

**SUPERIOR AVENUE PEDESTRIAN AND
BICYCLE BRIDGE AND PARKING LOT
PROJECT MND ADDENDUM**

Newport Beach, CA

(Orange County)

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SECTION 1.0 – INTRODUCTION

1.1 OVERVIEW/PURPOSE

This addendum to the Final Mitigated Negative Declaration for the Superior Avenue Pedestrian and Bicycle Bridge and Parking Lot Project (2019 MND) (SCH 2019099074) analyzes potential environmental impacts that would result from changes to the original project description and cumulative conditions since certification of the 2019 MND. The 2019 MND for the Superior Avenue Pedestrian and Bicycle Bridge and Parking Lot Project was certified by the City of Newport Beach (City) on November 19, 2019. Since the 2019 MND approval, the City has proposed minor design changes to the bridge. In addition, a future project is being considering in the same area that would be considered a cumulative project, which was not a known future project at the time of approval.

1.2 CEQA REQUIREMENTS

In order to satisfy the conditions set forth in §15162 through §15164 of the *State CEQA Guidelines*, the City has used Appendix G of the CEQA Guidelines for the Superior Avenue Pedestrian and Bicycle Bridge and Parking Lot Addendum Project (proposed Project or Addendum) to make the following determinations:

- ∅ No substantial changes are proposed in the Addendum that require major revisions to the original Final Mitigated Negative Declaration (MND) prepared by the City due to the involvement of significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- ∅ No substantial changes will occur with respect to the circumstances under which the proposed Project is undertaken, and no major revisions to the Final MND will be required; and
- ∅ No substantial new information has been provided that would require a major revision to the Final MND.

Based on the information incorporated and the changes associated with the proposed Project, there are no conditions that would require the preparation of a subsequent or supplemental MND pursuant to §15162 through §15164 of the CEQA Guidelines.

SECTION 2.0 – PROJECT DESCRIPTION

2.1 PROJECT BACKGROUND

The City of Newport Beach (City), as the lead agency under the California Environmental Quality Act (CEQA), has prepared this Initial Study (IS) to evaluate the potential environmental impacts associated with the revisions to the Superior Avenue Pedestrian and Bicycle Bridge and Parking Lot Project (proposed Project). The proposed Project involves several alterations to the approved pedestrian and bicycle bridge and parking lot located at the intersection of Superior Avenue and West Coast Highway in Newport Beach, California.

An MND was completed in November 2019 for the original project (2019 Project). The 2019 Project found that due to its location close to the coast, the area receives a significant amount of pedestrian and bicycle traffic. Visitors to Sunset Ridge Park use the existing parking lot across Superior Avenue and cross at the at-grade Superior Avenue/West Coast Highway intersection because no on-site parking is provided at Sunset Ridge Park. The 2019 Project involved a new pedestrian/bicycle Steel Truss or Concrete Cast-in Place bridge approximately 260 feet long and 14 feet wide that crosses Superior Avenue, a new larger parking lot with approximately 128 parking spaces, a stair case from the bridge down to the corner of Superior Avenue and West Coast Highway, extension of upper Sunset View Park (open space), earthwork, grading, and retaining walls, landscape and irrigation improvements, and other amenities including a drop-off area, bicycle fix-it station, and a drinking water fountain. The 2019 Project also proposed a possible extension of an access road through the parking lot to connect to the Hoag Memorial Hospital property.

The 2019 MND found that impacts to biological resources, cultural resources, hazards and hazardous materials, and tribal cultural resources would be mitigated to less than significant impacts and all other impacts would be less than significant.

2.2 PROJECT LOCATION AND SITE CHARACTERISTICS

The proposed Project is located at the intersection of Superior Avenue and West Coast Highway within the City of Newport Beach and is located approximately 1,000 feet from the coastline (Project site) as shown in Figure 2-1: Project Site.

The 2019 Project is expected to start construction in mid-2021 and therefore, the site is in the same existing condition as it was prior to approval of the 2019 MND. This includes an existing City-owned parking lot with 64 metered parking stalls located at the northeast corner of this intersection. The existing Superior Parking Lot is approximately 0.64 acres, with the driveway to the parking lot at approximately 0.17 acres. Access to the existing parking lot is available via an entrance off Superior Avenue for vehicles, and via a concrete pathway from the intersection of Superior Avenue and West Coast Highway for pedestrians and bicyclists. Directly east of the existing parking lot is an undeveloped piece of land with steep slopes with ground elevations ranging from approximately 10 feet near West Coast Highway to approximately 75 feet near Sunset View Park based on the North American Vertical Datum of 1988 (NAVD 88), with some existing vegetation.

The entire Project site is within the boundary of the coastal zone as established by the California Coastal Act and is therefore under the land use planning and regulatory jurisdiction not only of local government agencies but also the California Coastal Commission (Commission). The City of Newport Beach Local Coastal Program includes a Coastal Land Use Plan and Local Coastal Program Implementation Plan (City

of Newport Beach 2017a, City of Newport Beach 2017b). The Coastal Land Use Plan sets the goals, objectives, and policies that administers uses of the land and water within its sphere of influence (excluding Newport Coast and Banning Ranch). The Coastal Land Use Plan is divided in subsections for land use and development, public access and recreation, and coastal resource protection (City of Newport Beach 2017a). The purpose of the Local Coastal Program Implementation Plan is to implement policies of the California Coastal Act to protect, maintain, enhance, and restore the coastal zone environment. Site development must be consistent with the requirements of the Local Coastal Program and Coastal Act.

Properties and land uses adjacent to the Project site include Sunset Ridge Park, Sunset View Park, Villa Balboa and Newport Crest residential communities, and the lower campus of Hoag Hospital. A shopping center and the Lido Sands residential community are located to the south across West Coast Highway from the Project site.

2.3 PROJECT DESCRIPTION

The proposed changes to the 2019 Project, as shown in Figure 2-2: 2019 Project Bridge Design, would be minor and include an updated bridge design as shown in Figure 2-3: Updated Bridge Design. The bridge would be a single span concrete arch bridge that would be approximately 200 feet long and 18 feet wide as shown in Figure 2-4: Bridge Rendering. The height of the bridge will be approximately 20 feet above the asphalt surface, and the bridge structure, including the projectile barrier, is approximately 11 feet tall. In addition, the bridge will not require any mid-span piles to support the bridge.

All other aspects of the 2019 Project including landscaping, the parking lot, and extension of upper Sunset View Park (for passive recreation) would remain the same.

2.3.1 Construction Activities/Equipment

Construction of the proposed Project is scheduled to begin in mid-2021 and reach completion in approximately 14 to 18 months. Since existing recreational activities occur at Sunset Ridge Park (soccer in the Fall and baseball in the Spring), construction activities would be scheduled during low usage months to avoid recreational events, or these events could be relocated to an alternate location temporarily if alternate/temporary parking cannot be allowed closer to the park.

The timing of work and construction equipment needed will remain the same as what was proposed in the 2019 MND. In addition the staging area, sidewalk closures, and excavation of soils would not change from what was analyzed in the 2019 MND.

Figure 2-1 - Project Site



Figure 2-2– 2019 Project Bridge Design



Figure 2-2
2019 Project Bridge Design

Figure 2-3– Updated Bridge Design



Figure 2-3
Updated Bridge Design

Figure 2-4 -- Bridge Rendering

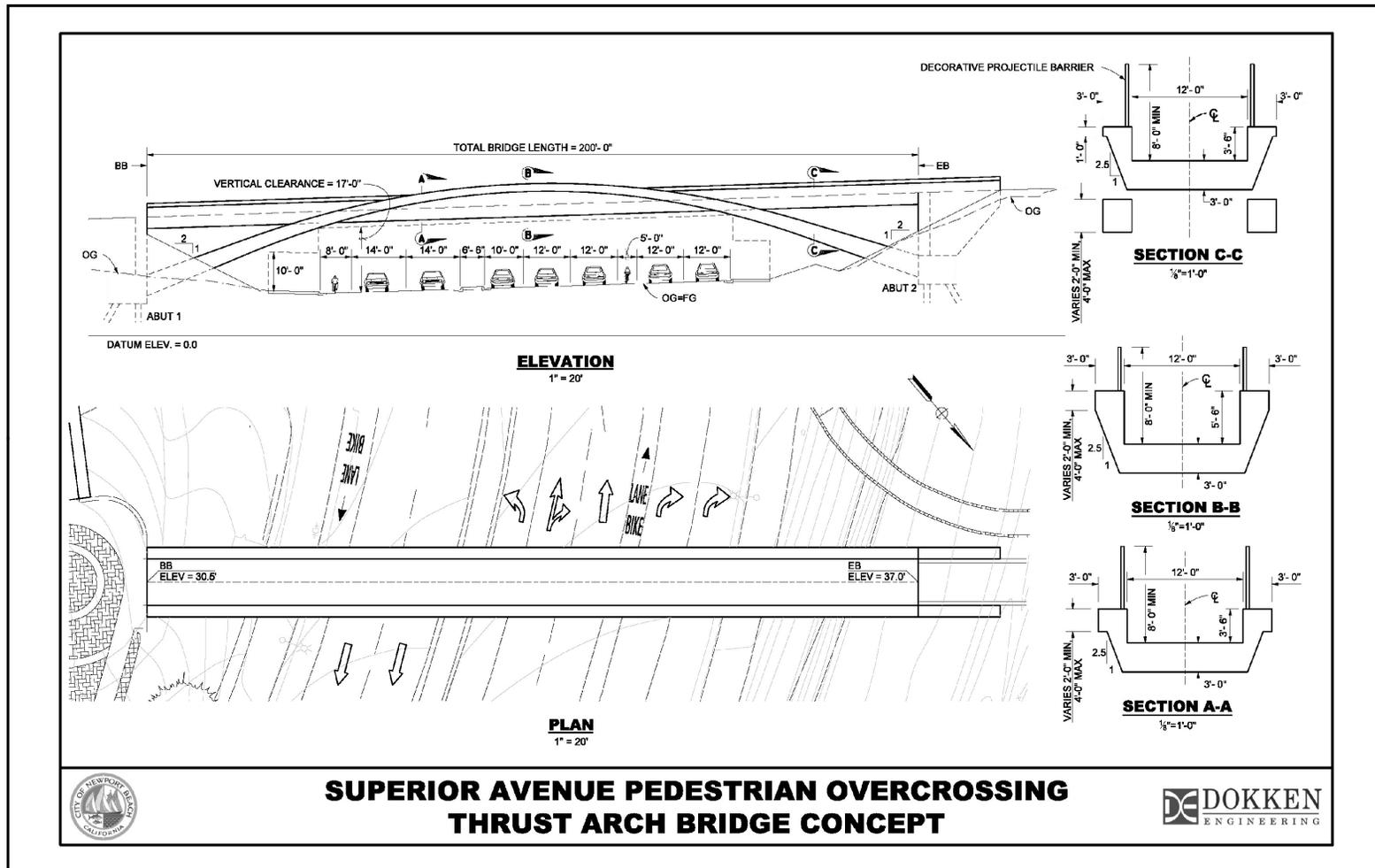


Figure 2-4
Updated Bridge Design

SECTION 3.0 – ENVIRONMENTAL DETERMINATION

3.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would potentially be affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklists on the following pages. For each of the potentially affected factors, mitigation measures are recommended that would reduce the impacts to less than significant levels. The mitigation measure recommended are the same as those included in the 2019 MND, as no new impacts would occur.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology /Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities /Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

3.2 DETERMINATION

On the basis of this initial evaluation:

The 2019 MND followed the 2019 CEQA Checklist thresholds. For purposes of analysis, the 2020 CEQA Checklist thresholds were utilized to evaluate the proposed Project. Analysis of the proposed Project indicates that no substantial changes are proposed in the Project that would require major revisions to the original Final MND. Based on the information incorporated and the changes associated with the proposed Project, there are no conditions that would require the preparation of a subsequent or supplemental EIR pursuant to §15162 through §15164 of the CEQA Guidelines.

SECTION 4.0 – CHECKLIST OF ENVIRONMENTAL ISSUES

4.1 AESTHETICS

1.	AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the project have a substantial adverse effect on a scenic vista?*

Less than Significant Impact. The 2019 MND found that the installation of the bridge would be unlikely to cause obstructed views from any of the existing scenic viewpoints because of its height and location. Under the proposed Project, the type of bridge would be updated to a single span concrete arch bridge design. Similar to the 2019 Project, the bridge design would not obstruct the views of the ocean as shown in Figure 4-1: Updated Bridge Design Ocean Viewpoint. Under the proposed Project, the bridge would be approximately the same height, but the design would be approximately 120 square feet smaller than the approved 2019 Project. Similar to the 2019 Project, the proposed Project would be consistent with the General Plan and the Coastal Land Use Policy Consistency for aesthetics and shown in Table 4-1: General Plan and Coastal Land Use Policy Consistency: Aesthetics.

