

4.0 EXISTING ENVIRONMENTAL SETTING, ENVIRONMENTAL ANALYSIS, IMPACTS, AND MITIGATION MEASURES

The following chapter contains 14 sections; each section addresses one environmental topic outlined in Appendix G of the Guidelines for the California Environmental Quality Act (State CEQA Guidelines) (California Code of Regulations [CCR] Title 14, Chapter 3, Sections 1500–15397). There is also a section that addresses global climate change.

For each environmental impact issue analyzed, the Environmental Impact Report (EIR) includes a detailed explanation of the existing conditions, thresholds of significance that will be applied to determine whether the project’s impacts are significant or less than significant, analysis of the environmental impacts, and a determination of whether the project would have a significant impact if implemented. A “significant impact” or “significant effect” means “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (14 CCR 15382). Each environmental topic section in Chapter 4.0 also includes a discussion of the cumulative effects of the project when considered in combination with other projects, causing related impacts, as required by Section 15130 of the State CEQA Guidelines.

Each of the 14 sections is organized into nine subsections,¹ as follows:

- **Methodology** describes the approach and methods employed to complete the environmental analysis for the issue under investigation.
- **Existing Environmental Setting** describes the physical conditions that exist at the present time that may influence or affect the issue under investigation. This section focuses on physical site characteristics that are relevant to the environmental topic being analyzed.
- **Regulatory Setting** lists and discusses the laws, ordinances, regulations, and policies that relate to the specific environmental topic and how they apply to the proposed project.
- **Impact Significant Criteria** provides the thresholds that are the basis of conclusions of significance, which are primarily the criteria in Appendix G of the State CEQA Guidelines and the City of Newport Beach’s Initial Study and Initial Study Checklist forms.
- **Project Impacts** describes the potential environmental changes to the existing physical conditions that may occur if the proposed project is implemented. Evidence is presented to show the cause and effect relationship between the proposed project and potential changes in the environment. The exact magnitude, duration, extent, frequency, and range or other parameters of a potential impact are ascertained, to the extent feasible, to determine whether impacts may be

¹ The order of the subsections may vary. For example, in Section 4.5, Biological Resources, the Regulatory Setting subsection precedes the Existing Setting subsection. The unique organization of Section 4.5 provides the reader with background information that allows for a more complete understanding of the Existing Setting subsection.

significant. In accordance with CEQA, potential project impacts, if any, are classified in the following way for each of the environmental topics discussed in this EIR.

- **Significant Unavoidable.** Significant unavoidable impacts are those that cannot be fully mitigated or avoided. If the project is approved, decision-makers are required to adopt a statement of overriding considerations pursuant to State CEQA Guidelines Section 15093, explaining why the project benefits outweigh the unavoidable adverse environmental effects caused by these significant environmental impacts.
- **Less than Significant with Mitigation.** Significant environmental impacts that can be feasibly mitigated or avoided. If the project is approved, decision-makers are required to make findings pursuant to State CEQA Guidelines Section 15091 that adverse significant impacts have been mitigated to the maximum extent feasible by implementation of mitigation.
- **Less than Significant.** Environmental impacts that are adverse but not significant. No mitigation is required for less than significant impacts, and findings are not required.
- **Cumulative Impacts** describes potential environmental changes to the existing physical conditions that may occur as a result of project implementation together with all other reasonably foreseeable, planned, and approved future projects producing related impacts. The State CEQA Guidelines (Section 15355) defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” Cumulative impacts may result from individually minor but collectively significant projects taking place over a period of time. Projects that have progressed to the state that CEQA review has been initiated are treated as foreseeable probable future projects. For each of the environmental topics considered in this EIR, the geographic scope of the cumulative analysis is defined. For example, the geographic scope of the cumulative analysis for potential cumulative Land Use and Traffic impacts is the same, while the geographic scope of potential cumulative Water Quality and Hydrology impacts includes all projected development discharging to Newport Bay.
- **Level of Significance Prior to Mitigation** summarizes the potentially significant impacts of the project, if any, prior to mitigation.
- **Mitigation Measures** are project-specific measures that would be required of the project to avoid, minimize, rectify, reduce, eliminate, or compensate for a potentially significant adverse impact.
- **Level of Significance after Mitigation** describes the significance of potential impacts after implementation of mitigation measures. Potential significant unavoidable impacts are clearly stated in this section.