

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

7.1 MITIGATION MONITORING REQUIREMENTS

Public Resources Code Section 21081.6 (enacted by the passage of Assembly Bill 3180) mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.
- The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.
- A public agency shall provide the measures to mitigate or avoid significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.
- Prior to the close of the public review period for a draft environmental impact report (EIR) or mitigated negative declaration (MND), a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit that authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

7.2 MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program has been prepared in compliance with Public Resources Code Section 21081.6. It describes the requirements and procedures to be followed by the City of Newport Beach (City) to ensure that all mitigation measures adopted as part of the proposed City Hall and Park Development Plan will be carried out as described in this EIR.

Table 7.A lists each of the mitigation measures specified in this EIR and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 7.A: Mitigation and Monitoring Reporting Program

Project Design Features (PDFs) and Mitigation Measures		Responsible Party	Timing for PDF or Mitigation Measure
4.1 Land Use			
Mitigation Measure 4.1.1	Construction Relations Officer. Prior to commencement of grading activities, the City of Newport Beach (City) Director of Public Works, or designee, shall designate a construction relations officer to act as a community liaison concerning on-site construction activity and air quality emissions- and noise-related matters. The City shall post the name of the contact person and contact information for complaints in a publicly visible location for the duration of construction activities.	City of Newport Beach Director of Public Works	Prior to commencement of grading activities
4.2 Traffic and Circulation			
PDF TRA-1:	Pedestrian Overcrossing. The pedestrian overcrossing linking the northern and central parcels shall be a minimum of 19.5 feet (ft) above the ground surface of San Miguel Drive.	City of Newport Beach Director of Public Works	Prior to issuance of a building permit
Mitigation Measure 4.2.1:	Bayside Drive. Prior to issuance of building permits, the City of Newport Beach (City) Director of Public Works or designee shall identify a future project in the City’s Capital Improvement Program that will include restriping the northbound Bayside Drive approach to the East Coast Highway intersection from two left-turn lanes and a shared left/through/right lane to two left turns, a shared left/through lane and a right-turn lane. These required improvements shall be implemented within 1 year of when traffic counts completed on behalf of the City in accordance with the schedule for traffic counts provided for in the City’s Traffic Phasing Ordinance result in the finding that the intersection is operating at, or over, an Intersection Capacity Utilization (ICU) of 0.90.	City of Newport Beach Director of Public Works or designee	Prior to the issuance of a building permit
Mitigation Measure 4.2.2:	Construction Area Traffic Management Plan. Prior to commencement of grading activities, the City of Newport Beach Director of Public Works or designee shall review and approve a Construction Area Traffic Management Plan for the proposed project. The Plan shall be designed by a registered Traffic Engineer and shall address traffic control for any temporary street closures,	City of Newport Beach Director of Public Works or designee	Prior to commencement of grading activities

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>detours, or other disruptions to traffic circulation and public transit routes. The Plan shall identify the routes that construction vehicles shall use to access the site, the hours of construction traffic, traffic controls and detours, vehicle staging areas, and parking areas for the project. The Plan shall specifically prohibit the use of San Miguel Drive between MacArthur Boulevard and Newport Center Drive as part of the haul route for removal of excess dirt from the project site. The Plan shall also require project contractors to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt. The City of Newport Beach Director of Public Works or designee shall verify that the Construction Contractor's Agreement requires the construction contractor to comply with the Construction Area Traffic Management Plan.</p>		
<p>Mitigation Measure 4.2.3: Sight Distance Analysis. Prior to issuance of building permits, the City of Newport Beach Director of Public Works or designee shall verify that a detailed sight distance analysis for the proposed project driveway along Avocado Avenue has been prepared. The sight distance analysis shall be prepared according to the City of Newport Beach Sight Distance Standards and guidelines and shall include provisions for dedicated limited use areas (i.e., low-height landscaping) and on-street parking restrictions (i.e., red curb), if necessary. The sight distance analysis report shall also verify the required height of the pedestrian bridge (19.5 feet above the ground surface of San Miguel Drive) as specified in PDF TRA-1. The recommendations of the sight distance analysis shall be incorporated into final project design to ensure than an unobstructed view of the intersections and traffic control devices would be provided. The findings of the sight distance analysis shall be included in a report subject to review and approval by the City of Newport Beach Director of Public Works, or designee.</p>	<p>City of Newport Beach Director of Public Works or designee</p>	<p>Prior to the issuance of building permits</p>

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4.3 Aesthetics		
<p><u>PDF AES-1:</u></p> <p><u>Lighting Controls.</u> The proposed project shall include (1) automated internal shades set to close at specific times in the City Hall administration building and in the Library expansion area to form part of the glare control strategy, as well as to assist in the reduction of nighttime light pollution to neighboring sites; (2) exterior lighting that will be controlled by a Lighting Control Panel with an exterior photo-control and time clock; (3) internal lighting systems that would auto-dim after standard work hours, leaving small task lighting for janitorial activities and to light areas where staff may be working late; and (4) exterior light fixtures that would be the cutoff type and dark sky compliant.</p>	<p>City of Newport Beach Planning Director or specified designee</p>	<p>Prior to issuance of building permits</p>
<p>Mitigation Measure 4.3.1:</p> <p>Comprehensive Lighting Plan. Prior to issuance of any building permits, the City of Newport Beach shall prepare a comprehensive lighting plan for review and approval by the City of Newport Beach Planning Director or designee. The lighting plan shall be prepared by a qualified engineer and shall be in compliance with applicable standards of the City of Newport Beach General Plan Municipal Code. The lighting plan shall address all aspects of lighting, including infrastructure, on-site driveways, recreation, safety, signage, and promotional lighting, if any. The lighting plan shall include the following in conjunction with other measures, as determined by the illumination engineer:</p> <ol style="list-style-type: none"> a. Exterior on-site lighting shall be shielded and confined within site boundaries. b. No direct rays or glare are permitted to shine onto public streets or adjacent sites. c. “Walpak” type fixtures are not permitted. d. Parking area lighting shall have zero cut-off fixtures, and light standards shall not exceed 24 feet in height. 	<p>City of Newport Beach Planning Director or specified designee</p>	<p>Prior to the issuance of any building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>e. The site shall not be excessively illuminated based on the illumination recommendations of the Illuminating Engineering Society of North America, or, if in the opinion of the City of Newport Beach Planning Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The City of Newport Beach Planning Director or designee may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated.</p>		
<p>Mitigation Measure 4.3.2: Photometric Study. Prior to the issuance of any building permits, a photometric study shall be prepared in conjunction with a final lighting plan for approval by the City of Newport Beach Planning Director. The survey shall show that lighting values are 1 footcandle or less at all property lines.</p>	City of Newport Beach Planning Director	Prior to the issuance of any building permits
<p>Mitigation Measure 4.3.3: Lighting Inspection. Prior to issuance of the certificate of occupancy or final building permits, an evening inspection shall be conducted by the City of Newport Beach Code and Water Quality Enforcement Division to confirm control of light and glare.</p>	City of Newport Beach Code and Water Quality Enforcement Division	Prior to the issuance of final building permits or the certificate of occupancy
4.4 Air Quality		
<p>Mitigation Measure 4.4.1 SCAQMD Rules 402 and 403. The City of Newport Beach shall ensure that the project complies with South Coast Air Quality Management District (SCAQMD) Rules 402 and 403 to assist in reducing short-term air pollutant emissions. Rule 403 requires that fugitive dust be controlled with best available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. Applicable dust suppression techniques from Rule 403 are summarized below. Prior to commencement of grading activities, the Director of the City of Newport Beach Planning Department or designee shall ensure that notes are included on grading and construction plans and referenced in the construction contractor's agreement that the construction contractor shall be responsible for compliance with Rules 402 and 403.</p>	City of Newport Beach Planning Director or designee	Prior to the commencement of grading activities