Table 4-1: General Plan and Coastal Land Use Policy Consistency: Aesthetics

Policy	Consistency with Policy
<p><u>General Plan NR 20.1: Enhancement of Significant Resources</u> Protect and, where feasible, enhance significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points.</p>	<p>Consistent. The proposed Project would not result in the significant obstruction of scenic and visual resources. The proposed Project would provide pedestrians and bicyclists a safe access to coastal views along Superior Avenue.</p>

Policy	Consistency with Policy
<p><u>General Plan NR 20.3: Public Views /Coastal Land Use Plan 4.4.1-6</u> Protect and enhance public views from the following roadway segments, and other locations may be identified in the future.</p> <ul style="list-style-type: none"> • Superior Avenue from Hospital Road to Coast Highway 	<p>Consistent. The proposed Project would not result in the significant obstruction of public views along the Superior Avenue roadway segment from Hospital Road to (West) Coast Highway. The proposed pedestrian bridge would provide additional access to coastal views. As shown in Figure 4-1, the bridge does not obstruct views of the ocean for existing scenic viewpoints due to its height and location.</p>
<p><u>General Plan NR 20.4: Public View Corridor Landscaping/Coastal Land Use Plan 4.4.1-2 and 4.4.1-7</u> Design and site new development, including landscaping, on the edges of public view corridors, including those down public streets, to frame, accent, and minimize impacts to public views.</p>	<p>Consistent. The proposed Project was sited and designed to minimize impacts to public views, and will include drought-tolerant landscaping in the parking lot, which will maintain the existing aesthetic character of the area.</p>
<p><u>General Plan NR 20.5: Public View Corridor Amenities/ Coastal Land Use Plan 4.4.1-10</u> Provide public trails, recreation areas, and viewing areas adjacent to public view corridors, where feasible.</p>	<p>Consistent. The proposed Project would be consistent because of the addition of a pedestrian bridge which would provide additional viewing areas for coastal views and access to locations designed to contain viewing areas.</p>
<p><u>Coastal Land Use Plan: Coastal Resource Protection</u> 4.4.1-1. Protect and, where feasible, enhance the scenic and visual qualities of the coastal zone, including public views to and along the ocean, bay, and harbor and to coastal bluffs and other scenic coastal areas.</p>	<p>Consistent. The proposed Project has been designed such that views of the Pacific Ocean and from Coastal View Points and roads will not be impacted. The proposed Project would not impact harbor or coastal bluffs as none are in the area.</p>
<p><u>Coastal Land Use Plan: Coastal Resource Protection.</u> 4.4.1-4: Where appropriate, require new development to provide view easements or corridors designed to protect public coastal views or to restore public coastal views in developed areas.</p>	<p>Consistent. The proposed Project would include the addition of a pedestrian bridge which would provide access to locations designed to contain viewing areas.</p>
<p><u>Coastal Land Use Plan: Coastal Resource Protection</u> 4.4.1-9: Design and maintain parkway and median landscape improvements in public rights-of-way so as not to block public coastal views at maturity.</p>	<p>Consistent. The proposed Project provides access to locations designed to contain viewing areas. The bridge would provide access to unobstructed views of the coastal areas. The landscaping will be maintained to not block coastal views.</p>
<p><u>Coastal Land Use Plan: Coastal Resource Protection</u> 4.4.2-1: Maintain the 35-foot height limitation in the Shoreline Height Limitation Zone, as graphically depicted on Map 4-3 of the Coastal Land Use Plan, except for the following sites: Marina Park at 1600 West Balboa Boulevard, and the Former City Hall Complex at 3300 Newport Boulevard and 475 32nd Street.</p>	<p>Consistent. The Single Span Concrete Arch bridge design will be 11 feet tall with a superstructure approximately 20 feet above asphalt surface. Per the requirements of the Coastal Land Use Plan, and the Newport Beach Municipal Code 21.30.060.D.16, it allows structures owned, operated, or occupied by the City to exceed the height limit subject to the approval of a coastal development permit where the increase in height is necessary to accommodate design features required for a facility or structure to function. The</p>

Policy	Consistency with Policy
	installation of the pedestrian bridge must be built and designed to allow vehicles to access Superior Highway and West Coast Highway while providing a safe access route for pedestrians between the parking lot and Sunset Ridge Park.

The installation of the bridge would provide additional unobstructed views of the coast; and the bridge would not cause obstructed views from any of the existing scenic viewpoints because of its height and location. Therefore, impacts would be less than significant.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Less than Significant Impact. The 2019 MND found that the although Pacific Coast Highway is listed as an eligible scenic highway – not officially designated, the 2019 Project would not substantially damage scenic resources. The 2019 Project’s potential shade structure from the bridge was found to be 10 to 15 feet in height and would be designed to protect public coastal views. The bridge associated with the proposed Project would be approximately 40 to 80 feet less in length than the bridge associated with the 2019 Project, slightly wider than what was previously analyzed at 18 feet wide. In addition, the shade structure noted in the 2019 Project is no longer proposed. The height of the bridge at 11 feet in height is within the range (8 to 16 feet tall) that was analyzed for the 2019 MND. Therefore, the updates associated with the proposed Project would not introduce new impacts to scenic resources near or within a state scenic highway and no major revisions to the 2019 MND will be required and impacts would remain less than significant.

- c) *In non-urbanized areas, would the project 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?*

Less than Significant Impact. The Project is in an urbanized area. The 2019 MND found that although the 2019 Project would alter the existing visual character, that impacts would be considered less than significant. The presence of a pedestrian and bicycle bridge would not conflict with existing zoning regulations for Parks and Recreation as Accessory Structures and Uses are allowed with a Minor Use Permit (City 2020, Chapter 20.26.020). As previously mentioned, the bridge associated with the proposed Project would be approximately 40 to 80 feet less in length and 2 feet greater in width than the bridge associated with the 2019 Project. Therefore, the updates associated with the proposed Project would not introduce new impacts to the visual character or quality of public views and no major revisions to the 2019 MND will be required and impacts would remain less than significant.

Figure 4-1: Updated Bridge Design Ocean Viewpoint



Figure 4-1
Updated Bridge Design
Ocean Viewpoint

Name: 21169 PLAN Fig 4-1 Updated Bridge Design Ocean Viewpoint.Mxd
Print Date: 9/28/2020, Author: pcarlos



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

Less than Significant Impact. The 2019 MND noted that current light sources exist within the Project site and that construction and operation of the 2019 Project would add some new temporary and long term lighting sources. The 2019 MND also noted that the bridge may be a source of glare depending on the design, material, and color, but that impacts would be less than significant. Similar to the 2019 Project, the proposed Project construction activities would occur predominantly during daytime work hours (7:00 a.m. to 4:30 p.m.); however, occasional nighttime work could be required to minimize public inconvenience. It is anticipated that Superior Avenue could potentially be closed at night to accommodate the installation of the proposed bridge’s superstructure. Similar to the 2019 Project, the proposed Project would comply with the City of Newport Beach Municipal Code 21.30.070 and 20.30.070 Outdoor Lighting standards for parking lots and other manmade objects to reduce the impacts of glare, light trespass, over lighting, sky glow, and poorly shielded or inappropriately direct lighting fixtures. Compliance with these standards would also promote safety and encourage energy conservation (City of Newport Beach 2019a). The proposed Project would not add additional lighting or material that may result in glare that would be different from the 2019 Project and therefore, no major revisions to the 2019 MND will be required and impacts would remain less than significant.

4.2 AGRICULTURE & FORESTRY RESOURCES

2.	AGRICULTURE & FOREST RESOURCES. (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	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 nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

(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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

No Impact. The 2019 MND noted that the Project site would not involve the conversion of farmlands to nonagricultural uses because no such lands are located in the area. The proposed Project would occur in the existing footprint of the 2019 Project, which is located within a highly urban area of the City; no new areas have been newly designated as farmland. No major revisions to the 2019 MND will be required and there would be no impact.

b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

No Impact. The 2019 MND noted that the Project site is not located within an area zoned for agricultural lands and Williamson Act contracts do not occur on this property and therefore no impacts would occur. The proposed Project would occur within the existing footprint of the 2019 Project, and the Project would remain consistent with the current uses and zoning onsite. No new areas have been newly designated as farmland and no major revisions to the 2019 MND will be required.

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

No Impact. The 2019 MND concluded that the Project site is not zoned as forest land, timberland, or timberland zoned Timberland Production. The proposed Project would remain consistent with the site uses and zoning. No new impacts would occur.

d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. As previously noted, the 2019 MND concluded that no forest land exists on the Proposed Project site. The proposed Project remains consistent to what was analyzed as the footprint would remain the same. No new impacts would occur and no major revisions to the 2019 MND will be required.

e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?*

No Impact. The 2019 MND concluded that the proposed Project is not located on lands designated for agricultural or forest uses. The proposed Project remains consistent to what was analyzed as the footprint would remain the same. No new impacts would occur and no major revisions to the 2019 MND will be required.

4.3 AIR QUALITY

3.	AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The proposed Project site is located in the City of Newport Beach within the County of Orange. The proposed Project site is located within the South Coast Air Basin (Air Basin), and air quality regulation is administered by the South Coast Air Quality Management District (SCAQMD). The SCAQMD implements the programs and regulations required by the federal and state Clean Air Acts. An air quality analysis was conducted for the 2019 Project.

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less than Significant Impact. CEQA requires a discussion of any inconsistencies between a proposed Project and applicable general plans and regional plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed Project includes the SCAQMD AQMP. Therefore, this section discusses any potential inconsistencies of the proposed Project with the AQMP.

The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed Project would interfere with the region’s ability to comply with federal and state air quality standards. If the decision-makers determine that the proposed Project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that “New or amended GP Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency

with the AQMP.” Strict consistency with all aspects of the plan is usually not required. A proposed Project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

- (1) Whether the project will result in an increase in the frequency or severity of existing air quality violations, cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
- (2) Whether the project will exceed the assumptions in the AQMP in 2010 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated in the following sections.

Criterion 1 - Increase in the Frequency or Severity of Violations?

Based on the air quality modeling analysis prepared for the 2019 Project, it was determined that short-term construction impacts, and long-term operations impacts would not result in significant impacts based on the SCAQMD regional, local, and toxic air contaminant thresholds of significance. The Project as proposed, would result in an updated design which includes a smaller footprint for the bridge which would ultimately result in less construction than the 2019 Project.

Criterion 2 - Exceed Assumptions in the AQMP?

The City of Newport Beach General Plan define the assumptions that are represented in the AQMP.

The 2019 Project consisted of construction of a pedestrian and bicycle bridge overcrossing Superior Avenue and a new larger parking lot. The proposed Project includes minor modifications including a change in the design of the bridge. The majority of the Project site is designated as Parks and Recreation (PR) in the General Plan and is zoned Parks and Recreation (PR). It should be noted that the proposed pedestrian bridge would span Superior Avenue, which consists of public right-of-way that does not have a land use designation in the General Plan and is not zoned. The proposed Project is consistent with the current land use designations and would not require a General Plan Amendment or zone change. In addition, project construction would be required to comply with SCAQMD Rules and Regulations, including Rules 402 and 403 that controls the emissions of air contaminants, odors and fugitive dust. Therefore, based on the above, the proposed Project is not anticipated to exceed the AQMP assumptions for the Project site and is found to be consistent with the AQMP for the second criterion.

Based on the discussion above, the proposed Project will not result in an inconsistency with the SCAQMD AQMP. Accordingly, the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. Impacts would continue to be less than significant and no major revisions to the 2019 MND will be required.

- b) *Would the project 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 Impact. The 2019 MND analyzed construction and operation related impacts related to air quality. The 2019 MND concluded that impacts during construction and operation

of the 2019 Project would not exceed SCAQMD thresholds and would therefore result in less than significant impacts. The Project as proposed, would result in an updated design which includes a smaller footprint for the bridge which would ultimately result in less construction than the 2019 Project. Operation of the proposed Project would be identical to that of the 2019 Project. Impacts would continue to be less than significant and no major revisions to the 2019 MND will be required.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less than Significant Impact. The nearest sensitive receptors to the Project site are multi-family homes located as near as 165 feet to the south and 220 feet to the northeast and single-family homes located as near as 300 feet to the southwest of the proposed area to be disturbed as part of the proposed Project. As discussed above in (b), the local concentrations of criteria pollutant emissions would be less than those of the 2019 Project. Less than significant criteria pollutant concentrations would occur during construction and operation of the proposed Project.

