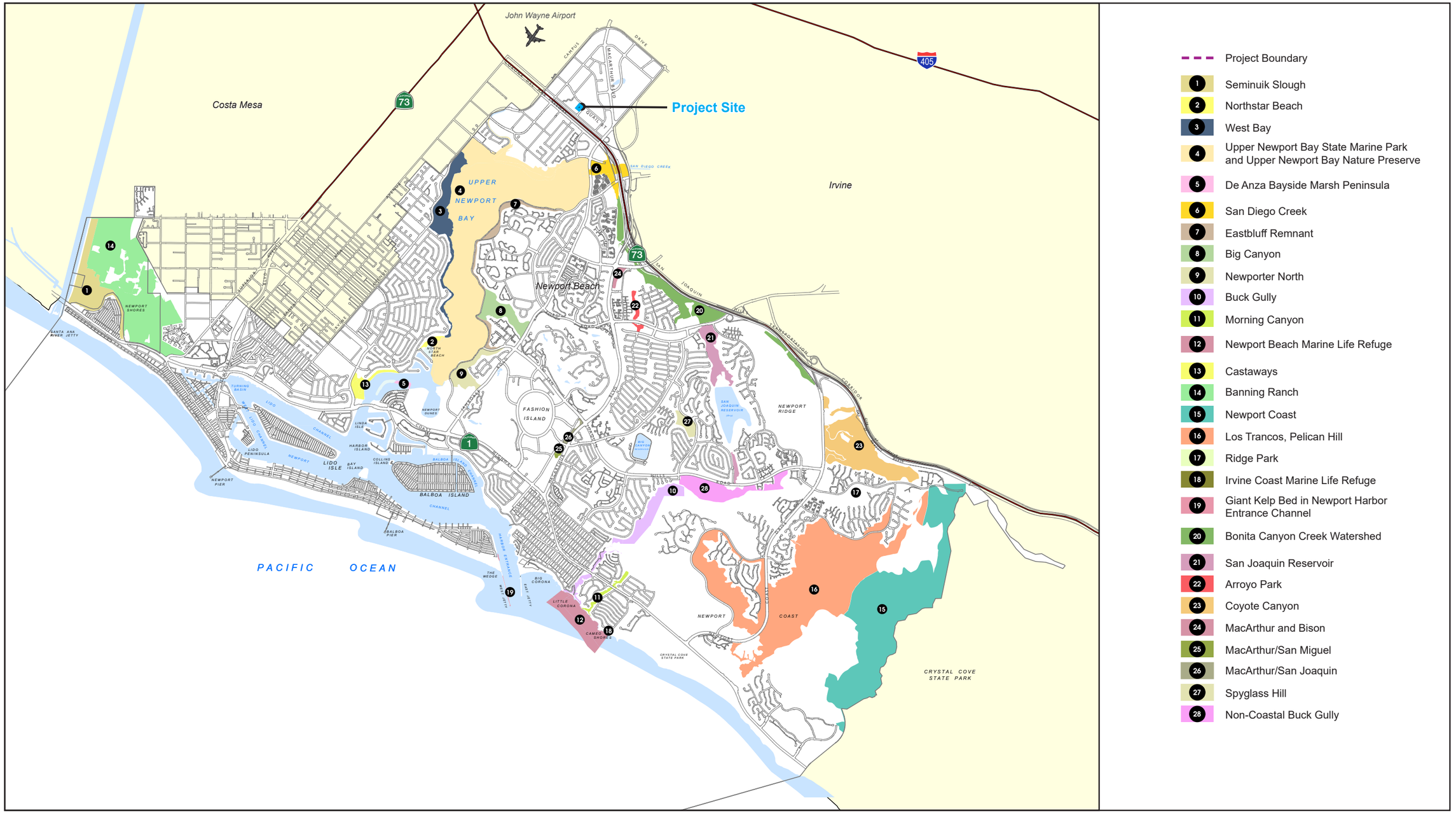
Figure 15 - Environmental Study Areas (ESAs)



Source: EIP Associates 2006.

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6. Environmental Analysis

The Orange County Central-Coastal Subregional Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) is the applicable habitat conservation plan for the GPU planning area. In July of 1996, the City became a signatory agency in this plan. As a signatory agency, the City is responsible for enforcing mitigation measures and other policies in the NCCP/HCP Implementation Agreement for properties within the city limits that are part of the NCCP Subregional Plan. The 2006 GPU IS found that impacts resulting from the implementation of the GPU to this plan were less than significant. The 2006 GPU IS also found that the GPU would not conflict with any local policies or ordinances protecting biological resources.

6.4.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?					X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?					X
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X

Comments

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

No Impact. The project site is fully developed and there is no natural habitat onsite. As shown on Figures 13 and 14, the General Plan did not identify biological resources in the project area and did not designate the area as an ESA. Vegetation is limited to ornamental species, including trees and bushes. In comparison to the 2006 General Plan, the proposed project would introduce up to 67 residential units to the site. None of the project's land use changes—in comparison to the uses permitted in the General Plan—would affect impacts to biological resources on the site. There are no changes or new information requiring preparation of an EIR.

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

No Impact. Riparian habitats and sensitive natural communities can be found in the city, particularly along the coast and in the Upper and Lower Newport Bay. The project site is approximately 4.6 miles from the coast and 1.15 miles from Upper Newport Bay and would not impact these habitats. Thus, no impacts would occur, and there are no changes or new significant information that would require preparation of an EIR.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. Areas within the GPU planning area containing wetland habitat include Upper Newport Bay, Lower Newport Bay (Newport Harbor), and the coast of Newport Beach between the Santa Ana River and the city's boundary with unincorporated Orange County. Additionally, Banning Ranch contains federally restored wetlands. The project site is approximately 5.5 miles from the coast, 1.1 miles from Upper Newport Bay, and 3.6 miles from Banning Ranch. Thus, no impacts would occur, and there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. Banning Ranch is the only site in the city that provides wildlife with a significantly large, diverse area for foraging, shelter, and movement. The project site is approximately 3.6 miles from Banning Ranch. Furthermore, the proposed project would allow for development in an area that is currently almost fully built out and does not include any undeveloped areas that may currently be used as wildlife corridors or nursery sites for native and migratory wildlife. No habitat fragmentation would occur because there would be no disturbances of undeveloped areas under the proposed project; any new development would occur only in urbanized areas of the city.

Migratory nongame native bird species are protected by the California Fish and Game Code, Sections 3503, 3503.5, and 3513, which prohibit the take of all birds and their active nests. Since there are mature ornamental trees on the project site that could provide nesting habitat for birds, the proposed project would comply with the California Fish and Game Code. Compliance would ensure that if construction occurs during the avian breeding season, appropriate measures would be taken to avoid impacts to nesting birds. Compliance would involve preconstruction surveys, as detailed in SC BIO-1. The surveys would be conducted no more than three days prior to construction activities. If an active bird nest is observed, the surveyor/biologist shall determine the appropriate buffer around the nest. Buffers are determined by species-specific requirements and nest location. No construction activity would occur within the buffer zone until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. With mandatory compliance with the California Fish and Game Code, impacts to nesting birds would be less than significant.

Thus, no impacts would occur and there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. The proposed project, similar to development pursuant to the 2006 GPU, would adhere to GPU policies; the Orange County Central-Coastal Subregional NCCP/HCP; the City Council Policy G-1, Retention or Removal of City Trees; and Chapter 7.26, Protection of Natural Habitat for Migratory and Other Waterfowl, of the City's municipal code. The proposed project would not conflict with any of these local policies or ordinances protecting biological resources, and there would be no impact. Thus, there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. The proposed project, similar to development pursuant to the 2006 General Plan, would not change or contradict any policies in the Orange County Central-Coastal NCCP/HCP, and all future development would be required to comply with these policies. Thus, no impacts would occur, and there are no changes or new significant information that would require preparation of an EIR.

6.4.3 Cumulative Impacts

Past, present, and reasonably foreseeable future projects are required to implement the measures in their respective CEQA documents to be consistent with federal, State, and local regulations to avoid adverse effects to existing biological resources or to mitigate significant impacts to these resources. The types of measures required for projects impacting protected habitat, species, and regulated resources can include avoidance, project design features, regulatory approvals, best management practices, and mitigation measures.

The project site does not contain riparian habitat, sensitive natural communities, or suitable habitat for any species identified as a candidate, sensitive, or special status species. Additionally, the site does not contain waters, including wetland waters, that are subject to federal jurisdiction under Section 404 of the Clean Water Act. The

site is not in a designated ESA—which could support species and habitats that are sensitive and rare in the region or function as a migration corridor for wildlife. The proposed project would not contribute to a cumulative effect on biological resources, including sensitive species, protected habitat, or wetland resources. The proposed project would not cause a new biological impact or an increase in the severity of a biological impact previously disclosed in the GPU EIR. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative biological resources impact than those already analyzed.

6.4.4 Standard Conditions of Approval

SC BIO-1 Prior to the commencement of any proposed actions (e.g., site clearing, demolition, grading) during the breeding/nesting season (September 1 through February 15), a qualified biologist contracted by the Applicant shall conduct a preconstruction survey(s) to identify any active nests in and adjacent to the project site no more than three days prior to initiation of the action. If the biologist does not find any active nests that would be potentially impacted, the proposed action may proceed. However, if the biologist finds an active nest within or directly adjacent to the action area (within 100 feet) and determines that the nest may be impacted, the biologist shall delineate an appropriate buffer zone around the nest using temporary plastic fencing or other suitable materials, such as barricade tape and traffic cones. The buffer zone shall be determined by the biologist in consultation with applicable resource agencies and in consideration of species sensitivity and existing nest site conditions, and in coordination with the construction contractor. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. Only specified construction activities (if any) approved by the qualified biologist shall take place within the buffer zone until the nest is vacated. At the discretion of the qualified biologist, activities that may be prohibited within the buffer zone include but not be limited to grading and tree clearing. Once the nest is no longer active and upon final determination by the biologist, the proposed action may proceed within the buffer zone.

The qualified biologist shall prepare a survey report/memorandum summarizing his/her findings and recommendations of the preconstruction survey. Any active nests observed during the survey shall be mapped on a current aerial photograph, including documentation of GPS coordinates, and included in the survey report/memorandum. The completed survey report/memorandum shall be submitted to the City of Newport Beach Community Development Department prior to construction-related activities that have the potential to disturb any active nests during the nesting season.

6.5 CULTURAL RESOURCES

6.5.1 Summary of Impacts Identified in the 2006 General Plan EIR

Historic Resources

The City of Newport Beach has 11 properties listed or designated eligible for listing on the National Register of Historic Resources (NRHP) or California Register of Historic Resources (CRHR), or otherwise listed as historic or potentially historic in the California Historic Resources Information System (CHRIS) maintained by the Office of Historic Preservation. The City has listed five additional properties in the City Register in recognition of their local historical or architectural significance. These resources are mapped on Figure 16, *City of Newport Beach Historic Resources*. The Airport Area, Newport Center, West Newport Mesa, and Mariners' Mile do not have identified historic resources.

Archaeological Resources

Archaeological resources were also analyzed in the GPU EIR, which concluded that impacts would be less than significant. Archaeological resources that are culturally or religiously important to Native American groups would be protected; information resources would be maintained; grading and excavation activities where there is a potential to affect archaeological resources would be monitored by a qualified archaeologist; cultural organizations, including Native American groups, would be notified of all potentially adverse impacts; and all scientifically valuable archeological resources would be donated to responsible public or private institutions (per Goals HR 2 and NR 18 of the 2006 General Plan). The Newport Beach City Council also established "Archaeological Guidelines (K-5)" requiring the City to prepare and maintain sources of information regarding archaeological sites. Thus, impacts to archaeological resources would be less than significant.

Excavation during construction activities consistent with the 2006 General Plan has the potential to disturb human burial grounds, including Native American burials, in underdeveloped areas of the City. Human burials have specific provisions for treatment in Section 5097 of the California Public Resources Code, which authorizes the Native American Heritage Commission to resolve any disputes related to the disposition of Native American burials. The California Health and Safety Code (Sections 7050.5, 7051, and 7054) also has provisions protecting human burial remains from disturbance, vandalism, or destruction. Therefore, compliance with these regulations would ensure impacts to human burial grounds remain less than significant.

6.5.2 Impacts Associated with the Proposed Project

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered "historically significant" if the resource meets the criteria for listing on the CRHR:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Is associated with the lives of persons important in our past;

- Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history. (PRC § 5024.1; 14 CCR § 4852)

The fact that a resource is not listed in the CRHR, not determined to be eligible for listing, or not included in a local register of historical resources does not preclude a lead agency from determining that it may be a historical resource.

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

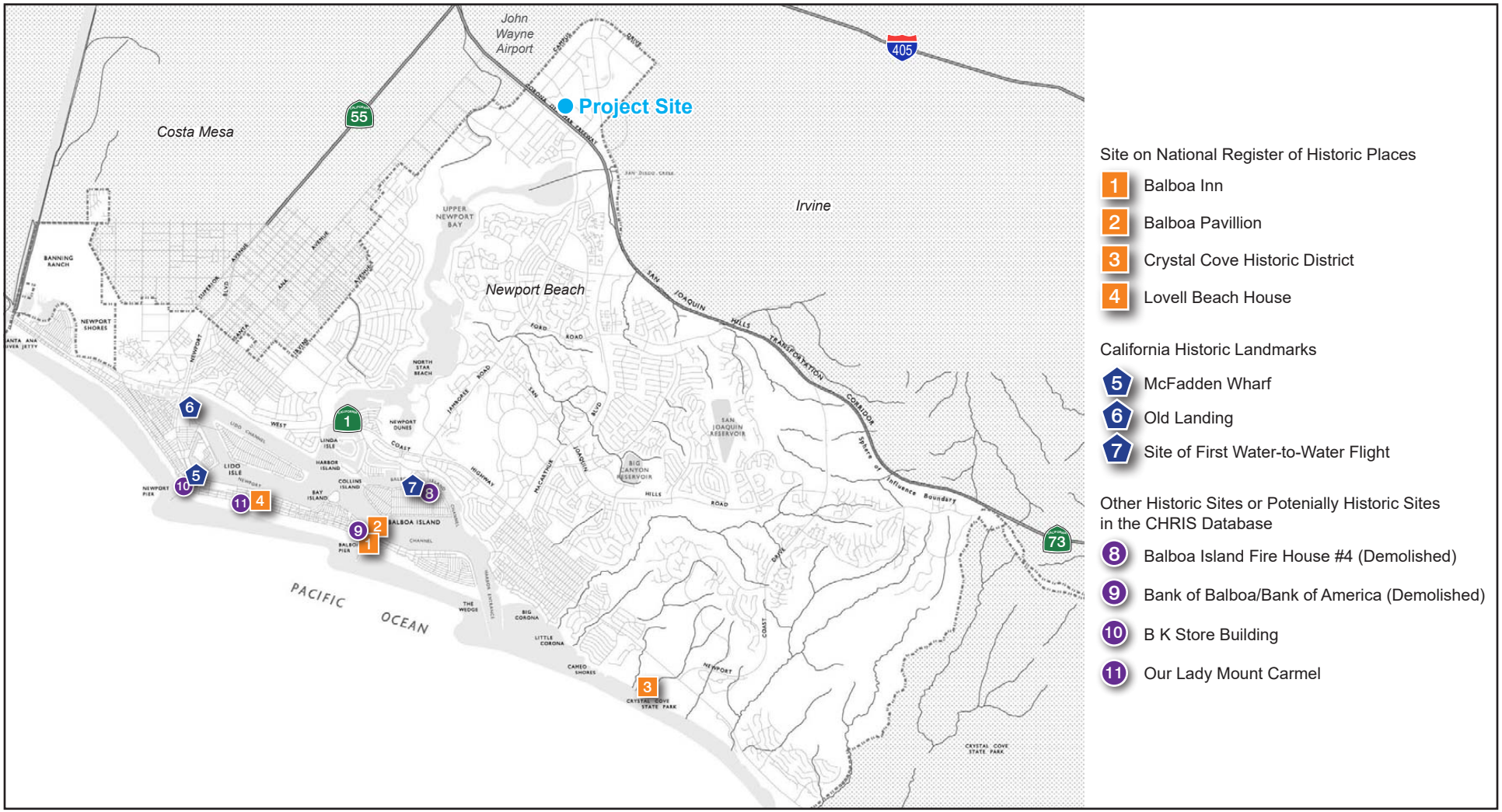
Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?					X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?					X

Comments

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact. The City of Newport Beach has properties listed or designated eligible for listing on the NRHP, the CRHR, and CHRIS. The City Register also recognizes properties of local historical or architectural significance that meet the definition of historical resources under Section 15064.5(a) of the CEQA Guidelines. In addition, the City's Historic Resource Inventory includes properties with cultural significance to the City. However, none of the recognized sites are within the proposed project site boundaries. As detailed in the geotechnical exploration report, based on review of available historical aerial photographs, the site was vacant undeveloped land until around the early 1970s. By 1972, the existing building and perimeter roads were being constructed at the site with paved surface parking; by about 1980 the site was in the configuration observed today.

Figure 16 - City of Newport Beach Historic Resources



Source: EIP Associates 2006.

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6. Environmental Analysis

The existing office building does not meet the criteria of a historical resources under CEQA; it is not associated with events that have made a significant contribution to the broad patterns of our history; it is not associated with the lives of persons who are significant in our past; it does not embody the distinctive characteristics of a type, period, or method of construction, and it does not yield, or may be likely to yield, information important to prehistory or history. Thus, no impacts would occur and there are no changes or new significant information that would require preparation of an EIR.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. A CHRIS records search was conducted on July 19th, 2023 for a proposed residential project at 1400 Bristol Street located approximately 375 feet to the northwest of the proposed project. The CHRIS records search included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file within a 0.5-mile radius from the site and. In addition, the California Points of Historical Interest, the California Historical Landmarks, the California Register of Historical Resources, the NRHP, and the California State Built Environment Resources Directory listings were reviewed for the above referenced project site and a 0.25-mile radius. Due to the sensitive nature of cultural resources, archaeological site locations are not released. The CHRIS search concluded that the area studied is potentially sensitive for archeological resources and that because the area is obscured by urban development, an archeological survey is not likely to result in the observation of surface artifacts. Therefore, it is recommended that a qualified archaeologist be retained to monitor all ground-disturbing activities.

As with land uses permitted under the 2006 General Plan, the proposed project would involve redevelopment and land disturbance. It is anticipated that grading/earthwork impacts would be similar and have comparable potential impacts to any unknown, cultural resources. The proposed project, similar to development pursuant to the 2006 GPU, would adhere to applicable GPU policies listed in Appendix B. Compliance with General Plan Policy HR 2.1 and Policy NR 18.1 would require that any new development protect and preserve archaeological resources from destruction, and that potential impacts to such resources be avoided and minimized through planning policies and permit conditions.

The proposed project, similar to development pursuant to the 2006 GPU, would also comply with the City's "Archaeological Guidelines (K-5)." In compliance with City Council Policy K-5, prior to the issuance of a grading permit by the City, the applicant shall retain a qualified archaeologist to periodically monitor ground-disturbing activities onsite and provide documentation of such retention to the Newport Beach Community Development Director. The archaeologist shall train project construction workers on the types of archaeological resources that could be found in site soils. The archaeologist shall periodically monitor project ground-disturbing activities. If archaeological resources are encountered, all construction work within 50 feet of the find shall cease, and the archaeologist shall assess the find for importance and whether preservation in place without impacts is feasible. Construction activities may continue in other areas. If, in consultation with the City, the discovery is determined to not be important, work will be permitted to continue in the area.

Thus, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

No Impact. California Health and Safety Code Section 7050.5 requires that if human remains are discovered on the project site, disturbance of the site shall remain halted until the coroner has conducted an investigation into the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

The proposed project, similar to development pursuant to the 2006 GPU, would comply with California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98. Therefore, no impacts would occur, and there are no changes or new significant information that would require preparation of an EIR.

6.5.3 Cumulative Impacts

As discussed above, the proposed project would not cause a new cultural resources impact nor an increase in the severity of a cultural resources impact previously disclosed in the GPU EIR, with adherence to State and local regulations and General Plan policies discussed in this section. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative cultural resources impact than those already analyzed.

6.5.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to potential cultural resources for the proposed project.

6.6 ENERGY

6.6.1 Summary of Impacts Identified in the 2006 GENERAL PLAN EIR

Impacts related to energy were not analyzed in the 2006 GPU EIR because they were not officially part of the CEQA Guidelines' Appendix G checklist until January 1, 2019, long after the certification date (July 25, 2006) of the GPU EIR by the Newport Beach City Council. Therefore, the analysis of energy impacts is new in this Addendum.

However, the 2006 GPU EIR did include an analysis of the impacts on other public services or utilities, which included electricity and natural gas. Specifically, the analysis was in Section 4.14, "Utilities and Service Systems." As concluded in the 2GPU EIR, impacts to electricity and natural gas services were found to be less than significant. The electricity and natural gas analysis in Section 4.14 did not respond to the specific questions in the new energy section, which are provided below; however, the analysis (as applicable) is carried through to this new energy section for context, discussion, and comparison purposes.

6.6.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				x	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				x	

The analysis in this section is based in part on the information included in Appendices C and D of this Addendum:

- *Trip Generation Calculations*, PlaceWorks, 2023.
- *Air Quality, Greenhouse Gas, Electricity, and Natural Gas Calculations*, PlaceWorks 2023.

Comments

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The following discusses the potential energy demands from short-term construction and long-term operational energy consumption associated with the 67 residential dwelling units.

Short-Term Construction Impacts

As with the development pursuant to the 2006 GPU, construction of the proposed project would consume energy in the short term through electricity use, construction vehicles and equipment fuel consumption, and bound energy in construction materials (e.g., asphalt, steel, concrete, pipes, lumber, glass).

Electrical Energy

The majority of construction equipment would be gas or diesel powered, and electricity use during construction would vary during different phases of construction. Later construction phases could result in the use of electricity-powered equipment for interior construction and architectural coatings. It is anticipated that most of the electric-powered construction equipment would be hand tools (e.g., power drills, table saws) and lighting, which would result in minimal electricity usage during construction activities. Therefore, project-related construction activities would not result in wasteful or unnecessary electricity use, and impacts would be less than significant. Furthermore, development under the proposed project would not introduce new types of construction processes or activities compared to what was previously considered in the 2006 GPU EIR. Therefore, the proposed project would not result in a significant impact related to electricity use during the construction phase.

Natural Gas Energy

It is not anticipated that construction equipment used for the proposed project would be powered by natural gas, and no natural gas demand is anticipated during construction. Furthermore, development under the proposed project would not introduce new types of construction processes or activities compared to what was previously considered in the GPU EIR. Therefore, the proposed project would not result in a significant impact related to natural gas usage during the construction phase.

Transportation Energy

Transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and construction employee vehicles that would use diesel fuel and/or gasoline. It is anticipated that most of the off-road construction equipment, such as those used during demolition and grading, would be gas or diesel powered.

6. Environmental Analysis

The use of energy resources by vehicles and equipment would fluctuate according to the phase of construction. In addition, all construction equipment would cease operating upon completion of proposed project construction. Thus, impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure.

Furthermore, to limit wasteful and unnecessary energy consumption, the construction contractors are anticipated to minimize nonessential idling of construction equipment in accordance with Section 2449 of the California Code of Regulations, Title 13, Article 4.8, Chapter 9. Construction trips would also not result in unnecessary use of energy since the project site is centrally located and is served by numerous freeways (e.g., SR-73, SR-55, and I-405) that provide the most direct routes from various areas of the region.

Furthermore, development under the proposed project would not introduce new types of construction processes or activities compared to what was previously considered in the GPU EIR. No unusual project characteristics would necessitate the use of construction equipment that would be less energy efficient than for development pursuant to the 2006 GPU. Therefore, it is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than the energy required for development contemplated in the 2006 GPU.

Long-Term Impacts During Operation

Operation of the proposed project would generate a new demand for building electricity and natural gas on the project site. Operational use of energy would include heating, cooling, and ventilation of the proposed 67 dwelling units; water heating; operation of electrical systems; use of on-site equipment and appliances; and indoor/outdoor lighting.

Electrical Energy

The proposed increase in electricity consumption from the proposed building is shown in Table 8, *Operation-Related Electricity Consumption*.[12]

Table 8 Operation-Related Electricity Consumption

Land Use[1]	Electricity (kWh/year)[1]
Apartments Midrise	252,720

Source: CalEEMod Version 2022.1.1.14, Appendix D.
Note: kWh = kilowatt-hour
[1] The total electricity use of 561,600 kWh/year was provided by the applicant and a PV system would provide 55% of solar/renewable electricity (equivalent to 308,880 kWh/year) resulting in a total electricity demand of 252,720 kWh/year. This is a conservative analysis as total electricity, rather than net increase, was modeled for 78 residential dwelling units.

While the proposed project would generate energy demand at the site, it would be required to comply with 24 CCR Part 6, Building Energy Code. For a residential occupancy type, compliance with the Energy Code requires building designs to include solar and battery storage under the "Prescriptive Approach," which the

[12] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Energy Code refers to as the "Standard Design Building." As described in Section 4.1.4.1, *Residential Development*, a photovoltaic (PV) system would be installed to provide 55 percent of the total electricity demand. Thus, project compliance with the Energy Code would ensure that the proposed multifamily residential building would achieve greater energy efficiency than the existing commercial use onsite.