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<p>The applicable Rule 403 measures are as follows:</p> <ul style="list-style-type: none"> • Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more). • Water active sites at least twice daily. (Locations where grading is to occur will be thoroughly watered prior to earthmoving.) • All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least 2 feet (ft) of freeboard in accordance with the requirements of California Vehicle Code (CVC) Section 23114 (freeboard means vertical space between the top of the load and top of the trailer). • Pave construction access roads at least 100 ft onto the site from main road. • Traffic speeds on all unpaved roads shall be reduced to 15 miles per hour (mph) or less. 		
<p>Mitigation Measure 4.4.2: Dust Suppression. Prior to commencement of grading activities, the Director of the City of Newport Beach Planning Department or designee shall ensure that notes are included on construction and grading plans and referenced in the contractor's agreement that requires use of dust suppression measures in the South Coast Air Quality Management District (SCAQMD) California Environmental Quality Act (CEQA) <i>Air Quality Handbook</i> during project grading and construction. The construction contractor shall be responsible for the implementation of the following dust suppression measures:</p> <ul style="list-style-type: none"> • Revegetate disturbed areas as soon as possible. • Increase active site watering to three times daily. 	<p>City of Newport Beach Planning Director or designee</p>	<p>Prior to commencement of grading activities</p>

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<ul style="list-style-type: none"> • All excavating and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph). • When visible soil materials are carried to adjacent streets, those streets shall be swept once per day to the extent necessary to remove the visible soil material (recommend water sweepers with reclaimed water). • Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash trucks and any equipment leaving the site each trip. • All on-site roads shall be paved as soon as feasible, watered periodically, or chemically stabilized. • The area disturbed by clearing, grading, earthmoving, or excavation operations shall be minimized at all times. 		
<p>Mitigation Measure 4.4.3: Construction Equipment. Prior to commencement of grading activities, the Director of the City of Newport Beach Public Works Department or designee shall ensure that construction documents require the Construction Contractor to select the construction equipment used on site based on low-emission factors and high-energy efficiency. Prior to commencement of grading activities, the Director of the City of Newport Beach Public Works Department, or designee, shall also verify that construction contracts include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer’s specifications.</p>	City of Newport Beach Public Works Director or designee	Prior to commencement of grading activities
<p>Mitigation Measure 4.4.4: Electric or Alternative Fuel-Powered Equipment. Prior to issuance of a Notice to Proceed, the Director of the City of Newport Beach Public Works Department or designee shall verify that construction contracts and/or grading plans include a statement that the Construction Contractor shall utilize electric or alternative-fuel powered equipment in lieu of gasoline or diesel powered engines where feasible.</p>	City of Newport Beach Public Works Director or designee	Prior to the issuance of a Notice to Proceed
<p>Mitigation Measure 4.4.5: Equipment Shut Off and Smog Season Hours. Prior to issuance</p>	City of Newport Beach	Prior to the issuance of a

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<p>of a Notice to Proceed, the Director of the City of Newport Beach Public Works Department or designee shall verify that construction contracts and/or grading plans include a statement that work crews will shut off equipment when not in use. During smog season (May through October), the overall length of the construction period will be extended to minimize the occurrence of vehicles and equipment operating at the same time and thereby decreasing the size of the area prepared each day.</p>	<p>Public Works Director or designee</p>	<p>Notice to Proceed</p>
<p>Mitigation Measure 4.4.6: Traffic Obstruction Minimization. Prior to issuance of a Notice to Proceed, the Director of the City of Newport Beach Public Works Department shall verify that construction contracts and/or grading plans include a statement that construction trucks, to the extent feasible, shall avoid using the streets during peak-hour traffic; if necessary, a flagperson shall be retained to maintain safety adjacent to existing roadways.</p>	<p>City of Newport Beach Public Works Director or designee</p>	<p>Prior to the issuance of a Notice to Proceed</p>
<p>Mitigation Measure 4.4.7: Ridesharing and Transit Incentives. Prior to issuance of a Notice to Proceed, the Director of the City of Newport Beach Public Works Department shall verify that construction contracts and/or grading plans include a statement that the Construction Contractor shall support and encourage ridesharing and transit incentives for the construction crew.</p>	<p>City of Newport Beach Public Works Director or designee</p>	<p>Prior to the issuance of a Notice to Proceed</p>
<p>Mitigation Measure 4.4.8: South Coast Air Quality Management District (SCAQMD) Rule 1113. Prior to issuance of a Notice to Proceed, the Director of the City of Newport Beach Public Works Department or designee shall verify that construction contracts and/or grading plans include a statement that the Construction Contractor shall comply with the SCAQMD Rule 1113 on the use of architectural coatings. Emissions associated with architectural coatings would be reduced by complying with these rules and regulations, which include using pre-coated/natural colored building materials, using water-based or low-volatile organic compounds (VOC) coating, and using coating transfer or spray equipment with high transfer efficiency.</p>	<p>City of Newport Beach Public Works Director or designee</p>	<p>Prior to the issuance of a Notice to Proceed</p>

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4.5 Biological Resources			
PDF BIO -1:	Removal of Invasive Exotic Plants. Invasive exotic plant species (e.g., myoporum, castor bean, pampas grass) associated with the wetland/riparian habitat shall be removed, and mulefat and willow cuttings and other appropriate plant species shall be installed.	City of Newport Beach Public Works Director or designee	Prior to issuance of building permits
PDF BIO -2:	Native Plants. The landscaping palette to be used on site shall include the use of native plant species in addition to drought tolerant, ornamental, and turf species. The landscaping palette shall also prohibit the use of invasive exotic plants (i.e., those plant species rated as “High” or “Moderate” in the California Invasive Plant Council’s [Cal-IPC] Invasive Plant Inventory). ¹	City of Newport Beach Public Works Director or designee	Prior to issuance of building permits

¹ <http://www.cal-ipc.org/ip/inventory/index.php>.

