



PHASE I ENVIRONMENTAL SITE ASSESSMENT

Proposed Newport Beach City Hall

APNs 442-014-24, 442-014-25, 442-014-26, and 442-014-27

Newport Beach, California

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1.0 INTRODUCTION

AMEC Geomatrix, Inc. (AMEC Geomatrix) has prepared this report on behalf of LSA Associates, Inc. (LSA) and the City of Newport Beach (City) to identify potential environmental concerns and to report key findings from a Phase I Environmental Site Assessment (ESA) of property located at 1000, 1100, 1300, and 1450 Avocado Avenue in the City of Newport Beach, California (collectively the Site or subject property). According to the City of Newport Beach Planning Department, the Assessor's Parcel Numbers (APNs) for the Site are: 442-014-25 and 26 (1000 Avocado Avenue), 442-014-027 (1100 and 1300 Avocado Avenue), and 442-014-24 (1450 Avocado Avenue). 1000 Avocado (APNs 442-014-25 and 26) is approximately 4 acres and consists of the Newport Beach Public Library (the Library) and associated parking areas (herein referred to as the Library Parcels). 1100 and 1300 Avocado is an approximately 13-acre parcel (APN 442-014-027) and consists of grassland and bushes on vacant land (herein referred to as the Central Parcel). 1450 Avocado Avenue is an approximately 3-acre parcel (APN 442-014-24) and consists of grassland and bushes on vacant land as well (herein referred to as the Northern Parcel). The Site is bounded to the north by the Orange County Transportation Authority (OCTA) Newport Transportation Center to the north, to the east by MacArthur Boulevard and to the west by Avocado Avenue. The Library adjoins a shopping plaza to the south, beyond which is East Coast Highway. The proposed project reportedly includes seven primary components including: (1) the construction and operation of an approximately 98,000-square foot City Hall building, meeting hall, and Council Chambers; (2) a 450-space parking structure; (3) an approximately 17,000-square foot expansion of the Library; (4) an Emergency Operations Center; (5) the construction of a 14.3 acre public park; (6) the widening of San Miguel Drive; and (7) the re-use of the existing City Hall structures as government/commercial offices.

This Phase I ESA incorporates findings for the Site obtained from documents and reports found at the City's website (<http://www.city.newport-beach.ca.us>).

It is our understanding that LSA has been retained by the City to prepare an Environmental Impact Report (EIR) for the project and has commissioned this Phase I ESA to support the EIR and project planning.

The Phase I ESA reported herein was performed at the request of LSA and was conducted in conformance with the ASTM International (ASTM) E1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM E1527-05). ASTM E1527-05 complies with U.S. Environmental Protection Agency (U.S. EPA) All Appropriate Inquiries (AAI) Final Rule (40 CFR 312), which was promulgated November 1, 2005, and took effect November 1, 2006.

1.1 PURPOSE

The purpose of the Phase I ESA is to compile and review available information about the Site and immediate vicinity to identify recognized environmental conditions (RECs) to the extent feasible pursuant to ASTM E1527-05. According to ASTM E1527-05, an REC is defined as:

“the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include de minimis conditions that generally do not present a threat to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.”

The AAI Final Rule applies to

“...conditions indicative of releases and threatened releases of hazardous substances...(and) petroleum or petroleum products are excluded from the definition of hazardous substance...” (as referenced in 40 CFR 312.1).

1.2 REASON FOR PERFORMING THE PHASE I ESA

LSA requested a Phase I ESA be performed for the Site to evaluate Site conditions for potential future development that may include construction and operation of an approximately 98,000-square foot City Hall building, meeting hall, and Council Chambers; a 450-space parking structure; an approximately 17,000-square foot expansion of the Library; construction of a 14.3 acre public park; widening of San Miguel Drive; and Emergency Operations Center. In addition, the Phase I ESA is being conducted to support the EIR and project planning by LSA and the City.

We understand that LSA has commissioned this Phase I ESA for the City to satisfy one of the requirements to qualify for the innocent landowner, contiguous property owner, or bona fide prospective purchaser limitations on Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability (referred to as the landowner liability protections or LLPs). This Phase I ESA has been prepared using the ASTM E1527-05

standard as guidance and constitutes “all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice” as defined at 42 United States Code §9601(35)(B).