In addition to the proposed building energy efficiency, Southern California Edison (SCE) is required to comply with the state's renewable portfolios standard (RPS), which mandates utilities to procure a certain proportion of electricity from eligible renewable and carbon-free sources and increase the proportion, with an ultimate procurement requirement of 100 percent by 2045. The RPS requirements would support use of electricity by the proposed project that is generated from renewable or carbon-free sources. Overall, the proposed project would generally be consistent with the goals in Appendix F of the CEQA Guidelines regarding increasing energy efficiency, decreasing reliance on fossil fuels, and increasing renewable energy sources.

As further discussed in Section 6.19, *Utilities and Service Providers*, the proposed project's electricity consumption would represent an insignificant percentage compared to the overall demand in the SCE's service area, including buildout in the Airport Area. The proposed project would be consistent with the requirements of these energy-related regulations, which would decrease electricity use and increase renewable electricity, and would not result in wasteful or unnecessary electricity demands. Therefore, the proposed project, similar to development pursuant to the 2006 GPU, would not result in a significant impact related to energy for building use.

Natural Gas Energy

The new natural gas consumption associated with the proposed project is shown in Table 9, *Operation-Related Natural Gas Consumption*. As seen in the table, the new natural gas demand by the new residential building would total 866,334 kilo-British thermal units per year following buildout of the proposed project.[13]

While the proposed project would result in a new natural gas demand, the proposed residential building would be consistent with the requirements of the Energy Code and would generally result in a decrease in per capita natural gas consumption compared to the existing commercial use. Compliance with the code would decrease overall reliance on fossil fuels and increase reliance on renewable energy sources for electricity generation. Therefore, operation of the proposed project, similar to development pursuant to the 2006 GPU, would result in less than significant impacts with respect to natural gas usage.

Table 9 Operation-Related Natural Gas Consumption

Land Use	Natural Gas (kBTU/year)[1]
Apartments Midrise	866,334

Source: CalEEMod Version 2022.1.1.14, Appendix D.
Note: kBTU=kilo-British thermal units.
[1] The natural gas use per year is based on the proposed square footage of the proposed residential building. This is a conservative analysis as total natural gas, rather than net increase, was modeled for 78 residential dwelling units. No fireplaces are proposed for the project.

[13] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

6. Environmental Analysis

Transportation Energy

The residential building would consume transportation energy during operation when residents and visitors of the new residential building use motor vehicles. Redesignation of the project site from CO-G to MU-H2 is projected to generate a net increase of 105 weekday vehicle trips compared to the existing commercial office use (see Appendix C). However, the proposed project would be near large existing commercial and restaurant areas, potentially reducing the need to travel long distances for some residents. Moreover, the proposed project would be required to include electric vehicle (EV)-capable, EV-ready, and EV-charging stations consistent with the 2022 California Green Building Standards Code (CALGreen), which would, on average, increase reliance on electricity for transportation energy demand.

Furthermore, fuel efficiency of vehicles during the buildout year of 2025 would, on average, improve compared to vehicle fuel efficiencies experienced under existing conditions, resulting in a lower per capita fuel consumption in 2025, assuming travel distances, travel modes, and trip rates remain the same. The improvement in fuel efficiency would be attributable to the statewide fuel reduction strategies and regulatory compliances (e.g., CAFE standards) that will make new cars more fuel efficient as well as the attrition of older, less fuel-efficient vehicles. The CAFE standards are not directly applicable to land use development projects, but to car manufacturers. However, compliance with the CAFE standards by car manufacturers would ensure that vehicles produced in future years have greater fuel efficiency and would generally result in an overall benefit of reducing fuel usage by providing the population of the project site's region with more fuel-efficient vehicle options.

While the demand in electricity may increase under the proposed project, in conjunction with the regulatory (i.e., State's Renewables Portfolio Standard, SB 350, and SB 100) and general trend toward increasing the supply and production of energy from renewable sources, it is anticipated that a greater share of electricity used to power electric vehicles would be from renewable sources in future years (e.g., individual photovoltaic systems and purchased electricity from SCE). Since vehicle fuel efficiencies would improve year by year through the buildout year of 2025 and result in a decrease in overall per capita transportation energy consumption, impacts would be less than significant with respect to operation-related fuel usage compared to existing conditions.

The proposed project, similar to development pursuant to the 2006 GPU, would be consistent with the requirements of these energy-related regulations and would not result in wasteful or unnecessary fuel demands. Therefore, the proposed project would not result in a significant impact related to transportation energy during the operational phase.

Conclusion

As substantiated above, the proposed project, as with development pursuant to the 2006 GPU, would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. Thus, impacts would be less than significant and there are no changes or new significant information that would require preparation of an EIR.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The state's electricity grid is transitioning to renewable energy under California's Renewable Energy Program. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. Electricity production from renewable sources is generally considered carbon neutral.

Executive Order S-14-08, signed in November 2008, expanded the state's RPS to 33 percent renewable power by 2020. This standard was adopted by the legislature in 2011 (SB X1-2).

Senate Bill 350 (de Leon) was signed into law September 2015 and establishes tiered increases to the RPS—40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. Senate Bill 350 also set a new goal to double the energy-efficiency savings in electricity and natural gas through energy efficiency and conservation measures.

On September 10, 2018, Governor Brown signed SB 100, which supersedes the SB 350 requirements. Under SB 100, the RPS for publicly owned facilities and retail sellers consist of 44 percent renewable energy by 2024, 52 percent by 2027, and 60 percent by 2030. SB 100 also established a new RPS requirement of 50 percent by 2026 and a state policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all state agencies by December 31, 2045. Under SB 100 the state cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

Moreover, SB 1020 was signed into law on September 16, 2022. It requires renewable energy and zero-carbon resources to supply 90 percent of all retail electricity sales by 2035 and 95 percent by 2040. SB 1020 also requires all state agencies to procure 100 percent of electricity from renewable energy and zero-carbon resources by 2035 instead of 2045, previously mandated under SB 100.

The statewide RPS goal is not directly applicable to individual development projects, but to utilities and energy providers such as SCE, which is the utility that would provide all of electricity needs for the proposed project. Compliance of SCE in meeting the RPS goals would ensure the State in meeting its objective in transitioning to renewable energy. The proposed project would also comply with the latest Building Energy Efficiency Standards and CALGreen.

Furthermore, the project site is currently being serviced by SCE, which obtains electricity from conventional and renewable sources. In 2021, 31 percent of SCE's electricity was generated from eligible renewables, 9 percent from nuclear power, 2 percent from large hydroelectric generators, 22 percent from natural gas, and 35 percent from unspecified sources (SCE 2021). SCE has developed Pathway 2045, which is an in-depth analysis to identify a feasible and economical route to achieve carbon neutrality in California by 2045. In 2045, solar and wind will contribute the bulk of the energy supply across most hours of the day and 68 percent of the annual energy needed to serve grid demand (SCE 2019).

The net increase in power demand associated with the proposed project, similar to the projects pursuant to the 2006 GPU, is anticipated to be within the service capabilities of SCE and would not impede SCE's ability to implement California's renewable energy goals. Furthermore, a total of 2,200 units are allowed in the Airport

Area, and the proposed project would involve a redistribution of these future units, not a net increase. Therefore, the proposed project would not obstruct a state or local plan for renewable energy and there are no changes or new significant information that would require preparation of an EIR.

6.6.3 Cumulative Impacts

As discussed above, the proposed project would not cause an energy impact nor an increase in the severity of any impact previously disclosed in the GPU EIR. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative energy impacts than those already analyzed.

6.6.4 Standard Conditions of Approval

No standard conditions are applicable to the proposed project.

6.7 GEOLOGY AND SOILS

6.7.1 Summary of Impacts Identified in the 2006 General Plan EIR

Seismic Hazards

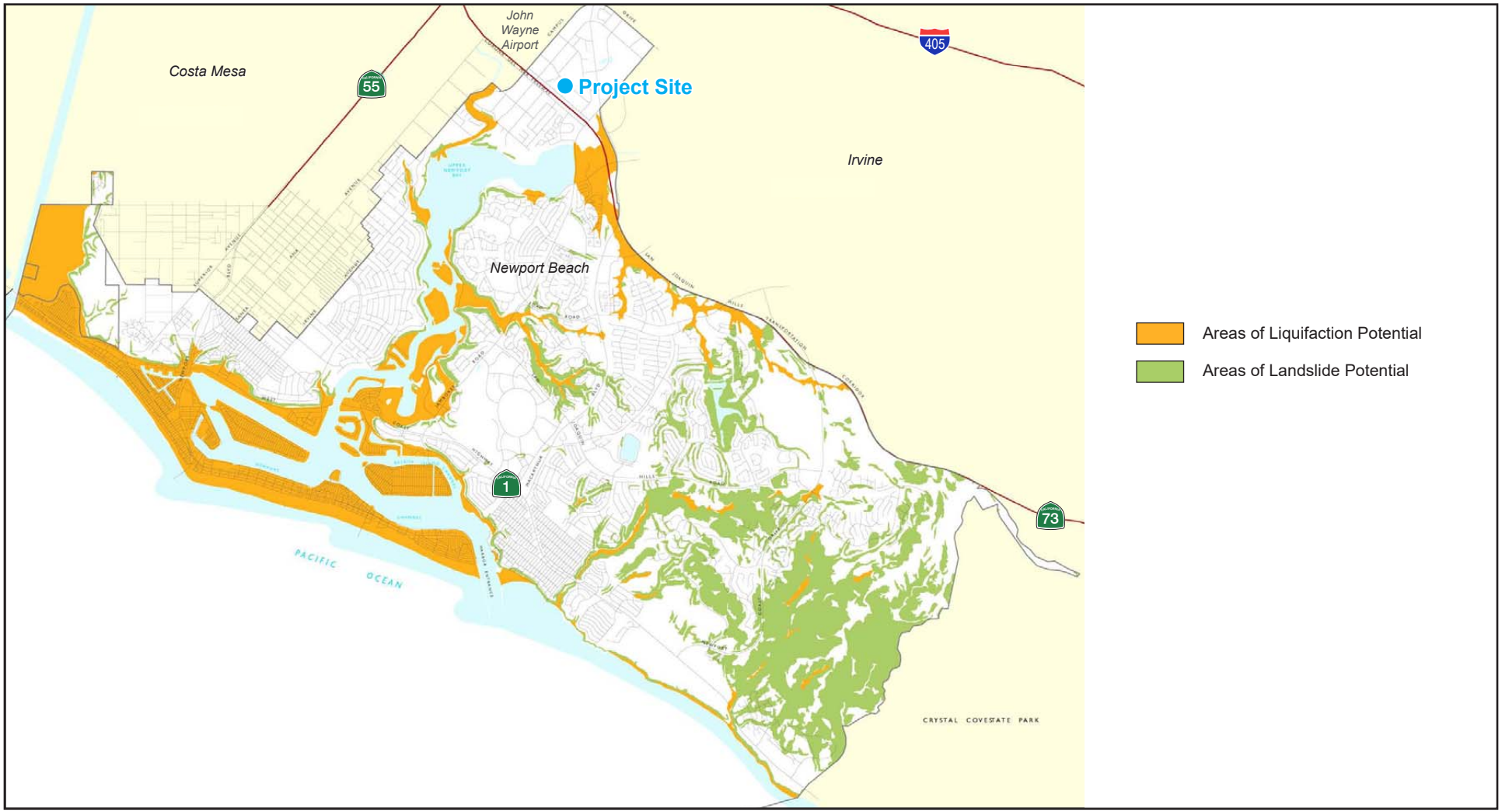
Newport Beach is exposed to risk from multiple earthquake fault zones. High risk fault zones include the Newport-Inglewood fault zone, Whittier fault zone, San Joaquin Hills fault zone, and Elysian Park fault zone. However, none of these faults are zoned under the guidelines of the Alquist-Priolo Earthquake Fault Zoning Act. Thus, there are no Alquist-Priolo fault zones in the vicinity of the city, and no impact would occur.

The GPU would allow infill development throughout the city, consistent with existing land use patterns, intensities, and building types. The fault zones in the city each have the potential to cause moderate to large earthquakes that would cause ground shaking. Policies in the GPU would ensure that adverse effects caused by seismic and geologic hazards, such as strong seismic ground shaking, are minimized. Additionally, the California Building Code (CBC) Chapter 33 includes building design standards for the construction of new buildings and/or structures and specific engineering design and construction measures to avoid the potential for adverse impacts. Site-specific geotechnical studies and hazards assessments would be required on a project-by-project basis to determine site-specific soil properties and potential for ground failure. Furthermore, compliance with standards in the CBC requires implementation of design measures to mitigate any potential ground failure hazards. Standards related to site-specific slope stability by the City's Building Code and those related to shoring and stabilization by the California Division of Occupational Safety and Health would ensure seismic-related ground failure would be less than significant.

A considerable part of the City's mapped liquefiable areas (West Newport, Balboa Peninsula, the harbor islands and vicinity) are already built upon, mostly with residential and commercial development. A portion of the City's active oil field is also built on liquefiable soils. Furthermore, many of the areas in central and eastern Newport Beach have been identified as vulnerable to seismically induced slope failure due to steep terrain. However, the proposed project is not within an area vulnerable to liquefaction or landslides (see Figure 17, *Newport Beach Seismic Hazards*).

Compliance with the standards in the current CBC would also require an assessment of hazards related to landslides and liquefaction and the incorporation of design measures into structures to mitigate this hazard if development were considered feasible. The City has included policies in its Safety Element to achieve the goal of minimizing the risk of injury, loss of life, and property damage caused by earthquake hazards or geologic disturbances. Additionally, if any development on steep terrain were to occur upon implementation of the GPU, site-specific slope stability design would be required to ensure adherence to the standards in Appendix Chapter A33, Excavation and Grading, of the City Building Code, as well as to California Division of Occupational Safety and Health (Cal/OSHA) requirements for shoring and stabilization. After compliance with applicable regulations as well as policies in the GPU, impacts would be less than significant.

Figure 17 - Newport Beach Seismic Hazards



Source: EIP Associates 2006.

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6. Environmental Analysis

Soil Erosion and Compressible Soils

Much of the City is built out and topsoil erosion is not an issue because there is no exposed topsoil or any agricultural or biological production that would be affected. Soil erosion is a significant problem in Newport Beach because wave actions along the coast cause sediment and coastal bluff erosion. However, the project site is not near the coast.

All demolition and construction activities within the City would be required to comply with CBC Chapter 70 standards, which would ensure implementation of appropriate measures during grading activities to reduce soil erosion. In addition, all new developments would be subject to regional and local regulations pertaining to construction activities. Specifically, development that is greater than one acre would be required to comply with the provisions of the General Construction Activity Stormwater Permit adopted by the State Water Resources Control Board (SWRCB), which would require the employment of BMPs to limit the extent of eroded materials from a construction site. All development that is less than one acre would be required to comply with the provisions of the National Pollutant Discharge Elimination System (NPDES) MS4 permit regulations concerning the discharge of eroded materials and pollutants from construction sites.

Compliance with policies in the GPU would further ensure that new development would not result in substantial soil erosion or loss of topsoil. Compliance with the NPDES permit would minimize effects from erosion and ensure consistency with the Regional Water Quality Control Board (RWQCB) Water Quality Control Plan. In view of these policies, implementation of the GPU would have a less than significant impact associated with soil erosion or topsoil.

Furthermore, compressible soils underlie a significant part of the City. Under the added weight of fill embankments or buildings, these sediments will settle, causing distress to improvements. Also, some of the geologic units in the Newport Beach area, including both surficial soils and bedrock, have fine-grained components that are moderate to highly expansive. These materials may be present at the surface or exposed by grading activities. Man-made fills can also be expansive, depending on the soils used. An acceptable degree of soil stability is required by the Building Code and can be achieved for expansive or compressible material by the incorporation of soil treatment programs (replacement, grouting, compaction, drainage control, etc.) in the excavation and construction plans to address site-specific soil conditions. A site-specific evaluation of soil conditions is required by the City's Building Code and must contain recommendations for ground preparation and earthwork specific to the site that become an integral part of the construction design. As part of the construction permitting process, the City requires completed reports of soil conditions at specific construction sites to identify potentially unsuitable soil conditions, including liquefaction, subsidence, and collapse. Adherence to the City's codes and policies in the GPU would ensure the maximum practicable protection for users of buildings and infrastructure and associated trenches, slopes, and foundations, and impacts are less than significant.

Paleontological Resources

Paleontological resources were analyzed in the 2006 GPU EIR, which concluded that impacts would be less than significant. The City has known significant paleontological resources, including portions of the Vaqueros formation that underlie the Newport Coast, Newport Banning Ranch, the Topanga and Monterey Formations,

and Fossil Canyon in the North Bluffs area. Therefore, paleontological resources may be present in fossil-bearing soils and rock formations below the ground surface.

Grading and excavation activities where there is a potential to affect paleontological resources would be monitored by a qualified paleontologist, and all scientifically valuable paleontological resources would be donated to responsible public or private institutions (per Goal HR 2 and NR 18 of the 2006 General Plan). The Newport Beach City Council also established "Paleontological Guidelines (K-4)" requiring the City to prepare and maintain sources of information regarding paleontological sites. Thus, impacts to paleontological resources would be less than significant.

6.7.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.					X
ii) Strong seismic ground shaking?				X	
iii) Seismic-related ground failure, including liquefaction?					X
iv) Landslides?					X
b) Result in substantial soil erosion or the loss of topsoil?				X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X	

6. Environmental Analysis

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?					x
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				x	

The analysis in this section is based in part on the following technical report included as Appendix E of this Addendum:

- *Geotechnical Exploration Report Proposed Multi-Family Residential Development 1401 Quail Street*, Leighton and Associate, June 23,2022.

Comments

a) Directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving:

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

No Impact. There are no Alquist-Priolo fault zones in t Newport Beach. Therefore, the proposed project, similar to development pursuant to the 2006 GPU, would have no impact. There are no changes or new information requiring preparation of an EIR.

ii) Strong seismic ground shaking?

Less Than Significant/No Changes or New Information Requiring Preparation of an EIR. Compared to land uses under the General Plan, the proposed project would introduce up to 67 housing units on the project site. The closest active fault to the site with the potential for surface fault rupture is the Newport-Inglewood Fault Zone, approximately 4.9 miles from the site. The San Andreas fault, which is the largest active fault in California, is approximately 40 miles northeast of the site. Construction of the proposed project would be required to conform to the seismic design requirements of the 2022 CBC (or applicable adopted code at the time of plan submittal or grading and building permit issuance for construction), which would reduce anticipated impacts related to the proximity of earthquake faults by requiring structures to be built to withstand seismic ground shaking.

Additionally, the proposed project would need to comply with the Newport Beach Municipal Code, Chapter 15.10, Excavation and Grading Code, which requires approval of a geotechnical exploration report. The Excavation and Grading Code also requires that recommendations in the report and approved by the building officials be incorporated in grading plans or specifications.

Compliance with municipal code and applicable CBC requirements would not expose persons or structures to seismic hazards, and impacts associated with the proposed project would be less than significant. The proposed project would not result in a new specific impact or an increase in the severity of an impact that was identified in the GPU EIR and would therefore be consistent with the effects of implementation of the General Plan, and no further analysis is required.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant/No Changes or New Information Requiring Preparation of an EIR. The proposed project is not mapped within an area vulnerable to liquefaction or landslides, and the low-plasticity clayey soil below the site was found to be stiff and impacted with carbonate. Soils of this type are generally not subject to the adverse effects of liquefaction. The site is also relatively flat. There are no other known geologic conditions on the project site that would render development infeasible. Additionally, compliance with the municipal code and General Plan policies SC 3.6-1 and SC 3.6-2 would reduce the risk associated with seismic-related ground failure and associated liquefaction, lateral spreading, or subsidence to a less than significant level. The proposed project would not result in a new specific impact or an increase in the severity of an impact that was identified in the GPU EIR and would therefore be consistent with the effects of implementation of the General Plan and no further analysis is required.

iv) Landslides?

No Impact. See response to Section 6.7.2 a(iii). The project site is not within a landslide zone, and no impacts would arise. Thus, there are no changes or new information requiring preparation of an EIR.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. Since the city is mostly built out, topsoil erosion is not an issue, especially in developed areas like the project site. Nevertheless, soil erosion is a concern in Newport Beach. The demolition and construction of the proposed project, similar to all development in Newport Beach, would comply with CBC Chapter 70 standards, which would ensure implementation of appropriate measures during grading activities to reduce soil erosion. In addition, the proposed project, similar to applicable development pursuant to the 2006 General Plan, would implement the requirements of the Construction General Permit, the RWQCB's Water Quality Control Plan, and the provision of the NPDES MS4 regulations. The 2006 GPU also includes policies that address soil erosion. Compliance with policies in the 2006 GPU and regulatory requirements would reduce impacts to less than significant. Thus, there are no changes or new information requiring preparation of an EIR.

6. Environmental Analysis

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. Compressible soils underlie a significant part of the city, and some geologic units in the Newport Beach area are moderately to highly expansive. The geotechnical exploration report concluded that the upper five feet of silty sand on the project site had a very low potential for expansion. However, the approximate foundation level for the subterranean parking lot, at 15 feet below ground surface, would be exposed to clays with a high expansion potential. The results of onsite testing indicate that the soils on the project site exhibit a low to moderate compressibility potential.

The proposed project, similar to development pursuant to the 2006 General Plan, would comply with the requirements for expansive or compressible material in the 2022 CBC. Furthermore, per the City Building Code, the geotechnical exploration report includes a site-specific evaluation of soil conditions and recommendations for ground preparation and earthwork specific to the site. Compliance with the CBC, the City's codes, and policies in the General Plan would ensure impacts would be less than significant. Thus, there are no changes or new information requiring preparation of an EIR.

d) Be located on expansive soil, as defined in Table 19-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR.

See response to Section 6.7.2c.

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

No Impact. The City of Newport Beach is almost entirely built out with established utility services. Therefore, the proposed project, similar to development pursuant to the 2006 General Plan, would not require the use of septic tanks and no impacts would arise. There are no changes or new information requiring preparation of an EIR.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The proposed project, similar to development pursuant to the 2006 General Plan, would adhere to the General Plan policies under Goals HR 2 and NR 18 in case future development requires ground-disturbing activities that may impact previously undisturbed grounds. New development would:

- Protect and preserve paleontological resources from destruction and avoid and mitigate impacts to such resources.

- Require a qualified paleontologist to monitor all grading and/or excavation where there is a potential to affect paleontological resources. If these resources are found, the applicant shall implement the recommendations of the paleontologist, subject to the approval of the City Planning Department.

- Donate any scientifically valuable paleontological materials to a responsible public or private institution with a suitable repository, located within Newport Beach, or Orange County, whenever possible.

Furthermore, the proposed project, similar to development pursuant to the 2006 General Plan, would comply with the City's "Paleontological Guidelines (K-4)." In compliance with City Council Policy K-4, prior to the issuance of a grading permit by the City, the applicant shall retain a qualified paleontologist to be available on-call during ground-disturbing activities onsite and provide documentation of such retention to the Community Development Director. If fossils are encountered, all construction work within 50 feet of the find shall cease, and the paleontologist shall assess the find for importance. Construction activities may continue in other areas. If, in consultation with the City, the discovery is determined to not be important, work will be permitted to continue in the area. Any resource shall be curated at a public, nonprofit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Cooper Center (a partnership between California State University, Fullerton and the County of Orange). Thus, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

6.7.3 Cumulative Impacts

As discussed above, the proposed project would not cause a new geologic impact to occur, nor an increase in the severity of a geologic impact previously disclosed in the General Plan Program EIR. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative geologic impact than those already analyzed.

6.7.4 Standard Conditions of Approval

No City of Newport Beach standard conditions for Geology and Soils are applicable to the proposed project.

6.8 GREENHOUSE GAS EMISSIONS

6.8.1 Summary of Impacts Identified in the 2006 General Plan EIR

The 2006 GPU EIR did not evaluate greenhouse gas emissions impacts because it was prior to Senate Bill 97 (SB 97), which went into effect January 1, 2010. Thus, GHG was not included in the CEQA Guidelines Appendix G checklist, and the City did not have adopted thresholds at the time of preparation.

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as greenhouse gases (GHG), into the atmosphere. The primary source of these GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change (IPCC) has identified four major GHGs—water vapor, carbon dioxide (CO_2), methane (CH_4), and ozone (O_3)—that are the likely cause of an increase in global average temperatures observed within the 20th and 21st centuries. Other GHG identified by the IPCC that contribute to global warming to a lesser extent include nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons.[14]

Information on manufacture of cement, steel, and other "life cycle" emissions that would occur as a result of the project are not applicable and are not included in the analysis.[15] Black carbon emissions are not included in the GHG analysis because the California Air Resources Board (CARB) does not include this short-lived climate pollutant in the state's Senate Bill 32 (SB 32) and Assembly Bill 1279 (AB 1279) inventory but treats it separately.[16]

[14] Water vapor (H_2O) is the strongest GHG and the most variable in its phases (vapor, cloud droplets, ice crystals). However, water vapor is not considered a pollutant, but part of the feedback loop rather than a primary cause of change.

[15] Life cycle emissions include indirect emissions associated with materials manufacture. However, these indirect emissions involve numerous parties, each of which is responsible for GHG emissions of their particular activity. The California Resources Agency, in adopting the CEQA Guidelines Amendments on GHG emissions found that lifecycle analyses was not warranted for project-specific CEQA analysis in most situations, for a variety of reasons, including lack of control over some sources, and the possibility of double-counting emissions (CNRA 2018). Because the amount of materials consumed during the operation or construction of the proposed project is not known, the origin of the raw materials purchased is not known, and manufacturing information for those raw materials are also not known, calculation of life cycle emissions would be speculative. A life-cycle analysis is not warranted (OPR 2008).