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<p>Mitigation Measure 4.5.1: Translocation of Coulter’s Saltbush Population. Prior to approval of the grading plan, the City of Newport Beach (City) Director of Planning, or designee, shall verify that a translocation plan for Coulter’s saltbush has been prepared by a qualified, experienced biologist. The plan shall include the following elements: Prior to commencement of grading activities, the City of Newport Beach (City) Director of Planning, or designee, shall verify that the City has contracted a qualified, experienced biologist to prepare a comprehensive translocation plan for Coulter’s saltbush which includes the location of the suitable receptor site. The plan shall be prepared in cooperation with representatives from the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG). The project biologist shall supervise and monitor implementation of the plan. Once the population of Coulter’s saltbush on site is transplanted to the suitable receptor site, the project biologist shall monitor the population for 5 years, documenting the methods and results, including implementation of any requisite maintenance and/or remedial measures in annual reports. Establishment of a viable population shall be deemed successful and the performance standards met if at least half (i.e., nine) of the plants are evident in any given year following the third year of the monitoring period. This mitigation standard may be adjusted any time prior to the end of the monitoring period under mutual agreement by the City and the resource agencies (i.e., USFWS and CDFG), particularly if factors beyond human control limit the ability to establish a viable population of Coulter’s saltbush within the 5-year monitoring period. If it becomes apparent that the performance standards cannot be achieved, the City and resource agencies may agree to extend the monitoring period and/or implement remedial measures</p> <ul style="list-style-type: none"> • Location of one or two suitable receptor site(s), in an area or areas of suitable habitat, with adequate size to accommodate the existing population, as well as future growth of the 	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to commencement of grading activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p><u>population.</u></p> <ul style="list-style-type: none"> • <u>Procedures for site preparation and translocation of the existing population.</u> • <u>Preparation for and methods of salvaging and translocating the existing population, including the recovery of topsoil with existing seed bank. Blocks of topsoil shall be moved intact to the extent feasible.</u> • <u>Identification of performance standards, i.e., at least half (nine) of the plants are evident in any given year following the third year of the monitoring period. This mitigation standard may be adjusted any time prior to the end of the monitoring period under mutual agreement by the City and the resource agencies (i.e., United States Fish and Wildlife Service [USFWS] and California Department of Fish and Game [CDFG]), particularly if factors beyond human control limit the ability to establish a viable population of Coulter’s saltbush within the 5-year monitoring period.</u> • <u>Maintenance and monitoring provisions (for a minimum of 5 years) to promote and document the success of the effort.</u> • <u>Measures to be implemented if the translocation effort does not achieve the expected results. If it becomes apparent that the performance standards cannot be achieved, the City and resource agencies may agree to extend the monitoring period and/or implement remedial measures.</u> <p><u>The plan shall be prepared in cooperation with representatives from the USFWS and the CDFG. The project biologist shall supervise and monitor implementation of the plan, which shall be initiated prior to grading in the affected habitat area. Once the population of Coulter’s saltbush on site is transplanted to the suitable receptor site(s), the project biologist shall monitor the population, in accordance with the plan provisions, including implementation of</u></p>		

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<p><u>any requisite maintenance and/or remedial measures and documenting the progress in annual reports.</u></p>		
<p>Mitigation Measure 4.5.2: Migratory Bird Treaty Act. In the event that project construction or grading activities should occur within the active breeding season for birds (i.e., February 15–August 15), a nesting bird survey shall be conducted by the designated project biologist prior to commencement of construction activities. If active nesting of birds is observed within 100 feet (ft) of the designated construction area prior to construction, the construction crew shall establish an appropriate buffer around the active nest. The designated project biologist shall determine the buffer distance based on the specific nesting bird species and circumstances involved. Once the designated project biologist verifies that the birds have fledged from the nest, the buffer may be removed. Prior to commencement of grading activities or issuance of any building permits, the City of Newport Beach Director of Planning, or designee, shall verify that all project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA), that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field with orange snow fencing.</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to commencement of any grading activities; and also prior to commencement of construction activities</p>
<p>Mitigation Measure 4.5.3: Wetland/Riparian Habitat Enhancement. Prior to the commencement of grading activities associated with the central parcel, the City of Newport Beach (City) Director of Planning, or designee, shall verify that grading plans require the installation of orange snow fencing along the entire construction perimeter of the jurisdictional drainages. The City of Newport Beach Director of Planning, or designee, shall also verify that the City has contracted a qualified, experienced biologist to be present on site when the orange snow fence is installed to ensure that it is installed at the appropriate location outside of the United States Army Corps of Engineers (ACOE) and the California Department of Fish and Game (CDFG) jurisdictional limits. The orange snow fencing shall</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the commencement of grading activities associated with the central parcel</p>

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<p>be maintained and left in place until all construction activities in the Central Parcel are complete. The biological monitor shall be present during any grading or vegetation removal activities occurring within 300 feet of the orange snow fencing. Prior to removal of the orange snow fencing at the completion of construction activities in the central parcel, the biological monitor shall conduct a final inspection of the area. The biological monitor shall, as necessary, maintain direct contact with the City representative throughout the construction process.</p>		
<p>Mitigation Measure 4.5.4: Orange County Central and Coastal Subregion NCCP/HCP. Prior to commencement of grading activities, the City of Newport Beach (City) shall comply with the terms and conditions of the Orange County Central and Coastal Subregion Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) Implementation Agreement and construction minimization measures identified in the NCCP. The following five minimization measures, as outlined in the NCCP, are designed to reduce potential impacts associated with native habitat and associated general wildlife and are applicable to the proposed project site.</p> <ol style="list-style-type: none"> 1. To the maximum extent practicable, no grading of coastal sage scrub (CSS) habitat that is occupied by nesting gnatcatchers shall occur during the breeding season (February 15–July 15). It is expressly understood that this provision and the remaining provisions of these “construction-related minimization measures” are subject to public health and safety considerations. These considerations include unexpected slope stabilization, erosion control measures, and emergency facility repairs. In the event of such public health and safety circumstances, landowners or public agencies/utilities shall provide the United States Fish and Wildlife Service/California Department of Fish and Game (USFWS/CDFG) with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens, and any other CSS Identified Species that are not 	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the commencement of grading activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>otherwise flushed and shall carry out the following measures only to the extent as practicable in the context of the public health and safety considerations.</p> <ol style="list-style-type: none"> 2. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. Additionally, prior to the commencement of grading operations or other activities involving disturbance of CSS, a survey shall be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of projected soil disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans. 3. A monitoring biologist, acceptable to USFWS/CDFG, shall be on site during any clearing of CSS. The City of Newport Beach Director of Planning or designee shall advise USFWS/CDFG at least 7 calendar days (and preferably 14 calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities. The monitoring biologist shall flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. If birds cannot be flushed, they shall be captured in mist nets, if feasible, and relocated to areas of the site to be protected or to the NCCP/HCP Reserve System. It shall be the responsibility of the monitoring biologist to assure that Identified bird species will not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis. 4. Following the completion of initial grading/earth movement activities, all areas of CSS habitat to be avoided by 		