1.3 SCOPE OF SERVICES

The general scope of services for this Phase I ESA included the following tasks:

- a site reconnaissance to observe and document current conditions and activities at the Site;
- a visual survey of immediately adjacent parcels from the Site or from public streets;
- interviewing the Site owner or representatives of the owner;
- reviewing readily available historical documents including state, tribal and local government records, covering the period that the Site had structures or was used for residential, agricultural, commercial, industrial, or governmental purposes;
- reviewing available historical aerial photographs, historical topographical maps; city directories; and Sanborn Fire Insurance (Sanborn) maps for the Site and vicinity, if available;
- retaining Environmental Data Resources of Milford Connecticut (EDR) to conduct a regulatory database search to identify reported on-site and off-site chemical releases that may affect soil or groundwater conditions at the Site;
- evaluating the data and identifying data gaps, open issues, and key uncertainties, if any; and
- preparing this report documenting these activities and summarizing environmental issues identified.

1.4 EXCLUSIONS

ASTM E1527-05 includes the following list of “additional issues” that are non-scope considerations outside of the scope of the ASTM Phase I practice: asbestos-containing building materials; radon; lead-based paint; lead in drinking water; wetlands; regulatory compliance; cultural and historic resources; industrial hygiene; health and safety; ecological resources; endangered species; indoor air quality (such as vapor intrusion); and biologic agents and mold. The following additional items were not included in our assessment of the Site: collection and chemical analysis of samples of bulk materials, wastes, soil, soil vapor, water, or air; or an evaluation of seismic or geotechnical characteristics.

1.5 SIGNIFICANT ASSUMPTIONS

Based on regional geologic and hydrogeologic information reviewed and discussed in Section 2.2.2 of this report, the direction of horizontal groundwater flow beneath the Site is

assumed to be toward to the south-southwest. AMEC Geomatrix did not measure groundwater elevations during this Phase I ESA to confirm groundwater flow direction at the Site or in the Site vicinity.

1.6 LIMITATIONS

This report does not constitute legal advice. In addition, AMEC Geomatrix makes no determination or recommendations regarding the decision to lease, purchase, sell, or provide financing to LSA or the City.

Time Constraint

A Phase I ESA report is required for project planning. The opinions and conclusions presented in this report are only based on the Site conditions observed and information reviewed at the time of this assessment. Information pertaining to Site conditions or changes may exist that AMEC Geomatrix is not aware of or which we have not had the opportunity to evaluate within the time available for this Phase I ESA.

Uncertainty Not Eliminated

As acknowledged in ASTM E1527-05, no Phase I ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. The use of ASTM E1527-05 is intended to reduce, but not eliminate, this uncertainty.

Within the limitations of the agreed-upon scope of work and ASTM E1527-05, AMEC Geomatrix has conducted this Phase I ESA in a professional manner in accordance with generally accepted practices, using the degree of skill and care ordinarily exercised by environmental consultants under similar circumstances. Due to physical limitations inherent to this or any environmental assessment, AMEC Geomatrix does not warrant that the Site is free of pollutants or that all pollutants have been identified. As such, no absolute determination of environmental risks can be made. No other warranties, expressed or implied, are made.

Reliance on Information Provided by Others

AMEC Geomatrix has relied upon information provided by others in the evaluation of environmental site conditions reported herein. AMEC Geomatrix did not attempt to independently verify the accuracy or completeness of that information. To the extent that the opinion and conclusions in this report are based in whole or in part on such information, those conclusions are contingent on its accuracy and validity. AMEC Geomatrix assumes no responsibility for any consequence arising from any information or condition that was concealed, withheld, misrepresented, or otherwise not fully disclosed or available to AMEC Geomatrix.

1.7 USER RELIANCE

The Phase I ESA has been completed for the use of LSA and the City. No other person or organization shall rely upon any part of the report without the prior written consent of AMEC Geomatrix. LSA and the City may not release parts of the report but may release the whole report to third parties; however, in doing so, LSA and the City shall indemnify and defend AMEC Geomatrix from and against all claims arising out of or in conjunction with such use or reliance by a third party. Additionally, any third party in using this report agrees that it shall have no legal recourse against AMEC Geomatrix.