[16] Particulate matter emissions, which include black carbon, are analyzed in Section 6.3, *Air Quality*. Black carbon emissions have sharply declined due to efforts to reduce on-road and off-road vehicle emissions, especially diesel particulate matter. The state's existing air quality policies will virtually eliminate black carbon emissions from on-road diesel engines within 10 years (CARB 2017).

6.8.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	

The analysis in this section is based in part on the information included in Appendix C and D of this Addendum:

- *Trip Generation Calculations*, PlaceWorks, 2023.
- *Air Quality, Greenhouse Gas, Energy, and Natural Gas Calculations*, PlaceWorks 2023.

Comments

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Global climate change is not confined to a particular project area and is generally accepted as the consequence of global industrialization over the last 200 years. A typical project, even a very large one, does not generate enough greenhouse gas emissions on its own to influence global climate change significantly; hence, the issue of global climate change is by definition a cumulative environmental impact.

Project-related construction and operation-phase GHG emissions are shown in Table 10, *Project-Related GHG Emissions*.[17] Implementation of the proposed project would result in the construction of 67 condominiums, which would generate GHG emissions. The annual average construction emissions were amortized over 30 years and included in the emissions inventory to account for one-time GHG emissions from the construction phase of the project.

[17] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

6. Environmental Analysis

Table 10 Project-Related GHG Emissions

Source	GHG ($MTCO_2e$/Year)
Mobile trips[1]	202
Area[2]	2
Energy[3]	86
Water[4]	0
Solid Waste[5]	0
Refrigerants[6]	0
30-Year Amortized Construction Emissions[7]	63
Total	**353**
South Coast AQMD Working Group Bright-Line Threshold	3,000 $MTCO_2e$/Yr
Exceeds Bright-Line Threshold?	**No**

Source: CalEEMod, Version 2022.1.1.14. (see Appendix D)
Notes: MTons = metric tons; $MTCO_2e$ = metric ton of carbon dioxide equivalent
1 Modeled net increase in mobile trips associated with 78 residential dwelling units.
2 Conservatively modeled as total usage, rather than a net increase, for 78 residential dwelling units. Area sources estimate emissions from hearths, consumer products, architectural coatings, and landscaping equipment.
3 Conservatively modeled as total usage, rather than a net increase, for 78 residential dwelling units. Total electricity usage was provided by applicant, a PV system would also provide approximately 55% of total electricity use.
4 Modeled net increase in indoor/outdoor water and wastewater generation for 78 residential dwelling units.
5 Modeled as 0 tons/year due to net decrease compared to existing conditions as conservative estimate.
6 Conservatively modeled as total usage for 78 residential dwelling units, rather than a net increase, using CalEEmod default.
7 Total construction emission are amortized over 30 years per South Coast AQMD methodology (South Coast AQMD 2008).

Water demand, wastewater and solid waste generation, and energy demand for the project site would incrementally increase due to the introduction of 67 multifamily rental units. However, the 67 units would be within the overall 2,200 maximum units for the Airport Area for the MU-H2 designation, and the number of maximum allocated units in the Airport Area would not be increased compared to what was analyzed in the GPU EIR. As shown in Table 10, construction and operation of the proposed project would not generate annual emissions that exceed the South Coast AQMD Working Group bright-line threshold of 3,000 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year (South Coast AQMD 2008). Therefore, the proposed project's cumulative contribution to GHG emissions would be less than significant.

GHG emissions from building energy use would be minimized because the existing commercial office buildings would be replaced with newer, more energy-efficient residential building that meet the current California Building and Energy Efficiency Standards and CALGreen. Moreover, the proposed project would be required to include EV-capable, EV-ready, and EV-charging stations, consistent with the 2022 CALGreen, that would support cleaner, alternative vehicles.

Furthermore, as discussed in Section 6.3.2(b), it is anticipated that the construction activities and construction-related emissions under the proposed project would be similar to what was previously considered in the GPU EIR. Therefore, implementation of the proposed project is not anticipated to result in a substantial

increase in GHG emissions compared to what was previously considered in the GPU EIR. Overall, there are no changes or new significant information that would require preparation of an EIR.

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and the SCAG's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). A consistency analysis with these plans is presented below.

CARB's 2022 Scoping Plan

CARB's latest Climate Change Scoping Plan (2022) outlines the State's strategies to reduce GHG emissions in accordance with the targets established under AB 32, SB 32, and AB 1279 (CARB 2022). The Scoping Plan is applicable to State agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts.

Statewide strategies to reduce GHG emissions in the 2022 Climate Change Scoping Plan include: implementing SB 100, which expands the RPS to 60 percent by 2030; expanding the Low Carbon Fuel Standards to 18 percent by 2030; implementing the Mobile Source Strategy to deploy zero-electric vehicle buses and trucks; implementing the Sustainable Freight Action Plan; implementing the Short-Lived Climate Pollutant Reduction Strategy, which reduces methane and hydrofluorocarbons to 40 percent below 2013 levels by 2030 and black carbon emissions to 50 percent below 2013 levels by 2030; continuing to implement SB 375; creating a post-2020 Cap-and-Trade Program; and developing an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

Statewide strategies to reduce GHG emissions include the low carbon fuel standards, California Appliance Energy Efficiency regulations, California Renewable Energy Portfolio standard, changes in the Corporate Average Fuel Economy standards, and other early action measures as necessary to ensure the State is on target to achieve the GHG emissions reduction goals of AB 32, SB 32, and AB 1279. The GHG emissions associated with the land uses accommodated under the GPU EIR would be reduced through compliance with these statewide measures that have been adopted. In addition, new developments are required to comply with the current Building Energy Efficiency Standards and CALGreen.

Similarly, the proposed project's GHG emissions would also be reduced through compliance with these statewide measures and is not anticipated to conflict with implementation of the CARB 2022 Scoping Plan. Therefore, there are no changes or new significant information that would require preparation of an EIR.

SCAG's Regional Transportation Plan/Sustainable Communities Strategy

SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal) in September 2020. Connect SoCal finds that land use strategies that focus on new housing and job growth in areas rich with destinations and mobility options would be consistent with a land use development pattern that supports and complements the proposed

transportation network. The overarching strategy in Connect SoCal is to plan for the southern California region to grow in more compact communities in transit priority areas and priority growth areas; provide neighborhoods with efficient and plentiful public transit; establish abundant and safe opportunities to walk, bike, and pursue other forms of active transportation; and preserve more of the region's remaining natural lands and farmlands (SCAG 2020). Connect SoCal's transportation projects help more efficiently distribute population, housing, and employment growth, and forecast development is generally consistent with regional-level general plan data to promote active transportation and reduce GHG emissions. The projected regional development, when integrated with the proposed regional transportation network in Connect SoCal, would reduce per-capita GHG emissions related to vehicular travel and achieve the GHG reduction per capita targets for the SCAG region. The Connect SoCal Plan does not require that local general plans, specific plans, or zoning be consistent with the SCS, but provides incentives for consistency to governments and developers.

Because the proposed project would be within the development capacity considered under the GPU EIR (the 67 residential units are within the anticipated 2,200 replacement units allocated to the Airport Area in the GPU), its implementation would not result in additional growth compared to the growth forecasted in the GPU EIR. Thus, implementation of the proposed project would not interfere with SCAG's ability to implement the regional strategies in Connect SoCal. Therefore, there are no changes or new significant information that would require preparation of an EIR.

6.8.3 Cumulative Impacts

Project-related GHG emissions are not confined to a particular air basin but are dispersed worldwide. Therefore, it is accepted as very unlikely that any individual development project would have GHG emissions of a magnitude to directly impact global climate change. Project-related GHG emissions under Section 6.8.2(a) are not project-specific impacts to global warming, but the proposed project's contribution to this cumulative impact.

As discussed above, project-related construction and operation-phase GHG emissions would be below South Coast AQMD's Working Group bright-line threshold. Furthermore, the proposed residential development would include design features, such as installation of a PV system and EV parking infrastructure, to be energy efficient in compliance with the latest Building and Energy Efficiency Standards. Overall, the proposed project's cumulative GHG impacts would be less than cumulatively considerable.

6.8.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Greenhouse Gas emissions for the proposed project.

6.9 HAZARDS AND HAZARDOUS MATERIALS

6.9.1 Summary of Impacts Identified in the 2006 General Plan EIR

Hazardous Materials

The 2006 GPU EIR found that implementation of the GPU could result in an increase in commercial development that could increase the overall routine transport, use, storage, and disposal of hazardous materials in the city.

Construction activities associated with implementation of the GPU could result in the release of hazardous materials to the environment through reasonably foreseeable upset and accident conditions. Compliance with existing regulations and GPU policies would ensure that construction workers and the general public would not be exposed to any unusual or excessive risks related to hazardous materials during construction activities. Therefore, impacts associated with the exposure of construction workers and the public to hazardous materials during construction activities would be less than significant.

Operation of future land uses that could be developed under the GPU could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Compliance with Titles 8, 22, 26, and 49 of the California Code of Regulations, and their enabling legislation in Chapter 6.95 of the California Health and Safety Code, would ensure that this impact is less than significant by requiring compliance with applicable laws and regulations that would reduce the risk of hazardous materials use, transportation, and handling through the implementation of established safety practices, procedures, and reporting requirements.

Implementation of the GPU could emit hazardous emissions or handle acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. The closest school to the project site is the Newport Montessori School 0.41 mile to the southwest. Businesses that handle hazardous materials would be required to comply with Article 1 of the California Health and Safety Code and would prepare and implement a business emergency plan. Development would also implement the provisions of the City's Fire Code. With the implementation of these regulatory requirements impacts were found to be less than significant.

Furthermore, the GPU EIR listed sites which were included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; thus, implementation of the GPU could create a significant hazard to the public or the environment. The 2006 GPU EIR found that hazard impacts arising from existing hazardous materials sites would be less than significant after implementation of the GPU policies.

Airport-Related Hazards

Newport Beach borders the southeastern portion of JWA and lies under the approach path for Long Beach Airport. The 2006 GPU EIR found that the potential growth and development that could occur through implementation of the GPU could place people at risk for an aviation hazard. The northern inland portions of the city to the south just past Fashion Island are in the AELUP's height restriction zone for JWA. The AELUP

referenced in the GPU EIR was dated December 19, 2002. Airport-related hazards were found to be less than significant after implementation of General Plan policies.

Subsequent to the adoption of the 2006 GPU, the 2008 AELUP was adopted by the ALUC on April 17, 2008. The 2008 AELUP included Safety Zones that depict which land uses are acceptable and which are unacceptable in various portions of airport environs. Safety zones in the city range from Zone 1 to Zone 6; land use restrictions are greatest in Zone 1 and least restrictive in Zone 6.

Most of the Airport Area is in Safety Zone 6 for the long runway (Runway 19R/1L) at JWA. However, some areas are within Safety Zone 3 for the short runway (Runway 19L/1R) (see Figure 18, *Airport Area Safety Zones*).

Safety Zone 3

General Plan Policy LU 6.15.7, Overall Density and Housing Types, for mixed use districts (MU-H2) stipulates that residential units be developed at a minimum density of 30 units and a maximum of 50 units averaged over the total area of each residential village. The placement of high-density housing is not consistent with the land use compatibility standards for Safety Zone 3.

Safety Zone 6

Restricted land uses in Safety Zone 6 consist of outdoor stadiums and similar uses with very high intensities—children's schools, large day care centers, hospitals, and nursing homes. Compatible land uses in the proposed MU-H2 zone include office; research and development; and similar uses that support the primary office and business park functions, such as retail and financial services, while allowing for the reuse of properties for the development of cohesive residential villages that are integrated with business park uses. Land uses permitted in the proposed MU-H2 zone would not conflict with prohibited land uses in Safety Zone 6.

By abiding by the standards of the Safety Zones, impacts were found to be less than significant.

FAR Part 77 Height Restrictions Compared to Maximum Permitted Building Heights

The entire Airport Area is within the Height Restriction Zone designated in the AELUP for John Wayne Airport (see Figure 13). In most of the Airport Area the height limit is 206 feet amsl.

By abiding by the City of Newport Beach Planned Community regulations and the Height Restriction Zone in the Airport Environs Land Use Plan for John Wayne Airport, impacts were found to be less than significant.

6.9.2 Impacts Associated with the Proposed Project

Would the project:

Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X

Figure 18 - Airport Area Safety Zones

Project Boundary

City Boundary

Long Runway Safety Zones

- 1 - Runway Protection Zone
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zone
- 6 - Traffic Pattern Zone

Short Runway Safety Zones

- 1 - Runway Protection Zone
- 2 - Inner Approach/Departure Zone
- 3 - Inner Turning Zone
- 4 - Outer Approach/Departure Zone
- 5 - Sideline Zone
- 6 - Traffic Pattern Zone

0 1,300
Scale (Feet)

Source: Orange County Airport Land Use Commission Airport Environs Land Use Plan for John Wayne Airport 2008.

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6. Environmental Analysis

Comments

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The proposed project, similar to development pursuant to the 2006 GPU, would comply with regulations and standards established by the EPA, the State, Orange County, the City of Newport Beach, and the Newport Beach Fire Department (NBFD). Furthermore, the proposed project, similar to development pursuant to the 2006 GPU, would implement the rules and regulations of the South Coast AQMD, California Division of Occupational Safety and Health (Cal/OSHA), the California Department of Toxic Substance Control, the Orange County Department of Environmental Health, and the Santa Ana RWQCB. Compliance with regulatory requirements would ensure that the proposed project would not create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials. Thus, similar to the 2006 GPU, impacts would be less than significant and there are no changes or new information requiring preparation of an EIR.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The proposed project, similar to development pursuant to the 2006 GPU, would be subject to the City of Newport Beach Emergency Management Plan. The emergency management plan would reduce impacts associated with emergency response and evacuation in the City.

Furthermore, the proposed project, similar to development pursuant to the 2006 GPU, would be constructed and operated with strict adherence to all emergency response plan requirements set forth by OC Environmental Health Department and the NBFD. The proposed project would also abide by the requirements of Title 22, Division 4.5, of the California Code of Regulations (CCR) and the California Fire Code (CCR Title 24 Part 9). Title 22 specifies the requirements for transporting shipments of hazardous waste, including manifesting, vehicle registration, and emergency accidental discharges during transportation. The California Fire Code sets requirements pertaining to fire safety and life safety, including for building materials and methods, fire protection systems in buildings, emergency access to buildings, and handling and storage of hazardous materials. Additionally, commercial business within the proposed project would prepare business plans that must include emergency response plans and procedures to be used in the event of a significant or threatened significant release of a hazardous material.

With the implementation of the emergency management plan and regulatory requirements, impacts of the proposed project, similar to development pursuant to the 2006 GPU, would be less than significant. Therefore, there are no changes or new information requiring preparation of an EIR.

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

No Impact. Newport Montessori School is 0.41 mile southwest of the project site. Therefore, there would be no impact to sensitive receptors at the school. There are no changes or new information requiring preparation of an EIR.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. An updated data search was conducted for this Addendum, as shown in Table 11. The table shows areas within 0.25 mile of the project site that are listed on the GeoTracker[18] and EnviroMapper[19] databases. The EnviroStor[20] database yielded no results. As shown in the table, there are no listed sites on all three databases within the project area. All hazardous materials sites listed in Table 11 are known to regulatory agencies and all the GeoTracker cases have been closed. The small quantity generator (SQG) listings document the presence of hazardous materials on those sites, but do not document hazardous releases.

Regulatory requirements for hazardous issues related to the project site would be the same for 2006 General Plan uses as for the currently proposed project. The changes due to the proposed project do not change the conclusions in the GPU EIR and there are no changes or new information requiring preparation of an EIR.

[18] GeoTracker is the California Water Boards' data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater. GeoTracker contains records for sites that require cleanup, such as Leaking Underground Storage Tank (LUST) Sites, Department of Defense Sites, and Cleanup Program Sites. GeoTracker also contains records for various unregulated projects as well as permitted facilities including: Irrigated Lands, Oil and Gas production, operating Permitted USTs, and Land Disposal Sites.

[19] EnviroMapper is the U.S. EPA's databases that includes information about environmental activities that may affect air, water, and land anywhere in the United States.

[20] EnviroStor is the Department of Toxic Substances Control's data management system for tracking cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known contamination or sites where there may be reasons to investigate further.

6. Environmental Analysis

Table 11 GeoTracker, EnviroStor, and EnviroMapper Info Sites

Area	Database	Site Name and Address1	Type of Site	Case Status
Within 0.25 mile	GeoTracker	Former Fletcher Jones/ Holtze Development Site 1301 Quail St Newport Beach	LUST Cleanup Site Potential Contaminants Of Concern Diesel, Gasoline, Solvents, Waste Oil / Motor / Hydraulic / Lubricating Media: SOIL	Case closed 7/13/1999
		Jim Slemons Imports 1301 Quail St Newport Beach	LUST Cleanup Site Gasoline, Waste Oil / Motor / Hydraulic / Lubricating Media: Under Investigation	Case closed 10/22/1987
		Jim Slemons Imports 1301 Quail St Newport Beach	LUST Cleanup Site Gasoline Media: Other Groundwater (Uses Other Than Drinking Water)	Case closed 10/21/1996
		Westerly Place 1500 Quail St Newport Beach,	LUST Cleanup Site Diesel Media: Soil	Case closed 12/9/1996
	EnviroMapper	Fletcher Jones Management Group 1301 Quail St Newport Beach	EIS	-
		Jim Slemons 1101 Quail St Newport Beach	SQG	-
		Rx Cleaners 1000 Bristol St N Newport Beach	SQG	-
		Innovative Waste Control Inc 1300 Bristol St N Newport Beach	Hazardous Waste Transporter	-
		Anaheim Commerce Center 1400 Bristol St N Newport Beach	SQG	-
		Adme Inc 3610 Birch St Ste 100 Newport Beach	Other Hazardous Waste Activities	-
	EnviroStor	None	None Listed	None

Sources: SWRCB 2023; US EPA 2023; DTSC 2023.
Notes: LUST – Leaking Underground Storage Tank
SQG - Small Quantity Generators
EIS - Emission Inventory System: maintains an inventory of large stationary sources and voluntarily-reported smaller sources of air point pollution emitters.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The project site is in Long Runway Safety Zone 6, Traffic Pattern Zone (see Figure 18). Zone 6 allows residential uses and

most nonresidential uses except outdoor stadiums and similar uses with very high intensities. Children's schools, large day care centers, hospitals, and nursing homes must be avoided in this zone. The proposed project's land use limitations correspond with the compatible land uses defined for Zone 6. Furthermore, the project site is at an elevation of 51 feet amsl with a proposed building height of 81 feet. The FAA height restriction is at 206 feet amsl (see Figure 13). Potential project impacts associated with airport-related noise impacts are addressed in Section 6.13, *Noise*.

With implementation of regulations specified in the AELUP, the proposed project, similar to development pursuant to the 2006 GPU, would have a less than significant impact. Thus, there are no changes or new information requiring preparation of an EIR.

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

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The proposed project involves changes in land use designations and would introduce up to 67 residential units to the project site. Since the residential units would be within the 2,200 housing units already allocated for the MU-H2 area, it would not increase residential units within the overall Airport Area.

The City of Newport Beach Emergency Management Plan guides responses to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations. Updating the emergency management plan every three years to incorporate changes to the city, including potential changes in traffic conditions from the proposed project, would reduce impacts associated with emergency response and evacuation in the city to less than significant. Thus, there are no changes or new information requiring preparation of an EIR.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact/No Changes or New Information Requiring Preparation of an EIR. Refer to Section 6.20. There are no impacts and no changes or new significant information that would require preparation of an EIR.

6.9.3 Cumulative Impacts

Impacts associated with hazardous materials are often site specific. The GPU EIR evaluates Recognized Environmental Conditions in connection with the project site and surrounding area. Impacts related to hazards and hazardous materials were considered less than significant and no mitigation was required under the GPU EIR. As identified in the GPU EIR, the 2006 General Plan would continue to develop new land uses in the city, possibly exposing persons to hazardous materials through improper handling or use of hazardous materials or hazardous wastes during construction or operation of future developments, or proposed land uses in areas that would create hazards for people working or residing in the area. However, compliance with all applicable federal, State, and local regulations related to hazardous materials on a project-by-project basis would ensure that the routine transport, use, or disposal of hazardous materials would not result in adverse impacts. All demolition activities that would involve asbestos or lead-based paint would also occur in compliance with

SCAQMD Rule 1403 and OSHA Construction Safety Orders, which would ensure that hazardous materials impacts would be less than significant. With adherence to applicable federal, State, and local regulations governing hazardous materials and compliance with the General Plan policies, the potential risks associated with hazardous wastes in the area would be less than significant.

Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative hazards impact than those already analyzed.

6.9.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Hazards and Hazardous Materials for the proposed project.

6.10 HYDROLOGY AND WATER QUALITY

6.10.1 Summary of Impacts Identified in the 2006 General Plan EIR

The GPU EIR found that development under the approved 2006 General Plan could increase pollutants in stormwater and wastewater, although water quality standards and waste discharge requirements would not be violated.

The GPU EIR also found that development under the 2006 General Plan could change the existing drainage pattern of the planning area and substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or exceed the capacity of existing or planned stormwater drainage systems. However, implementation of the GPU policies and compliance with NPDES regulations, the City's municipal code, and California Department of Fish and Wildlife regulations would reduce the risk of flooding resulting from drainage alterations to less than significant.

All new development in the city in areas that are subject to flood hazards would be required to comply with the flood damage prevention provisions of the City's municipal code, and impacts were less than significant.

6.10.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i) Result in a substantial erosion or siltation on- or off-site.				X	
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.				X	

6. Environmental Analysis

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.				X	
iv) Impede or redirect flood flows.					X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X	

The analysis in this section is based in part on the following technical reports included as Appendices E and F of this Addendum:

- *Geotechnical Exploration Report Proposed Multi-Family Residential Development 1401 Quail Street*, Leighton and Associate, June 23, 2022.
- *Preliminary Water Quality Management Plan (PWQMP) 1401 Quail Street, Adams-Streeter Civil Engineers*, April 25, 2023.

Comments

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. Areas that disturb one or more acres of land surface are subject to the Construction General Permit (CGP) (Order WQ 2022-0057-DWQ) adopted by the SWRCB. Preparation of a Stormwater Pollution Prevention Plan (SWPPP) is required for compliance with the CGP. Compliance with the permit would involve filing a Notice of Intent with the SWRCB and preparing and submitting a SWPPP prior to construction activities. The CGP requirements would need to be satisfied prior to beginning construction on any project located on a site greater than one acre. Construction would also need to abide by the requirements of Chapter 14.36 of the City's municipal code. Under the provisions of this chapter, any discharge that would result in or contribute to degradation of water quality via stormwater runoff is prohibited.

Operational activities of the proposed project (e.g., runoff from parking areas, solid waste storage areas, and landscaped areas) would generate pollutants that could adversely affect the water quality of downstream receiving waters if effective measures are not used to keep pollutants out of and remove pollutants from urban runoff. Standards governing discharges to stormwater from project operation are set forth in the Municipal Stormwater (MS4) Permit for Orange County in the jurisdiction of the Santa Ana RWQCB, Order No. R8-2009-0030 as amended by Order No. R8-2010-0062, NPDES No. CAS618030, issued by the RWQCB in 2010. A model water quality management plan (WQMP) and technical guidance document (TGD) were developed to provide guidance for "priority" new development and significant redevelopment projects that need to comply with the requirements of the MS4 permit. Per the MS4 permit and the City's requirements for priority projects, the applicant prepared a preliminary WQMP for City review (Appendix F).

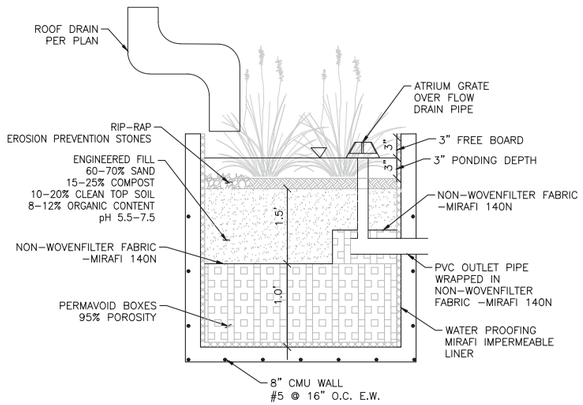
Runoff from the existing site generally drains from the south to the north with surface slopes of around 0.3 percent to 4.0 percent. Most of the site is graded to flow to an existing concrete swale that discharges to Quail Street. The runoff then flows southeasterly alongside the curb and gutter where it eventually drains into an existing catch basin at the northwest corner of the intersection of Quail Street and Spruce Avenue. Runoff from the eastern portion of the existing building flows to Spruce Avenue and then into the same catch basin at the northwest corner of the intersection of Quail Street and Spruce Avenue. The catch basin discharges through a public 18-inch storm drain that connects to a public 42-inch storm drain that eventually discharges to San Diego Creek, which leads to Upper Newport Bay.