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<p>construction equipment and personnel shall be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. No construction access, parking, or storage of equipment or materials will be permitted within such marked areas.</p> <p>5. CSS identified in the NCCP/HCP for protection and located within the likely dust drift radius of construction areas shall be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the monitoring biologist.</p>			
4.6 Cultural Resources			
Mitigation Measure 4.6.1	<p>Archaeological and Native American Monitors. Prior to commencement of any grading activity on site, the City shall retain an archaeological monitor and a Native American monitor to be selected by the City after consultation with interested Tribal and Native American representatives. Both monitors shall be present at the pregrade conference in order to explain the cultural mitigation measures associated with the project. Both monitors shall be present on site during all ground-disturbing activities (to implement the project Monitoring Plan) until marine terrace deposits are encountered. Once marine terrace deposits are encountered, archaeological and Native American monitoring is no longer necessary, as the marine deposits are several hundred thousand years old, significantly predating human settlement in this area.</p>	City of Newport Beach Director of Public Works or designee	Prior to commencement of any grading activity on site
Mitigation Measure 4.6.2	<p>Archaeological Monitoring Plan and Accidental Discovery. Prior to commencement of any grading activity on site, the City shall prepare a Monitoring Plan. The Monitoring Plan shall be prepared by a qualified archaeologist and shall be reviewed by the City of Newport Beach Director of Planning. The Monitoring Plan should include at a minimum: (1) a list of personnel involved in the monitoring activities; (2) a description of how the monitoring shall occur; (3) a description of frequency of monitoring (e.g., full-time, part-time, spot checking); (4) a description of what resources may be encountered; (5) a description of circumstances that would result in the halting of work at the project site (e.g., what is considered a</p>	City of Newport Beach Director of Planning or designee	Prior to the commencement of grading activities

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<p>“significant” archaeological site); (6) a description of procedures for halting work on site and notification procedures; and (7) a description of monitoring reporting procedures. If any significant historical resources, archaeological resources, or human remains are found during monitoring, work should stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. Project personnel shall not collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing in the California Register of Historic Places. If the deposits are not eligible, avoidance is not necessary. If the deposits are eligible, adverse effects on the deposits must be avoided, or such effects must be mitigated. Mitigation can include, but is not necessarily limited to: excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials.</p> <p>It shall be the responsibility of the City Department of Public Works to verify that the Monitoring Plan is implemented during project grading and construction. Upon completion of all monitoring/mitigation activities, the consulting archaeologist shall</p>		

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<p>submit a monitoring report to the City of Newport Beach Director of Planning and to the South Central Coastal Information Center summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met. The monitoring report shall be prepared consistent with the guidelines of the Office of Historic Preservation’s <i>Archaeological Resources Management Reports (ARMR): Recommended Contents and Format</i>. The City of Newport Beach Director of Planning or designee shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.</p>		
<p>Mitigation Measure 4.6.3 Archaeological Site Avoidance. Grading and excavation in the vicinity of existing archaeological sites CA-ORA-167/1117 and CA-ORA-1461 shall be avoided. To achieve level surfaces for proposed project paths, clean (culturally sterile) soils shall be used to cap and protect the sites. Capping shall be conducted consistent with the provisions of Public Resources Code (PRC) Section 21083.2(b)(3 and 4). Prior to commencement of grading activities, the City of Newport Beach Director of Public Works shall verify that project grading plans show avoidance of existing cultural sites. The Director of Public Works shall also verify that grading plans show that the known cultural sites shall be capped with a minimum of 12 inches of culturally sterile soils from a known source prior to commencement of any grading activity within 25 feet of these sites. The boundaries of the site shall be identified by a qualified archaeologist to ensure the entire site has been capped. Precise archaeological site information is protected from public disclosure by State law. The grading plan shall be clearly marked to indicate that any cultural resources information on those plans is not for public distribution.</p>	<p>City of Newport Beach Director of Public Works or designee</p>	<p>Prior to the commencement of grading activities</p>
<p>Mitigation Measure 4.6.4 Paleontological Resources Impact Mitigation Program. Prior to commencement of any grading activity on site, the Director of Planning, or designee, shall verify that a paleontologist, who is listed on the County of Orange list of certified paleontologists, has been retained and will be on site during all rough grading and other</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the commencement of grading activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>significant ground-disturbing activities in paleontologically sensitive sediments. The sensitive sediments that have been identified within the project include the Middle Pleistocene marine and terrestrial sediments as well as middle Miocene Monterey formation sediments. A paleontologist will not be required on site if excavation is only occurring in artificial fill.</p> <p>The paleontologist shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP should be consistent with the guidelines of the Society of Vertebrate Paleontologists (SVP) (1995) and should include but not be limited to the following:</p> <ul style="list-style-type: none"> • Attendance at the pregrade conference in order to explain the mitigation measures associated with the project. • During construction excavation, a qualified vertebrate paleontological monitor shall initially be present on a full-time basis whenever excavation will occur within the sediments that have a High paleontological sensitivity rating and on a spot-check basis in sediments that have a Low sensitivity rating. Based on the significance of any recovered specimens, the qualified paleontologist may set up conditions that will allow for monitoring to be scaled back to part-time as the project progresses. However, if significant fossils begin to be recovered after monitoring has been scaled back, conditions shall also be specified that would allow increased monitoring as necessary. The monitor shall be equipped to salvage fossils and/or matrix samples as they are unearthed in order to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment in the area of the find in order to allow removal of abundant or large specimens. • The underlying sediments may contain abundant fossil remains that can only be recovered by a screening and picking matrix; 		

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure	
<p>therefore, these sediments shall be occasionally be spot-screened through one-eighth to one-twentieth-inch mesh screens to determine whether microfossils exist. If microfossils are encountered, additional sediment samples (up to 6,000 pounds) shall be collected and processed through one-twentieth-inch mesh screens to recover additional fossils. Processing of large bulk samples is best accomplished at a designated location within the project that will be accessible throughout the project duration but will also be away from any proposed cut or fill areas. Processing is usually completed concurrently with construction, with the intent to have all processing completed before, or just after, project completion. A small corner of a staging or equipment parking area is an ideal location. If water is not available, the location should be accessible for a water truck to occasionally fill containers with water.</p> <ul style="list-style-type: none"> • Preparation of recovered specimens to a point of identification and permanent preservation. This includes the washing and picking of mass samples to recover small invertebrate and vertebrate fossils and the removal of surplus sediment from around larger specimens to reduce the volume of storage for the repository and the storage cost for the developer. • Identification and curation of specimens into a museum repository with permanent, retrievable storage, such as the Natural History Museum of Los Angeles County (LACM). • Preparation of a report of findings with an appended, itemized inventory of specimens. When submitted to the City of Newport Beach Director of Planning or designee, the report and inventory would signify completion of the program to mitigate impacts to paleontological resources. 			
<p>Mitigation Measure 4.6.5</p>	<p>Human Remains. Consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered, work within 25 feet of the discovery shall be</p>	<p>The City of Newport Beach Director of Planning or specified</p>	<p>During all grading and ground disturbing activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>redirected and the County Coroner notified immediately. 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 Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). With the permission of the City of Newport Beach, 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. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City of Newport Beach shall consult with the MLD as identified by the NAHC to develop an agreement for the treatment and disposition of the remains.</p> <p>Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report should be submitted to the City of Newport Beach Director of Planning and the South Central Coastal Information Center. The City of Newport Beach Director of Planning, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of findings and recommendations.</p>	<p>designee</p>	