2.0 SITE DESCRIPTION

The characteristics and uses of the Site and vicinity are described in the following sections.

2.1 LOCATION AND SITE DESCRIPTION

The Site is located east of Avocado Avenue, between the OCTA Newport Transportation Center to the north and the shopping center to the south, in Newport Beach, California (Figure 1, Site Location Map). The Site currently consists of the Library and two vacant parcels of land vegetated with grassland and bushes. The Site Plan is shown on Figure 2.

2.2 SUBJECT PROPERTY AND VICINITY GENERAL CHARACTERISTICS

The general Site setting and the geology and hydrogeology in the vicinity of the Site are summarized in the following subsections.

2.2.1 General Site Setting

The general setting and topographic features of the site and its vicinity are shown on the United States Geological Survey (USGS) Laguna Beach 7.5-minute topographic quadrangle map; dated 1981 (photo revised from a 1965 map) within Orange County, California. According to this USGS topographic map, ground surface elevation at the Site ranges from 140 feet to 240 above mean sea level (MSL) and regional topography slopes toward the south-southwest. Figure 1 shows a portion of this USGS topographic map.

2.2.2 Geology and Hydrogeology

The following information on geology and hydrogeology of the Site was retrieved from the report titled "Due Diligence Geotechnical Exploration for the Proposed City Hall and Parking Structure Report, Newport Beach, California" prepared in 2008 for the City by Leighton Consulting, Inc. (Leighton, 2008), and from Leighton's 2009 "Geotechnical Study for the Proposed City Hall and Parking Structure for the Environmental Impact Report (EIR), Newport Beach, California" provided to AMEC by LSA (Leighton, 2009).

“The project site is on the northwestern flank of the northern San Joaquin Hills. The San Joaquin Hills lie within the northern part of the Peninsular Ranges geomorphic province which extends 900 miles southward from the Santa Monica Mountains to the tip of Baja California (Yerkes, et al., 1965). Regional tectonic activity has uplifted the San Joaquin Hills into an elongated arched fold (anticlinorium) trending to the northwest from San Juan Capistrano and Huntington Mesa. This anticlinal folding has occurred as this entire section of the southern California coast was uplifted by the San Joaquin Hills blind thrust fault (Grant et al., 1997, 1999, and 2002; Mueller et al., 1998). The San Joaquin Hills expose mainly Tertiary aged marine and non marine sedimentary rocks including thinly bedded shale, siltstone and sandstone of the upper Miocene-age Monterey Formation (Leighton, 2008).”

“During Quaternary times, the eustatic fluctuations in sea level formed broad wave cut platforms upon which marine terrace sediments were deposited. Due to the continued uplift of the San Joaquin Hills some of these ancient stepped sequences of marine terrace deposits have been elevated above present sea level. Erosion and grading activity have formed the present day landscape (Leighton, 2008).”

“Groundwater was not encountered in any of the borings drilled to depths of 30 to 50 feet. Groundwater in the vicinity is expected to be at or near sea level, which is greater than 150 feet below the current site grade (LeRoy, 1990). However, perched water and seepage may occur within the terrace deposits, the contact between terrace deposits and underlying bedrock, and/or within sandstone units on the bedrock (Leighton, 2008).”

According to Leighton’s 2009 report, subsurface exploration was performed in March 2009 at the proposed location of the future City Hall and parking structure. Two groundwater monitoring wells (NB-5 and NB-8) reportedly were installed on the Central Parcel. Groundwater reportedly was encountered at between 45 and 67.2 feet below current ground surface during the exploration, depending on the exploration location. In general, the groundwater elevation reportedly is higher in the northern region and gently slopes down towards the Central Library. Groundwater was measured at approximately 46.2 and 42.6 feet below ground surface in groundwater monitoring wells NB-5 and NB-8, respectively, between March 10 and May 13, 2009. Leighton states that groundwater is not anticipated to be encountered during excavation in most of the areas; however, perched water and seepage may occur within the terrace deposits, the contact between terrace deposits and underlying bedrock, and/or within sandstone units on the bedrock. According to Leighton, groundwater may be encountered during excavation of the basement, and a dewatering program should be prepared and in-place during construction (Leighton, 2009).