As shown on Figure 19, *WQMP Exhibit – Proposed Conditions*, the proposed drainage includes two drainage management areas (DMAs), DMA-A and DMA-B. The proposed BMPs would be designed to treat the design capture volume (DCV) for the 85th percentile, 24-hour storm event and retain the 2-year, 24-hour runoff volume to mitigate hydromodification impacts.[21]

DMA-A would include the entirety of the proposed building along with the adjacent areas between the building and the right-of-way/property line on the north, west, and east side of the building. DMA-B would include the area south of the building, which includes the entire roundabout access street and the area leading to the main entry of the building. DMA-A would utilize Biotreatment BMPs in the form of Bioretention Planters with Permavoid Boxes to treat and/or retain the required DCV of 2,644 cubic feet. The majority of DMA-A's runoff would be collected through roof drains. Runoff would be discharged directly on top of the Bioretention Planters via roof downspouts. Runoff would be bio-treated as it infiltrates through the engineered soil media of the planters and then retained within the Permavoid Boxes. The Permavoid Boxes would infiltrate runoff upwards via capillary rise through the engineered soil media where it would be used to irrigate the landscaped area of the planters. As the planters are filled and the required DCV is treated/retained, runoff would be captured by an overflow inlet at the top of ponding area of the planters. Runoff would be ultimately discharged to Quail Street and Spruce Avenue via parkway culverts. The total volume that can be treated/retained by the BMPs for DMA-A is 2,698 cubic feet.

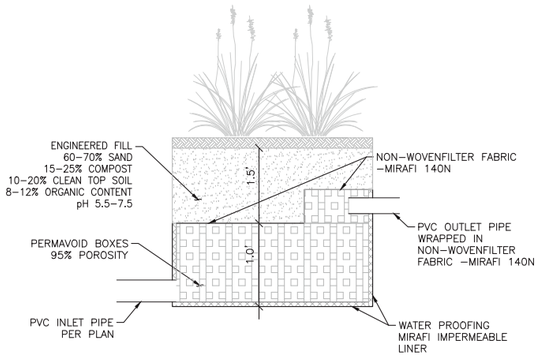
[21] Changes in the timing and volume of runoff from a site are known as hydromodification. As a result, erosive levels of flow occur more frequently and for longer periods of time in creeks and channels downstream of the project.

Figure 19 - WQMP Exhibit – Proposed Conditions



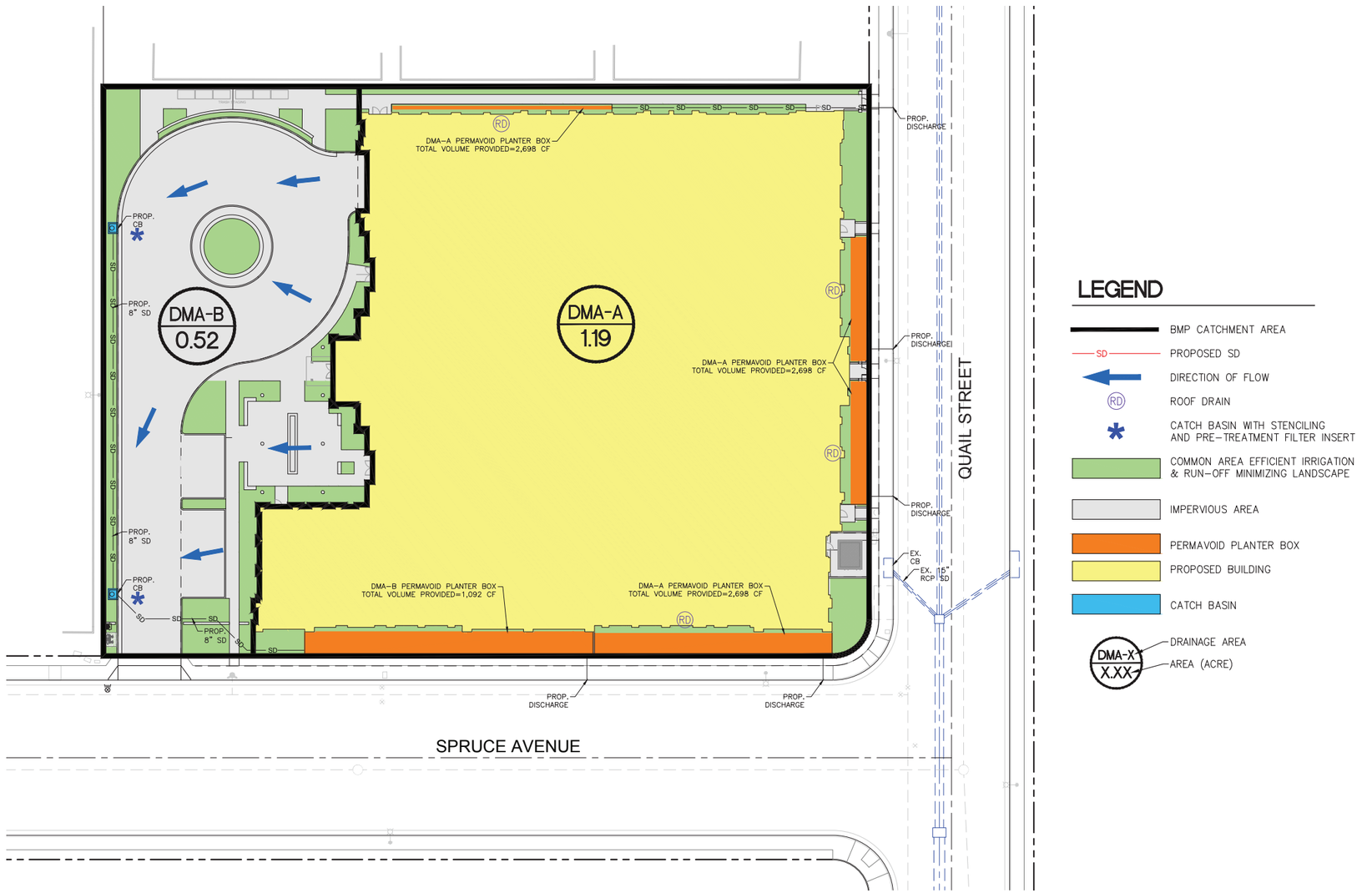
BIORETENTION PLANTERS WITH PERMAVOID FOR DMA-A

NOT TO SCALE



HARVEST AND USE PERMAVOID PLANTER FOR DMA-B

NOT TO SCALE



DRAINAGE AREAS						
DRAINAGE AREA	AREA (ACRE)	PERVIOUS AREA (ACRE)	IMPERVIOUS AREA (ACRE)	% PERVIOUS	% IMPERVIOUS	DCV (CF)
DMA-A	1.19	0.13	1.06	10.9	89.1	2644
DMA-B	0.52	0.10	0.42	19.0	81.0	1066
TOTAL	1.71	0.23	1.48	13.9	86.1	–

0 55
Scale (Feet)

Source: Adam Streeter Civil Engineers 2023.

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6. Environmental Analysis

DMA-B will utilize Permavoid Boxes for its required DCV of 1,066 cubic feet. The runoff of DMA-B would sheet flow to catch basins on the south side of the proposed roundabout access street. The catch basins would have Flogard Filter Inserts installed to pretreat the runoff before it enters the storm drain system.

The storm drain system would then direct the runoff to the bottom of Permavoid Boxes at the south side of the building. The entirety of the DCV would be captured and retained within the Permavoid Boxes. Runoff would infiltrate upwards via capillary rise through the engineered soil media and be used to irrigate the landscaped area above the Permavoid Boxes. During large storm events where the Permavoid Boxes are fully saturated and the required DCV is retained, runoff will be discharged to a parkway culvert that discharges to Spruce Avenue. The total volume that can be treated/retained by the BMPs for DMA-B is 1,092 cubic feet. The landscaped areas above the Permavoid boxes would also have supplemental irrigation provided for both DMA-A and DMA-B.

Construction of the proposed project, similar to construction associated with development under the 2006 GPU, would be subject to the CGP, the requirements of Chapter 14.36 of the City's municipal code, and the General Plan policies. Furthermore, operation of the proposed project, similar to development pursuant to the 2006 GPU, would comply with provisions in the NPDES permit, the WQMP, and GPU policies. Thus, impacts would be less than significant and there are no changes or new information requiring preparation of an EIR.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. The proposed project could create additional impervious surfaces; however, similar to the 2006 GPU, new development would be focused in areas that are currently developed and would not substantially decrease groundwater recharge.

As shown in Section 6.19.2(d), the City's groundwater supply would be sufficient to meet the demand of the proposed project. Therefore, the proposed project, similar to development pursuant to the 2006 GPU, would not decrease groundwater supplies. Thus, there are no changes or new information requiring preparation of an EIR.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in a substantial erosion or siltation on- or off-site.

Less than Significant /No Changes or New Information Requiring Preparation of an EIR. Refer to Section 6.10(a) above. Impacts would be less than significant and there are no changes or new information requiring preparation of an EIR.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

Less than Significant /No Changes or New Information Requiring Preparation of an EIR.

The proposed project site is currently developed, and the proposed project would not increase the impervious area on the site. As shown in the preliminary WQMP (see Appendix F), the 2-year, 24-hour post-development runoff volume would decrease by 5 percent with the development of the proposed project. Therefore, the post-development rate or amount of surface runoff would not result in flooding on- or offsite or exceed the capacity of existing or planned stormwater drainage systems. The proposed project, similar to applicable development pursuant to the 2006 GPU, prepared a WQMP with measures to reduce the volume of runoff generated. Furthermore, compliance with Chapter 15.50 of the City's municipal code and NPDES regulations would also minimize flood hazards resulting from drainage alterations. Therefore, implementation of the General Plan policies and compliance with NPDES regulations and the City's municipal code would reduce the risk of flooding resulting from drainage alterations to less than significant. Thus, no changes or new information require preparation of an EIR.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Less than Significant /No Changes or New Information Requiring Preparation of an EIR. Refer to Section 6.10.c(i) above. Impacts would be less than significant and there are no changes or new information requiring preparation of an EIR.

iv) Impede or redirect flood flows.

No Impact. The proposed project is not within a 100-year flood, a dam inundation area (Newport Beach 2014), or a tsunami inundation zone, or at risk of flooding from seiches (Newport Beach 2014). Moreover, project land uses, similar to development pursuant to the 2006 General Plan update, would be subject to the same General Plan policies and flood hazard provisions in the City's municipal code. There would be no impacts and no changes or new information requiring preparation of an EIR.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact

The proposed project is not within a 100-year flood zone designated by FEMA or within a dam inundation area (Newport Beach 2014). Furthermore, the proposed project would not introduce land use intensity within areas potentially subject to tsunami or seiches (Newport Beach 2014). Moreover, these land uses, similar to development pursuant to the 2006 General Plan update, would be subject to the same General Plan policies and flood hazard provisions in the City's municipal code. Therefore, there would be no impacts and no changes or new information requiring preparation of an EIR.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant/No Changes or New Information Requiring Preparation of an EIR. The City of Newport Beach is under the jurisdiction of the Santa Ana RWQCB. RWQCBs adopt a water quality control plan, or basin plan, that recognizes and reflects regional differences in existing water quality, the beneficial uses of the region's ground and surface waters, and local water quality conditions and problems. The Santa Ana River Basin Water Quality Control Plan is the plan adopted by the Santa Ana RWQCB. The water quality control plan is the basis for the RWQCB's regulatory programs and establishes water quality standards for the ground and surface waters of the region. The term "water quality standards," as used in the federal Clean Water Act, includes both the beneficial uses of specific water bodies and the levels of quality that must be met and maintained to protect those uses. The water quality control plan includes an implementation plan describing the actions by the RWQCB and others that are necessary to achieve and maintain the water quality standards (Santa Ana RWQCB 2008). As indicated under Section 6.10 (a), the proposed project, similar to development pursuant to the 2006 General Plan update, would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, and would therefore not conflict with the water quality control plan.

The Orange County Water District (OCWD) is a special district formed to manage the Coastal Plain of Orange County Groundwater Basin, which supplies water to residents in north and central Orange County. OCWD adopted its first groundwater management plan in 1989. The latest update was completed in 2015. This plan sets basin management goals and objectives and describes how the basin is managed. Basin management goals are (1) to protect and enhance groundwater quality, (2) to protect and increase the sustainable yield of the basin in a cost-effective manner, and (3) to increase the efficiency of OCWD operations (OCWD 2015). In 2014, the California Sustainable Groundwater Management Act was passed. The law provides authority for agencies to develop and implement groundwater sustainability plans (GSP) or alternative plans that demonstrate the basin is being managed sustainably. On January 1, 2017, the Orange County Water District, city of La Habra, and Irvine Ranch Water District submitted the Basin 8-1 Alternative to the California Department of Water Resources. Elements to be included in GSPs, as described in the California Water Code (Sections 10727.2, 10727.4, and 10727.6), were incorporated into the Alternative. Like its predecessors, the Basin 8-1 Alternative will be updated every five years per requirements of the Sustainable Groundwater Management Act. As indicated under Sections 6.10.2 (a) and (b), the proposed project, similar to development pursuant to the 2006 General Plan, would not degrade groundwater quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge. Thus, impacts would be less than significant, and there are no changes or new information on requiring preparation of an EIR.

6.10.3 Cumulative Impacts

As discussed above, the proposed project would not cause a new hydrological impact to occur, nor an increase in the severity of a hydrological impact previously disclosed in the GPU EIR, with the implementation of the 2006 General Plan policies and regulatory requirements discussed in this section. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or

substantially more severe project-specific or cumulative hydrology and water quality impacts than those already analyzed.

6.10.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Hydrology and Water Quality for the proposed project.

6.11 LAND USE AND PLANNING

6.11.1 Summary of Impacts Identified in the 2006 General Plan EIR

The GPU EIR concluded that the General Plan update would not include any roadway extensions or other development features through currently developed areas; instead, it would allow limited infill development in select subareas in the City. Therefore, the 2006 GPU would not physically divide an established community and impacts were less than significant.

The GPU EIR also analyzed land use incompatibility with regard to introducing new land uses and structures that could result in intensification of development in the city. Analyzing subareas of the city, the GPU EIR concluded that the majority of land use changes proposed would not result in incompatibilities or nuisances that rose to a level of significance. Impacts were less than significant.

The 2006 General Plan was found to be consistent with all applicable land use plans for the city. The City of Newport Beach is also subject to policies in the Orange County Central and Coastal Natural Community Conservation Plan. Future development was required to comply with policies within that plan, and therefore no impact occurred.

6.11.2 Impacts Associated with the Proposed Project

Would the project:

Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Physically divide an established community?					x
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				x	

Comments

a) Physically divide an established community?

No Impact. The City of Newport Beach is nearly built out, and the proposed project consists of infill and intensification of development on the project site. The proposed project would not include any roadway extensions or other development features through currently developed areas. Therefore, the proposed project, similar to development pursuant to the 2006 GPU, would not physically divide an established community and there would be no impacts. Thus, there are no changes or new significant information that would require preparation of an EIR.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Adopted land use regulations applicable to the proposed project include the AELUP for JWA, the 2006 GPU policies, policies from the updated Housing Element (adopted September 13, 2022), and the Land Use Element policies as amended by Resolution No. 2023-72.

SCAG's RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The proposed project is not considered a project of "regionwide significance" pursuant to the criteria in SCAG's *Intergovernmental Review Procedures Handbook* (November 1995) and Section 15206 of the CEQA Guidelines. Therefore, this section does not address the proposed project's consistency with SCAG's regional planning guidelines and policies.

The proposed project is within the following JWA zones:

- Clear Zone/Runway Protection Zones and Accident Potential Zones
- Federal Aviation Regulation (FAR) Part 77 Obstruction Imaginary Surfaces and Notification Area
- 60 dBA CNEL aircraft operation noise contours of JWA

Potential project impacts associated with airport-related hazard impacts (Safety Zones and FAR Part 77) are addressed in Section 6.9, *Hazards and Hazardous Materials*. Airport-related noise impacts are addressed in Section 6.13, *Noise*. By complying with the AELUP safety zone land use compatibility requirements, FAR Part 77 regulations, Policy N 2.2 as amended, and CCR Title 21 and 25, the proposed project would be consistent with JWA's land use plan. Thus, impacts to airport-related hazards and noise are less than significant.

A detailed analysis of the proposed project's consistency with the applicable goals and policies of the various elements of the City's 2006 GPU as updated and amended is provided in Table 12, *General Plan Consistency Analysis*. The analysis in the table concludes that the proposed project would be consistent with the applicable goals and policies, and the proposed project would not result in significant land use impacts related to the General Plan's goals and policies.

6. Environmental Analysis

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
Goal LU 1: A unique residential community with diverse coastal and upland neighborhoods, which values its colorful past, high quality of life, and community bonds, and balances the needs of residents, businesses, and visitors through the recognition that Newport Beach is primarily a residential community.	
LU 1.1. Unique Environment. Maintain and enhance the beneficial and unique character of the different neighborhoods, business districts, and harbor that together identify Newport Beach. Locate and design development to reflect Newport Beach's topography, architectural diversity, and view sheds.	**Consistent.** The proposed project enhances the distinct, urban character of the Airport Area by providing a means for replacing a small-scale commercial structure with an attractive and functional residential building, in line with the General Plan goal of transitioning the Airport Area to a mixed-use community. The project site is not in or near any of the City's areas featuring the harbor, unique topography, or view sheds. The proposed project would introduce residential units to the project site consistent with the uses and urbanized character of the Airport Area and the MU-H2 designation.
LU 1.4. Growth Management. Implement a conservative growth strategy that enhances the quality of life of residents and balances the needs of all constituencies with the preservation of open space and natural resources.	**Consistent:** The Newport Place Planned Community Development Standards allows the City to meet the demand for additional housing without developing open space or natural areas, and without densification of existing residential areas. The proposed project enhances the quality of life for the community by improving the aesthetics of the PC District in accordance with the established development standards.
Goal LU 2: A living, active, and diverse environment that complements all lifestyles and enhances neighborhoods, without compromising the valued resources that make Newport Beach unique. It contains a diversity of uses that support the needs of residents, sustain and enhance the economy, provide job opportunities, serve visitors that enjoy the City's diverse recreational amenities, and protect its important environmental setting, resources, and quality of life.	
LU 2.1. Resident-Serving Land Uses. Accommodate uses that support the needs of Newport Beach's residents including housing, retail, services, employment, recreation, education, culture, entertainment, civic engagement, and social and spiritual activity that are in balance with community natural resources and open spaces.	**Consistent.** Consistent with housing needs demonstrated in the City's housing element, the proposed project includes housing opportunities in the form of 67 dwelling units, including 6 units reserved for very low-income households and 2 for low-income households.
LU 2.2. Sustainable and Complete Community. Emphasize the development of uses that enable Newport Beach to continue as a self-sustaining community and minimize the need for residents to travel outside of the community for retail, goods and services, and employment.	**Consistent.** The project introduces 67 new residential units to the project site in an existing major employment center (the Airport Area, Irvine Business Complex, and surrounding areas), providing new opportunities for those working in the area to live near work. The introduction and subsequent integration of a residential development into a well-established neighborhood of primarily commercial, retail, and office uses would provide a greater balance between housing, employment, and retail opportunities within the Airport Area. Potential employment opportunities for future residents of the proposed project that may arise in the surrounding area would be within walking/bicycle riding distance of the proposed homes. In addition, those who are currently employed in the area would be afforded a housing opportunity within walking/bicycle riding distance of their place of employment.
LU 2.3. Range of Residential Choices. Provide opportunities for the development of residential units that respond to community and regional needs in terms of density, size, location, and cost. Implement goals, policies, programs, and objectives identified within the City's Housing Element.	**Consistent.** The proposed project allows for multifamily condominiums, including affordable units, offering a variety of product types that can respond to market needs and diversify the City's housing stock. The project site was identified in the 6th Cycle Housing Element as an opportunity site in the Airport Area that can help accommodate a portion of the City's RHNA allocation.
LU 2.4. Economic Development. Accommodate uses that maintain or enhance Newport Beach's fiscal health and account for market demands, while maintaining and improving the quality of life for current and future residents.	**Consistent.** The project applicant would pay the City's development impact fees, which are designed to ensure that new development does not have a negative fiscal impact on the City, and the school district's development impact fee. Additionally, a public benefit fee will be paid to the City as specified in the development agreement. The proposed project allows for residential in the Airport Area that would enhance the economic viability of retail, restaurants, and commercial services.

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
LU 2.8. Adequate Infrastructure. Accommodate the types, densities, and mix of land uses that can be adequately supported by transportation and utility infrastructure (water, sewer, storm drainage, energy, and so on) and public services (schools, parks, libraries, seniors, youth, police, fire, and so on).	**Consistent.** Because the proposed project involves redevelopment of existing urbanized parcels instead of developing on a greenfield (undeveloped) site, it would benefit from the efficiency of connecting to existing utility infrastructure and the existing street network. For more information about the provision of public services and utilities, see Sections 6.15, *Public Services*, and 6.19, *Utilities and Service Systems*.
Goal LU 3: A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.	
LU 3.1. Neighborhoods, Districts, Corridors, and Open Spaces. Maintain Newport Beach's pattern of residential neighborhoods, business and employment districts, commercial centers, corridors, and harbor and ocean districts.	**Consistent.** The proposed project is a residential project that would be built in a mixed-use context of commercial, industrial, and offices. Furthermore, consistent with long-range planning efforts implemented by the cities of Newport Beach and Irvine designed to change the areas around JWA to provide residential uses, the project provides 67 residential units. Therefore, the proposed project would maintain the overall land use pattern of the Airport Area.
LU 3.2. Growth and Change. Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.	**Consistent.** The proposed project would represent a substantial investment in an existing district (the JWA Airport Area) that is important to the City's economic health. The proposed housing units would contribute toward Newport Beach accommodating its share of projected regional population growth. The proposed housing also could reduce commuting distances and traffic by providing residences in an employment-rich area. For more information about the provision of public services and infrastructure to the project site, see Sections 6.15, *Public Services*, 6.17 *Transportation and Traffic*, and 6.19, *Utilities and Service Systems*, of this Addendum. The proposed project facilitates reuse of an existing underutilized property that would be complementary to recent development in the Airport Area. The proposed project enhances the economic viability of local retail, restaurants, and commercial services by allowing for residential uses that increase the residential population in the area.
LU 3.3. Opportunities for Change. Provide opportunities for improved development and enhanced environments for residents in the following districts and corridors, as specified in Polices 6.3.1 through 6.22.7: **John Wayne Airport Area:** re-use of underperforming industrial and office properties and development of cohesive residential neighborhoods in proximity to jobs and services.	**Consistent.** The premise of the proposed project is exactly what is articulated by this policy—the project would redevelop and reuse a site featuring underperforming commercial uses and would develop residential uses in a cohesive design near existing jobs and services.
LU 3.8. Project Entitlement Review with Airport Land Use Commission. Refer the adoption or amendment of the General Plan, Zoning Code, specific plans, and Planned Community development plans for land within the John Wayne Airport planning area, as established in the JWA Airport Environs Land Use Plan (AELUP), to the Airport Land Use Commission (ALUC) for Orange County for review, as required by Section 21676 of the California Public Utilities Code. In addition, refer all development projects that include buildings with a height greater than 200 feet above ground level to the ALUC for review.	**Consistent.** The proposed project will be subject to ALUC review.

6. Environmental Analysis

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
Goal LU 4: Management of growth and change to protect and enhance the livability of neighborhoods and achieve distinct and economically vital business and employment districts, which are correlated with supporting infrastructure and public services and sustain Newport Beach's natural setting.	
LU 4.1. Land Use Diagram. Accommodate land use development consistent with the Land Use Plan. Figure LU1 depicts the general distribution of uses throughout the City and Figure LU2 through Figure LU15 depict specific use categories for each parcel within defined Statistical Areas. Table LU1 (Land Use Plan Categories) specifies the primary land use categories, types of uses, and, for certain categories, the densities/intensities to be permitted. See page 3-11 of the City's General Plan for the full policy.	**Consistent.** Figure LU1 in the land use element shows that the Airport Area is primarily intended for commercial and mixed uses. Figure LU11 shows that adjacent parcels to the project site are designated MU-H2. The proposed project would extend the MU-H2 designation and upon approval would be consistent with this policy.
Goal LU 5.1: Residential neighborhoods that are well-planned and designed to contribute to the livability and quality of life of residents, respect the natural environmental setting, and sustain the qualities of place that differentiate Newport Beach as a special place in the Southern California region.	
LU 5.1.1. Compatible but Diverse Development. Establish property development regulations for residential projects to create compatible and high-quality development that contributes to neighborhood character.	**Consistent.** The proposed project includes a compatible and high-quality development that contributes to the emerging urban neighborhood character of the Airport Area.
LU 5.1.2. Compatible Interfaces. Require that the height of development in nonresidential and higher-density residential areas transition as it nears lower-density residential areas to minimize conflicts at the interface between the different types of development.	**Consistent.** The project site is not near any lower-density residential areas, and no compatibility conflicts would occur.
Goal LU 5.3: Districts where residents and businesses are intermixed that are designed and planned to ensure compatibility among the uses, that they are highly livable for residents, and are of high quality design reflecting the traditions of Newport Beach.	
LU 5.3.1. Mixed-Use Buildings. Require that mixed-use buildings be designed to convey a high level of architectural and landscape quality and ensure compatibility among their uses in consideration of the following principles: • Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts • Visual and physical integration of residential and nonresidential uses • Architectural treatment of building elevations and modulation of their massing • Separate and well-defined entries for residential units and nonresidential businesses • Design of parking areas and facilities for architectural consistency and integration among uses • Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street frontage but integrate landscape into interior courtyards and common open spaces.	**Consistent.** Conceptual renderings of the proposed project are shown in Figures 9a through 9d. The proposed buildings, landscaping, and other built elements have been designed to exhibit high quality design and complement the surrounding urban context. For an additional evaluation of visual and aesthetic impacts generated by the proposed project, see Section 6.1, *Aesthetics*, of this Addendum.
LU 5.3.4. Districts Integrating Residential and Nonresidential Uses. Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and nonresidential uses to prevent fragmentation and ensure each use's viability, quality, and compatibility with adjoining uses.	**Consistent.** As described above under Policy LU 3.1, the Airport Area is increasingly home to residential uses that are intermingled with nonresidential uses. The addition of proposed residential use in the area will help ensure the viability of the remaining, existing retail uses in the vicinity.