Given the relatively limited number of heavy-duty construction equipment, the varying distances that construction equipment would operate to the nearby sensitive receptors, and the short-term construction schedule, the proposed Project would not result in a long-term (i.e., 70 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. In addition, California Code of Regulations Title 13, Article 4.8, Chapter 9, Section 2449 regulates emissions from off-road diesel equipment in California. This regulation limits idling of equipment to no more than five minutes, requires equipment operators to label each piece of equipment and provide annual reports to CARB of their fleet's usage and emissions. This regulation also requires systematic upgrading of the emission Tier level of each fleet, and currently no commercial operator is allowed to purchase Tier 0 or Tier 1 equipment and by January 2023, no commercial operator is allowed to purchase Tier 2 equipment. In addition to the purchase restrictions, equipment operators need to meet fleet average emissions targets that become more stringent each year between years 2014 and 2023. Therefore, similar to the 2019 MND, no significant short-term toxic air contaminant impacts would occur during construction of the proposed Project. The proposed Project would not expose sensitive receptors to substantial pollutant concentrations, and no new impacts would occur and no major revisions to the 2019 MND would be required.

d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

Less than Significant Impact. Similar to the 2019 Project, any diesel equipment used during construction of the proposed Project would consist of mobile equipment that would be changing locations, allowing the odors to disperse rapidly and not impact any nearby receptors. Should diesel equipment be required during maintenance at the proposed Project site, it would also change locations, allowing the odors to disperse rapidly and not impact any nearby receptors. The Project site would not introduce any other objectionable odors. Therefore, construction and operation of the proposed Project would not create objectionable odors affecting a substantial

number of people, and impacts would be less than significant. No new impacts would occur and no major revisions to the 2019 MND would be required.

4.4 BIOLOGICAL RESOURCES

4.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A site survey and literature study were conducted for the 2019 Project in June 2019 in the form of a Biological Resources Technical Report and Jurisdictional Delineation Report. Additionally, a focused survey within areas determined to be suitable habitat for the California Gnatcatcher was completed. The results of these studies are further described below.

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

Less than Significant Impact with Mitigation. As previously mentioned, a Biological Resources Technical Report and Jurisdictional Delineation Report were previously prepared for the 2019 Project.

Special Status Animal Species Occurrences

The biological report prepared for the 2019 Project concluded that of the 34 special status wildlife species with known records of occurrences in the survey area identified during the literature search, two regional sensitive wildlife species have a potential to be present within the proposed Project footprint, the coastal California gnatcatcher (CAGN) and burrowing owl.

The coastal California gnatcatcher is a federally listed threatened species and a California Species of Special Concern. Known occurrences of this species are within one mile of the survey area; however, the habitat within and directly surrounding the proposed Project footprint is sparsely vegetated and is composed of open, low lying shrubs providing poor quality nesting habitat for this species.

Two adult CAGN individuals were observed foraging in the western edge of the 500-foot buffer near the western edge of Sunset Park during the surveys conducted on August 13 and 21, 2019. No individuals were observed within the 500-foot buffer during the last survey on August 29, 2019. The two individuals were observed utilizing the area within the 500-foot buffer for foraging, no active nests or nesting behavior was observed within the buffer area. Both individuals would fly over to the southwest portion of the 500-foot buffer from Newport Banning Ranch area located west of Sunset Ridge Park to forage briefly and then return to the Newport Banning Ranch area for extended lengths. The habitat within the Newport Banning Ranch area consists of moderate to high quality. The suitable habitat that occurs within the 500-foot buffer consists of moderate to low quality habitat near the western edge of the buffer area and decreases in value to low quality throughout the areas surrounding Sunset Ridge Park (north, south, immediately west and east of the park) and within the Project site. The habitat within the majority of the 500-foot buffer and the Project site is low quality, consisting primarily of low-lying shrubs with an average height of 1.5 to 2 feet and is sparsely vegetated with patches of bare ground intermixed throughout. The areas surrounding Sunset Park and within the proposed Project site are lacking the higher density vegetation and mature shrubs that is required by this species for nesting. Therefore, it is likely the CAGN are utilizing the western edge of the buffer area for foraging only and nesting in the Newport Banning Ranch area, outside of the 500-foot buffer. No CAGN were observed flying or foraging closer than 480 feet to the proposed Project site; therefore, no impacts to CAGN are anticipated to occur as a result of proposed Project activities.

The burrowing owl is a California Species of Special Concern. This species inhabits dry, open, native or non-native grasslands, deserts, and other arid environments with low-growing and low-density vegetation. It may occupy golf courses, cemeteries, road rights-of way, airstrips, abandoned buildings, irrigation ditches, and vacant lots with holes or cracks suitable for use as burrows. Burrowing owls often are found within, under, or in close proximity to man-made structures. Prey sources for this species include small rodents; arthropods such as spiders, crickets, centipedes, and grasshoppers; smaller birds; amphibians; reptiles; and carrion. Threats to the burrowing owl include loss of nesting burrows, habitat loss, and mortality from motor vehicles. Low quality habitat occurs within the eastern portion of the proposed Project footprint; however, the proposed Project site lacks connectivity to additional suitable habitat for this species. Therefore, this species has a low potential to occur within the proposed Project footprint.

Approximately 0.01 acre of *Artemisia californica-Eriogonum fasciculatum* Shrubland will be directly impacted due to proposed Project construction activities; this is the same area of impact identified in the 2019 MND. Due to the level of disturbance in the area of the proposed Project and the high level

of human activity directly adjacent to the *Artemisia californica-Eriogonum fasciculatum* Shrubland, the sensitive wildlife species with a potential to occur are not expected on the proposed Project footprint; therefore, no Project impacts to the species are expected.

Direct and indirect impacts to habitat for sensitive wildlife species or to sensitive wildlife species that may be present within natural communities located adjacent to the proposed Project footprint will be avoided or minimized with the implementation of the mitigation measures (MMs). The 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM BIO-1: Project-related activities likely to have the potential to disturb suitable bird nesting habitat shall be prohibited from February 15 through August 31, unless a Project Biologist acceptable to the City of Newport Beach surveys the Project area prior to disturbance to confirm the absence of active nests. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat or any action that may cause disruption of nesting behavior such as loud noise from equipment and/or artificial night lighting. Surveys shall be conducted weekly, beginning no earlier than 30 days and ending no later than 3 days prior to the commencement of disturbance. If an active nest is discovered, disturbance within a particular buffer shall be prohibited until nesting is complete; the buffer distance shall be determined by the Biologist in consideration of species sensitivity and existing nest site conditions. Limits of avoidance shall be demarcated with flagging or fencing. The Biologist shall record the results of the recommended protective measures described above and shall submit a memo summarizing any nest avoidance measures to the City of Newport Beach to document compliance with applicable State and federal laws pertaining to the protection of native birds. Similarly, for preserved vegetation that occurs within 50 to 100 feet of construction activities, if construction is occurring during the nesting season, preserved vegetation shall be surveyed for the presence of nesting birds.

MM BIO-2: Flag or install construction fencing or silt fencing along the proposed Project boundaries to delineate construction limits and to prevent encroachment into adjacent natural communities. The limits of both the Superior and West Coast Highway wetlands will be clearly demarcated in the field and all on-site construction personnel will be informed about the wetland avoidance area prior to the commencement of construction activities. The construction contractor will install a solid protective barrier that is clearly visible to construction personnel, particularly any construction equipment operators, and that prevents any incidental discharge of soil or debris into the jurisdictional wetlands. Furthermore, a biologist will monitor the construction work to ensure that encroachment into the wetlands does not occur.

MM BIO-3: Gravel bags should be placed along the tops of the v-ditches in order to minimize erosion and to prevent construction debris and potentially hazardous materials from entering the waterway during a rain event.

Since the time of these surveys, the existing conditions on the Project site have not changed. The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measures **MM BIO-1** through **MM BIO-3**, however, no new significant impacts would occur that were not previously analyzed. Although the size of the impact area is increased, Impacts to sensitive wildlife species and habitats would remain less than significant.

Special Status Plant Species

The biological report prepared for the 2019 Project concluded that no sensitive plant species (defined as federally and state listed endangered or threatened species, California Species of Special Concern, or otherwise documented sensitive species or habitats) were found during the survey. Therefore, of the 32 special status plant species with records of occurrences within the vicinity of the survey area identified during the literature search, there are no regional sensitive plant species that have a potential to be present within the survey area. Because the proposed Project would be within the footprint of the 2019 Project, there are no impacts anticipated to special status plant species due to proposed Project construction activities. Indirect impacts to habitat for sensitive plant species or to sensitive plant species that may be present within natural communities located adjacent to the proposed Project footprint will be avoided. As no sensitive plant species have a potential to grow in the proposed Project footprint, impacts to sensitive plant species are not anticipated and no new impacts would occur.

The Project site contains 0.1 acre of planted *Artemisia californica*-*Eriogonum fasciculatum* Shrubland Alliance (Coastal Sage Scrub; CSS). The Restored Coastal Sage Scrub was planted as part of a habitat restoration project in Sunset Ridge Park on the northwest side of Superior Avenue and West Coast Highway.

Similar to the 2019 Project, construction of the Project will result in temporary and permanent impacts to this planted vegetation as shown in Figure 4-2: Temporary and Permanent Vegetation Impacts. Permanent impacts would be limited to direct disturbance from the western bridge abutment and limited impacts would occur due to shading. Areas that are temporarily impacted during construction will be replanted once construction is complete. The 2019 Project calculated approximately 886 square feet (or 0.02 acre) of Restored Coastal Sage Scrub would be impacted due to the design of the bridge; however, based on design changes the proposed Project would impact 950 square feet (or 0.022 acre) of Restored Coastal Sage Scrub. The 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM BIO-4: *Artemisia californica*-*Eriogonum fasciculatum* Shrubland located within the proposed Project footprint should be avoided to the greatest extent feasible.

- *Artemisia californica*-*Eriogonum fasciculatum* Shrubland located within the proposed Project footprint, that may be avoided, shall be flagged or construction or silt fencing should be installed along the avoidable vegetation to delineate construction limits and to prevent encroachment into adjacent natural communities.
- Any impacts to *Artemisia californica*-*Eriogonum fasciculatum* Shrubland which cannot be avoided will be mitigated through one of the following, in order of priority:
 - Onsite Mitigation: Any temporary impacts to CSS will be revegetated within the Sunset Ridge planted area, in areas that are not currently vegetated. Specifically, there is an opportunity for revegetation in an area outside of the delineated wetlands that, with approval from the Commission, could provide additive benefits to the Sunset Ridge Park planted area, immediately to the northeast of the Project site. This will provide a continuation of the CSS habitat previously revegetated onsite. The City will replant the area to be equivalent to existing conditions, which consists of superior high quality native vegetation with

coverage of primarily CSS. If this area is not approved for revegetation by the Commission, alternative onsite mitigation opportunities will be evaluated.

- Offsite Mitigation: Additive habitat assessment in the area adjacent to the project site within the replanted CSS would be provided to mitigate impacts from direct disturbance from the bridge structure and potential impacts from shading.

The proposed Project will not result in significant impacts to sensitive plant species, as both temporary and permanent impacts will be mitigated as outlined above. Although the proposed Project would result in slightly greater impacts than the 2019 Project, the impacts would still be mitigated to less than significant with implementation of MM BIO-4. Impacts would remain less than significant under the proposed Project; no new significant impacts would occur and no major revisions to the 2019 MND would be required.

- 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 Game or U.S. Fish and Wildlife Service?*

Less than Significant with Mitigation. The biological report for the 2019 Project concluded that the Sunset Ridge Park forms part of a riparian habitat corridor that stretches from Fairview Park in Costa Mesa to Sunset Ridge Park, Banning Ranch, and the Santa Ana River at the West Coast Highway in Newport Beach. This corridor provides habitat for terrestrial wildlife as well as a way to travel within the wildland urban interface. West Coast Highway, however, runs the width of the corridor and will discourage some wildlife from crossing. Wildlife can pass under the West Coast Highway in the Santa Ana River Channel, approximately 2 miles northwest of Sunset Ridge Park.

Four sensitive vegetation communities were identified in the literature search as being present within 5 miles of the survey area (Chambers Group 2019). These four communities include Southern Dune Scrub, Southern Foredunes, Southern Coastal Salt Marsh, and Southern Cottonwood Willow Riparian Forest. None of these communities occur within the survey area.

The Southern Cottonwood Willow Riparian Forest is located within 5 miles of the survey area. Southern Cottonwood Willow Riparian Forest is of special concern because the community contains habitat requirements for special-status plant and wildlife species and is therefore, considered valuable to the ecosystem. The community is considered sensitive by CDFW due to the due to habitat loss and fragmentation from development and water infrastructure. Based on the list of species with potential to occur within the survey area that was generated in the NESMI, the Southern Cottonwood Willow Riparian forest is not located within the survey area. There are no Southern Dune Scrub, Southern Foredunes, Southern Coastal Salt March, or Southern Cottonwood Willow Riparian Forest habitats within the survey area. No new permanent or temporary impacts to these areas would occur.

Critical habitat has been designated in areas of Newport Beach for the coastal California gnatcatcher and is located within the western portion of the survey area; however, the habitat within the Project site is low quality and provides low quality nesting habitat. As discussed above, protocol surveys were conducted to assess habitat quality and potential use by CAGN. The habitat within the majority of the 500-foot buffer on those surveys and the Project site is low quality. The areas surrounding Sunset Park and within the Project site are lacking the higher density vegetation and mature shrubs that is required by CAGN for nesting. Therefore, it is likely the CAGN are utilizing the western edge of the

buffer area, for foraging only and nesting in the Newport Banning Ranch area, outside of the 500-foot buffer. In 2019, no CAGN were observed flying or foraging closer than 480 feet to the Project site. Additionally, the applicant would be required to comply the MBTA and therefore, no new impacts to CAGN are anticipated to occur as a result of proposed Project activities.