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
4.7 Geology and Soils		
<p>Mitigation Measure 4.7.1</p>	<p>Incorporation of and compliance with the recommendations in the Geotechnical Study. All grading operations and construction shall be conducted in conformance with the recommendations included in the geotechnical report on the proposed project site that has been prepared by Leighton Consulting, Inc. titled <i>Geotechnical Study for the Proposed City Hall and Park Development Plan for the Environmental Impact Report (EIR), Newport Beach, California</i> (July 2009) (included in Appendix K of this EIR). Design, grading, and construction shall be performed in accordance with the requirements of the City of Newport Beach Building Code and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant as summarized in a final written report, subject to review by the Director of the City of Newport Beach Building Department or designee prior to commencement of grading activities.</p> <p>Recommendations in the <i>Geotechnical Study for the Proposed City Hall and Park Development Plan for the Environmental Impact Report (EIR), Newport Beach, California</i> are summarized below.</p> <ul style="list-style-type: none"> • Site Grading. The subgrade below the planned foundations for buildings and improvements planned in the area of the Library expansion shall be overexcavated in order to provide uniform support for the buildings. Additional remedial grading shall be required to develop relatively uniform support characteristics and reduce the potential for postconstruction swell and distortions to the building in areas where claystone is exposed. • Shoring. Shoring shall be required during excavation for the retaining wall proposed along MacArthur Boulevard due to the anticipated space constraint for slope lay back and adverse bedrock structure. Design parameters of the temporary shoring and retaining wall shall be based on the bedrock strike and dip 	<p>The Director of the City of Newport Beach Building Department or specified designee</p> <p>Prior to the commencement of grading activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>and the final configuration of the wall. In addition, the retaining wall shall be designed to include possible geologic surcharge from the bedrock. Shoring systems feasible for the site are expected to include cantilever shoring such as soldier piles and lagging in conjunction with tiebacks in areas when the depth of excavation exceeds 10 to 15 feet (ft).</p> <ul style="list-style-type: none"> • Dewatering. If groundwater or perched water is encountered during project grading and construction, dewatering may be necessary. Methods of dewatering shall be submitted by the contractor and reviewed and approved by the geotechnical consultant and City Building Official prior to commencement of grading activities. • Subsurface Drainage. Groundwater is not expected to be a project constraint. In the unlikely event groundwater is encountered during construction and is at a depth that would impact project structures (postconstruction), the subterranean slabs shall be designed to resist hydrostatic uplift, or a permanent subfloor drainage system shall be included in the design of the slab. The design of subterranean slabs shall be reviewed and approved by the City Building Official prior to issuance of building permits. • Temporary Excavations. All temporary excavations shall be treated in accordance with the State of California version of Occupational Safety and Health Administration (OSHA) excavation regulations, Construction Safety Orders for Excavation General Requirements. The sides of excavations shall be shored or sloped in accordance with OSHA regulations. OSHA allows the sides of unbraced excavations, up to a maximum height of 20 ft, to be cut to a ¾H:1V (horizontal:vertical) slope for Type A soils, 1H:1V for Type B soils, and 1.5H:1V for Type C soils. The on-site soils (Terrace Deposits) within the proposed excavation depths generally 		

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>conform to OSHA Soil Type B. The formational bedrock may be classified as Soil Type A but will require careful evaluation by the project Certified Engineering Geologist. The Type A classification is not recommended where adverse (out-of-slope) bedding orientations exist, and special site-specific design parameters will be required in those areas. Heavy construction loads, such as those resulting from stockpiles and heavy machinery, shall be kept a minimum distance equivalent to the excavation height or 5 ft, whichever is greater, from the excavation unless the excavation is shored and these surcharges are considered in the design of the shoring system.</p> <ul style="list-style-type: none"> • Spread Footing Foundations. Upon completion of the grading (cutting) required to establish the proposed building pad elevations, the proposed structures may be supported by a spread footing foundation system. Bearing capacities shall be dependent on the final foundation elevation and structural loadings of the buildings and shall be reviewed by the geotechnical consultant prior to implementation. • Slab on Grade. At-grade floor slabs of the proposed structures may be designed and constructed as a slab-on-grade supported directly on properly compacted fill or competent bedrock. If a bedrock artificial fill transition is encountered, the planned subgrade elevation shall be overexcavated at least 3 ft and replaced with properly compacted fill. The structural engineer shall design the slab and determine the required thickness and reinforcement based on structural load requirements. • Retaining Walls. The proposed development is expected to require various types of earth-retaining structures: free-standing cantilever retaining walls; temporary shoring; and belowgrade walls for several of the proposed structures. In general, free-standing retaining structures planned at the site shall be backfilled with granular, very low expansive soil and be constructed with a backdrain. 		

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure	
<ul style="list-style-type: none"> Geotechnical Review and Future Testing. Additional site testing and final design evaluation shall be conducted by the project geotechnical consultant to refine and enhance these recommendations. Grading plan review shall also be conducted by the project geotechnical consultant and the Director of the City of Newport Beach Building Department or designee prior to the start of grading to verify that the recommendations developed during the geotechnical design evaluation have been appropriately incorporated into the project plans. Final design shall be based on testing and analyses of the near-surface soils following the completion of grading. Design, grading, and construction shall be conducted in accordance with the specifications of the project geotechnical consultant as summarized in a final report based on the CBC applicable at the time of grading and building and the City of Newport Beach Building Code. On-site inspection during grading shall be conducted by the project geotechnical consultant and the City Building Official to ensure compliance with geotechnical specifications as incorporated into project plans. 			
Mitigation Measure 4.7.2	California Building Code Compliance and Seismic Standards. Structures and retaining walls shall be designed in accordance with the seismic parameters presented in the geotechnical study (Leighton, 2009; Appendix K) and applicable sections of Section 1613 of the 2007 California Building Code (CBC). Prior to issuance of building permits for planned structures, the project soils engineer and the Director of the City of Newport Beach Department of Building, or designee, shall review building plans to verify that structural design conforms to the recommendations of the geotechnical study and the City of Newport Beach Building Code.	The Director of the City of Newport Beach Building Department or specified designee	Prior to the commencement of grading activities
Mitigation Measure 4.7.3	Corrosive Soils. Prior to issuance of a building permit, the Director of the City of Newport Beach (City) Building Department or designee shall verify that the City has retained the services of a licensed corrosion engineer to provide detailed corrosion protection measures. Where steel may come in contact with on-site soils,	The Director of the City of Newport Beach Building Department or specified designee	Prior to the commencement of grading activities