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
LU 5.3.6 Parking Adequacy and Location. Require that adequate parking be provided and is conveniently located to serve tenants and customers. Set open parking lots back from public streets and pedestrian ways and screen with buildings, architectural walls, or dense landscaping.	**Consistent.** The 1401 Quail Street development meets the criteria of subdivision (b) of Government Code Sec. 65915 and Section 20.32.030 of the City's Zoning Code by providing more than 10 percent of the total units (excluding any units permitted by the density bonus) for low income households. Government Code Section 65915(p) and Section 20.32.060 of the City's Zoning Code require 101 parking stalls for the proposed project. The total parking stalls provided are 146.
Goal LU 5.6: Neighborhoods, districts, and corridors containing a diversity of uses and buildings that are mutually compatible and enhance the quality of the City's environment.	
LU 5.6.1. Compatible Development. Require that buildings and properties be designed to ensure compatibility within and as interfaces between neighborhoods, districts, and corridors.	**Consistent.** The vicinity surrounding the project site contains a variety of nonresidential land uses at a variety of building intensities and scales. Although the height of the proposed project would be greater than some of the surrounding commercial and office buildings, the Airport Area is a district in transition with new projects—like the proposed project—introducing more street-facing urban building typologies. The design and scale of the proposed project will contribute to the urban neighborhood that is gradually developing in the Airport Area. It includes features such as landscaped setbacks, street trees, articulated facades with balconies and windows, and varying colors and material. These outward-facing features will add visual interest and integrate the project site with neighborhood activity on surrounding streets and buildings.
LU 5.6.2. Form and Environment. Require that new and renovated buildings be designed to avoid the use of styles, colors, and materials that unusually impact the design character and quality of their location such as abrupt changes in scale, building form, architectural style, and the use of surface materials that raise local temperatures, result in glare and excessive illumination of adjoining properties and open spaces, or adversely modify wind patterns.	**Consistent.** The project's design is typical for multifamily projects in the city and nearby jurisdictions and would not unusually impact the design character or quality of the area. The project's proposed material and color palette would not raise local temperatures or result in glare. See response to Policy LU 5.6.1. See additional analysis in Section 6.1, A*esthetics*, which analyzes the proposed project's potential impacts related to aesthetics, light, and glare.
LU 5.6.3. Ambient Lighting. Require that outdoor lighting be located and designed to prevent spillover onto adjoining properties or significantly increase the overall ambient illumination of their location.	**Consistent.** All project-related exterior lighting would be designed, arranged, directed, or shielded in such a manner as to contain direct illumination on-site, in accordance with the provisions of Subsection 20.30.070.A (General Outdoor Lighting Standards) of the City's Zoning Code, thereby preventing excess illumination and light spillover onto adjoining land uses and/or roadways. For additional analysis, see Impact 6.1-2 © in Section 6.1, *Aesthetics.*
Goal LU 6.2: Residential neighborhoods that contain a diversity of housing types and supporting uses to meet the needs of Newport Beach's residents and are designed to sustain livability and a high quality of life.	
LU 6.2.1. Residential Supply. Accommodate a diversity of residential units that meets the needs of Newport Beach's population and fair share of regional needs in accordance with the Land Use Plan's designations, applicable density standards, design and development policies, and the adopted Housing Element.	**Consistent.** See response to Policy LU 2.1.
LU 6.2.3. Residential Affordability. Encourage the development of residential units that are affordable for those employed in the City.	**Consistent.** As described under Policy LU 2.1, up to 15 percent of the project would be affordable units (8 units reserved for lower-income households). This would be consistent with the City's housing element.

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Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
Goal LU 6.15: A mixed-use community that provides jobs, residential, and supporting services in close proximity, with pedestrian-oriented amenities that facilitate walking and enhance livability.	
LU 6.15.3. Airport Compatibility. Require that all development be constructed in conformance with the height restrictions set forth by Federal Aviation Administration (FAA), Federal Aviation Regulations (FAR) Part 77, and Caltrans Division of Aeronautics, and that residential development shall be allowed only in areas with noise levels of less than John Wayne Airport 65 dBA CNEL noise contour area as shown in Figure N5 of the Noise Element of the General Plan, unless and until the City determines, based on substantial evidence, that the sites wholly within the 65 dBA CNEL noise contour shown in Figure N5 are needed for the City to satisfy its Sixth Cycle RHNA mandate. Nonresidential uses are, however, encouraged on parcels located wholly within the 65 dBA CNEL contour area..	**Consistent.** The proposed project would be constructed in conformance with the FAA's height restrictions, and all residential development would be located outside the 65 dBA CNEL noise contour as shown on Figure N5 of the Noise Element (see Figure 20, *City of Newport Beach General Plan Future Noise Contours*).
LU 6.15.5. Residential and Supporting Uses. Accommodate the development of a maximum of 2,200 multi-family residential units, including work force housing, and mixed-use buildings that integrate residential with ground level office or retail uses, along with supporting retail, grocery stores, and parklands. Residential units may be developed only as the replacement of underlying permitted nonresidential uses. When a development phase includes a mix of residential and nonresidential uses or replaces existing industrial uses, the number of peak hour trips generated by cumulative development of the site shall not exceed the number of trips that would result from development of the underlying permitted nonresidential uses. However, a maximum of 550 units may be developed as infill on surface parking lots or areas not used as occupiable buildings on properties within the Conceptual Development Plan Area depicted on Figure LU22 provided that the parking is replaced on site.	**Consistent.** The GPU and Newport Place Planned Community Development Standards provide development capacity and standards for residential development. The proposed project is in conformance with the density requirements of the Newport Place Planned Community Development Standards. Additionally, Table 1, *Airport Area MU-H2 Residential Units*, includes the approved projects, with an MU-H2 land use designation, in the Airport Area along with their approved residential units. As shown in the table, 1,297 replacement units and 550 additive units have already been approved. The Airport Area can therefore still accommodate 353 residential units as replacement units (excluding density bonus units). The proposed project would introduce 52 residential base units to the project site and is therefore within the 2,200 units allocated to the Airport Area. Any density bonus units are above and beyond what the General Plan allocates in accordance with Chapter 20.32 (Density Bonus) of the Newport Beach Municipal Code and State law. The project site is not located within the Conceptual Development Plan Area depicted on Figure LU22, and therefore any residential units allocated to the site are not any portion of the 550 infill units allocated to the Conceptual Development Plan Area.
LU 6.15.12. Development Agreements. A Development Agreement shall be required for all projects that include infill residential units. The Development Agreement shall define the improvements and public benefits to be provided by the developer in exchange for the City's commitment for the number, density, and location of the housing units.	**Consistent.** The proposed project includes approval of a development agreement.
LU 6.15.13 Standards. To provide a focus and identity for the entire neighborhood and to serve the daily recreational and commercial needs of the community within easy walking distance of homes, require dedication and improvement of at least 8 percent of the gross land area (exclusive of existing rights-of-way) of the first phase development in each neighborhood, or ½ acre, whichever is greater, as a neighborhood park. This requirement may be waived by the City where it can be demonstrated that the development parcels are too small to feasibly accommodate the park or inappropriately located to serve the needs of local residents, and when an in-lieu fee is paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. In every case, the neighborhood park shall be at least 8 percent of the total Residential Village Area or one acre in area, whichever is greater, and shall have a minimum dimension of 150 feet. Park acreage shall be exclusive of existing or new rights-of-way,	**Consistent.** The applicant is applying for incentives pursuant to Government Code Section 65915(de)(1) and Section 0.32.070 of the City's Zoning Code by requesting a reduction of the in-lieu fees that makes the development of the affordable housing units financially feasible. The applicant is also applying for a waiver to the development standards by requesting an exemption to the park land dedication requirements pursuant to Government Code Section 65915(de)(1) and Section 20.32.080 of the City's Zoning Code. For the project site, Policy 6.15.13 would require dedication and development of a ½ acre minimum park which would be greater than 8 percent of the gross land area. The 1.71-acre project site is too small to feasibility accommodate the required ½ -acre park. If dedicated, the resulting smaller site could not physically accommodate the proposed affordable housing development. Through a proposed development standard waiver per State and City affordable housing and density bonus laws, the applicant is requesting to waive the park land dedication requirement and instead pay reduced in-lieu fees for the ½ acre requirement.

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
development sites, or setback areas. A neighborhood park shall satisfy some or all of the requirements of the Park Dedication Ordinance, as prescribed by the Recreation Element of the General Plan.	
LU 6.15.21. Required Spaces for Primary Uses. Consider revised parking requirements that reflect the mix of uses in the neighborhoods and overall Airport Area, as well as the availability of on-street parking.	**Consistent**. The proposed project will be required to comply with City of Newport Beach Municipal Code parking requirements, including Section 20.32.040 of the Newport Beach Municipal Code for a density bonus project. The City will confirm compliance with this General Plan policy during Site Development Review**.**
LU 6.15.23. Sustainable Development Practices. Require that development achieves a high level of environmental sustainability that reduces pollution and consumption of energy, water, and natural resources. This may be accomplished through the mix and density of uses, building location and design, transportation modes, and other techniques. Among the strategies that should be considered are the integration of residential with jobs-generating uses, use of alternative transportation modes, maximized walkability, use of recycled materials, capture and re-use of storm water on-site, water conserving fixtures and landscapes, and architectural elements that reduce heat gain and loss.	**Consistent.** The proposed project is residential development that, because of compliance with modern state regulations related to energy efficiency and climate change, would be more energy efficient than the project site's existing commercial use. For more information about this topic see Section 6.8, *Greenhouse Gas Emissions*. Future development would comply with the CALGreen code, including its water conservation measures, and City water conservation codes and standards.
Goal H 1: Provision of adequate sites to accommodate projected housing unit growth needs.	
H1.1. Identify a variety of sites to accommodate housing growth need by income categories to serve the needs of the entire community.	**Consistent.** The housing element identifies adequate sites to accommodate its fair share allocation for the 6th cycle housing element to accommodate housing growth needs by income categories. The project site was identified in the Airport Area as an opportunity site that can help accommodate a portion of the City's RHNA allocation. The proposed project would include affordable housing units in accordance with the Newport Place Planned Community development standards, which requires a minimum of 15 percent of the base units be set aside for lower-income households.
Goal H 3: A variety of housing types, designs, and opportunities for all social and economic segments.	
H 3.1. Encourage preservation of existing and provision of new housing affordable to extremely low-, very low-, low-, and moderate-income households.	**Consistent.** See response to Policy H1.1.
H 3.2. Encourage housing developments to offer a wide spectrum of housing choices, designs, and configurations.	**Consistent.** The proposed project aids the City in its goal to provide new housing opportunities by including 67 housing units. As shown in Table 2, the proposed project includes a mix of residential units.
Goal H 4: Housing opportunities for as many renter- and owner-occupied households as possible in response to the market demand and RHNA obligations for housing in the City.	
H 4.2. Enable construction of new housing units sufficient to meet City quantified goals by identifying adequate sites for their construction.	See response to Policy H1.1.
Goal NR 1. Minimized water consumption through conservation methods and other techniques.	
NR 1.1. Water Conservation in New Development. Enforce water conservation measures that limit water usage, prohibit activities that waste water or cause runoff, and require the use of water–efficient landscaping and irrigation in conjunction with new construction projects.	**Consistent.** Section 6.19, *Utilities and Service Systems*, discusses the numerous water conservation requirements applicable to the proposed project, including those found in the Newport Beach Municipal Code. The proposed project would comply with these regulations.
NR 1.6. Services for Lower Income Households. New developments which provide housing for lower income households that help meet regional needs shall have priority for	**Consistent.** The proposed project would include housing units affordable to lower-income households. Furthermore, because the project is in an existing developed urban area, it is already well served by water, sewer, and other services.

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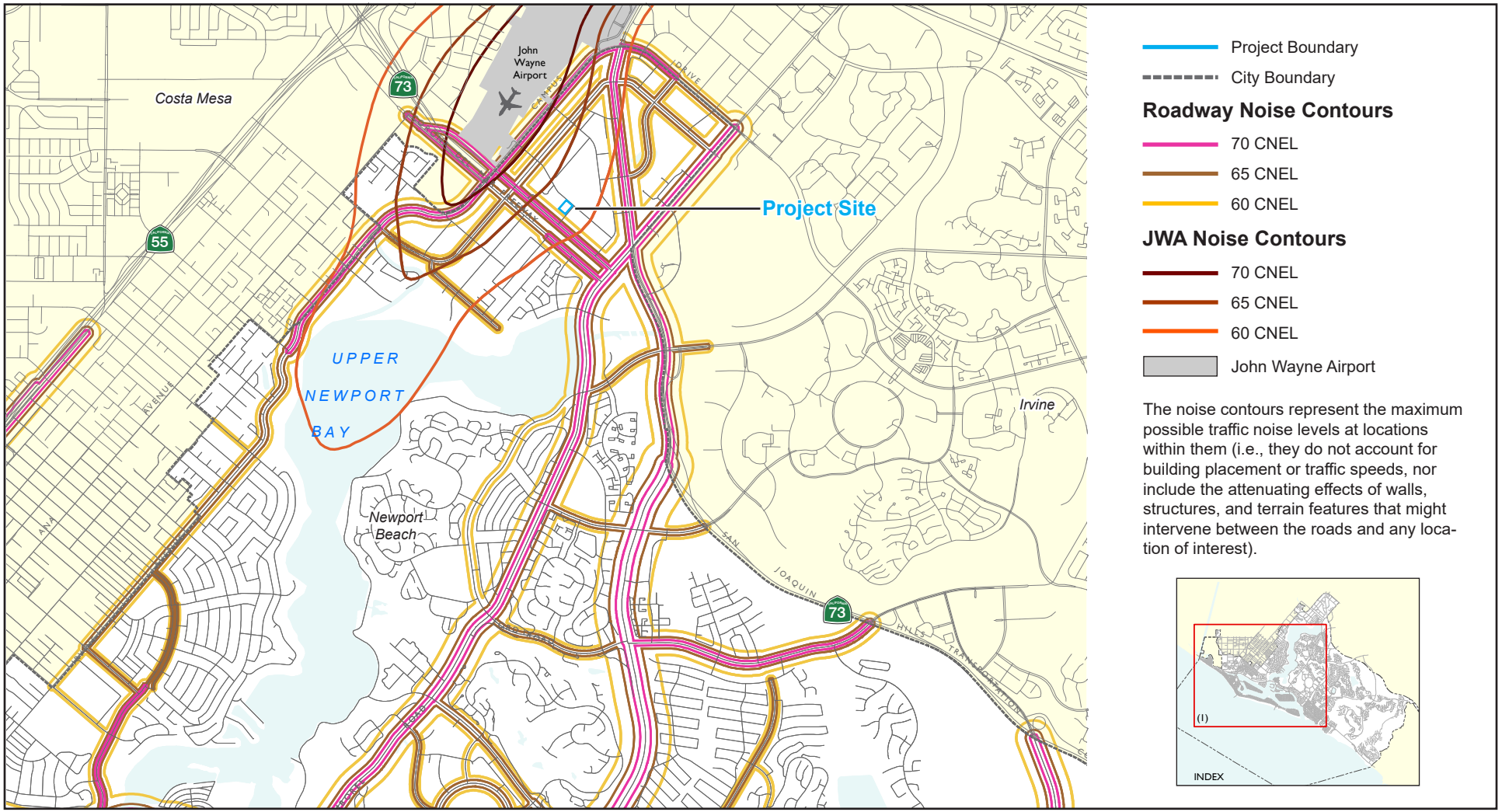
Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
the provision of available and future resources or services, including water and sewer supply and services.	
Goal NR 3: Enhancement and protection of water quality of all natural water bodies, including coastal waters, creeks, bays, harbors, and wetlands.	
NR 3.9. Water Quality Management Plan. Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction.	**Consistent.** A WQMPs has been prepared for the project (see Appendix F) and would implement post-construction BMPs to maintain surface and groundwater quality.
NR 3.11. Site Design and Source Control. Include site design and source control BMPs in all developments. When the combination of site design and source control BMPs are not sufficient to protect water quality as required by the National Pollutant Discharge Elimination System (NPDES), structural treatment BMPs will be implemented along with site design and source control measures.	**Consistent.** Section 6.10, *Hydrology and Water Quality*, includes analysis of the proposed project's drainage and stormwater runoff impacts. Development would involve implementation of low-impact development BMPs, site design BMPs, and structural and nonstructural source control BMPs that would reduce the amount of runoff generated onsite and discharged off-site as well as reduce the potential for pollutants to contaminate runoff.
NR 3.14. Runoff Reduction on Private Property. Retain runoff on private property to prevent the transport of pollutants into natural water bodies, to the maximum extent practicable.	**Consistent.** See response to Policy NR 3.11, above.
NR 3.20. Impervious Surfaces. Require new development and public improvements to minimize the creation of and increases in impervious surfaces, especially directly connected impervious areas, to the maximum extent practicable. Require redevelopment to increase area of pervious surfaces, where feasible.	**Consistent.** The proposed project's site design BMPs would minimize impervious surfaces wherever possible, as discussed in Section 6.10, *Hydrology and Water Quality*.
Goal NR 6: Reduced mobile source emissions.	
NR 6.1. Walkable Neighborhoods. Provide for walkable neighborhoods to reduce vehicle trips by siting amenities such as services, parks, and schools in close proximity to residential areas.	**Consistent.** The proposed project's context is Newport Beach's Airport Area, which features a variety of amenities (including restaurants, medical offices, and professional services) within walking distance of the project site.
NR 6.3. Vehicle-Trip Reduction Measures. Support measures to reduce vehicle-trip generation such as at-work day care facilities, and on-site automated banking machines.	**Consistent.** The proposed project's introduction of residential uses in a largely nonresidential area with numerous services and amenities nearby would reduce the need for off-site vehicle trips. See the response to Policy NR 6.1 for additional information.
Goal NR 18: Protection and preservation of important paleontological and archaeological resources.	
NR 18.1. New Development. Require new development to protect and preserve paleontological and archaeological resources from destruction, and avoid and minimize impacts to such resources in accordance with the requirements of CEQA. Through planning policies and permit conditions, ensure the preservation of significant archeological and paleontological resources and require that the impact caused by any development be mitigated in accordance with CEQA.	**Consistent.** This topic is discussed in Section 6.5, *Cultural Resources,* and Section 6.7, *Geology and Soils*. The proposed project would be required to comply with regulatory requirements and GPU policies regarding monitoring and discovery of paleontological and archaeological resources, and would reduce potential impacts to less than significant.
NR 18.3. Potential for Development to Impact Resources. Notify cultural organizations, including Native American organizations, of proposed developments that have the potential to adversely impact cultural resources. Allow qualified representatives of such groups to monitor grading and/or excavation of development sites.	**Consistent.** This topic is discussed in Section 6.18, *Tribal Cultural Resource*s.
Goal R 1. Provision of Facilities: Provision of adequate park and recreation facilities that meet the recreational needs of existing and new residents of the community	

Table 12 Newport Beach General Plan Consistency Analysis

Applicable Goals and Policies	Project Consistency
R 1.1. Provision of Parkland. Require future development to dedicate land or pay in-lieu fees at a minimum of 5 acres of parkland per 1,000 persons.	**Consistent.** The applicant is applying for a waiver to the development standards by requesting an exemption from the park dedication requirements, as required by Sections 19.52.040 (Parkland Standard) and 19.52.050 (Determination of Land or Fee) of the NBMC. The waiver request is pursuant to Government Code Section 65915(de)(1) and Section 20.32.080 (Waivers or Reductions of Development Standards) of the City's Zoning Code. General Plan Land Use Policy R 1.1 requires that the proposed project dedicate parkland at five acres per 1,000 persons. For 148 residents, this results in the provision of an approximate 0.74-acre park. The 1.71-acre project site is too small to feasibility accommodate the required park and if it were dedicated, the resulting smaller site could not physically accommodate the proposed affordable housing development. The proposed project is compliant with procedures for obtaining a waiver per State and City affordable housing and density bonus laws.
R 1.4. Density Bonuses. Consider development of incentives such as density bonuses for private commercial, office, and other developments to provide usable open space such as rooftop courts, pocket parks, public plazas, jogging trails, and pedestrian trails.	**Consistent.** The proposed project uses the City's density bonus incentives and includes a pool and spa at the upper podium. A shared amenity rooftop deck would be on the sixth floor with a club room on the first floor.
R 2.1. Enhancement of Facilities. Use funding from the City's Park Dedication Fee Ordinance to enhance existing parks and recreation facilities.	**Consistent.** See response to Policy R 1.1.

Figure 20 - City of Newport Beach General Plan Future Noise Contours



Source: EIP Associates 2006.

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6.11.3 Cumulative Impact

The proposed project is consistent with applicable land use goals and policies. Although other changes in land use plans and regulations may have occurred with past and present projects in the area and may be necessary for individual future projects, such changes have been and would be required to demonstrate consistency with the 2006 General Plan and other City policies such that no significant adverse cumulative impact occurs or would occur from such changes. Given that the proposed project would be consistent with the land use policies of the applicable plans, the proposed project would not combine with any past, present, or reasonably foreseeable future projects to cause a significant adverse cumulative land use impact based on a conflict with a plan or policy. Any associated physical impacts are covered in the individual topic sections. It is also anticipated that regional growth would be subject to review for consistency with adopted land use plans and policies by the County of Orange, City of Newport Beach, and other cities in Orange County, in accordance with the requirements of CEQA, State zoning and planning law, and the State Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. Therefore, no significant cumulative impacts to associated plans and policies are anticipated. In addition, the contribution of the proposed project to any such cumulative impacts would be less than cumulatively considerable because present and probable future projects are consistent with applicable plans, policies, and regulations. The proposed project would not contribute to any cumulative impacts associated with plan or policy inconsistency.

6.11.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Land Use and Planning for the proposed project.

6.12 MINERAL RESOURCES

6.12.1 Summary of Impacts Identified in the 2006 General Plan EIR

Based on the California Geological Survey, areas known as mineral resource zones (MRZs) are classified according to the presence or absence of mineral resources. All of Newport Beach is zoned either MRZ-1 or MRZ-3, areas with no significant mineral deposits and areas containing mineral deposits of undetermined significance, respectively. The City is required to evaluate potential impacts to mineral resource recovery areas designated MRZ-2, areas with significant mineral deposits; however, there are no areas zoned MRZ-2 in the city.

Furthermore, most of the active oil wells are in the West Newport and Newport production areas. Generally, these areas overlap with the Banning Ranch subarea, with a smaller portion of the Newport Oil Field within the Balboa Peninsula subarea. Other than oil and gas resources, there is no active mining in the Newport Beach area (Newport Beach 2006).

Consequently, the GP EIR found that implementation of the 2006 GPU would not substantially alter the projected production or consumption of the city, county, or state, and no impact occurred.

6.12.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?					x
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?					x

Comments

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

No Impact. All of Newport Beach is zoned either MRZ-1 or MRZ-3, and most active oil wells are in the Newport Oil Field and the West Newport Oil Field, in the northwest area of the city. Mining on the project

site would also be incompatible with the surrounding uses, which consist mostly of industrial and commercial land uses.

Therefore, the proposed project, similar to development pursuant to the 2006 GPU, would have no impact to mineral resources, and there are no changes or new information requiring preparation of an EIR.

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

No Impact. The GPU EIR states that there are no regional, state, or locally important mineral resource recovery sites in the city. Consequently, the proposed project, similar to development pursuant to the 2006 GPU, would have no impact on mineral resource recovery sites in the city, and there are no changes or new information requiring preparation of an EIR.

6.12.3 Cumulative Impact

The proposed project would not cause a new mineral resources impact nor an increase in the severity of a mineral resources impact previously disclosed in the GPU EIR. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative mineral resources impact than those already analyzed.

6.12.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Mineral Resources for the proposed project.

6.13 NOISE

6.13.1 Summary of Impacts Identified in the 2006 General Plan EIR

The GPU EIR concluded that regional growth would create noise that would affect new and existing receptors. Most of this noise would be produced by increased traffic on local roads. Many of the General Plan policies, especially those associated with Goal N-2, Transportation Noise, would reduce the impact. However, existing receptors would still be exposed to noise levels in excess of standards, and this impact, even with the proposed General Plan policies, was found to be significant and unavoidable.

The GPU EIR concluded that vibration impacts would potentially exceed the threshold of 72 VdB if construction activities occurred within 150 feet of sensitive receptors (e.g., residences and schools). No feasible mitigation measures were identified, and this impact was found to be significant and unavoidable.

Construction noise was determined to be less than significant. Construction noise would be exempt from the City standards during limited hours of the day and days of the week, and construction would comply with these hours in the municipal code.

Impacts due to airport noise were also found to be less than significant. Receptors in the John Wayne Airport (JWA) 60 dBA or 65 dBA CNEL noise contours would be required to be consistent with General Plan Policies N.1.1, N.1.2, N.2.1, N.3.1 and N.3.2. These policies ensure that new uses are compatible and achieve interior noise levels of 45 dBA CNEL or less for residential uses.