Coastal Land Use Plan 4.1.1-1 requires that the City define any area in which plant or animal life, or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments as an environmentally sensitive habitat area (ESHA). Utilizing the site-specific survey and analyses conducted for the 2019 Project, the Project site was found to not contain an ESHA. The proposed Project would occur within the same footprint of the 2019 Project and would operate with the same uses. Similar to the 2019 Project, the proposed Project would be consistent with the Coastal Land Use Policies.

Implementation of **MM BIO-1** through **MM BIO-4**, would ensure that impacts would remain less than significant; no new impacts would occur and no major revisions to the 2019 MND would be required.

- 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?*

Less than Significant with Mitigation. The 2019 MND concluded that there are no riparian/riverine areas, vernal pools, or waters of the United States or State are present within the proposed Project footprint. Within the survey area conducted for the jurisdictional delineation surveys, wetlands, as defined by the Coastal Act and the City's Local Coastal Program (LCP) were identified both on and off the Project site. These were identified as the Superior Avenue Wetlands and the West Coast Highway Wetlands.

The 2019 MND concluded that the Superior Avenue Wetland is outside the 100-foot buffer and are already surrounded by on-going disturbances. Additionally, the limits of the wetlands will be clearly demarcated in the field prior to the commencement of construction activities, and a biologist shall monitor the construction work to ensure that encroachment into the wetlands does not occur. The bridge itself would not result in any adverse shading impacts and therefore impacts to the Superior Avenue Wetland, would not occur. The proposed Project would occur within the 2019 Project footprint and therefore no new impacts would occur.

Similar to the 2019 Project, the proposed Project has been designed to avoid directly impacting the Commission wetlands located on the slope along West Coast Highway. Project features are approximately 10 feet from the wetlands; however impacts are estimated to be only a few feet from the edge of the wetlands along West Coast Highway, well within the 100-foot wetland buffer specified in Title 21, Section 21.30B.040.C of the City of Newport Beach LCP Implementation Plan.

Although proposed construction activities will occur within a few feet of the existing West Coast Highway wetlands, impacts to these wetlands will be prevented through the implementation of the following avoidance and minimization measures (e.g., protective fencing, signage, on-site monitoring, construction worker awareness). For instance, the limits of the wetlands will be clearly demarcated in the field and all on-site construction personnel will be informed about the wetland avoidance area

prior to the commencement of construction activities. Also, the construction contractor will install a solid protective barrier that is clearly visible to construction personnel, particularly any construction equipment operators, and that prevents any incidental discharge of soil or debris into the jurisdictional wetlands. Furthermore, a biologist will monitor the construction work to ensure that encroachment into the wetlands does not occur. The 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM BIO-5: Following completion of the construction activities, the City will conduct monthly monitoring of the West Coast Highway wetlands to evaluate and document the associated conditions to determine if any unforeseen impacts from the proposed construction activities are occurring. This monthly monitoring will continue for up to one year, or until such time as it can be sufficiently demonstrated that the wetlands will continue to persist in perpetuity. If it is determined during post-construction monitoring that construction has resulted in an unexpected impact to the wetlands, appropriate remedial actions will be implemented by the City. For instance, an unforeseen disruption or obstruction of subsurface hydrology to the wetlands may warrant the City's provision of an alternative water source that would continue to supply sufficient water to sustain the wetlands.

The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measure **MM BIO-5**, however, no new significant impacts would occur that were not previously analyzed. Impacts to wetlands would remain less than significant; and no major revisions to the 2019 MND would be required.

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

Less than Significant Impact. As previously noted, the results of the biological survey concluded that essential fish habitats are not present within the proposed Project. The survey concluded that there are 18 listed bird species with potential to occur within the survey area. Of the 18 species, only two have been identified as having low potential to occur within the proposed Project, the burrowing owl (*Athene cunicularia*) and the coastal California gnatcatcher (*Polioptila californica californica*). All other species are considered to be absent. All migratory, non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918 (Chambers Group 2019). Pursuant to the MBTA, it is unlawful to "take" (i.e., capture, kill, pursue, or possess) migratory birds or their nests. Virtually all native bird species are covered by the MBTA, as listed in 50 Code of Federal Regulation 10.13.

Similar to the 2019 Project, the proposed Project would be required to follow the conditions of the MBTA. To avoid impacts to other birds protected by the MBTA, ground disturbance or removal of vegetation should be done outside the breeding season. If ground disturbance or vegetation removal will take place during the breeding season (generally February 15 through September 1), then, to minimize impacts, a qualified biologist will conduct a nesting bird survey within the proposed Project footprint at least two weeks prior to construction with a buffer at a minimum of 300 feet around the Project footprint and again within three days of construction activities. If a nest is found within the proposed Project footprint, minimization measures will be implemented under the direction of the

qualified biologist. These measures may include a no-work zone around the nest, noise minimization measures, and biological monitoring of the nest to assess if the breeding birds are being disturbed by construction.

The applicant is responsible for compliance with the MBTA. In compliance with the MBTA, grading, brush removal, building demolition, tree trimming, and similar construction activities shall occur between August 16 and January 31, outside of the peak nesting period. If such activities must occur inside the peak nesting season from February 1 to August 15, compliance with the following is required to prevent the taking of Native Birds pursuant to the MBTA:

The construction area shall be inspected for active nests. If birds are observed flying from a nest or sitting on a nest, it can be assumed that the nest is active. Construction activity within 300 feet of an active nest shall be delayed until the nest is no longer active. Continue to observe the nest until the chicks have left the nest and activity is no longer observed. When the nest is no longer active, construction activity can continue in the nest area.

Due to the low potential of the burrowing owl (*Athene cunicularia*) and the coastal California gnatcatcher (*Polioptila californica californica*), and with ground disturbances and vegetation removal to occur outside of the breeding season, impacts would be less than significant with regard to wildlife species.

Additionally, as previously discussed, a portion of the survey area is within Sunset Ridge Park, and the park forms part of a riparian habitat corridor that stretches from Fairview Park in Costa Mesa to Sunset Ridge Park, Banning Ranch, and the Santa Ana River at the West Coast Highway in Newport Beach. However, because West Coast Highway runs the width of the corridor, it will discourage some wildlife from crossing. Wildlife can pass under the West Coast Highway in the Santa Ana River Channel, approximately 2 miles northwest of Sunset Ridge Park. Therefore, no new significant impacts would occur and impacts would be less than significant regarding interfering with wildlife corridors. The proposed Project would not result in major revisions to the 2019 MND.

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

Less than Significant Impact. Similar to the 2019 Project, the proposed Project would involve the removal of trees that are located adjacent to the existing parking lot. These trees are ornamental and new trees will be installed within the larger proposed parking lot. A Tree Removal or Reforestation Application will be submitted to the Municipal Operations Department prior to tree removal activities. New trees will be installed in accordance with the tree planting specifications and street tree designation list by the City of Newport Beach (City of Newport Beach 2019b). The proposed Project would not conflict with any tree preservation ordinances. The proposed Project is not located within the City of Newport Beach's environmental study areas according to the Local Coastal Program (City of Newport Beach 2005). Therefore, no new impacts would occur. The proposed Project would not result in major revisions to the 2019 MND.

Figure 4-2: Temporary and Permanent Vegetation Impacts

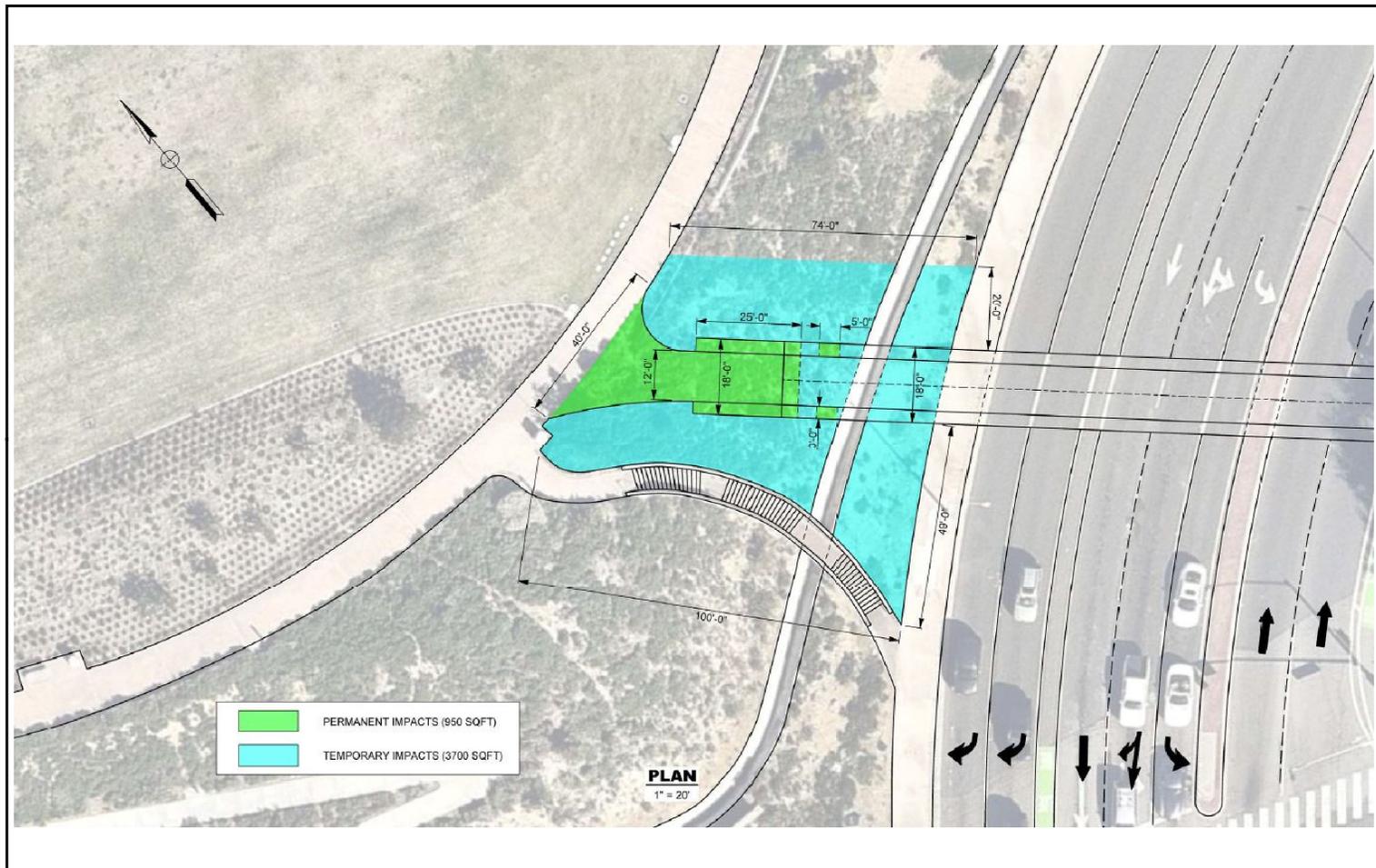


Figure 4-2
Temporary and Permanent
Vegetation Impacts

Name: 21169 PLAN Fig 4-2 Temporary and Permanent Vegetation Impacts2.Mxd
Print Date: 10/28/2020, Author: pcarlos



- 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?*

Less than Significant Impact. The 2019 MND noted that the Project site occurs within the Central/Coastal Subregion. Sunset Ridge Park and a portion of the northern area of the proposed Project is designated as ‘existing use’ according to the Orange County Central Coastal Habitat Conservation Plan Reserve. However, based on the results of the Biological Study prepared for the 2019 Project, there are no potentially significant impacts anticipated to the habitats or species that have the potential to occur. In addition, avoidance and minimization efforts would result in direct and indirect impacts to be less than significant to habitats, natural communities, and wildlife. Impacts would remain less than significant. The proposed Project would not result in major revisions to the 2019 MND.

4.5 CULTURAL RESOURCES

5.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

A records’ search, field study, and archaeological survey were conducted for the 2019 Project. The results of these studies concluded that none of the previously recorded resources are within the study area, and no historic or prehistoric resources were identified as a result of the field survey indicating the likelihood of encountering previously unrecorded resources is low.

- a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

No Impact. Review of the Project area for the 2019 Project failed to identify any previously recorded historical resources potentially eligible for listing in the National Register of Historic Places (NRHP) or California Register of Historical Resources (CRHR). The proposed Project would be located in the same footprint of the 2019 Project and therefore no new impacts would occur and no revisions to the 2019 MND would be required.