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>project construction shall include the use of steel that is protected against corrosion. Corrosion protection may include, but is not limited to, sacrificial metal, the use of protective coatings, and/or cathodic protection. Additional site testing and final design evaluation regarding the possible presence of significant volumes of corrosive soils on site shall be performed by the project geotechnical consultant to refine and enhance these recommendations. On-site inspection during grading shall be conducted by the project geotechnical consultant and City Building Official to ensure compliance with geotechnical specifications as incorporated into project plans.</p>		
<p>Mitigation Measure 4.7.4 Expansive Soils. Prior to issuance of building permits, the Director of the City of Newport Beach (City) Building Department or designee shall verify that building plans require additional expansion index tests if bedrock claystone is encountered at the planned subgrade elevation or during other grading activities. If expansion index tests determine that expansive soils are present on the proposed project site, mitigation may include, but is not limited to, additional remedial grading, premoistening of soils, use of nonexpansive material, post-tensioned slabs, construction of nonexpansive building pads, or use of caisson foundations. During construction, the project soils engineer shall verify that expansive soil mitigation measures are implemented, and the City Building Official shall make site inspections to ensure compliance with approved measures.</p>	<p>The Director of the City of Newport Beach Building Department or specified designee</p>	<p>Prior to the commencement of grading activities</p>
<p>4.8 Global Climate Change</p>		
<p>PDF GHG-1 LEED-NC Silver. The City of Newport Beach (City) shall work with the project designers and engineers to identify United States Green Building Council’s Leadership in Energy and Environmental Design-New Construction (LEED-NC) Silver credit design components to be incorporated into the construction plans for the proposed project, including both the City Hall administration building, Community Room, Council Chambers, and Emergency Operations Center (EOC). The City shall register the subject buildings in the LEED-NC Silver program prior to final design and</p>	<p>City of Newport Beach Director of Public Works or designee</p>	<p>Prior to issuance of building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>shall seek LEED-NC Silver certification after construction.</p> <p>PDF GHG -2 Energy Efficiency. The City of Newport Beach (City) shall seek ways to reduce waste and energy consumption and to increase the efficiency of its operations in order to minimize impacts to the environment and enhance the sustainability of its operations. Toward that end, the City has incorporated the following commitments into the project plans:</p> <ol style="list-style-type: none"> 1. The City is committed to evaluating and implementing energy efficiency programs and procedures, including the use of solar photovoltaic panels on new structures where feasible, use of energy-efficient light fixtures, implementation of energy-saving devices and equipment, and energy-efficient design of new facilities. 2. The City will continue to implement existing waste reduction programs, including office recycling, source reduction, waste reduction and reuse, purchase of recycled content products, and source separation and recycling of materials, including composting of biodegradable materials. 3. The City is committed to achieving Leadership in Energy and Environmental Design-New Construction (LEED-NC) Silver certification for the new City Hall facility and Emergency Operations Center (EOC) (see Project Design Feature [PDF] GHG-1, above). 4. The City will conduct regular energy audits, and commissioning¹ during new construction and renovation, as appropriate, with implementation of follow-up improvements to reduce energy consumption for the new City Hall facility 	<p>City of Newport Beach Director of Public Works or designee</p>	<p>Prior to issuance of building permits</p>

¹ Commissioning is a systematic process to help ensure building systems are designed, installed, tested, performed, and capable of being operated and maintained according to owner’s operational needs. The commissioning process documents the quality of building system performance and facilitates improved building operation without requiring any major renovations.

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>and the Emergency Operation Center (EOC).</p> <ol style="list-style-type: none"> 5. The City will require contractors to use zero- or low-emission vehicles and equipment when possible. 6. The City will landscape the proposed project site with a combination of native, drought-tolerant, and ornamental plants (refer to PDF BIO 2). 7. The City will implement a comprehensive potable water conservation strategy for irrigation and water service within the City Hall facility and the Emergency Operations Center (EOC). 8. The City will continue to seek new opportunities to promote commuter carpooling and transit use, as well as alternative transportation for City employees and Civic Center visitors. 		
<p>Mitigation Measure 4.8.1</p> <p>Prior to issuance of a grading or building permit, the project plans and specifications shall include a statement that delivery of construction equipment and materials will be scheduled such that queuing of trucks on and off site shall be minimized. The requirement will be implemented by the contractor and verified by the City of Newport Beach Director of Planning, or designee.</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the issuance of grading or building permits</p>
<p>Mitigation Measure 4.8.2</p> <p>Prior to issuance of a grading or building permit, the project plans and specifications shall include a statement that, to the extent feasible, all diesel- and gasoline-powered construction equipment shall be replaced with equivalent electric equipment. The requirement will be implemented by the contractor and verified by the City of Newport Beach Director of Planning, or designee.</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the issuance of grading or building permits</p>
<p>Mitigation Measure 4.8.3</p> <p>Prior to issuance of a building permit, the project engineer shall demonstrate that the design of the proposed buildings or structures incorporates ENERGY STAR-rated, energy-efficient T-8 high-output fixtures, and/or compact fluorescent and other comparable energy-saving lighting fixtures. Documentation of compliance with this measure shall be provided by the project engineer to the State Architect. Installation of the identified design features or equipment will be confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of a certificate of</p>	<p>City of Newport Beach Director of Planning or designee</p>	<p>Prior to the issuance of grading or building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>occupancy.</p> <p>Mitigation Measure 4.8.4 Prior to issuance of a building permit for a specific facility, the project engineer shall demonstrate that the design of the proposed buildings or structures incorporates enhanced insulation such that heat transfer and thermal bridging is minimized in structures that will be mechanically heated and/or cooled. Documentation of compliance with this measure shall be provided to the City of Newport Beach Director of Planning, or designee, for review and approval. Installation of the identified design features or equipment will be conducted by the contractor and confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of a certificate of occupancy.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of any building permits; installation of the features to be confirmed prior to issuance of a certificate of occupancy
<p>Mitigation Measure 4.8.5 Prior to issuance of a certificate of occupancy, the City of Newport Beach Director of Planning, or designee, and the Project Engineer will document and verify, installation of the identified design features or equipment designed to limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption in structures that will be mechanically heated and/or cooled.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of a certificate of occupancy
<p>Mitigation Measure 4.8.6 Prior to issuance of a building permit, the project engineer shall demonstrate that the design of the proposed buildings or structures incorporates United States Environmental Policy Agency (EPA) WaterSense Program water-efficient products (bathroom sink faucets, low-flush urinals, dual-flush toilets, etc.). Documentation of compliance with this measure shall be provided to the City of Newport Beach Director of Planning, or designee, for review and approval. Installation of the identified design features or equipment will be confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of certificate of occupancy.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of any building permits; installation of the features to be confirmed prior to issuance of a certificate of occupancy
<p>Mitigation Measure 4.8.7 Prior to issuance of a building permit, the project engineer shall demonstrate that the design of the proposed buildings or structures that will be mechanically heated and/or cooled incorporates space heating and cooling equipment that meets or exceeds ENERGY STAR-rated standards. Documentation of compliance with this</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of building permits; installation of the features to be confirmed prior to issuance of a certificate of