6.13.2 Impacts Associated with the Proposed Project

Would the proposed project result in:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X	
b) Generation of excessive groundborne vibration or groundborne noise levels?				X	

6. Environmental Analysis

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				x	

The analysis in this section is based in part on the following technical report, included as Appendix G of this Addendum:

- *1401 Quail Street Residential Apartments Noise Impact Analysis*, Urban Crossroads, September 12, 2023.

Comments

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact/No Changes or New Information Preparation of an EIR.

Operational Noise

Stationary Noise

The proposed project would change the land use designation of the site from CO-G to MU-H2. The site is currently developed as office uses. The Noise Impact Analysis analyzed the potential stationary-source operational noise impacts at four nearby receptor locations. The receptors included the closest commercial use to the site, approximately 49 feet northwest of the project site at 1451 Bristol Street, and the closest residential receptor to the project site, approximately 968 feet southwest of the project site at 20051 Orchid Street. The proposed project's on-site operational noise sources are expected to include rooftop mechanical equipment, outdoor activity, pool activity, and parking lot activity.

To estimate the proposed project's operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels for the proposed project. Projected noise levels assumed the worst-case noise environment. The analysis is also conservative because the total operational noise is considered instead of a net increase over the existing office use on the project site. Tables 7-2 and 7-3 of the Noise Impact Analysis show the proposed project's operational noise level exposure during the daytime hours of 7:00 am to 10:00 pm and the nighttime hours of 10:00 pm to 7:00 am at the four receptors. The daytime

hourly noise level exposure is expected to range from 36.1 to 57.2 dBA equivalent level (Leq),[22] and the nighttime hourly noise level exposure is expected to range from 23.5 to 35.2 dBA Leq.

The City of Newport Beach Municipal Code, Chapter 10.26, Community Noise Control, establishes the permissible exterior noise levels that may intrude into a neighboring property. According to Section 10.26.025(A), exterior noise levels at single-, two-, or multiple-family residential land uses (Noise Zone 1) shall not exceed 55 dBA Leq during the daytime hours and 50 dBA Leq during the nighttime hours. For commercial uses, exterior noise levels shall not exceed 65 dBA Leq during the daytime hours and 60 dBA Leq during the nighttime hours. The operational noise levels associated with the proposed project would satisfy the City of Newport Beach's exterior noise level standards at all the nearest receptors. Therefore, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

Transportation Noise

Policy N 1.8 of the General Plan Noise Element requires noise mitigation measures when a significant noise impact is identified for new development impacting existing sensitive uses, as presented in Table 13.

Table 13 City of Newport Beach Incremental Noise Impact Criteria for Noise-Sensitive Uses (dBA CNEL)

No Project Noise Exposure	Allowable Noise Exposure Increment
55	3
60	2
65	1
70	1
75	0

Source: City of Newport Beach General Plan 2006.

The redesignation of the project site from CO-G to MU-H2 would result in a small increase in regional and local traffic volumes. The proposed project is anticipated to generate a net increase of 105 average daily weekday trips (see Appendix C), which would represent an incremental increase to the existing roadway volumes and is not expected to generate a perceptible noise level increase (i.e., less than 3 dBA CNEL) at nearby sensitive land uses. Buildout of the proposed project is not anticipated to result in a substantial increase in traffic noise compared to what was previously analyzed in the GPU EIR. Therefore, impacts would be less than significant, and there are no changes or new significant information requiring the preparation of an EIR.

[22] Environmental noise descriptors are generally based on averages, rather than instantaneous, noise levels. The most used figure is the equivalent level (Leq). Equivalent sound levels are not measured directly but are calculated from sound pressure levels typically measured in dBA. The Leq represents a steady state sound level commonly used to describe the "average" noise levels within the environment.

6. Environmental Analysis

Operational Noise Level Increase

To describe the proposed project's operational noise level increases to sensitive receptors, the proposed project's operational noise levels were combined with the existing ambient noise levels at the nearest residence impacted by the proposed project's operational noise sources. The difference between the combined noise level and the ambient noise level describes the proposed project's noise level increase.[23]

The project site is approximately 400 feet north of SR-73 and the project site is within the 60 dBA to 65 dBA CNEL noise level contour of the JWA. According to the 2021 Caltrans traffic census data, in the vicinity of the project site, SR-73 has average daily traffic volumes ranging from 120,000 to 130,000, which would expose the area to traffic noise levels up to 74 to 76 dBA L_{eq}. Therefore, ambient noise levels in the project area are anticipated to range from 60 to 76 dBA L_{eq}. The project generated noise levels intruding into the nearest residence are anticipated to range from 23.5 to 38.8 dBA L_{eq} (see Table 7-4 of Appendix G). To account for the most conservative increase, the lowest ambient noise level of 60 dBA is combined with the proposed project's largest operational noise level. Since the residential receptor nearest to the project site is approximately 968 feet southwest, the proposed project's 38.8 dBA L_{eq} contribution would not result in any increase to the ambient noise level at the residence. Therefore, operational noise level increases associated with the proposed project would satisfy the operational noise level increase significance criteria presented in Table 13. Impacts would be less than significant, and there are no changes or new significant information requiring the preparation of an EIR.

Construction Noise

When compared to the land uses for the project site under the 2006 GPU, the proposed project would accommodate land uses that would require similar construction processes and intensities. Though the GPU EIR does not include residential uses for the proposed project area, overall it is anticipated that the required construction processes and activities needed to develop the land uses accommodated under both the proposed project and the 2006 GPU would be similar.

The Noise Impact Analysis included a construction noise analysis using reference noise level measurements taken to describe the typical construction activity noise levels for each stage of project construction. Table 8-2 of the Noise Impact Analysis provides a summary of the construction noise levels at the nearest noise-sensitive receptors. According to the City of Newport Beach Municipal Code, Section 10.28.040, construction activities are considered exempt from the noise standards of the noise ordinance if limited to the hours of 7:00 am to 6:30 pm on Mondays to Fridays, and 8:00 am to 6:00 pm on Saturdays, with no activity allowed on Sundays or national holidays. Neither the GPU Noise Element nor the municipal code establish numeric maximum acceptable construction source noise levels at potentially affected receptors. Therefore, a numerical comparison based on the Federal Transit Administration (FTA) Transit Noise and Vibration Impact Assessment Manual was used in the Noise Impact Analysis. The FTA considers a daytime exterior construction noise level of 80 dBA Leq reasonable for noise-sensitive residential land uses. The highest construction noise levels at the four potentially impacted receptors are estimated to range from 53.1 to 71.5 dBA Leq. The highest construction

[23] Since the units used to measure noise, decibels (dB), are logarithmic units, the project-operational and existing ambient noise levels cannot be combined using standard arithmetic equations. (2) Instead, they must be logarithmically added

noise level is associated with the demolition phase. The demolition phase is anticipated to only last one month and therefore would be temporary. Therefore, noise impact due to construction is considered less than significant, and there are no changes or new significant information that would require preparation of an EIR.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact/No Changes or New Information Preparation of an EIR. When compared to the land uses for the project site under the 2006 GPU, the proposed project would accommodate similar types of land uses, although the 2006 GPU does not include residential uses for the proposed project area. Nevertheless, it is anticipated that the required construction processes and activities needed to develop the land uses accommodated under both the proposed project and the 2006 GPU would be similar. Table 8-5 of the Noise Impact Analysis shows the highest construction vibration levels for the proposed project are estimated to range from 10.4 to 78.2 vibration decibels (VdB) (see Appendix G). Using the construction vibration assessment methods provided by the FTA, project construction vibration levels would not exceed the 78 VdB threshold at the nearest residential receptors or the 84 VdB threshold at any commercial receptor.

The GPU EIR states that construction-related vibration levels could be problematic if sensitive uses are located within about 150 feet of potential project construction sites. There are no sensitive receptors (residents, school children, hospitals) within 100 feet of the project site. Given the potential that other sites may not be able to be adequately mitigated for construction-related vibration, this impact was concluded to be potentially significant in the GPU EIR. Vibration impacts for the proposed project would be anticipated to be less than the potential impacts anticipated overall for the GPU. Therefore, there are no changes or new significant information that would require the preparation of an EIR.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less Than Significant Impact/No Changes or New Information Preparation of an EIR. The project site is within the 60 dBA and 65 dBA CNEL aircraft noise level contour (see Figure 20). Therefore, according to the AELUP, the project's residential land use is considered *conditionally inconsistent* with JWA aircraft noise exposure exterior noise level compatibility threshold, which requires sound attenuation (as required by the California Noise Insulation Standards, Title 25, California Code of Regulations) to ensure that the interior CNEL does not exceed 45 dB (ALUC 2008).

Additionally, the AELUP identifies noise impact zones based on the airport noise contour projections:

- **Noise Impact Zone "1"** is the high noise impact that would occur in areas within the 65 dBA CNEL noise contour. Residential units are inconsistent in this area unless it can be shown conclusively that such units are sufficiently sound attenuated for present and projected noise exposures, which shall be the energy sum of all noise impacting the project, so as not to exceed an interior standard of 45 dB CNEL, with an accompanying dedication of an avigation easement for noise to the airport proprietor applicable to single

family residences, multi-family residences and mobile homes.[24] Furthermore, all residential units are to be sufficiently indoor oriented so as to preclude noise impingement on outdoor living areas.

- **Noise Impact Zone "2"** is the moderate noise impact zone that would occur in areas within the 60 dBA CNEL noise contour. Even though residential units are not incompatible in this area, the ALUC strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated, that is, with a CNEL value not exceeding an interior level of 45 dBA. Noise impact in this area is sufficient to require sound attenuation as described in the California Noise Insulation Standards, Title 25, California Code of Regulations. In addition, it is recommended that designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.

The project site is in Noise Impact Zone 2. Consistent with Title 25 of the California Code of Regulations and Title 20 Chapter 20.30.080.F of the City's municipal code project-level design review would be required prior to the issuance of a building permit, which demonstrates to the City per General Plan N 2.2 that the proposed residential units would meet the 45 dBA CNEL interior noise level. Policy N 2.2 requires the use of walls, berms, interior noise insulation, double-paned windows, advanced insulation systems, or other noise measures, as appropriate, in the design of new residential developments to attenuate interior noise levels to less than 45 dBA CNEL. As shown in the Noise Study for the proposed project, the interior noise levels would range from 35 dBA to 38 dBA CNEL (see Appendix G). The Applicant would also notify prospective purchasers or tenants of aircraft noise and would post signs in outdoor common areas or recreational areas notifying users regarding the proximity to John Wayne Airport and the presence of operating aircraft and noise as required by Policy N 3.2.

In addition, the County of Orange has adopted the General Aviation Noise Ordinance that prohibits commercial aircraft departures between the hours of 10:00 pm and 7:00 am and arrivals between the hours of 11:00 pm and 7:00 am These restrictions substantially reduce the aircraft noise levels impacts during the noise-sensitive nighttime hours for residential use. Therefore, there are no changes or new significant information that would require the preparation of an EIR.

6.13.3 Cumulative Impact

As discussed above, all construction and operational noise impacts would be less than significant. Construction noise impacts are localized by nature. The distance separating the proposed project and other cumulative projects would be such that the temporary noise and vibration effects of the proposed project would not be compounded or increased by similar noise or vibration effects from other cumulative projects. As discussed above, operational noise caused by the proposed project would be less than significant. Due to site distance and intervening land uses, cumulative stationary noise impacts would not occur. No known past, present, or reasonably foreseeable projects would compound or increase the operational noise levels generated by the

[24] The dedication of an avigation easement in favor of an airport proprietor is designated as a method which may be employed by airport proprietors for controlling and reducing noise problems surrounding airports, pursuant to Title 21, California Code of Regulations, Section 5037.

proposed project. Therefore, cumulative impacts relative to temporary and permanent noise generation associated with the proposed project would be less than significant.

6.13.4 Standard Conditions of Approval

No standard conditions are applicable to the proposed project.

6.14 POPULATION AND HOUSING

6.14.1 Summary of Impacts Identified in the 2006 General Plan EIR

The 2006 GPU EIR projected that buildout of the 2006 GPU would add 31,131 residents and 14,215 residential units to the City—at buildout the population would be 103,753 and the number of residential units 54,394. In 2004, SCAG forecast that the city would have 94,167 residents and 43,100 residential units in regional projections. General Plan buildout added 8,192 more residents and 8,810 more households to the city in 2030 than the regional forecasts. Implementation of the General Plan was therefore concluded to result in a significant and unavoidable population growth impact. No mitigation measures were identified to reduce or eliminate this significant impact.

The 2006 GPU primarily planned development 1) on the sparse developable land the city had left, 2) by intensifying current land uses, and 3) through the conversion of land uses of economically underperforming and obsolete development. Also, new development could take place on the vacant Banning Ranch area if it could not be retained for open space. No substantial demolition of residential uses was proposed under the 2006 GPU. Since the 2006 GPU did not propose uses that would displace substantial numbers of existing housing or people, the GPU EIR found no impact.

6.14.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					x
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?					x

Comments

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

No Impact.

Population and Housing

As detailed in Chapter 4, *Project Description,* buildout of the proposed project would result in 67 residential dwelling units—59 market value units and 8 lower-income units (see Table 3). Based on the 2022 average household of 2.20 for the city, this would result in an additional 148 persons on the project site (Census Bureau 2022). The proposed 67 units would be introduced to the project site under the proposed MU-H2 land use classification in the Airport Area. As shown in Table 1, the Airport Area can still accommodate 353 residential units as replacement units in the MU-H2 land use designation. A total of 2,200 units are allowed in the Airport Area, and the proposed project would involve a redistribution of these future units, not a net increase. Additionally, the proposed project does not include the extension of roads or other infrastructure to unserved areas, which could induce indirect growth. Since the proposed project would not result in an increase in population compared to the 2006 GPU, there would not be substantial unplanned population growth. Therefore, there are no impacts and no changes or new significant information that would require preparation of an EIR.

Employment

Implementation of the proposed project would result in a decrease of 22,956 square feet of nonresidential space. Using the employment density factor of one retail and service-use job per 617 square feet, the proposed project would result in a decrease of 37 jobs (Natelson 2001).[25] Therefore, the proposed project would not induce population growth through job creation.

Since the proposed project would result in a decrease in the number of employees, there would not be substantial unplanned population growth. Therefore, there are no impacts and no changes or new significant information that would require preparation of an EIR.

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

No Impact. There was no housing on the site at the time the 2006 General Plan was adopted. As with existing conditions for the GPU EIR, there are no residential units currently on the project site, and project development would not displace any existing housing. Therefore, there are no impacts and no changes or new significant information that would require preparation of an EIR.

[25] Since the existing commercial square footage onsite is consistent with the square footage allowed for the site per the GPU, the 22,956 square feet commercial office building on the site is used conservatively as baseline conditions.

6.14.3 Cumulative Impacts

As discussed above, the proposed project would not cause impacts to population and housing to occur, nor an increase in the severity of any impacts previously disclosed in the General Plan Program EIR. Therefore, the proposed project would not cause a new cumulative impact to occur nor an increase in the severity of a cumulative impact previously disclosed.

6.14.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Population and Housing for the proposed project.

6.15 PUBLIC SERVICES

6.15.1 Summary of Impacts Identified in the 2006 General Plan EIR

Fire Protection

The Newport Beach Fire Department (NBFD) is responsible for reducing loss of life and property from fire, medical, and environmental emergencies. The GPU EIR noted that new Airport Area residential uses would increase demands for 24-hour medical service and that an increase in density by both infill and conversion of low-rise properties to mid and high rise would necessitate the addition of a ladder truck company to the Santa Ana Heights fire station. To support the needs of future growth, the GPU included policies that ensure development would only occur with the provision of adequate infrastructure. Thus, fire staffing and facilities would expand commensurately to serve the needs of new development and maintain response times. The GPU EIR found that buildout of the GPU would have a less than significant impact on fire services.

Police Protection

Buildout of the 2006 GPU was determined to have a less than significant impact on police services. To maintain acceptable levels of service, the GPU includes policies to ensure adequate law enforcement is provided as the city experiences future development (Policy LU 2.8). Furthermore, to maintain the ratio of 1.7 officers per 1,000 residents (148 officers and 85,120 residents) at the time the GPU EIR was prepared, the Newport Beach Police Department (NBPD) would have had to provide an additional 53 officers upon GPU buildout. Maintaining NBPD's ratio of 0.60 nonsworn personnel per sworn officer would result in the addition of 32 nonsworn personnel. The addition of 85 police personnel would require NBPD to expand police facilities. However, since NBPD did not have near-term plans for expansion of police facilities, staff, or equipment inventory, it was speculative to determine whether a new substation would be considered. Furthermore, all new development would be subject to the City's project-specific environmental review under CEQA. Thus, impacts were determined to be less than significant.

Schools

The GPU EIR analyzed school capacity in Newport-Mesa Unified School District (NMUSD), Santa Ana Unified School District (SAUSD), and Laguna Beach Unified School District (LBUSD), comparing existing enrollment to projected enrollment at GPU buildout. At buildout, the student population in the City was estimated to increase by approximately 6,230 students. The Airport Area is served by the SAUSD, and the GPU EIR projected that the Airport Area would experience an increase of 4,300 residential units and contribute approximately 1,883 students (of the total 6,230 students generated City-wide under GPU buildout). The GPU EIR also noted that anticipated growth within the Irvine Business Complex (IBC) would have the potential to cumulatively impact Airport Area schools.

The 2006 GPU included goals and policies to address capacity issues for NMUSD and SAUSD. Buildout would likely require construction of new school facilities; however, the EIR concluded that compliance with 2006 General Plan policies would reduce impacts to less than significant.

6. Environmental Analysis

Parks

(Note that the following information is excerpted from the GPU EIR Section 4.12, *Parks and Open Space*. Inclusion of this analysis is included under Public Services in this Addendum for consistency with the updated CEQA Guidelines Appendix G checklist, as adopted December 2018.)

The 2006 GPU EIR found that there was an existing deficit of approximately 38.8 acres of combined park and beach acreage citywide, with 7 of the 12 service areas experiencing the deficit. An increase in population in accordance with buildout of the GPU would potentially generate a higher demand on recreational facilities. The 2006 GPU includes goals and policies to address the potential increase in demand and accelerated deterioration of existing facilities. The GPU EIR concludes that these goals and policies would ensure that increased demand from the larger population would not significantly accelerate the deterioration of existing recreational facilities, and new parks and facilities would be constructed to meet the needs of the growing population.

Based on the 2006 GPU EIR, future development of parks and recreational facilities to meet the parkland ratio of five acres per 1,000 residents may adversely impact the existing environment. For example, lighted sports fields may cause light and glare impacts in communities, biological habitats may be impacted, or hydrology and drainage may be altered due to new park development. Nevertheless, significant new development would be subject to the City's environmental review process, which includes project-specific environmental review under CEQA. Thus, future provisions of new or improved parks and recreational facilities would not result in substantial adverse impacts and would be less than significant.

6.15.2 Impacts Associated with the Proposed Project

Would the project:

Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:					
a) Fire protection?				X	
b) Police protection?				X	
c) Schools?				X	
d) Parks?				X	
e) Other public facilities?				X	

a) Fire protection?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project would replace the commercial office buildings with 67 condominiums (including density bonus units) on the project site with a subterranean level parking garage, surrounding landscape, and hardscape improvements. This would incrementally increase the demand for fire protection services and emergency medical services from the NBFD as well as potentially increase the NBFD's response time to the project site.

At the time of preparation of the GPU EIR, it was forecast that the addition of a ladder truck company to the Santa Ana Heights Fire Station would be needed due to the increase in both infill and conversion of low-rise properties within the Airport Area to mid- and high-rise properties. However, General Plan Policy LU 2.8 and 6.1.1 would ensure that fire staffing and stations would expand commensurately to serve the needs of new development and maintain current response times for Newport Beach's residents. Prior to the issuance of a building permit for the proposed project, the applicant would pay the required Property Excise Tax to the City of Newport Beach, as set forth in its municipal code (Chapter 3.12, Property Development Tax) for public improvements and facilities associated with the City of Newport Beach Fire Department. Implementation of SC PS-1 would also ensure appropriate levels of service from the Santa Ana Heights Fire Station to the project site.

The proposed project would also be required to comply with all applicable federal, state, and local regulations governing fire protection services, such as adequate fire and emergency access, fire flows, and number of fire hydrants. For example, the proposed project would be subject to the City's municipal code Section 9.04.060 Amendment to Section 305 Ignition Sources, that permits the fire code official to regulate uncontrolled or high weeds, brush, plant material, or other fire hazards within the City to reduce potential fire hazards. Therefore, impacts from the proposed project, similar to development pursuant to the GPU EIR, would be less than significant, and there are no changes or new information requiring preparation of an EIR.

b) Police protection?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project would result in an increase of 67 residential dwelling units, including density bonus units, on the project site and would increase population in the city. Although the proposed project would incrementally increase demand for police protection services, this demand would not require the construction of new police facilities, nor would it require the expansion of existing facilities. Additionally, the number of residential units in the Airport Area would not increase in comparison to the 2006 GPU.

To maintain acceptable levels of service, the 2006 General Plan included policies to ensure adequate law enforcement is provided as the City experiences development (Policy LU 6.1.1). Furthermore, property and sales tax revenue from the proposed project would provide more funding for the City's general funds, which would allocate funding to NBPD. Prior to the issuance of a building permits, the NBPD would review development plans for the incorporation of defensible space concepts to reduce demands on police services. Public safety planning recommendations would be incorporated into the project plans and the applicant would prepare a list of project features and design components that demonstrate responsiveness to defensible space design concepts. The NBPD would review and approve all defensible space design features incorporated into

the proposed project prior to initiating the building plan check process. Therefore, impacts from the proposed project, similar to development pursuant to the GPU EIR analysis, would be less than significant, and there are no changes or new information requiring preparation of an EIR.

c) Schools?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project is within the service area of SAUSD, which services the entire Airport Area (CSCD 2023). The proposed project would result in an increase of 67 dwelling units at the project site within the Airport Area.

Table 14 shows the estimated student generation (K–12) from an additional maximum allowed 67 dwelling units in accordance with the proposed project. Student generation rates are used by school districts to estimate the number of students generated by new development to determine whether or not existing school facilities would be adequate for future student enrollment. The estimates use student generation rates specific to SAUSD. According to Table 14, buildout of the proposed project would generate 31 more students into the attendance area of SAUSD.

Table 14 Projected Student Population in SAUSD

Grade Level	Student Generation Rate	Proposed Project Buildout	Estimated Buildout Generated Students
K–5	0.194	67 DU	13
6–8	0.111		8
9-12	0.143		10
		Project Total	31

Source: Santa Ana General Plan Update Draft Program EIR, 2021.

The need for additional services is addressed through compliance with the school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) set a state school facilities construction program that restricts a local jurisdiction's ability to condition a project on mitigation of school impacts in excess of fees in Education Code Section 17620. These fees are collected by school districts at the time building permits are issued for commercial, industrial, and residential projects. SAUSD charges $4.79 per square foot of residential development greater than 500 square feet, and $0.78 per square foot of commercial development. It would collect these fees from individual developers, pursuant to SB 50 (SAUSD 2023). The State Legislature has declared that the payment of school impact fees constitutes full mitigation for the impacts of new development, per Government Code Section 65995. Thus, payment of these fees would offset impacts from increased demand for school services associated with buildout of the residential development, and overall the SAUSD would be able to provide adequate school facilities for the projected 31 student residents from the proposed project.

Furthermore, the City's municipal code Chapter 19.48, *School Sites and Fees*, may require, as a condition of approval, dedication of land within a subdivision development for the construction of elementary and high schools necessary to ensure that residents of the subdivision have adequate public school service. Therefore,

impacts from implementation of the proposed project on school services would be less than significant, and there are no changes or new information requiring preparation of an EIR.

d) Parks?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Refer to Section 6.16.2. Impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

e) Other public facilities?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project would reduce nonresidential development by 22,956square feet and would not increase the number of projected residential units within the Airport Area or city. The project applicant proposes to redesignate the project site to allow up to 67 residential units on the project site. As shown in Table 1, the Airport Area can still accommodate 353 residential units as replacement units out of the total 1,650 replacement units and 550 additive units that have already been approved in the 2006 GPU. The proposed project, therefore, would not increase the demand on other public facilities, including library services.

Residents of the proposed project would be mainly served by the Newport Beach Public Library (NBPL); the nearest NBPL facility to the project site is the Mariners Library at 1300 Irvine Avenue, approximately three miles southwest of the project site. However, the future residents would have access to all libraries within the City's library system and would have a nominal impact on the City's library services.

The proposed project would pay a property excise tax per municipal code Chapter 3.12, Property Development Tax, part of which is designated for libraries and would generate additional tax revenues supporting the City's General Fund. Therefore, impacts on library facilities and services would be less than significant, and no changes or new significant information would require preparation of an EIR.

6.15.3 Cumulative Impacts

As discussed above, the proposed project would not cause a new public services impact to occur, nor an increase in the severity of any public services previously disclosed in the GPU EIR, with implementation of the regulatory requirements and General Plan policies discussed in this section. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative public services impact than those already analyzed.

6.15.4 Standard Conditions of Approval

SC PS-1 In compliance with General Plan Policy LU 2.8 and Policy 6.1.1, prior to the issuance of a building permit for the residential structure, the Applicant, or any successors in interest, shall provide payment to the City of Newport Beach for the project's pro-rata share of the cost for purchasing and equipping a new rescue ambulance with patient transportation and advanced life support (ALS) capabilities to be located at the Santa Ana Heights Fire Station No. 7. This Standard Condition will be satisfied through the Applicant's payment of a Public Safety Fee.