- b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less than Significant Impact with Mitigation. The 2019 MND concluded that although no resources were found on the site and the likelihood of encountering previously unrecorded resources is low, cultural materials may be encountered during construction. It is the City of Newport Beach and

Caltrans policy that work will stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. In addition, the 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM CUL-1: If archaeological or paleontological resources are discovered during construction, all construction activities in the general area of the discovery shall be temporarily halted until the resource is examined by a qualified monitor, retained by the Developer. The monitor shall recommend next steps (i.e., additional excavation, curation, preservation, etc.).

The proposed Project would involve a similar amount of ground disturbance and would be in the same footprint as the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measure **MM CUL-1**, however, no new impacts would occur that were not previously analyzed. Impacts would remain less than significant, and no major revisions to the 2019 MND would be required.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact with Mitigation. The 2019 MND concluded that although the search did not result in the identification of prehistoric or historical archaeological resources within the proposed Project site and it is not expected that significant archaeological or historical resources would be on-site, resources that are buried may be encountered during grading. The 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM CUL-2: During proposed Project construction, activities will be halted and an archaeologist must be available to evaluate the find. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measure **MM CUL-2**, however, no new impacts would occur that were not previously analyzed. Impacts would remain less than significant. The proposed Project would not result in major revisions to the 2019 MND.

4.6 ENERGY

6.	ENERGY Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Less than Significant Impact. The 2019 MND found that energy usage during construction and operation of the 2019 Project would be minimal and impacts would be less than significant. Construction of the proposed Project would be similar to that of the 2019 Project and electricity, natural gas, and petroleum fuels would be considered minimal. Operation of the proposed Project would be the same as the 2019 Project and similar to the 2019 Project, the proposed Project would be required to comply with regulatory compliance measures outlined by the State and City related to Air Quality, Greenhouse Gas Emissions (GHG), Transportation/Circulation, and Water Supply. Additionally, the proposed Project would be constructed in accordance with all applicable City Building and Fire Codes. Therefore, the proposed Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. No new impacts would occur and no major revisions to the 2019 MND would be required.

b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Less than Significant Impact. Similar to the 2019 Project, the proposed Project would comply with California Code of Regulations Title 24, which regulates the amount of energy consumed by new development. Therefore, the proposed Project would not result in new impacts and impacts would be less than significant. In addition, no major revisions to the 2019 MND would be required.

4.7 GEOLOGY AND SOILS

7.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				

7.	GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Would the project 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.*

Less than Significant Impact. The 2019 MND noted that the Project site is not located within an Alquist-Priolo Earthquake Fault Zone; however, the Project site is located within the Newport-Inglewood-Rose Canyon fault zone located approximately 700 feet northwest. Similar to the 2019 Project, the proposed Project will provide structural plans to the City to indicated that the Project will meet the seismic design parameters within the 2019 California Building Code and policies outlines in the Safety Element in the General Plan. No new impacts would occur, and no revisions to the 2019 MND would be required.

ii) *Strong seismic ground shaking?*

Less than Significant Impact. As noted above, similar to the 2019 Project, the proposed Project is subject to potential ground shaking due to nearby faults. Similar to the 2019 Project, the proposed

Project would implement grading and erosion control plans, comply with the NPDES permit and Waste Discharge Requirements, and include BMPs to minimize soil erosion. The proposed Project involves minor design changes to the previously approved bridge. Therefore the proposed Project would be consistent with the general plan and Coastal Land Use Plan for Seismic Hazards. No new impacts would occur and no major revisions to the 2019 MND would be required.

iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact. The 2019 MND noted that the proposed Project is not located within a liquefaction zone. The proposed Project is entirely within the 2019 Project footprint and therefore, no new impacts would occur and no major revisions to the 2019 MND would be required.

iv) Landslides?

Less than Significant Impact. The Proposed Project site is entirely within the 2019 Project site, meaning there are several areas within the proposed Project site designated to be prone to landslides. Similar to the 2019 Project, the bridge would not be located within a landslide or liquefaction zone, however portions of the parking lot would be located within a landslide zone. During construction, the vacant lot of the proposed Project will be graded flat. During this phase, the proposed Project will implement slope stabilization methods and best management practices (BMPs) to reduce surface erosion and reduce the potential of landslides. Once the parking lot is constructed, the area will be landscaped and relatively flat thereby reducing the potential for landslides. In addition, retaining walls along Coast Highway will be installed as part of the proposed Project and will reduce impacts associated with landslides. Therefore, implementation of the Proposed Project would not result in any new, significant impacts associated with landslides and no major revisions to the 2019 MND would be required.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact. Soils within the Proposed Project site are classified as sandy loam, fine sandy loam, and gravelly coarse sand (USDA 2019). Similar to the 2019 Project, the proposed Project would comply with the policies listed in the Natural Resources Element to minimize soil erosion or loss of topsoil by implementing best management practices, site design and source control (City of Newport Beach 2006) and would comply with the General Plan and Coastal Land Use Plan for erosion minimization. Therefore, implementation of the Proposed Project would not result in new, significant impacts associated with soil erosion or the loss of topsoil. In addition, no major revisions to the 2019 MND would be required.

c) Would the project 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 Impact. The 2019 MND concluded that the Project site is not located in an area identified to have the potential for liquefaction and not located within a seismic hazard zone. However, similar to the 2019 Project, the proposed Project would be consistent with the General Plan policies for seismic strengthening by complying with applicable seismic design parameters. Therefore, implementation of the Proposed Project would not result new, significant impacts associated with

landslides, lateral spreading, subsidence, liquefaction, or collapse. In addition, no major revisions to the 2019 MND would be required.

- d) *Would the project 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?*

Less than Significant Impact. Expansive soils are certain types of clay soils that expand when saturated and shrink when dried. The 2019 MND concluded that with compliance with Section 3104 of the California Building Code for Pedestrian Walkways and Tunnels and the General Plan Goal S4 to minimize the potential risk to life or property for both construction of the pedestrian bridge and parking lot impacts would be less than significant. The proposed Project would also develop a bridge for pedestrian and bicycle uses with a slightly different design. However, the proposed Project would also comply with Section 3104 of the CBC and the General Plan Goal S4 and therefore no new impacts would occur. In addition, no major revisions to the 2019 MND would be required.

- e) *Would the project 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?*

No Impact. The proposed Project activities include minor design changes to the 2019 Project. The Proposed Project, consistent with the 2019 Project, would not involve activities that would require the installation of septic tanks or alternative wastewater disposal systems. No new impacts would occur and no major revisions to the 2019 MND would be required.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Less than Significant Impact with Mitigation. The 2019 MND concluded that although no fossils or archaeological resources were found on the site, the Project site contains an above average potential for paleontological resources. The Project site is located within the footprint of the 2019 Project. The 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM PALEO-1: All project-related ground disturbance that could potentially impact the Monterey Formation and the Old Paralac Deposits will be monitored by a qualified paleontological monitor on a full-time basis, as these geologic units are determined to have a high paleontological sensitivity. Project-related excavations that occur in surficial younger alluvial deposits (not mapped in the current study area but existing in the vicinity) will be monitored on a part-time basis to ensure that underlying paleontologically sensitive sediments are not being impacted. Excavations exceeding 5 feet in depth in Quaternary alluvium will be monitored on a full-time basis.

MM PALEO-2: A qualified paleontologist will be retained to supervise monitoring of construction excavations and to produce a Paleontological Monitoring and Mitigation Plan for the proposed project. Paleontological resource monitoring will include inspection of exposed rock units during active excavations within sensitive geologic sediments. The monitor will have authority to temporarily divert grading away from exposed fossils and halt construction activities in the immediate vicinity in order to professionally and efficiently recover the fossil

specimens and collect associated data. The qualified paleontologist will prepare progress reports to be filed with the lead agency.

MM PALEO-3: At each fossil locality, field data forms will be used to record pertinent geologic data, stratigraphic sections will be measured, and appropriate sediment samples will be collected and submitted for analysis.

MM PALEO-4: Matrix sampling would be conducted to test for the presence of microfossils. Testing for microfossils would consist of screen-washing small samples (approximately 200 pounds) to determine if significant fossils are present. If microfossils are present, additional matrix samples will be collected (up to a maximum of 6,000 pounds per locality to ensure recovery of a scientifically significant microfossil sample).

MM PALEO-5: Recovered fossils will be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and re-positied in a designated paleontological curation facility. The most likely repository is the SDNHM.

MM CUL-1: If archaeological or paleontological resources are discovered during construction, all construction activities in the general area of the discovery shall be temporarily halted until the resource is examined by a qualified monitor, retained by the Developer. The monitor shall recommend next steps (i.e., additional excavation, curation, preservation, etc.).

The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measures **MM PALEO-1** through **MM PALEO-5** and **MM CUL-1**, however, no new impacts would occur that were not previously analyzed. Impacts would remain less than significant, and no major revisions to the 2019 MND would be required.

4.8 GREENHOUSE GAS EMISSIONS

8.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Less than Significant Impact. The 2019 MND concluded that the 2019 Project would generate emissions that would be far below the AB 32 SCAQMD threshold. The Project as proposed, would result in an updated design for the bridge which would ultimately result in less construction than the 2019 Project. The Proposed Project would not increase impacts beyond those analyzed in the 2019

MND. Less than significant impacts would result, and no major changes to the 2019 MND would be required.

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

Less than Significant Impact. The 2019 MND concluded that the 2019 Project would generate emissions that would be far below the AB 32 SCAQMD threshold, and the AB 1397 and SB 32 thresholds and therefore would not conflict with any applicable plan, policy, or regulation adopted for reducing the emissions of GHGs. The Project as proposed, would result in an updated design which includes a smaller footprint for the bridge which would ultimately result in less construction than the 2019 Project. Therefore, the proposed Project would not introduce new, significant impacts in addition to those analyzed in the 2019 MND, so no major revisions to the 2019 MND would be required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

9.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less than Significant Impact. Similar to the 2019 Project, the construction of the proposed Project would result in the temporary transport and storage of hazardous materials. During construction, the proposed Project would utilize hazardous materials such as fuels and solvents. Potentially hazardous materials will be stored and disposed of according to regulations set forth by local, State, and federal regulations during construction operations. Once the construction of the bridge and parking lot, are completed, the proposed Project would not introduce new land uses that would require the routine transport, use, or disposal of significant amounts of hazardous materials. Therefore, the proposed Project is not expected to significantly increase the risk of the release of hazardous materials beyond risks analyzed in the 2019 MND, and no major revisions to the 2019 MND would be required.

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

Less than Significant Impact with Mitigation. A Hazardous Materials Assessment (HMA) was prepared for the 2019 Project which concluded construction activities may result in some potential release of contaminants during ground disturbing activities. In addition, the 2019 MND incorporated the following mitigation to ensure less than significant impacts:

MM HAZ-1: Any contaminated soils or other hazardous materials removed from the proposed Project site shall be transported only by a Licensed Hazardous Waste Hauler who shall be in compliance with all applicable State and federal requirements, including U.S. Department of Transportation regulations under Title 49 of the CFR (Hazardous Materials Transportation Act), California Department of Transportation standards, Occupational Safety and Health Administration standards, and the Resource Conservation and Recovery Act (42 United States Code §6901 et seq.). The City of Newport Beach Public Works and Community Development Departments shall verify that only Licensed Haulers who are operating in compliance with regulatory requirements are used to haul hazardous materials.

The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measure **MM HAZ-1**, however, no new impacts would occur that were not previously analyzed. Impacts would remain less than significant, and no major revisions to the 2019 MND would be required.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The 2019 MND noted that the nearest school is Pacifica Christian High School located approximately 0.45 miles from northeast from the proposed Project site on 883 West 15th Street in the City of Newport Beach. Similar to the 2019 Project, the proposed Project would not emit hazardous emissions or handle hazardous materials within one-quarter mile of a school. No new impacts would occur, and no major revisions to the 2019 MND would be required.

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

No Impact. The HMA that was prepared for the 2019 Project concluded that none of the nearby hazardous sites were located on or near the Project site. The proposed Project would be located within the same footprint as the 2019 Project. An updated review of the State Water Resources Control Board (SWRCB) GeoTracker online database and Department of Toxic Substances Control's (DTSC's) EnviroStor database (where applicable) were conducted and no new sites were identified. Therefore, no new impacts would occur and no major revisions to the 2019 MND would be required.

- e) *For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 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?*

No Impact. The 2019 MND concluded that the nearest airport is John Wayne Airport located approximately 4.5 miles north from the proposed Project site and the nearest private heliport is located at Hoag Memorial Hospital approximately 0.5 miles northeast from the proposed Project site. The proposed Project site is not located within 2 miles of a public airport. The proposed Project would be located within the same footprint as the 2019 Project and therefore, no new impacts would occur. In addition, no major revisions to the 2019 MND would be required.