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>measure shall be provided by the project engineer to the City of Newport Beach Director of Planning, or designee. Installation of the identified design features or equipment will be confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of a certificate of occupancy.</p>		occupancy
<p>Mitigation Measure 4.8.8 Prior to issuance of a building permit, the project engineer shall demonstrate that the proposed buildings or structures incorporate appliances that meet or exceed the ENERGY STAR-rated standards. Documentation of compliance with this measure shall be provided by the project engineer to the City of Newport Beach Director of Planning, or designee, for review and approval. Installation of the identified design features or equipment will be confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of a certificate of occupancy.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of building permits; installation of the features to be confirmed prior to issuance of a certificate of occupancy
<p>Mitigation Measure 4.8.9 Prior to issuance of a building permit, the project engineer shall demonstrate that the design of proposed buildings or structures considered includes installation/operation of renewable electric generation systems. Documentation of compliance with this measure shall be provided by the project engineer to the City of Newport Beach Director of Planning, or designee, for review and approval. Installation of the identified design features or equipment will be confirmed by the City of Newport Beach Director of Planning, or designee, prior to issuance of a certificate of occupancy.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of building permits
<p>Mitigation Measure 4.8.10 The City will ensure that construction plans for the new City Hall facility include bicycle racks and temporary storage lockers, as reflected in the building plans prior to the issuance of construction permits. City of Newport Beach Director of Planning, or designee, will verify compliance and confirm implementation during construction.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of building permits and following construction
<p>Mitigation Measure 4.8.11 The City shall offer preferential parking for electric and hybrid vehicles at the new City Hall facility. City of Newport Beach Director of Planning, or designee, will verify compliance and confirm implementation during construction.</p>	City of Newport Beach Director of Planning or designee	Prior to issuance of building permits and following construction

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
4.9 Hazards and Hazardous Materials		
<p>Mitigation Measure 4.9.1 Contingency Plan. Prior to commencement of grading activities, the City of Newport Beach Fire Chief or designee shall review and approve a contingency plan that addresses the potential to encounter on-site unknown hazards or hazardous substances during construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other unidentified substances, the contractor shall stop work, cordon off the affected area, and notify the Orange County Health Care Agency (OCHCA). The OCHCA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations.</p>	<p>City of Newport Beach Fire Chief or designee</p>	<p>Prior to the commencement of grading activities</p>
<p>Mitigation Measure 4.9.2 Predemolition Surveys. Prior to commencement of demolition activities, the Director of the City of Newport Beach (City) Building Department shall verify that predemolition surveys for asbestos-containing materials (ACMs) and lead-based paints (LBPs) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB)-containing electrical fixtures shall be performed. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (i.e.: American Society for Testing and Materials (ASTM) E 1527-05, and 40 Code of Federal Regulations (CFR), Subchapter R, Toxic Substances Control Act [TSCA], Part 716). If the predemolition surveys do not find ACMs, LBPs, or PCB-containing electrical fixtures, the inspectors shall provide documentation of the inspection and its results to the City of Newport Beach Building Department to confirm that no further abatement actions are required. If the predemolition surveys find evidence of ACMs, LBPs, or PCB-containing electrical fixtures, all such materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745,</p>	<p>Director of the City of Newport Beach Building Department of designee</p>	<p>Prior to the commencement of demolition activities</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>761, and 763). Air monitoring shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations both to ensure adherence to applicable regulations (e.g., South Coast Air Quality Management District [SCAQMD]) and to provide safety to workers and the adjacent community. The City shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the County of Orange Health Care Agency showing that abatement of any ACMs, LBPs, or PCB-containing electrical fixtures identified in these structures has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, and 795 and California Code of Regulations [CCR] Title 8, Article 2.6). An Operating & Maintenance Plan (O&M) shall be prepared for any ACM, LBP, or PCB-containing fixtures to remain in place and will be reviewed and approved by the County of Orange Health Care Agency.</p>		
<p>Mitigation Measure 4.9.3 Generator Sub-Base Fuel Storage Tank. Prior to issuance of building permits, the Director of the City of Newport Beach Building Department or designee shall review installation plans for the generator sub-base fuel storage tank. The plans shall include the design, details, and specifications pertaining to the following:</p> <ul style="list-style-type: none"> • Quantities and types of liquids to be stored • Distances from tanks and dispensers to property lines, buildings, and other exposures • Vehicle access • Fire appliance • Vehicle impact protection • Protected tanks and their supports • Methods of storage and dispensing 	<p>Director of the City of Newport Beach Building Department or designee</p>	<p>Prior to the issuance of building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<ul style="list-style-type: none"> • Overfill prevention, spill containment, vents, vapor recovery dispensers, and other equipment and accessories 		
<p>Mitigation Measure 4.9.4 Determination of No Hazards. The City of Newport Beach (City) shall file a Notice of Proposed Construction or Alteration (Form 7460-1) with the Federal Aviation Administration (FAA) in accordance with Federal Aviation Regulation (FAR) Part 77. The Director of Planning, or designer, shall verify that the City has received a Determination of No Hazard to Air Navigation prior to the issuance of building permits for the northern parcel.</p>	City of Newport Beach Director of Planning or designee	Prior to the issuance of building permits
4.10 Hydrology and Water Quality		
<p>PDF-WQ-1 State General Construction Activity NPDES Permit. Prior to and during construction, the City of Newport Beach shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES) General Permit, <i>Waste Discharge Requirements (WDRs) for Discharges of Storm Water Runoff Associated with Construction Activities (Order No. 99-08-DWQ, NPDES No. CAS000002)</i> and any subsequent permit as they relate to construction activities. This shall include submission of a <i>Notice of Intent</i> (NOI) to the Santa Ana Regional Water Quality Control Board (RWQCB) at least 30 days prior to the start of construction, preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and submission of a <i>Notice of Termination</i> (NOT) to the Santa Ana RWQCB upon completion of construction and stabilization of the site. Prior to construction activities and after the final design phase and environmental determinations, a construction SWPPP and a Monitoring and Reporting Program shall be developed for the project. The construction phase SWPPP shall be designed to identify potential pollutant sources associated with construction activities; identify non-storm water discharges; and identify, implement, and maintain Best Management Practices (BMPs) to reduce or eliminate pollutants associated with the construction site.</p>	City of Newport Beach Director of Public Works of designee	Prior to and during construction activities
<p>PDF-WQ-2 Short-Term Groundwater Discharges. Prior to commencement of</p>	City of Newport Beach	Prior to the