6.16 RECREATION

6.16.1 Summary of Impacts Identified in the 2006 General Plan EIR

Although impacts related to physical deterioration of recreational facilities were considered less than significant for the majority of the city, there was a greater possibility for impacts in the Airport Area. At the time of the 2006 GPU, the Airport Area had no residential units and no park facilities. The GPU EIR added up to 4,300 multifamily residential units to this area. Policy LU 6.15.13 of the 2006 GPU required the first phase of development of residential neighborhoods in the Airport Area to dedicate at least 8 percent of the gross land area (or half an acre, whichever is greater) as a neighborhood park. This requirement could be waived when development is inappropriately located to serve the needs of the residents and when in-lieu fees were paid to the City for the acquisition and improvement of other properties as parklands to serve the Airport Area. This is in addition to the private recreational facilities that would be required in General Plan Update Policy LU 6.15.16 for multifamily residential development on parcels 8 acres or larger. The recreational facilities provided by these policies was at the neighborhood level, and there was the potential for additional use and deterioration of existing sports fields at Bonita Creek and Bonita Canyon Sports Park. However, the policies under Goal R 2 helped ensure that existing parks and recreation facilities were maintained and preserved. Implementation of Policy R 2.1 would maintain existing facilities, thereby reducing impacts related to deterioration, by using funding from the City's Park Dedication Fee Ordinance to enhance existing parks and facilities such as Bonita Canyon Sports Park. Policy R 1.1 required developers of new residential subdivisions to provide parklands at five acres per 1,000 persons, as stated in the City's Park Dedication Fee Ordinance, or to contribute in-lieu fees for the development of public recreation facilities meeting demands generated by the development's resident population.

With implementation these policies, impacts related to deterioration of parks and recreation facilities in the Airport Area were less than significant. Through the environmental review process, the future provision of new or physically altered parks or recreational facilities would not result in substantial adverse physical impacts and this impact was found to be less significant.

6.16.2 Impacts Associated with the Proposed Project

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				x	

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					x

Comments

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The deterioration of existing parks and recreational facilities caused by new residential development in the Airport Area would be mitigated through the park dedication requirements and/or in-lieu payment per the City's Park Dedication Fee Ordinance, and General Plan policies LU 6.16.13, LU 6.15.16, R 1.1, and R 2.1.

General Plan Land Use Policy LU 6.15.13 requires a public park equal to eight percent of the gross land area of the development, or a minimum of ½-acre, whichever is greater, be provided. Therefore, the proposed project is required to provide a ½-acre public park. The 1.71-acre project site is too small to feasibility accommodate the required 0.50-acre park and if it were dedicated, the resulting smaller site could not physically accommodate the proposed affordable housing development. The applicant is applying for incentives pursuant to Government Code Section 65915(de)(1) and Section 20.32.070 of the City's Zoning Code by requesting to waive the park land dedication requirement and instead pay reduced in-lieu fees that makes the development of the affordable housing units financially feasible. These fees would be used for the acquisition and improvement of other properties as parklands to serve the Airport Area.

General Plan Recreation Policy R 1.1 requires future development to dedicate land or pay in-lieu fees at a minimum of 5 acres of parkland per 1,000 persons. However, the City's Park Dedication Fee Ordinance, as implemented in Sections 19.52.040 (Parkland Standard) and 19.52.050 (Determination of Land or Fee) of the NBMC only allows for the subdivider to pay a fee in lieu of land dedication if the proposed subdivision contains 50 parcels or less. Since the project includes 67 condominium units, a dedication of land is required. The applicant is applying for a waiver to the development standards by requesting an exemption from the park dedication requirements pursuant to Government Code Section 65915(de)(1) and Section 20.32.080 of the City's Zoning Code. The proposed project is compliant with procedures for obtaining a waiver per State and City affordable housing and density bonus laws.

6. Environmental Analysis

Per the Section 20.32.070 of the NBMC, any reduction or waiver of any City imposed fee or dedication of land is at the sole discretion of the City Council. The City Council would review the waiver request prior to the approval of the project. The proposed development would also provide on-site recreational amenities for its residents including a pool and spa on the upper podium level (see Figure 11) and a shared amenity rooftop deck and club room. Pursuant to Policy R 2.1, the City would maintain existing facilities, thereby reducing impacts related to deterioration, by using funding from the City's Park Dedication Fee Ordinance to enhance existing parks and facilities.

Additionally, the proposed project would include 67 residential units and would result in the addition of 148 residents. Pursuant to Section 19.52.040 of NBMC, Newport Beach's parkland standard is five acres per 1,000 residents. The City provides approximately 648 acres of park and beach amenities (Newport Beach 2023b). Based on the City's estimated 2022 population of 83,993 (Census Bureau 2022), the existing park-to-population ratio is 7.7 acres of parkland per 1,000 residents. The City's available parkland, therefore, currently exceeds the standard.

Therefore, the proposed project would have a less than significant impact, and there are no changes or new significant information that would require preparation of an EIR.

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

No Impact. The proposed project includes a pool and spa at the upper podium level, a shared amenity rooftop deck on the sixth floor, and club room on the first floor. The physical effects on the environment associated with these recreational amenities are analyzed throughout this Addendum as part of the project development.

Additionally, the proposed project would introduce up to 67 new residential units to the project site, but these units are already accommodated within the Airport Area under the GPU EIR analysis of up to 4,300 units. The proposed project, therefore, would not have the potential to require recreational facilities that could have an adverse physical effect on the environment. Thus, the future provision of new or expanded parks or recreational facilities associated with the proposed project, similar to development pursuant to the 2006 GPU, would result in no impact, and there are no changes or new information requiring preparation of an EIR.

6.16.3 Cumulative Impact

As discussed above, the proposed project would not cause impacts to recreation to occur, nor an increase in the severity of any impacts previously disclosed in the GPU EIR. Implementation of the proposed Project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project or cumulative recreation impact than those already analyzed.

6.16.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable Recreation for the proposed project.

6.17 TRANSPORTATION

6.17.1 Summary of Impacts Identified in the 2006 GENERAL PLAN EIR

With respect to transportation/circulation impacts, the 2006 General Plan EIR concluded:

- Implementation of the 2006 General Plan would contribute to a substantial impact at freeway ramps that exceeds thresholds and would result in operational deficiencies. This would be a significant and unavoidable impact.

- Implementation of the 2006 General Plan would result in a substantial increase in the number of vehicle trips, volume-to-capacity ratio on roads, or congestion at intersections compared to existing conditions. With improvements proposed in the Circulation Element, growth related to buildout of the proposed 2006 General Plan alone would be reduced to less than significant levels. The improvements in the City of Newport Beach Circulation Element are detailed in the GPU EIR.

- The 2006 General Plan would not result in a substantial impact to Congestion Management Plan arterials in Newport Beach. Impacts related to Congestion Management Plan facilities would be less than significant.

- Circulation improvements would be implemented, and no improvements would introduce new safety hazards at intersections or along roadway segments. Implementation of Circulation and Land Use policies in the 2006 General Plan would provide for increasing safety of roadways, balancing safety, quality of life, and efficiency in the design of circulation and access. Impacts would be less than significant.

- The 2006 General Plan would provide adequate emergency access to the project area, and impacts would be less than significant.

- The 2006 Circulation Element contained new policies to encourage alternatives modes of transportation, use of intelligent transportation systems, and the development of waterfront walkways. Intersection improvements would not affect implementation of these policies. The 2006 General Plan did not conflict with existing policies regarding alternative transportation, and impacts would be less than significant.

6.17.2 Impacts Associated with the Proposed Project

Would the project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				x	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?					x
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					x
d) Result in inadequate emergency access?					x

The analysis in this section is based in part on the information included in Appendix C of this Addendum:

- *Trip Generation Calculations*, PlaceWorks, 2023.

Comments

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR

Vehicle Trip Generation

Trip generation estimates for the existing office building and the proposed project, shown in Appendix C, were based on published trip generation rates in the latest edition of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual* (11th edition) (ITE 2023). As shown in Table 15, the existing office building generates a maximum of 34 AM peak hour trips, 32 PM peak hour trips, and 244 weekday daily trips.[26] The proposed project would eliminate office uses and introduce up to 67 residential units. Table 15 compares the trip generation for the proposed project in comparison to the 2006 General Plan land uses for the site, considered as existing conditions in this Addendum.

[26] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Table 15 Project Site Trip Generation – Existing vs. Proposed Project

Land Use	ITE Code	Quantity	Weekdays			Saturday		Sunday	
			Total	AM Peak Hour	PM Peak Hour	Total	Peak Hour	Total	Peak Hour
Existing Conditions[1]									
General Office Building	710	22.956 TSF	249	35	33	51	12	16	5
Proposed Project									
Multifamily Housing	221	78 DU[2]	354	29	30	356	30	294	25
		Difference	**105**	**-6**	**-3**	**305**	**18**	**278**	**20**

Source: ITE 2023 (Appendix C).
Notes: DU = dwelling unit; TSF = thousand square feet
1 Since the existing commercial square footage onsite is consistent with the square footage allowed for the site per the GPU, the 22,956 square feet commercial office building on the site is used conservatively as baseline conditions.
2 Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

In comparison to the 2006 GPU land uses for the project site, the proposed project would increase daily trips for both weekdays and weekends, by 105 and 305 daily trips, respectively. The proposed project would reduce weekday peak hour trips and would increase weekend peak trips by a maximum of 20 peak hour trips.

The traffic impact assessment for the Residences at 1300 Bristol Street project, a similarly situated project 0.1 mile south of the project site, analyzed peak-hour intersection volumes for 13 intersections in the surrounding area at the project's 2026 buildout year (refer to Residences at 1300 Bristol Street, Appendix F, Figure 25 and 26) (Ganddini 2021). The analysis included trips associated with a list of approved and reasonably foreseeable projects[27] in the City of Newport Beach and Irvine and an ambient growth factor superimposed on existing traffic volumes. The traffic impact analysis concluded that there was no level of service impact at the study intersections. The proposed project's net increase in peak hour trips is nominal when compared to the peak hour intersection volumes studied in the traffic impact assessment. The proposed project, therefore, would not be anticipated to adversely affect roadway circulation.

Construction Traffic

Construction of the proposed project would add construction-related trips to and from the site during construction activities. These trips are associated with construction activities, including construction workers, grading, and construction of structures and site features.

Large construction equipment such as bulldozers, loaders, scrapers, and pavers would be required during various construction phases. Large equipment is generally brought to the site at the start of the construction phase and kept onsite until its term of use ends. A staging area would be designated onsite to store construction equipment and supplies during construction.

Throughout construction, the size of the work crew reporting to the site each day would vary depending on the construction phase and the different activities taking place at the time. Parking for workers would be

27 Reasonably foreseeable projects include pending projects that were in various stages of the application and approval process but were not yet approved at the time the Traffic Impact Analysis for the 1300 Bristol Street project was prepared.

provided onsite during all phases of construction. Construction workers would not be allowed to park on local streets. If needed during the peak construction periods, offsite parking would be provided, and workers would carpool or be shuttled to the worksite.

The Applicant would be required to provide a Construction Management Plan (CMP) and identify planned travel patterns for haul vehicles. The haul route to and from the project site for all dirt haul-off operations would be from SR-73. Trucks would enter the site from Spruce Street; trucks would exit the site from Quail Street onto Spruce Street and continue to Bristol Street. The contractor would be required to obtain a Haul Route Permit from the City of Newport Beach.

Impacts from construction traffic would be limited to occasional and temporary delays to traffic during the movement of heavy equipment or transport of heavy loads to and from the site. The arrivals and departures of dirt-hauling trucks and other heavy trucks will be scheduled outside of the AM and PM peak hours. The CMP would identify construction phasing and address traffic control for any temporary street closures, detours, or other disruptions to traffic circulation and public transit routes. The CMP would also identify the routes that construction vehicles shall use to access the site, the hours of construction traffic, traffic controls and detours, vehicle staging areas, and parking areas for the project site.

Construction management requirements, such as complying with peak hour restrictions, using flaggers for short-term obstructions, and a formal traffic control plan for extended lane and street closures would be required. Construction-related transportation impacts would comply with applicable programs, plans and policies and be less than significant. No new significant impacts result from project modification or changed circumstances, and no changes or new information would require preparation of an EIR.

Transit, Bicycle, and Pedestrian Facilities

Pedestrian facilities in the vicinity of the project site include a crosswalk at the intersection of Spruce Street and Bristol Street and sidewalks along both sides on Spruce Street and Quail Street and the north side of Bristol Street. Bristol Street has a Class II Bike Lane (On-Road Striped) and also is classified as a Class I (Off-Road Paved) Bikeway (sidewalk riding is permitted). Roadways that provide on-street bicycle facilities near the project site include Birch Street and intermittent areas of Jamboree Road and Campus Road. A bus stop within a 0.1-mile walking distance from the project site is located along Bristol Street at the northwest corner of the Spruce Street and Bristol Street intersection.

The introduction and subsequent integration of a residential development into a well-established neighborhood of primarily commercial, retail, and office uses would provide a greater balance between housing, employment, and retail opportunities within the Airport Area. Potential employment opportunities for future residents of the proposed project that may arise in the surrounding area would be within walking/bicycle riding distance and bus stops of the proposed homes. In addition, those who are currently employed in the area would be afforded a housing opportunity within walking/bicycle riding/transit distance of their place of employment.

Therefore, the proposed project would comply with General Plan policies and ordinances, as well as regional programs addressing the alternative modes of transportation, and no changes or new information would require preparation of an EIR.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

No Impact. This Appendix G checklist question and the referenced CEQA Guidelines section were added to the CEQA Guidelines updates in 2018, and therefore were not addressed in the 2006 GPU EIR.

The legislature found that with the adoption of the SB 375, the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and contribute to the reduction of greenhouse gas emissions, as required by the California Global Warming Solutions Act of 2006 (AB 32). Additionally, AB 1358, Complete Streets Act, requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users.

On September 27, 2013, SB 743 was signed into law and started a process that could fundamentally change transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, level of service (LOS), and similar measures of vehicular capacity or traffic congestion as a basis for determining significant environmental impacts. On January 20, 2016, OPR released revisions to its proposed CEQA guidelines for the implementation of SB 743, and final review and rulemaking for the new guidelines were completed in December 2018. OPR allows agencies an opt-in period to adopt the guidelines, and they become mandatory on July 1, 2020.

As of December 28, 2018, "automobile delay, as described solely by level of service or similar measures of vehicular capacity or traffic congestion shall not be considered a significant impact on the environment" under CEQA, except for roadway capacity projects (*Citizens vs City of Sacramento*). Thus, the former obligation under CEQA to address LOS in transportation analyses ceased to exist as of that date, except (at agencies' discretion) with respect to transportation projects.

The City's Implementation Procedures for the California Environmental Quality Act (Policy K-3) provide a framework for "screening thresholds" for certain projects that are expected to cause a less than significant impact without the need for conducting a detailed VMT study. Land use projects in areas with less than 85 percent of the countywide average VMT per capita trips for residential projects are considered projects with a less than significant VMT impact.

Figure 2 of the City's SB 743 VMT Implementation Guide contains a map of VMT per capita for all existing Newport Beach residential areas (LSA 2020). VMT per capita in each area is compared to the regional average VMT per capita for Orange County. The proposed project is in Traffic Analysis Zone 1366 and an area with low residential VMT per capita. Therefore, the proposed project has no impact on VMT and it does not conflict with CEQA Guidelines Section 15064.3, Subdivision (b). Impacts would be less than significant and no changes or new information would require preparation of an EIR.

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

No Impact. The project site is already developed, and the proposed development would be accessed from existing Spruce Avenue. The proposed project would not introduce roadway hazards or incompatible uses. It would not increase transportation hazards in comparison to the 2006 GPU. Impacts would be less than significant.

d) Result in inadequate emergency access?

No Impact. The proposed project would not modify any public road or introduce features that would affect vehicular, pedestrian, or bicycle circulation in the vicinity of the site. In addition, project traffic would not result in substantial delays and congestion that would affect the circulation of emergency vehicles in the study area compared to the 2006 General Plan EIR because the project would reduce the total number of onsite trips. The proposed project would not result in new impacts in comparison to the 2006 GPU EIR.

6.17.3 Cumulative Impact

As discussed above, the proposed project would not cause a transportation impact to occur, nor an increase in the severity of any transportation impacts previously disclosed in the GPU EIR, with implementation of regulatory requirements and General Plan polices discussed in this section. Implementation of the proposed project would not alter the conclusions of the GPU EIR analysis and would not result in a new or substantially more severe project-specific or cumulative transportation impact than those already analyzed.

6.17.4 Standard Conditions of Approval

No standard conditions are applicable to the proposed project.

6.18 TRIBAL CULTURAL RESOURCES

The City of Newport Beach has a long cultural history and is known to have been home to Native American groups prior to settlement by Euro-Americans. Archaeological materials associated with occupation of the city are known to exist and have the potential to provide important scientific information regarding history and prehistory. Archaeological resources are often of cultural or religious importance to Native American groups, particularly if the resource includes human and/or animal burials. Consequently, ground-disturbing activities, particularly in areas that have not previously been developed with urban uses, have the potential to damage or destroy Native American resources that may be present on or below the ground surface.

AB 52, which took effect July 1, 2015, requires analysis of tribal cultural resources (TCR) in CEQA documents. Tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either included or eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. Or the lead agency, supported by substantial evidence, chooses at its discretion to treat the resource as a tribal cultural resource.

AB 52 requires consultation with tribes at an early stage to determine whether the project would have an adverse impact on TCRs. Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a tribal cultural resource, or a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached. Consultation only applies to CEQA documents that require public circulation therefore this Addendum does not require tribal consultation per AB 52. . However, Senate Bill 18 (SB 18) requires local jurisdictions to provide opportunities for involvement of California Native Americans tribes in the land planning process for projects that require general plan amendments. Therefore, the City did consult with applicable tribes pursuant to SB 18.

Although this Addendum does not require public review and therefore does not require consultation with Native American tribes pursuant to AB 52, impacts to TCRs are analyzed in this section for consistency with the updated CEQA Guidelines, adopted December 2018, and includes the process and findings of the SB 18 consultation process.

6.18.1 Summary of Impacts Identified in the 2006 GENERAL PLAN EIR

Impacts related to tribal cultural resources were not analyzed in the GPU EIR because it was not required in environmental documents until AB 52 became effective in 2015, and the GPU EIR was certified in 2006.

6.18.2 Impacts Associated with the Proposed Project

Would the project:

6. Environmental Analysis

Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or					x
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					x

Comments

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. See Impact 6.5 (a). The proposed project would alter land uses and intensities on the project site. The entire site, however, was previously developed, and project implementation would not disturb new areas. In case future development requires ground-disturbing activities that may impact previously undisturbed ground, the proposed project, similar to development pursuant to the 2006 GPU, would adhere to the GPU policies under Goals HR 2 and NR 18 to protect important archaeological and paleontological resources in the city. Furthermore, the proposed project, similar to development pursuant to the 2006 GPU, would comply with the City's "Archaeological Guidelines (K-5)" to ensure preservation of significant archaeological resources (Newport Beach 2017).

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR.

The City requested a Sacred Lands File (SLF) search to determine whether there are sensitive or sacred Native American resources in the vicinity of the project site that could be affected by the proposed project. The Native American Heritage Commission (NAHC) responded on March 8, 2023, with a negative SLF search, indicating no record for the presence of Native American sacred land within the project site.

NAHC provided a consultation list of tribes with traditional lands or cultural places located within the boundaries of the City. Pursuant to SB 18, the City contacted all 12 tribes on the list on March 15, 2023. The City received responses from the Gabrielino Tongva Indians of California and the Pala Band of Mission Indians indicating that they have no concerns with the development of the proposed project. The Gabrieleno Band of Mission Indians – Kizh Nation, and the Juaneño Band of Mission Indians – Acjachemen Nation both indicated that the project area is of high importance to the tribes and that there is the potential for unknown and/or buried tribal cultural resources to be encountered during construction activities. SC TCR 1 through TCR3 include the measures requested by the tribes to ensure impacts to tribal cultural resources are reduced to less than significant.

6.18.3 Cumulative Impact

As discussed above, the proposed project would not result in a new or substantially more severe project or cumulative tribal cultural resources impact.

6.18.4 Standard Conditions of Approval

SC TCR-1 A qualified monitor, one from each consulting tribe (the Juaneño Band of Mission Indians - Acjachemen Nation and the Gabrieleno Band of Mission Indians - Kizh Nation), shall be retained and compensated as Native American Monitors for the project site prior to the commencement of any ground-disturbing activity to the completion of ground disturbing activities to monitor grading and excavation activities. A rotation schedule between the two tribes shall be established with the applicant. Voluntary monitoring by each consulting tribe is permitted on days that the tribe(s) is not scheduled to monitor.

SC TCR-2 The rotating monitors, one from each consulting tribe, shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, including as public improvement work undertaken by the applicant). "Ground-disturbing activity" shall include, but is not limited to, any demolition that includes subterranean impacts, potholing, auguring, boring, grading, excavation, drilling, and trenching.

6. Environmental Analysis

SC TCR-3 A copy of the executed monitoring agreement shall be submitted to the City prior to the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

SC TCR-4 Both monitors shall complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs shall be shared between the two monitors and provided to the project applicant/lead agency upon written request to the monitors.

SC TCR-5 On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the consulting tribes from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the consulting tribes to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact TCRs of the consulting tribes.

SC TCR-6 Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., within the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the monitor and/or archaeologist. The monitors will recover and retain all discovered TCRs in the form and/or manner the tribes deem appropriate, in the tribes' sole discretion in coordination with the applicant, and for any purpose the tribes deem appropriate, including for educational, cultural and/or historic purposes.

SC TCR-7 Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.

SC TCR-8 If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.

SC TCR-9 Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).

SC TCR-10 Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.

SC TCR-11 Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

6.19 UTILITIES AND SERVICE PROVIDERS

6.19.1 Summary of Impacts Identified in the 2006 General Plan EIR

Wastewater Treatment and Collection

The GPU EIR concluded that the 2006 GPU would have no impact on wastewater treatment requirements of the RWQCB because the City requires NPDES permits. The permits set limits on allowable concentrations and mass discharge of pollutants from point sources. Development in accordance with the 2006 GPU would be required to comply with all provisions of the NPDES program as enforced by RWQCB. In addition, the City's municipal code mandates dwelling units and businesses to connect to the City's public sewer and prohibits the discharge of polluting substances into public sewers. Furthermore, the NPDES Phase I and Construction General Permit requirements regulate discharge from construction sites. Policies in the 2006 GPU also specify minimal adverse effects to water quality from sanitary sewer outflows (Policies HB 7.6, NR 4.1, NR 5.1, NR 5.3, NR 5.4). Thus, no impact to the City's wastewater treatment quality would occur.

Using the City's 1996 Master Plan of Sewer's wastewater generation factors, buildout of the 2006 GPU was estimated to produce an additional 4.12 million gallons per day (mgd) of wastewater, which would be distributed between Orange County Sanitation District (OCSD) Reclamation Plants Nos. 1 and 2. Reclamation Plant No. 1 was found to have a capacity of 174 mgd and treated an average flow of 90 mgd, approximately 52 percent of its design capacity. Reclamation Plant No. 2 was found to have a capacity of 276 mgd and treated an average of 153 mgd, approximately 55 percent of its design capacity. The additional 4.12 mgd from buildout of the 2006 GPU was nominal compared to the capacities of the two plants. In addition, policies in the 2006 General Plan require adequate wastewater facilities and conveyance systems to be available to city residents through renovations, installations, and improvements when needed. Thus, impacts were determined less than significant.

Lastly, according to the GPU EIR, the City served approximately 1,200 acre-feet per year (afy) of irrigation demand using potable recycled water. Policy NR 2.1 of the 2006 General Plan encourages the use of recycled water by continuing to provide financial incentives, staff assistance, and training opportunities for customers and expanding recycled water infrastructure and programs when feasible. Future recycled water infrastructure developments, if necessary, would require further environmental review when project-level details are known. Thus, impacts associated with the construction of new recycled water conveyance systems in the city were considered less than significant.

Water Supply and Distribution

The city's surface water supply comes from the City, the Mesa Consolidated Water District, and the Irvine Ranch Water District (IRWD), which source their imported water from the Municipal Water District of Orange County (MWDOC). In addition, all three service providers use groundwater and recycled water to supplement their supply. Development in accordance with the 2006 GPU would increase water demand in the city; however, the GPU EIR concluded that impacts to existing water supply and infrastructure would be less than significant.

The 2006 General Plan buildout would increase the city's water demands by approximately 998 afy; however, MWDOC, the City's imported water supplier, indicated that its 2030 projected availability of imported water supply exceeds the 2030 projected regionwide demand for imported water supply by at least 155,000 acre-feet. Thus, MWDOC would be able to meet 100 percent of the City's imported water needs through 2030. Beyond 2030, additional water transfers, local projects, conservation efforts, and State Water Project improvements may be necessary to meet Newport Beach's demand. Groundwater supplies were also identified to meet demands through 2030. Various policies in the 2006 General Plan Natural Resource Element aimed to increase the use of recycled water, provide financial incentives for reduced water use, offer alternative water resources through advance water treatment processes, and implement water conservation measures.

Furthermore, the 2006 General Plan buildout would increase water demand by 270 afy in the IRWD service area. The additional water demand, however, would not change IRWD's urban water management plan (UWMP) conclusions with respect to projected water supply reliability. IRWD identified surplus water supplies under normal, single dry year, and multiple dry year scenarios for both imported and groundwater supplies.