- f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less than Significant Impact. The 2019 MND concluded that Superior Avenue and West Coast highway have been identified as potential tsunami run up zones, and evacuation route signs are located along Superior Avenue, and at the intersection of West Coast Highway (City of Newport Beach 2006). Similar to the 2019 Project, Superior Avenue has the potential to be temporarily closed at night to accommodate the installation of the proposed bridge's superstructure. However, all other roads in the vicinity would remain open for travel, and Superior Avenue would maintain its current accessibility once construction is complete. The proposed Project would not impair the implementation of or interfere with, an adopted emergency response or emergency evacuation plan. The proposed Project would not include any significant roadway work or altering the routes of Superior Avenue or West Coast Highway. No new impacts would occur and impacts would be less than significant. In addition, no major revisions to the 2019 MND would be required.

- g) *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

No Impact. The 2019 MND noted that the Project site is located in a low/no susceptibility area for wildfire hazards and would not construct any habitable structures. The proposed Project would be located within the same footprint as the 2019 Project and would also not construct any habitable structures. Therefore, no new impacts would occur and no major revisions to the 2019 MND would be required.

4.10 HYDROLOGY AND WATER QUALITY

10.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flood on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less than Significant Impact. The proposed Project site is located entirely within the site analyzed in the 2019 MND, which is an urbanized area. Similar to the 2019 Project, the proposed Project could generate potential pollutants during construction including sediment, organic compounds, trash, debris, oils, grease, and solvents. Implementation of these requirements will minimize any potential of violating water quality standards and waste discharge requirements (City of Newport Beach 2006). Implementation of BMPs that would be outlined in the SWPPP would prevent impacts to the water quality. These practices include but are not limited to litter control, landscape design, efficient irrigation system, and general waste management. The proposed Project would comply with the policies identified in the Local Coastal Implementation Plan for water quality control (City of Newport Beach 2017b). Therefore, the Proposed Project would not introduce new significant impacts compared to the 2019 Project, and no major revisions to the 2019 MND would be required.

- b) *Would the project 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 2019 MND concluded that the depth of excavation would not reach groundwater levels and therefore it would not interfere with groundwater recharge. The proposed Project would not require excavation depths deeper than what was previously analyzed and therefore the Proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge. No new impacts would occur and no major revisions to the 2019 MND would be required.

- c) *Would the project 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 substantial erosion or siltation on- or off-site;

Less than Significant Impact. The 2019 MND noted that the Project would not involve the alteration or blockage of the existing concrete culverts. Similar to the 2019 Project, the proposed Project would not include the construction of any buildings or facilities or introduce permanent populations such as residents and employees that would significantly increase the capacities for the existing stormwater systems. The proposed Project would also implement BMPs provided in the Orange County Stormwater Program to control pollutant discharges from construction sites. No new impacts would occur, and no major revisions to the 2019 MND would be required.

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

Less than Significant Impact. Similar to the 2019 Project, the proposed Project, during construction, areas within the Project site would be compacted and the drainage patterns would be altered and operation of the Project would introduce impervious surfaces which would in turn result in increased runoff. Similar to the 2019 Project, the proposed Project would be subject to requirements of the California Regional Water Quality Control Board NPDES Permit and Waste Discharge Requirements for the area-wide urban runoff Orange County MS4 permit. Construction and post-construction activities would implement BMPs identified in the proposed Project SWPPP and NPDES permit to minimize the amount of surface runoff (SWRCB 2014). The development of a SWPPP and Erosion Control Plans would identify site specific BMPs that would manage and control surface runoff, and minimize flooding. The footprint of the Project would be very similar but slightly less than the approved 2019 Project, as the bridge is slightly shorter and would not require a support in Superior Avenue. Therefore no new impacts would occur, and no major revisions to the 2019 MND would be required.

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; or

Less than Significant Impact. The 2019 MND concluded that the Project's construction and operational activities would introduce impervious surfaces and increase runoff to the area, however compliance with the General Plan's goals and policies to minimize runoff would reduce impacts to less than significant. The proposed Project would also comply with the General Plan as shown in Table 4-

2: General Plan and Coastal Land Use Plan Consistency Analysis – Water Quality Control. In addition, the proposed Project would not include the development of residential, commercial, or industrial facilities that could require expansion of existing stormwater drainage capacities. Per the goals of the Natural Resources Element (NR3) to enhance and protect the water quality, the proposed Project would comply with the following General Plan policies to minimize runoff and therefore would not exceed the capacity of the stormwater drainage systems, nor would it result in additional polluted runoff. No new impacts would occur and no major revisions to the 2019 MND would be required.

Table 4-2: General Plan and Coastal Land Use Plan Consistency Analysis – Water Quality Control

Policy	Consistency with Policy
<p><u>General Plan Policy NR 3.5 Storm Sewer System Permit/Coastal Land Use Plan 4.3.2 (4.3.2-1 to 4.3.2-25)</u> Require all development to comply with the regulations under the City’s municipal separate storm sewer system permit under the National Pollutant Discharge Elimination System. (Policy HB8.5).</p>	<p>Consistent. The proposed Project would comply with the NPDES permit and Waste Discharge Requirements to minimize or control surface runoff.</p>
<p><u>General Plan Policy NR 3.10: Water Quality Management Plan</u> Require new development applications to include a Water Quality Management Plan (WQMP) to minimize runoff from rainfall events during construction and post-construction. (Policy HB8.10)</p>	<p>Consistent. Prior to ground disturbance, the City will prepare and implement a Water Quality Management Plan to minimize runoff from rainfall events during construction and post construction.</p>
<p><u>General Plan Policy NR 3.18 Parking Lots and Rights-of-Way</u> Require that parking lots, and public and private rights-of-way be maintained and cleaned frequently to remove debris and contaminated residue. (Policy HB8.18)</p>	<p>Consistent. Once developed, the proposed parking lot would be maintained and cleaned to minimize waste and contamination that could result in the degradation of water quality.</p>
<p><u>Coastal Land Use Plan</u> 2.17-2: New development shall provide for the protection of the water quality of the bay and adjacent natural habitats. New development shall be designed and sited to minimize impacts to public views of the water and coastal bluffs</p>	<p>Consistent. The proposed Project is not located within a coastal bluff. However, there are scenic views of the water from the proposed Project. Construction of the pedestrian bridge will comply with the General Plan policies to minimize contamination and degradation of water quality, and minimize or control surface runoff with the implementation of site specific BMPs.</p>

iv) Impede or redirect flood flows?

Less than Significant Impact. The 2019 MND followed the 2019 CEQA Guidelines Checklist which did not previously include this threshold. However, as previously mentioned, the proposed Project would not involve the alteration or blockage of the existing concrete culverts. Additionally, the proposed Project would develop a SWPPP and Erosion Control Plans which would identify site specific BMPs that would manage and control surface runoff, and minimize flooding. Impacts would be less than significant. No new impacts would occur and no major revisions to the 2019 MND would be required.

d) *Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Less than Significant Impact. Similar to the 2019 Project, the Project site is located approximately 1,000 feet northeast from the Pacific Ocean which has a low probability, but high-risk tsunami events. The proposed Project would not introduce new structures that could expose people to a tsunami or seiche. Similar to the 2019 Project, the proposed Project may result in the release of pollutants due to flooding during construction. As such, the proposed Project would handle potentially hazardous materials according to local, State, and federal regulations and would implement site control measures to minimize flooding. Tsunami and seiche zones have not changed since the 2019 Project. The proposed Project introduces no new risks of pollutants releasing from the Project site due to floods, tsunami, or seiche; and no major revisions to the 2019 MND will be required.

e) *Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Less than Significant Impact. Similar to the 2019 Project, the proposed Project would comply with the NPDES permit and would implement BMPs to reduce any impacts associated with water quality to less than significant. Additionally, the proposed Project would not include activities that would impact or modify groundwater resources. The Orange County Water District (OCWD) Groundwater Management Plan manages the Orange County Groundwater Basin. The proposed Project would not be located within any sampling wells or groundwater replenishment systems. Thus, the Proposed Project would comply with applicable water quality or groundwater management plans. No new impacts would occur and no major revisions to the 2019 MND would be required.

4.11 LAND USE AND PLANNING

11.	LAND USE/PLANNING Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Would the project physically divide an established community?*

No Impact. The 2019 MND noted the proposed Project would not physically divide an established community and would instead provide a needed connection between a parking lot and existing park for bicycle and pedestrian users. The uses onsite will remain as a public facility for public use. The bridge, parking lot, and park would not result in a new barrier in the community. The Project as proposed would result in minor changes to the 2019 Project that would also not physically divide an established community. No new impacts would occur and no major revisions to the 2019 MND would be required.

- b) *Would the project 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?*

No Impact. The majority of the proposed Project site is designated as Parks and Recreation (PR) in the General Plan and is zoned Parks and Recreation (PR). The 2019 MND concluded that the uses associated with the 2019 Project would be consistent with the applicable plans including zoning and the Local Coastal Program (LCP). The Project as proposed would result in minor changes to the 2019 Project, which includes the change of the bridge design. No component of the Proposed Project, once operational, would have the potential to conflict with adjacent land uses. No new impacts would occur, and no major revisions to the 2019 MND would be required.

4.12 MINERAL RESOURCES

12.	MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The Project site is within the same site as the 2019 Project, which is mapped within Mineral Resource Zone 3 (MRZ-3). These are areas as “continuing known mineral occurrences of undetermined mineral resource significance” (DOC 1981). There is no active mining within the area (City of Newport Beach 2006). Similar to the 2019 Project, the proposed Project would not include any mining activities that would result in the loss of availability of known mineral resources. While the proposed Project will require heavy ground disturbance and earthwork activities, excavation depths are not anticipated to be deep enough to uncover significant mineral resources. Therefore, the Proposed Project would not result in a new impact associated with mineral resource availability, and no major revisions to the 2019 MND will be required.

- b) *Would the project 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. As noted above in item 4.12 a), the Project site is mapped within MRZ-3; however, no mineral resource extraction or other mining operations currently occur within or adjacent to the Project site. Similar to the 2019 Project, no mining or mineral extracting activities are proposed. No new impacts would occur, and no major revisions to the 2019 MND would be required.

4.13 NOISE

13.	NOISE Would the project result in:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

A noise analysis was completed for the 2019 Project, which outlined potential noise levels associated with 2019 Project construction and operational activities. The Project site is the same as was analyzed in the previously approved 2019 MND. The construction and operational activities associated with the proposed Project are substantially similar to those analyzed in the 2019 MND and are not anticipated to significantly increase previous noise results.

City of Newport Beach Noise Standards

For construction activities within the City of Newport Beach, Municipal Code Section 10.28.040(A) exempts construction noise from the City’s noise standards, provided that construction activities are conducted between 7:00 a.m. and 6:30 p.m. Monday through Friday or between 8:00 a.m. and 6:00 p.m. on Saturdays. Section 10.28.040(D)(2)(b) of the Municipal Code exempts public works construction projects from the City noise standards provided that the City Manager or department director determines that the construction activities cannot be conducted during normal business hours.

Operational activities are subject to the City’s exterior noise standards detailed in Section 10.26.025 of the Municipal Code that limits noise to 55 dBA between 7:00 a.m. and 10:00 p.m. and 50 dBA between 10:00 p.m. and 7:00 a.m. at the exterior of the nearby homes.

a) Would the project result in 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. Similar to the 2019 Project, the proposed Project would consist of construction of a pedestrian and bicycle bridge overcrossing Superior Avenue and a new larger parking lot. The construction activities for the proposed Project are anticipated to begin in mid-2021 and would be completed in 14 to 18 months. The phases of construction (demolition, grading, construction) would occur in the same manner as proposed in the 2019 Project. In addition, the construction activities would occur during the same timeframes as the 2019 Project.

The noise analysis for construction of the 2019 Project concluded that construction impacts would be less than significant. The Project as proposed, would result in an updated design which includes a revision to the bridge design which would ultimately result in less construction than the 2019 Project. Accordingly, no new impacts would occur and impacts would be less than significant.

Analysis of the 2019 Project concluded that operations-related onsite noise impacts to the nearby homes would be less than significant. Operation of the proposed Project would be the same as the 2019 Project and therefore no new impacts would occur and no major revisions to the 2019 MND would be required.

- b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

Less than Significant Impact. No known sources of groundborne vibration or groundborne noise were associated with the operation of 2019 Project; therefore, implementation of the Proposed Project is not expected to result in operational impacts associated with groundborne vibration or groundborne noise. Construction equipment used during Project site excavation has the greatest potential to generate vibrations that would affect local residential land uses. Construction equipment would include loaded trucks, excavators, dozers, and loaders. Based on the modeling results from the noise study prepared for the 2019 Project, vibration levels from construction equipment would generate vibration levels would be 0.081 PPV at the nearest residence. Since the proposed Project construction activities are expected to be substantially similar to the 2019 Project construction activities, no new groundborne noise impacts would be introduced, and no major revisions to the 2019 MND would be required.

- 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. The proposed Project is located within the footprint of the 2019 Project. The Project site is not located within two miles of a public airport and is not in the vicinity of a private airstrip. The nearest airport is John Wayne Airport, which is located approximately 4.5 miles northeast of the proposed Project site. Therefore no new impacts would occur, and no major revisions to the 2019 MND would be required.