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<p>grading activities, the City of Newport Beach shall determine whether dewatering of groundwater will be necessary during project construction and whether dewatering activities will require discharge to the storm drain system or surface waters. If dewatering activities are required, the City of Newport Beach shall comply with the requirements of the <i>General National Pollutant Discharge Elimination System (NPDES) Permit/Waste Discharge Requirements (WDR) for Short-Term Groundwater Discharges and De Minimus Wastewater Discharges</i> (Order No. R8-2004-0021, amended by order R8-2006-0065) or subsequent permit. This will include submission of a Report of Waste Discharge (ROWD) and Notice of Intent for coverage under the permit to the Santa Ana Regional Water Quality Control Board (RWQCB) at least 45 days prior to the start of dewatering and compliance with all applicable provisions in the permit, including water sampling, analysis, and reporting of dewatering-related discharges.</p>	<p>Director of Public Works of designee</p>	<p>commencement of grading activities</p>
<p>PDF-WQ-3 Site Design, Source Control, and Treatment Best Management Practices. The City of Newport Beach shall comply with the requirements of the Orange County Drainage Area Management Plan (DAMP), the City of Newport Beach Local Implementation Plan (LIP), and the City of Newport Beach Council Policies and Municipal Code, as they relate to hydrology and water quality. Project-specific Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) contained in the Final Water Quality Management Plan (WQMP) shall be incorporated into final design. The BMPs shall be properly designed and maintained to target pollutants of concern and reduce runoff from the project site. The WQMP shall include an operations and maintenance plan for the prescribed Treatment Control BMPs to ensure their long-term performance.</p>	<p>City of Newport Beach Director of Public Works of designee</p>	<p>Prior to the commencement of grading activities</p>
<p>4.11 Noise</p>		
<p>Mitigation Measure 4.11.1:</p>	<p>Construction Noise. Prior to commencement of grading activities or issuance of building permits, the Director of the City of Newport Beach Planning Department, or designee, shall verify that the following notes appear on grading and construction plans:</p>	<p>Director of the City of Newport Beach Planning Department or designee</p> <p>Prior to commencement of grading activities or issuance of building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<ol style="list-style-type: none"> 1. During all project site excavation and grading, the project contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. 2. The project contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. 3. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction. 4. The construction contractor shall limit all construction-related activities that would result in high noise levels to between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. No construction would occur outside of these hours or on Sundays and federal holidays. 		
<p>Mitigation Measure 4.11.2: Ventilation Requirements. Prior to the issuance of building permits, documentation shall be provided to the Director of the City of Newport Beach Building Department, or designee, demonstrating that project buildings meet ventilation standards required by the California Building Code (CBC) with the windows closed. It is likely that a form of mechanical ventilation, such as an air-conditioning system, will be required as part of the project design for the City Hall buildings and Library expansion.</p>	<p>Director of the City of Newport Beach Planning Department or designee</p>	<p>Prior to the issuance of building permits</p>
<p>Mitigation Measure 4.11.3: Park Uses. Prior to the issuance of building permits, the Director of the City of Newport Beach Planning Department, or designee, shall review construction plans and verify that all potential sensitive uses proposed within the park areas, such as picnic tables, shall be located outside the 70 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL) impact zone from MacArthur</p>	<p>Director of the City of Newport Beach Planning Department or designee</p>	<p>Prior to the issuance of building permits</p>

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
Boulevard, which would extend to 167 feet (ft) from the roadway centerline north of San Miguel Drive and to 140 ft from the roadway centerline south of San Miguel Drive.		
4.12 Population, Housing, and Employment		
There are no potentially significant impacts related to housing, population, and employment, and no mitigation is required.		
4.13 Public Service and Utilities		
PDF PSU-1: Fire Code. The City of Newport Beach (City) shall comply with the requirements of Title 9 (Fire Code) of the City’s Municipal Code including installation of fire sprinklers in all new buildings. Said sprinklers shall be installed prior to each final building inspection.	Director of the City of Newport Beach Building Department or designee	Prior to each final building inspection
PDF PSU-2: Electricity and Natural Gas. The proposed project shall meet or exceed all State Energy Insulation Standards and City of Newport Beach codes in effect at the time of application for building permits. (Commonly referred to as Title 24, these standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Title 24 covers the use of energy-efficient building standards, including ventilation, insulation, construction, and the use of energy-saving appliances, conditioning systems, water heating, and lighting.) Plans submitted for building permits shall include written notes or calculations demonstrating compliance with energy standards and shall be reviewed and approved by the Director of the City of Newport Beach Building Department prior to issuance of building permits.	Director of the City of Newport Beach Building Department or designee	Prior to the issuance of building permits
PDF PSU-3 Solid Waste. In compliance with State legislation (Assembly Bill [AB] 939), the City of Newport Beach implements programs to recycle, reduce refuse at the source, and compost solid waste in order to achieve a 50 percent reduction in solid waste disposed of at landfills. AB 939 also requires that all cities conduct a Solid Waste Generation Study (SWGS) and prepare a Source Reduction Recycling Element (SRRE). In accordance with AB 939, the City of Newport Beach submits an annual report to the California Integrated Waste Management Board (CIWMB) summarizing its progress in diverting solid waste disposal.	City of Newport Beach Director	Ongoing
PDF PSU-4 Water Conservation. The proposed project would also utilize additional water conservation measures in the proposed Civic Center <u>which may include</u> , but <u>is</u> not limited to:	Director of the City of Newport Beach Building Department or	Prior to each final building inspection

Project Design Features (PDFs) and Mitigation Measures	Responsible Party	Timing for PDF or Mitigation Measure
<ul style="list-style-type: none"> • Low-flow faucets • Dual-flush water-closets and pint (1/8 gallon per flush) urinals • Drip irrigation where practical • Project landscaping will include drought-tolerant and native species combined with ornamental species and turf • Cooling tower water use reduction via nonchemical water treatment. 	designee	
<p>PDF PSU-5 Energy Conservation. The proposed project would also utilize additional energy conservation measures in the proposed Civic Center including, but not limited to:</p> <ul style="list-style-type: none"> • High-performance facade • Mixed-mode active and natural ventilation • Under-floor air distribution • Daylight dimming controls • Low-wattage light fixtures • Exterior shading devices • Proper building orientation 	Director of the City of Newport Beach Building Department or designee	Prior to each final building inspection
<p>4.14 Recreation Resources</p>		
<p>There are no potentially significant impacts related to recreation resources, therefore no mitigation is required.</p>		

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