The Mesa Consolidated Water District's service area would experience an increase in water demand by approximately 58.6 afy. However, Mesa indicated that it had adequate water sources to supply the additional demand.

In addition, any new development would be subject to site-specific evaluation of existing water system's capacity to service the development. If improvements are required, developers are required to pay its share of costs of all or portions of the needed improvements. Environmental impacts associated with these improvements would be evaluated at a project-level. Policy LU 2.8 of the 2006 General Plan also directs the City to accommodate land uses that can be adequately supported by infrastructure, including water treatment and conveyance facilities. Thus, overall impacts to the three water suppliers were found to be less than significant.

Storm Drainage Systems

The GPU EIR found that development would have a less than significant impact on Newport Beach's storm drainage system capacity. Buildout would generally result in infill development or redevelopment, which would not substantially alter drainage patterns because these areas are already developed with existing uses and impervious surfaces. The City's Storm Drain Master Plan was completed in 2000 and addressed drainage deficiencies. However, no upgrades were considered necessary with implementation of the 2006 GPU. Several GPU policies addressed stormwater, and Section 15.50.160 of the City's municipal code regulates flood hazards resulting from drainage alterations. By complying with the General Plan policies and City's municipal code, impacts to existing drainage system capacities were less than significant.

Solid Waste

The GPU EIR found that impacts on existing solid waste facilities from project-generated solid waste were less than significant. Development of the 2006 GPU would result in an additional 21,659 tons per year of solid waste to be disposed of at the Frank R. Bowerman Sanitary Landfill, which represented approximately 0.68 percent of the amount of solid waste the landfill accepts annually. Given the landfill's 16-year lifespan and

remaining capacity of approximately 44.6 million tons at the time the 2006 EIR was prepared, the increase in solid waste generated from buildout of the 2006 GPU was considered less than significant.

Other Utilities

The projected electrical demand for buildout under the GPU was found to be within the SCE's 2016 load forecast. Though SCE's total system demand was expected to continue to increase annually, excluding any unforeseen problems, SCE's plans for new distribution resources would be adequate to serve all existing and new customer loads throughout the coming decade. However, to reduce any potential impacts associated with buildout of the proposed GPU, SCE recommended the use of energy efficient and high-performance design for nonresidential and residential building design and construction. SoCalGas also indicated that the natural gas level of service provided to the City would not be impaired by buildout under the 2006 General Plan.

6.19.2 Impacts Associated with the Proposed Project

Would the proposed project:

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Require or result in the relocation or construction of new or expanded wastewater treatment the construction or relocation of which could cause significant environmental effects?				X	
b) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	
c) Require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?				X	
d) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?				X	
e) Require or result in the relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects?				X	

Environmental Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
f) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				x	
g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				x	
h) Require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				x	

The analysis in this section is based in part on the following technical reports included as Appendices H and I of this Addendum:

- *Sewer Capacity Study*, Adams Streeter Civil Engineers, October 20, 2023.
- *Assessment of Water Availability for Proposed Residential Development*, Adams-Streeter Civil Engineers, April 18, 2023.

Comments

a) Require or result in the relocation or construction of new or expanded wastewater treatment the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The proposed project would include the redesignation of the project site from CO-G to MU-H2, thus expanding the overall geographic area designated MU-H2 in the Airport Area. The proposed project would include 67 residential units. In comparison to the GPU EIR, the proposed project reduces commercial square footage and adds 67 units to the project site that are within the residential units analyzed for the Airport Area.

Per the Sewer Study, the proposed project would generate 12,480 gallons per day (gpd), as shown in Table 16.[28] The net change in wastewater generation for the project site compared to the existing commercial building on site is also shown in Table 16. Additionally, even though 67 units were accommodated within the airport MU-H2

[28] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

area in the 2006 GPU, these units were considered new for purposes of this analysis to provide a conservative estimate of impacts.

Table 16 Net Increase in Wastewater Generation

Land Use	Unit	Wastewater Generation Factor	Wastewater Generation (gpd)
Existing Uses			
Commercial Office	1.71 ac	2,500 gpd/ac	4,275
Proposed Uses			
Residential – Multifamily	78 du[1]	160 gpd/du	12,480
Difference	-	-	**8,205**

Source: Adams Streeter 2023.
Notes: ac = acres; du = dwelling unit; gpd = gallons per day
[1] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

Wastewater collected by the City is treated at OCSD's two reclamation plants, and a small portion is treated at IRWD's treatment plant. OCSD Reclamation Plant No. 1 has a capacity of 208 mgd and an estimated average daily influent of 120 mgd. Reclamation Plant No. 2 has a capacity of 168 mgd and an estimated average daily influent of 59 mgd (OCSD 2022). Collectively, the two plants have a residual capacity of 197 mgd. Given that the proposed project would generate an additional 8,205 gpd (0.008 mgd) of wastewater, this increase is nominal compared to the combined residual capacity of both treatment plants. Thus, existing wastewater treatment facilities would accommodate the project-generated wastewater and maintain a substantial remaining capacity for future wastewater treatment. Furthermore, if development under the proposed project requires new sewer flow connections through OCSD, all connections are required to comply with current OCSD design guidelines and pay a sewer connection fee.

Additionally, the sewer lines proposed to accommodate wastewater from the proposed project are the same sewer lines utilized by the existing building on the project site. The proposed project would be connected to an existing 8-inch sewer lateral off Spruce Street that extends northeast to a 10-inch sewer main in Quail Street. This line continues southeast to the intersection of Quail Street and Dove Street. The 10-inch line in Dove Street extends to Newport Place, where it increases to 15 inches. The 15-inch line continues east to McArthur Boulevard and then north, where it increases to an 18-inch line before discharging into OCSD's sewer main. The sewer study conducted for the proposed project (see Appendix H) concluded that all existing sewer lines have adequate capacity to accommodate the increased wastewater flow from the proposed project. Thus, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

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

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. As mentioned above, implementation of the proposed project would not result in an increase in wastewater that cannot be accommodated by OCSD's treatment plants. Furthermore, the City requires NPDES permits, which set limits on allowable concentrations in any wastewater discharge. The City's municipal code also requires dwelling units to connect to the City's public sewer network and prohibits certain polluting substances from being discharged into a public sewer. The proposed project, similar to development in accordance with the 2006 GPU, would be required to comply with all provisions of the NPDES program and the municipal code and would not exceed wastewater treatment requirements. Therefore, impacts would be less than significant and there are no changes or new significant information that would require preparation of an EIR.

c) Require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. The projected water demand is shown in Table 17 and is estimated to be approximately 13,093 gpd, or 14.66 afy.[29] It should be noted that the water demand calculations in the Assessment of Water Availability Study (see Appendix I) are less conservative than the wastewater generation calculations in the Sewer Study. Therefore, for the purpose of this addendum, a more conservative water demand is analyzed in line with the Sewer Study. It is assumed that the projected indoor water demand for the existing and proposed development is 100 percent of the wastewater generation. Outdoor water demand is calculated using the Department of Water Resource's Water Budget Workbook for New and Rehabilitated Non-Residential and Residential Landscapes. The net change in water demand for the project site compared to the existing commercial building on site is also shown in Table 17. Even though the proposed 67 units were accommodated within the airport MU-H2 area in the 2006 GPU, these units were considered new for purposes of this analysis to provide a conservative estimate of impacts.

[29] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

6. Environmental Analysis

Table 17 Net Increase in Water Demand

Land Use	Unit	Indoor Water Demand Factor (gpd/ac)	Indoor Water Demand (gpd)	Outdoor Water Demand (gpd)
Existing Uses				
Commercial	1.71 ac	2,500 gpd/ac	(4,275)	-
Landscaping	13,940 SF[1]	-	-	(511)[2]
Proposed Uses				
Residential – Multifamily	78 du[3]	160 gpd/du	12,480	-
Landscaping	13,690 SF	-	-	613
Difference	-	-	**8,205**	**102**

Source: DWR 2017a and b; CIMIS 2023.
Notes: SF – square feet; ac – acres; du – dwelling Units; gpd – gallons per day
[1] Landscaping for the existing commercial building was estimated using Google Maps.
[2] DWR's Water Budget Workbook for New and Rehabilitated Residential and Non-Residential Landscapes was used to calculate the maximum allowed water allowance (MAWA). This is a conservative outdoor water demand. It was assumed that all landscaped areas would be overhead irrigation. The annual precipitation and reference evapotranspiration (Eto) for Irvine were used. An annual precipitation of 6.6 inches per year was used per CIMIS.
[3] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

MWDOC is a wholesale water supplier that provides water to 28 retail water suppliers in Orange County, including the City of Newport Beach, using imported water supplies obtained from its regional wholesaler, Metropolitan Water District of Southern California. According to the MWDOC's 2020 UWMP, the 2045 projected availability of water supply meets the 2045 projected water demand for its residents during normal years, single dry years, and multiple dry-year events. The 2045 projected water demand for normal years is 171,837 afy. The 8,307 gpd (9.3 afy) net increase in water demand for the project site is less than 1 percent of the total water demand for MWDOC. Therefore, the City's existing and future water supply is able to accommodate the increased water demand associated with the proposed project.

Additionally, the proposed project would utilize new domestic water, fire water, and irrigation water service laterals, which would connect to the existing 16-inch water main on Spruce Street (see Figure 12). This water main extends northeast to a water main in Quail Street. The Assessment of Water Availability report concludes that the existing conditions for both domestic water mains on Spruce Street and Quail Street have adequate capacity to accommodate the increase in the proposed project's water demand. Thus, overall impacts to the water supply are less than significant. Overall, buildout of the proposed project is not anticipated to result in new or increase the severity of impacts to the water service. Therefore, impacts are less than significant and there are no changes or new significant information that would require preparation of an EIR.

d) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. As detailed above, the proposed project would generate an increase in water demand of 4.15 afy for the project site. MWDOC's 2020 UWMP found that water supplies are sufficient to meet the 2045 projected water demand for its residents during normal years, single dry years, and multiple dry-year events. The proposed project's net increase in water demand for the project site equates to less than 1 percent of the total water demand for

MWDOC. Therefore, the City's existing and future water supply is able to accommodate the increased water demand associated with the proposed project. Impacts are less than significant, and there are no changes or new significant information that would require preparation of an EIR.

e) Require or result in the relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Development of the proposed project would alter the on-site drainage patterns with the development of the buildings, roadways, and associated site improvements. However, the proposed project, similar to other projects developed pursuant to the 2006 General Plan, would implement BMPs in accordance with the WQMP. The WQMP would reduce discharge of stormwater into urban runoff from the operational phase by managing site runoff volumes and flow rates through application of appropriate best management practices (see Impact 6.10(a)). BMPs would be designed in accordance with the NPDES requirements. Any drainage facilities would also be designed in accordance with Section 19.28.080 of the City's municipal code. Thus, stormwater runoff expected at buildout of the proposed project would not exceed existing storm drainage capacities. Impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

f) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. As shown in Table 18, *Net Decrease in Solid Waste Generation,* the estimated solid waste generation of the proposed project would lead to a net decrease of 1,109 pounds per day (ppd) or 202 tons per year (tpy). Therefore, the Frank R. Bowerman Landfill and Olinda Alpha Landfill would not be impacted by the proposed project.

Table 18 Net Decrease in Solid Waste Generation

Land Use	Unit	Solid Waste Generation Factor	Solid Waste Generation (ppd)	Solid Waste Generation (tpy)
Existing Uses				
Commercial Office	22,956 SF[1]	0.084 lbs/SF/day	1,928	352
Proposed Uses				
Residential – Multifamily	67 du	12.23 lbs/du/day	819	149
Difference	-	-	**-1,109**	**-202**

Source: CalRecycle 2023a.
SF – square feet; du – dwelling unit; ppd – pounds per day; tpy – tons per year
[1] Since the existing commercial square footage onsite is consistent with the square footage allowed for the site per the GPU, the 22,956 square feet commercial office building on the site is used conservatively as baseline conditions.

The proposed project, similar to other projects developed pursuant to the 2006 General Plan, would comply with the current CALGreen and AB 341. The 2022 CALGreen requires that all newly constructed buildings and demolition projects divert at least 65 percent of the nonhazardous construction and demolition materials generated at the project site from landfills. AB 341 mandates a solid waste diversion rate of 75 percent by 2020.

6. Environmental Analysis

Overall, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

g) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Solid waste would be generated during construction and operation of the proposed project. AB 939, the Integrated Waste Management Act of 1989 (California Public Resources Code Sections 40000 et seq.) requires all local governments to develop source reduction, reuse, recycling, and composting programs to reduce tonnage of solid waste going to landfills (CalRecycle 2023c). This legislation requires cities to divert at least 50 percent of their solid waste generation into recycling every year. Compliance with AB 939 is measured for each jurisdiction, in part, as actual disposal amounts compared to target disposal amounts.

The target disposal rate for the City is 9.6 ppd per resident. Actual disposal rates for the latest year of data (2021) were 8.6 ppd per resident (CalRecycle 2023d). Thus, solid waste diversion in Newport Beach is consistent with AB 939, and the project's solid waste generation would be consistent with AB 939.

The proposed project, similar to all projects pursuant to the 2006 GPU, would recycle construction waste in compliance with the 2022 CALGreen, collect recycle materials in compliance with AB 1327, and handle green waste in accordance with AB 1826. AB 1327, the California Solid Waste Reuse and Recycling Access Act of 1991 (California Public Resources Code Sections 42900 et seq.) required the California Integrated Waste Management Board to develop a model ordinance requiring adequate areas for the collection and loading of recyclable materials in development projects. Local agencies were required to adopt and enforce either the model ordinance or an ordinance of their own by September 1, 1993. The City's municipal code Chapter 6.06, State Mandated Municipal Solid Waste Diversion Programs, includes waste recycling requirements in conformance with AB 1327. Overall, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

h) Require or result in the relocation or construction of new or expanded electric power or natural gas facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR. Buildout of the proposed project is expected to use approximately 561,600 kilowatt hours (kWh) of electricity per year and a PV system would provide 55 percent of the total electricity demand (equivalent to 308,880 kWh per year), resulting in an electricity demand of 252,720 kWh per year (see Table 8).[30] While the proposed project would generate additional energy demand at the site, SCE already provides electrical service to the current office uses, and the proposed project would be required to comply with the Energy Code (24 CCR Part 6).

Total residential electricity consumption in SCE's service area is forecast to increase by approximately 10,114 gigawatt-hours between 2015 and 2026 (CEC 2022). Thus, the proposed project's electricity consumption

[30] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

would represent an insignificant percentage compared to the overall demand in the SCE's service area, and the projected electrical demand would not require SCE to obtain new or expanded electric power supplies.

For natural gas, the proposed project is estimated to use about 866,334 kilo British Thermal Units (kBTU) annually, which represents a worst-case assumption since it does not account for any existing natural gas use associated with the office building (see Table 9).[31] SoCalGas provides natural gas service to the area, and the increased natural gas demand is expected to be adequately served by the existing SoCalGas facilities in the city.

SoCalGas's gas demand for the entire state was forecast to decrease from 5,298 million cubic feet of gas per day (MMcf/d) in 2022 to 4,857 MMcf/d by 2035, a decline of 0.67 percent per year (CGEU 2022). Therefore, natural gas demand from the proposed project would represent a nominal percentage of overall demand in SoCalGas' service area, and the proposed project would not require SoCalGas to obtain new or expanded gas supplies.

Furthermore, the proposed project would comply with the requirements of the current Energy Code and CALGreen. CALGreen established planning and design standards for sustainable development, energy efficiency, water conservation, and material conservation to create a positive environmental impact. Additionally, the proposed project would not interfere with the achievement of the 50 percent RPS in SB 100 for 2026 and 60 percent standard for 2030. As discussed in Section 6.6, *Energy*, statewide RPS goals apply to utilities and energy providers, such as SCE, to ensure the State is meeting its objective in transition to renewable energy. Therefore, impacts would be less than significant, and there are no changes or new significant information that would require preparation of an EIR.

6.19.3 Cumulative Impact

As discussed above, the proposed project would not cause a utilities impact to occur, nor an increase in the severity of any utilities impacts previously disclosed in the General Plan Program EIR, with implementation of the mitigation measures discussed in this section. Implementation of the proposed Project would not alter the conclusions of the General Plan Program EIR analysis and would not result in a new or substantially more severe project or cumulative utility impact than those already analyzed.

6.19.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Utilities and Service Providers for the proposed project.

[31] Modeling is conservative since at the time of the analysis modeling was based on 78 residential dwelling units compared to the current proposed 67 residential dwelling units.

6.20 WILDFIRE

6.20.1 Summary of Impacts Identified in the 2006 General Plan EIR

Impacts related to wildfire were not analyzed in the GPU EIR because the requirement to analyze wildfire in CEQA documents did not become effective until January 1, 2019, after certification of the 2006 GPU EIR by the Newport Beach City Council (July 25, 2006). However, the 2006 General Plan identified areas with high and moderate fire susceptibility (Newport Beach 2006) (see Figure 21, *Wildfire Hazards*). Nonetheless, the analysis of wildfire impacts is new in this Addendum.

6.20.2 Impacts Associated with the Proposed Project

Would the project:

Issues	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circum-stances Requiring Major EIR Revisions	New Information Showing New or Increased Significant Effects	Less Than Significant Impacts/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?					x
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?					x
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?					x
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?					x

Comments

According to Appendix G of the CEQA Guidelines, a project could have a significant effect on the environment if located in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Wildland fire protection in California is the responsibility of the state, local, and federal governments. In state responsibility areas (SRA), the State of California has the primary financial responsibility for the prevention and suppression of wildland fires. SRAs cover over 31 million acres, for which the State Department of Forestry and Fire Protection (CAL FIRE) provides a basic level of wildland fire prevention and protection services.

Fire protection for local responsibility areas (LRA) is typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government (CAL FIRE 2022a). CAL FIRE uses an extension of the SRA Fire Hazard Severity Zone model as the basis for evaluating fire hazard in LRAs. The local responsibility area hazard rating reflects flame and ember intrusion from adjacent wildlands and from flammable vegetation in the urban area. The Orange County Fire Authority currently provides fire protection and emergency medical services to Orange County.

CAL FIRE is mandated by California Public Resources Code Sections 4201 to 4204 and California Government Code Sections 51175 to 51189 to identify fire hazard severity zones (FHSZ) for all communities in California. Local governments accept CAL FIRE's determination or make other, local determinations. FHSZs are identified by moderate, high and very high in an SRA, and very high in an LRA.

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact. The City of Newport Beach is nearly built out, and the proposed project consists mainly of infill and intensification of development on the project site. New development would occur in urbanized and developed areas far from the city's eastern grassy hillsides and brush-covered areas, which are more susceptible to wildfire. According to the CAL FIRE Hazard Severity Zone Map for Orange County, the project site is not within or near a Very High FHSZ or areas designated High or Moderate fire susceptibility per the 2006 General Plan (CAL FIRE 2022b; Newport Beach 2006) (see Figure 21, *Wildfire Hazards*). Therefore, there are no impacts, and no changes or new significant information that would require preparation of an EIR.

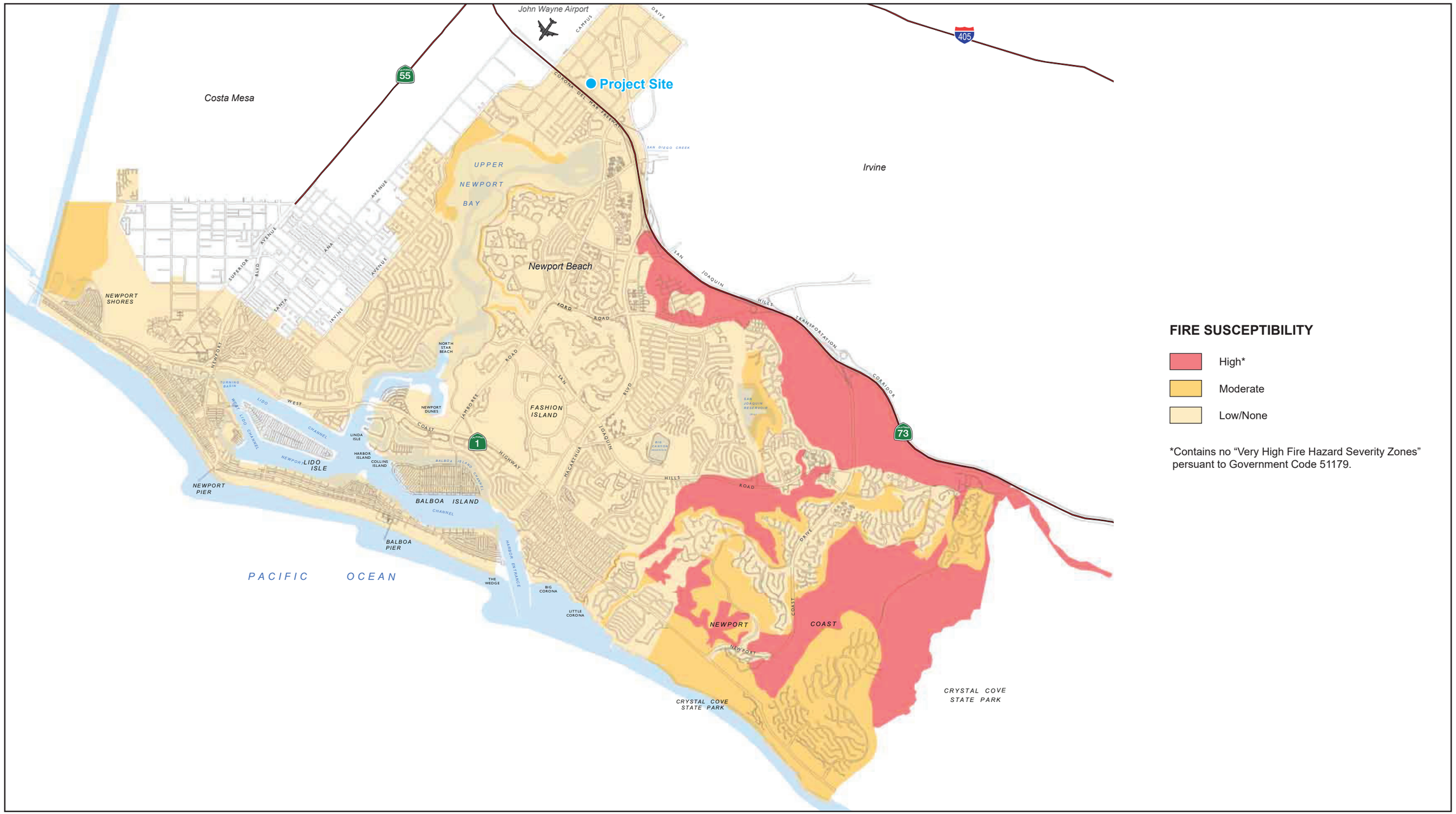
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. The project site is not in or near state responsibility areas or lands classified as very high FHSZ. Therefore, the proposed project would not exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No impacts would arise, and there are no changes or new significant information that would require preparation of an EIR.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. The project site is not in or near state responsibility areas or lands classified as very high FHSZ. Therefore, the proposed project would not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. No impacts would arise, and there are no changes or new significant information that would require preparation of an EIR.

Figure 21 - Wildfire Hazards



Source: EIP Architects 2006.

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d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact/No Changes or New Information Requiring Preparation of an EIR. The project site is not within areas designated as High or Moderate fire susceptibility per the 2006 General Plan (see Figure 21, *Wildfire Hazards*). Therefore, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No impacts would arise, and there are no changes or new significant information that would require preparation of an EIR.

6.20.3 Cumulative Impact

As discussed above, the project site is not within a very high FHSZ. Therefore, the proposed project would not cause either a new cumulative impact to occur nor cumulatively contribute to wildfire impacts.

6.20.4 Standard Conditions of Approval

No City of Newport Beach standard conditions are applicable to Wildfire for the proposed project.

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7. Summary

This document is Addendum No. ~~7~~ 8 to the previously certified City of Newport Beach General Plan EIR. As such, this Addendum analyzes the potential differences between the environmental impacts identified in the previous Program EIR and the impacts anticipated for the proposed project (1401 Quail Street Residential Project).

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

1. Geographically,
2. A logical part in the chain of contemplated actions,
3. In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
4. As individual activities carried out under the same authorizing or statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

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

This EIR Addendum provides the environmental information necessary for the City to make an informed decision about the proposed project, as more fully described in Section 4, *Project Description.* The City has determined that an Addendum to the above-referenced Program EIR is appropriate, rather than a Supplement or Subsequent EIR, based on the following:

a. As demonstrated in Section 6, *Environmental Analysis,* the proposed project would not require major revisions to the previously certified EIR because the project would not result in any new significant impacts to the physical environment nor would it create substantial increases in the severity of the environmental impacts previously disclosed in the programmatic EIR.

b. There have been no substantial changes in circumstances subsequent to the certification of the 2006 GPU EIR that would require major EIR revisions. The topical analysis in Section 6 of this Addendum describes updated regulatory requirements and conditions that could affect the potential significance of impacts associated with the proposed project. Existing, surrounding land uses have been described. Moreover, the project-related land use changes in comparison to the previous Program EIR (square footage by use and number of residential uses) have been quantified, and the analysis for these changes, quantified as applicable. The incremental environmental impact due to the project would not combine with other related projects to result in new significant cumulative impacts.

c. There is no known new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR that would result in increased significant impacts.

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