4.14 POPULATION AND HOUSING

14.	POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Would the project 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. The 2019 MND concluded that the 2019 Project would not directly or indirectly induce population growth and therefore, no impacts would occur. The proposed Project would be substantially similar to the 2019 Project and would not directly or indirectly induce population growth. As such, no new impacts would occur and no major revisions to the 2019 MND would be required.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The 2019 MND concluded that because the 2019 Project would not include construction of any residences or housing units and would not involve any activities that would result displacing existing residents or housing, no impacts would occur. The proposed Project would be substantially similar to the 2019 Project and would not displace a substantial number of existing housing units or people, necessitating the construction of replacement housing elsewhere. Therefore, no new impacts would occur, and no major revisions to the 2019 MND will be required.

4.15 PUBLIC SERVICES

15.	PUBLIC SERVICES.	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:				
	i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:*
i) *Fire Protection?*

Less than Significant Impact. The 2019 MND concluded that the 2019 Project would not result in increased populations that would require additional public services, as the new bridge and associated facilities would serve the existing population. The 2019 Project did not include any activities that would require the modification of the Lido Fire Station or other fire stations. The proposed Project includes minor alterations to the 2019 Project including revisions to the design of the bridge. Similar to the 2019 Project, the proposed Project may temporarily increase the risk of fire due to the presence of construction equipment at the Project site. However, compliance with the Newport Beach Fire Department requirements for fire protection standards would minimize the risk of fire. Therefore, the proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection services or a need for new or physically altered fire protection services. Consequently, no new impacts would occur, and no major revisions to the 2019 MND would be required.

ii) Police Protection?

No Impact. The 2019 MND found that the 2019 Project would not result in increased populations that would require additional public services, nor would it impact the nearest police station and therefore no impact would occur. The proposed Project includes minor alterations to the 2019 Project including revisions to the design of the bridge. The proposed Project would also not result in increased populations that would require additional services or impact the nearest police station. Consequently, no new impacts would occur, and no major revisions to the 2019 MND would be required.

iii) Schools?

No Impact. The 2019 MND noted that the 2019 Project would not result in an increase to population and therefore, no impacts would occur. The proposed Project includes minor alterations to the 2019 Project including revisions to the design of the bridge. The proposed Project would also not result in increased populations that would result in an increase to the population. Consequently, no new impacts would occur, and no major revisions to the 2019 MND would be required.

iv) Parks?

Less than Significant Impact. The proposed Project includes minor alterations to the 2019 Project which included the construction of a bicycle and pedestrian bridge and an asphalt parking lot. Similar to the 2019 Project, the proposed Project would not alter Sunset Ridge Park except for temporary construction activities near the southeast portion of the park. These construction activities would be

scheduled during low usage months, or events would be relocated to an alternate location temporarily if parking cannot be provided closer to the park. While the presence of the bridge will change the surrounding area, the proposed Project will provide park users additional parking and a safe passageway to access Sunset Ridge Park. Similar to the 2019 Project, the proposed Project would not result in the increased use of existing parks and recreational facilities. Therefore, the Proposed Project would not increase the use of existing recreational facilities such that physical deterioration would occur or be accelerated. No new impacts would occur, and no major revisions to the 2019 MND would be required.

v) Other public facilities?

Less than Significant Impact. The 2019 MND concluded that although the Hoag Child Center building is located relatively near the site, that the 2019 Project would not result in increased populations that would require an increase in hospital services and impacts would be less than significant. The proposed Project includes minor alterations to the 2019 Project including revisions to the design of the bridge. The proposed Project would also not result in increased populations that would result in an increase to the population. Consequently, no new impacts would occur, and no major revisions to the 2019 MND would be required.

4.16 RECREATION

16.	RECREATION. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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 Impact. The proposed Project includes minor alterations to the 2019 Project which included the construction of a bicycle and pedestrian bridge and an asphalt parking lot. Similar to the 2019 Project, the proposed Project would not alter Sunset Ridge Park except for temporary construction activities near the southeast portion of the park. These construction activities would be scheduled during low usage months, or events would be relocated to an alternate location temporarily if parking cannot be provided closer to the park. While the presence of the bridge will change the surrounding area, the proposed Project will provide park users additional parking and a safe passageway to access Sunset Ridge Park. Similar to the 2019 Project, the proposed Project would not result in the increased use of existing parks and recreational facilities. Therefore, the Proposed Project would not increase the use of existing recreational facilities such that physical deterioration

would occur or be accelerated. No new impacts would occur, and no major revisions to the 2019 MND would be required.

- 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?*

Less than Significant Impact. The Proposed Project does not include the construction or operation of any additional recreational facilities beyond those analyzed in the 2019 MND. No new impacts would occur and impacts would remain less than significant.

4.17 TRANSPORTATION

17.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially increase hazards due to a geometric design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a) *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?*

Less than Significant Impact. The 2019 MND concluded that the 2019 Project would provide an additional bicycle and pedestrian path to Sunset Ridge Park without significantly modifying existing roadways, transit, or bicycle lanes. Similar to the 2019 Project, the proposed Project would have the potential to include temporary road closures during construction. Superior Avenue may be closed at night depending on the bridge design chosen to accommodate the installation of the proposed bridge's superstructure; all other roads in the vicinity would remain open. Superior Avenue, as listed as a tsunami run up area, would not be modified to prevent its use during an emergency. A traffic control plan would be prepared prior to construction to specify any potential reroutes, speed limits, etc. Therefore, no new impacts would occur, and implementation of the proposed Project would result in less than significant impacts. No major revisions to the 2019 MND would be required.

- b) *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

Less than Significant Impact. The 2019 MND noted that as per the CEQA Guidelines section 15064.3, subdivision (b)(1), projects that reduce vehicle miles traveled, such as pedestrian, bicycle and transit projects, should have a less than significant impact. As per the CEQA Guidelines section 15064.3, subdivision (b)(2), transportation projects which reduce vehicle miles traveled should be presumed to cause a less than significant transportation impact. The 2019 Project is not a land use project and

would not involve changes to the existing land uses and impacts would be less than significant. The proposed Project would result in minor changes to the 2019 Project, is not a land use project, and would not involve changes to the existing land uses. Therefore, no new impacts would occur, and implementation of the proposed Project would result in less than significant impacts. No major revisions to the 2019 MND would be required.

- c) *Would the project substantially increase hazards due to a geometric design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Less than Significant Impact. The 2019 MND concluded that the addition of the bicycle and pedestrian bridge would not pose a hazard to high profile vehicles because height of the bridge (from ground to base). The pedestrian bridge would provide access which would increase pedestrian safety. Similar to the 2019 Project, the proposed Project would be built above the vertical clearance of 14 feet as identified in the California Vehicle Code (Caltrans). Therefore, no new impacts would occur, and implementation of the proposed Project would result in less than significant impacts. No major revisions to the 2019 MND would be required.

- d) *Would the project result in inadequate emergency access?*

Less than Significant Impact. The proposed Project is within the 2019 Project footprint. Similar to the 2019 Project, Superior Avenue has the potential to be closed at night, to accommodate the installation of the proposed bridge’s superstructure, all other roads in the vicinity would remain open. Superior Avenue, is listed as a tsunami run up area, would not be modified to prevent its use during an emergency. A traffic control plan would be prepared prior to construction to specify any potential reroutes, speed limits, etc. Emergency access would be maintained during construction. Therefore, implementation of the proposed Project would not increase or introduce new impact associated with an emergency response plan or emergency evacuation plan. No major revisions to the 2019 MND would be required.

4.18 TRIBAL CULTURAL RESOURCES

18.	TRIBAL CULTURAL RESOURCES. 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:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

18.	TRIBAL CULTURAL RESOURCES. 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:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a) *Would the project be 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*

No Impact. The 2019 MND concluded that there were no historic or prehistoric resources identified or occur on the site. The proposed Project would be within the footprint of the 2019 Project and therefore would also not contain historic or prehistoric resource. No new impacts would occur, and no major revisions to the 2019 MND would be required.

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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Less than Significant with Mitigation. The 2019 Project conducted the AB 52 consultation on June 27, 2019. Of the two tribes contacted, one responded. The Gabrieleño Band of Mission Indians- Kizh Nation responded within the 30-day timeframe under AB 52 and requested consultation if ground disturbance was planned. Since the project does call for ground disturbance, the City of Newport Beach engaged in consultation with Tribal Councilmembers on July 25, 2019. During the consultation, the Tribal Councilmembers indicated that the Project is within a culturally sensitive area. Because of this information, the City of Newport Beach proposed the following mitigation measure on July 26, 2019:

MM TCR -1: Prior to issuance of any grading permit, the Applicant shall provide satisfactory evidence that a Native American monitor (i.e., Gabrieleño Band of Mission Indians-Kizh Nation), has been retained to observe ground disturbance activities during grading and excavation. In the event that tribal cultural resources are discovered, the Native American monitor shall be included in the consultation on the recommended next steps.

The proposed Project would involve a similar amount of ground disturbance and would be within the footprint of the 2019 Project. Similar to the 2019 Project, the proposed Project would also implement Mitigation Measure MM TCR-1, however, no new impacts would occur that were not previously

analyzed. Impacts would remain less than significant, and no major revisions to the 2019 MND would be required.

4.19 UTILITIES AND SERVICE SYSTEMS

19.	UTILITIES/SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

No Impact. The 2019 MND concluded the Project would not require relocation or construction of new utilities for wastewater, stormwater, electric power, natural gas, or telecommunications. The proposed Project would result in the same uses as the 2019 Project and there are no proposed structures or facilities, including commercial and residential properties that would require new utility connections. No new impacts would occur, and no major revisions to the 2019 MND would be required.

b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

Less than Significant Impact. The 2019 MND concluded that water for the Project will be provided by the City, and the City has acknowledged that there is adequate water supply to support the Project. Similar to the 2019 Project, the proposed Project would not involve in the construction of residential, commercial, or industrial buildings that would require large, frequent amounts water supplies for

operation and maintenance. Additionally, the proposed Project would comply with local, regional, and state water conservation policies, and follow best management practices to reduce water consumption during construction including Policy NR 1.1, Water Conservation in New Development, of the General Plan (City of Newport Beach 2006). The proposed Project would include drought tolerant landscaping which will utilize recycled water. No new impacts on water supply would occur, and no major revisions to the 2019 MND would be required.

- c) *Would the project 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 Impact. The 2019 MND concluded that the Project would not involve the construction of residential, commercial, or industrial buildings that would require a significant need in wastewater treatment. The proposed Project would develop the same uses as the 2019 Project and would also not result in a need for significant wastewater treatment. Furthermore, the proposed Project would comply with the General Plan goals and policies in water conservation and recycled water use during development. No new impacts would occur, and no major revisions to the 2019 MND would be required.

- d) *Would the project 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 Impact. The 2019 MND noted that the construction of the Project would generate solid waste including scrap lumber, concrete, residual waste, packaging material, plastics, etc. The proposed Project would also result in waste generation from construction. Operation of the proposed Project would not involve in an increase in population within the proposed Project area and would not result in an increase in waste generation. Under the General Plan, the Orange County landfills will have adequate capacity to operate until 2035. To ensure optimal diversion of solid waste generated, the proposed Project would recycle, or salvage solid waste generated to minimize disposal into landfills. Compliance and incorporation of the City's guidelines in waste reduction and recycling goals would result in no new impacts when compared to the 2019 Project. No major revisions to the 2019 MND would be required.

- e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid wastes?*

Less than Significant Impact. Similar to the 2019 Project, all activities associated with construction and operation of the proposed Project, would comply with all City, county, and State solid waste diversion, reduction, and recycling mandates, including compliance with the county-wide the Orange County Integrated Waste Management Plan. No new impacts would occur, and no major revisions to the 2019 MND would be required.

4.20 WILDFIRE

20.	WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*
- b) *Would the project 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?*
- c) *Would the project 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?*
- d) *Would the project 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. The 2019 MND noted that the Project site is located in an area of low/no susceptibility to wildfire (City of Newport Beach 2006) and would not include the installation or expansion of associated infrastructures (such as fuel breaks, emergency water sources, or other utilities) that could exacerbate a fire risk. The 2019 Project would not impair an emergency access route or an emergency response plan. The proposed Project is within the same footprint as the 2019 Project and would provide the same uses and layout. Therefore, no new impacts would occur, and no major revisions to the 2019 MND will be required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

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

Less than Significant Impact with Mitigation. Similar to the 2019 Project, the proposed Project would construct a pedestrian and bicycle bridge and a parking lot. The proposed Project is located in an urbanized area with a currently active park and parking lot. The proposed Project will not result in significant impacts to sensitive animal species because of their low potential to occur within the Project site. Although impacts would be slightly less than those of the approved Project due to the slightly reduced footprint, similar to the 2019 Project, the proposed Project may result in direct and indirect impacts to habitat for sensitive wildlife species or to sensitive wildlife species that may be present within natural communities adjacent to the proposed Project. Implementation of the following mitigation measures from the 2019 MND would also apply to the proposed Project and would result in less than significant impact to natural communities and sensitive plant species.

- MM BIO-1:** Project-related activities likely to have the potential to disturb suitable bird nesting habitat shall be prohibited from February 15 through August 31, unless a Project Biologist acceptable to the City of Newport Beach surveys the Project area prior to disturbance to confirm the absence of active nests. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat or any action that may cause disruption of nesting behavior such as loud noise from equipment and/or artificial night lighting. Surveys shall be conducted weekly, beginning no earlier than 30 days and ending no later than 3 days prior to

the commencement of disturbance. If an active nest is discovered, disturbance within a particular buffer shall be prohibited until nesting is complete; the buffer distance shall be determined by the Biologist in consideration of species sensitivity and existing nest site conditions. Limits of avoidance shall be demarcated with flagging or fencing. The Biologist shall record the results of the recommended protective measures described above and shall submit a memo summarizing any nest avoidance measures to the City of Newport Beach to document compliance with applicable State and federal laws pertaining to the protection of native birds. Similarly, for preserved vegetation that occurs within 50 to 100 feet of construction activities, if construction is occurring during the nesting season, preserved vegetation shall be surveyed for the presence of nesting birds.

- **MM BIO-2:** Flag or install construction fencing or silt fencing along the proposed Project boundaries to delineate construction limits and to prevent encroachment into adjacent natural communities. The limits of both the Superior and West Coast Highway wetlands will be clearly demarcated in the field and all on-site construction personnel will be informed about the wetland avoidance area prior to the commencement of construction activities. The construction contractor will install a solid protective barrier that is clearly visible to construction personnel, particularly any construction equipment operators, and that prevents any incidental discharge of soil or debris into the jurisdictional wetlands. Furthermore, a biologist will monitor the construction work to ensure that encroachment into the wetlands does not occur.
- **MM BIO-3:** Gravel bags should be placed along the tops of the v-ditches in order to minimize erosion and to prevent construction debris and potentially hazardous materials from entering the waterway during a rain event.
- **MM BIO-4:** *Artemisia californica-Eriogonum fasciculatum* Shrubland located within the proposed Project footprint should be avoided to the greatest extent feasible.
 - *Artemisia californica-Eriogonum fasciculatum* Shrubland located within the proposed Project footprint, that may be avoided, shall be flagged or construction or silt fencing should be installed along the avoidable vegetation to delineate construction limits and to prevent encroachment into adjacent natural communities.
 - Any impacts to *Artemisia californica-Eriogonum fasciculatum* Shrubland which cannot be avoided will be mitigated through one of the following, in order of priority:
 - Onsite Mitigation: Any temporary impacts to CSS will be revegetated within the Sunset Ridge planted area, in areas that are not currently vegetated. Specifically, there is an opportunity for revegetation in an area outside of the delineated wetlands that, with approval from the Commission, could provide additive benefits to the Sunset Ridge Park planted area, immediately to the northeast of the Project site. This will provide a continuation of the CSS habitat previously revegetated onsite. The City will replant the area to be equivalent to existing conditions, which consists of superior high quality native vegetation with coverage of primarily CSS. If this area is not approved for revegetation by the Commission, alternative onsite mitigation opportunities will be evaluated.
 - Offsite Mitigation: Additive habitat assessment in the area adjacent to the project site within the replanted CSS would be provided to mitigate impacts

from direct disturbance from the bridge structure and potential impacts from shading.

One wetland area is located off site along the slope on the north side of Superior Avenue. Another wetland area is located along West Coast Highway, south of the proposed Project site. The proposed Project has been designed to avoid these wetlands. Mitigation Measure BIO-5, below, to ensure that the Project will not impact the wetlands. This adaptive management approach would safeguard the biological integrity of, as well as protect and preserve, the existing West Coast Highway wetlands.

- **MM BIO-5:** Following completion of the construction activities, the City will conduct monthly monitoring of the West Coast Highway wetlands to evaluate and document the associated conditions to determine if any unforeseen impacts from the proposed construction activities are occurring. This monthly monitoring will continue for up to one year, or until such time as it can be sufficiently demonstrated that the wetlands will continue to persist in perpetuity. If it is determined during post-construction monitoring that construction has resulted in an unexpected impact to the wetlands, appropriate remedial actions will be implemented by the City. For instance, an unforeseen disruption or obstruction of subsurface hydrology to the wetlands may warrant the City's provision of an alternative water source that would continue to supply sufficient water to sustain the wetlands.

The proposed Project would also require grading and excavation that may result in the discovery of previously unidentified artifacts related to California history or prehistory. Implementation of the following mitigation measures from the 2019 MND would also apply to the proposed Project and would result in less than significant impact to cultural resources and paleontological resources.

- **MM CUL-1:** If archaeological or paleontological resources are discovered during construction, all construction activities in the general area of the discovery shall be temporarily halted until the resource is examined by a qualified monitor, retained by the Developer. The monitor shall recommend next steps (i.e., additional excavation, curation, preservation, etc.).
- **MM CUL-2:** During proposed Project construction, activities will be halted and an archaeologist must be available to evaluate the find. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.
- **MM PALEO-1:** All project-related ground disturbance that could potentially impact the Monterey Formation and the Old Paralac Deposits will be monitored by a qualified paleontological monitor on a full-time basis, as these geologic units are determined to have a high paleontological sensitivity. Project-related excavations that occur in surficial younger

alluvial deposits (not mapped in the current study area but existing in the vicinity) will be monitored on a part-time basis to ensure that underlying paleontologically sensitive sediments are not being impacted. Excavations exceeding 5 feet in depth in Quaternary alluvium will be monitored on a full-time basis.

- **MM PALEO-2:** A qualified paleontologist will be retained to supervise monitoring of construction excavations and to produce a Paleontological Monitoring and Mitigation Plan for the proposed project. Paleontological resource monitoring will include inspection of exposed rock units during active excavations within sensitive geologic sediments. The monitor will have authority to temporarily divert grading away from exposed fossils and halt construction activities in the immediate vicinity in order to professionally and efficiently recover the fossil specimens and collect associated data. The qualified paleontologist will prepare progress reports to be filed with the lead agency.
- **MM PALEO-3:** At each fossil locality, field data forms will be used to record pertinent geologic data, stratigraphic sections will be measured, and appropriate sediment samples will be collected and submitted for analysis.
- **MM PALEO-4:** Matrix sampling would be conducted to test for the presence of microfossils. Testing for microfossils would consist of screen-washing small samples (approximately 200 pounds) to determine if significant fossils are present. If microfossils are present, additional matrix samples will be collected (up to a maximum of 6,000 pounds per locality to ensure recovery of a scientifically significant microfossil sample).
- **MM PALEO-5:** Recovered fossils will be prepared to the point of curation, identified by qualified experts, listed in a database to facilitate analysis, and repositied in a designated paleontological curation facility. The most likely repository is the SDNHM.
- **MM TCR -1:** Prior to issuance of any grading permit, the Applicant shall provide satisfactory evidence that a Native American monitor (i.e., Gabrieleño Band of Mission Indians-Kizh Nation), has been retained to observe ground disturbance activities during grading and excavation. In the event that tribal cultural resources are discovered, the Native American monitor shall be included in the consultation on the recommended next steps.

With implementation of the above mitigation measures to reduce impacts to biological, cultural, and paleontological resources, impacts will remain less than significant and no major revisions to the 2019 MND would be required.

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

Less than Significant Impact. The 2019 MND analyzed several cumulative projects including the following:

- Project No: 18L11: West Coast Highway Median Landscaping: This project is the installation and enhancement of the landscaping and irrigation systems in the medians along West Coast Highway between the Santa Ana River and Newport Boulevard, and West Coast Highway and Balboa Boulevard/Superior Avenue.
- PA2008-047: Old Newport GPA Project: 328, 332, and 340 Old Newport Boulevard: This project is the demolition of 3 existing buildings to construct a medical office building. This project is currently under construction and is expected to be completed at the end of 2019.
- 15R19: Old Newport Boulevard/West Coast Highway Widening: This project is the widening of the westbound side of West Coast Highway, and realignment of Old Newport Boulevard.

The 2019 MND concluded that in combination with other planned and pending development in the area, development of the proposed Project would have less than significant cumulative impacts.

Since the time of Project approval, the City has received funding for an additional project which could be considered a cumulative project. This project includes widening West Coast Highway and constructing a pedestrian bridge across West Coast Highway to provide access from the parking lot across West Coast Highway as shown in Figure 4-3: West Coast Highway Pedestrian Bridge Location.

As shown in Figure 4-4: West Coast Highway Bridge Rendering, this second bridge is not anticipated to block views of the ocean. However, it is unknown at this time when this Project would be constructed. Similar to other cumulative projects, this project would be considered a discretionary action that would trigger CEQA and it would be required to undergo project specific environmental review similar to the proposed Project, prior to construction. Impacts would be less than significant, and no major revisions to the 2019 MND would be required.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less than Significant Impact. Effects to human beings are generally associated with air quality, noise, traffic safety, geology/soils, and hazards/hazardous materials. Similar to the 2019 Project, hazardous materials used during construction will be handled, stored, and disposed of according to local, State, and federal regulations. These impacts will cease upon completion of the proposed activities. Impacts will be less than significant.

Figure 4-3: West Coast Highway Pedestrian Bridge Location



- Proposed Project Bridge (Approximate Location)
- Future West Coast Highway Bridge (Approximate Location)

Figure 4-3
West Coast Highway
Pedestrian Bridge Location

Name: 21169 PLAN Fig 4-3 West Coast Highway Bridge Location.Mxd
Print Date: 9/26/2020, Author: pcarlos



Figure 4-4: West Coast Highway Bridge Viewshed



Figure 4-4
West Coast Highway
Bridge Rendering

Name: 21169 PLAN Fig 4-4 West Coast Highway Bridge Rendering.Mxd
Print Date: 9/28/2020, Author: pcarlos 

SECTION 5.0 – REFERENCES

California Department of Fish and Wildlife (CDFW)

- 2019 Data Viewer. DOC Maps. Accessed August 2020.
<https://maps.conservation.ca.gov/cgs/dataviewer/>

California Department of Transportation (Caltrans)

- 2018 Height & Low Clearances, <https://dot.ca.gov/programs/traffic-operations/legal-truck-access/height#:~:text=Height%20%26%20Low%20Clearances-,Height%20%26%20Low%20Clearances,a%20height%20of%2014%20feet.&text=No%20vehicle%20or%20load%20shall,of%2014%20feet%2C%203%20inches>, accessed August 2020.

City of Newport Beach

- 2005 Environmental Study Areas Map. Local Coastal Program; Coastal Land Use Plan. Available online at: https://www.newportbeachca.gov/PLN/LCP/LCP_2005_CLUP/MAP4-1LCP05_ESA.pdf
- 2006 General Plan. Available online at: https://www.newportbeachca.gov/PLN/General_Plan/COMPLETE_FEB_2019/General_Plan_2006_Complete.pdf
- 2017a Coastal Land Use Plan. Available online at: https://www.newportbeachca.gov/PLN/LCP/Internet%20PDFs//CLUP_Cover%20and%20Table%20of%20Contents.pdf
- 2017b Local Coastal Program Implementation Plan. Available online at: <https://www.codepublishing.com/CA/NewportBeach/html/pdfs/NewportBeach21.pdf>
- 2019a Newport Beach Municipal Code. Accessed at: <https://www.codepublishing.com/CA/NewportBeach/>
- 2019b Municipal Operations – Parks and Trees website. Available online at: <https://www.newportbeachca.gov/government/departments/public-works/municipal-operations/parks-trees-20371>
- 2020 Zoning Code

Department of Conservation (DOC)

- 1981 Generalized Aggregate Resource Classification Map. Orange County – Temescal Valley and Adjacent Production. California Division of Mines and Geology.

Department of Toxic Substances Control (DTSC)

- 2019 EnviroStor. Hazardous Waste and Substances Site List (Cortese). Accessed August 2020.
<https://www.envirostor.dtsc.ca.gov>

State Water Resources Control Board (SWRCB)

- 2014 National Pollutant Discharge Elimination System (NPDES) Permit. Order No. R8-2014-0002. NPDES Permit No. CAS 618030. Accessed August 2020.
https://www.waterboards.ca.gov/santaana/water_issues/programs/stormwater/docs/opermit/2014/Draft_R8-2014-0002.pdf

United States Department of Agriculture (USDA)

- 2019 Natural Resources Conservation Service. Web Soil Survey. Accessed August 2020.
<https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

United States Fish and Wildlife Service (USFWS)

- 2019 Information for Planning and Conservation (IPaC) Trust Resource Report. Information for Planning and Conservation. Accessed at <https://ecos.fws.gov/ipac/> and generated on June 3, 2019.
- 2019 Revised List of Migratory Birds; Final Rule. 50 CFR Part 10. *Federal Register* 78 (212): 65844-65864. Available online:
<https://www.federalregister.gov/articles/2013/11/01/2013-26061/general-provisions-revised-list-of-migratory-birds>, accessed August 2020.