Based on regional topography sloping steeply to the south-southwest, the estimated groundwater flow beneath the Site is to the south-southwest. According to the AQUIFLOW information system in the EDR report, the assumed direction of groundwater flow beneath the Site is toward the southwest.

2.3 CURRENT USE OF THE SITE AND ADJOINING PARCELS

The Site includes the Library Parcels, which consist of a two-story building with basement and associated parking areas, and the Central and Northern Parcels, which are vacant with grassland, shrubs, weeds, and few trees scattered across the vacant land. Drainage features including concrete-lined channels and culverts are located within the Central Parcel.

The immediately surrounding properties include an Orange County Transportation Authority (OCTA) bus station to the north, residences to the east across MacArthur Boulevard, a shopping plaza to the south, and multiple shopping plazas and office buildings to the west across Avocado Avenue.

3.0 INFORMATION PROVIDED BY LSA AND THE CITY

The following subsections present information provided by LSA and the City.

3.1 ENVIRONMENTAL LIENS

Based on our review of a preliminary title report for the Central Parcel that was provided by LSA, which was performed by First American Title Company and dated May 7, 2008, no environmental liens or other activity and use limitations (AULs) were found. The preliminary title report pertains to the Central Parcel only and title reports for the Library Parcels and the Northern Parcel were not provided for our review. Review of title records for the Library Parcels and Northern Parcel should be performed by LSA or the City to evaluate whether there are environmental liens or AULs for these parcels.

3.2 SPECIALIZED KNOWLEDGE

According to Mr. Jaime Murillo, the Associate Planner at the City, the Site was originally set aside by the Irvine Company (previous land owner) during the development of Fashion Island shopping center for a future freeway (Coast Freeway). The proposed construction of a freeway was rescinded in the 1970s. Mr. Murillo indicated that the City acquired the Site parcels through development agreements with the Irvine Company in exchange for development rights on other properties in the City. The City took ownership of the Site parcels between 1992 and 2008. Mr. Murillo also indicated that drainage features are present at the Site, which created wetlands (discussed further in Section 6.0). Information provided by Mr. Murillo is included in Appendix A.

4.0 ENVIRONMENTAL RECORDS REVIEW

The finding of environmental records research and review are presented in the following subsections.

4.1 STANDARD ENVIRONMENTAL RECORD SOURCES

AMEC Geomatrix retained EDR to search federal, state, and tribal environmental regulatory databases on which the Site might be listed, as well as properties located within ASTM - specified radii of the site (ASTM E1527-05) with documented environmental releases and/or those that use, store, or dispose of regulated chemicals. A list of the regulatory databases searched and the results are presented in the EDR regulatory database search report (EDR report), dated March 31, 2009 (EDR, 2009a [Appendix B]).

The following sections identify those databases for which either the Site or properties within the ASTM-specified search radii of the Site are listed. The EDR report did not identify activity and use limitations or institutional controls relating to the Site.

4.1.1 Subject Property

1000 Avocado Avenue is listed in the Facility and Manifest Data (HAZNET) database. According to the EDR report, Newport Beach Public Library reportedly generated approximately 0.2 ton of paint sludge on an unspecified date. According to Ms. Melissa Kelly, the Support Services Coordinator representing the Library, the Site underwent exterior and interior repainting in 2006, during which paint sludge might have been generated. She also stated that paint wastes or sludge were disposed off-site by the painting contractor. Based on the lack of reported release and type of waste generated, the listing on the HAZNET database is not expected to represent a significant environmental concern to the Site.

4.1.2 Surrounding Properties

As previously discussed in Section 2.2.2, the presumed groundwater flow direction in the vicinity of the Site is to the south-southwest.

The following sections discuss relevant properties in the Site vicinity. Where feasible based on existing information, statements regarding the potential for a nearby property to impact environmental conditions at the Site are included.

Former Shell Station / Mobil #18 PLR at 2500 San Joaquin Hills Road

This property is located approximately 1,500 feet northeast (in the reported upgradient direction of regional groundwater flow) of the Site and is listed on the Underground Storage Tank (UST), Leaking Underground Storage Tank (LUST), Resource Conservation and Recovery Act-Small Quantity Generator (RCRA-SQG), Facility Index System (FINDS), and

HAZNET databases. A release of gasoline, which reportedly impacted groundwater, was first discovered on September 30, 1991. As of February 11, 2008, the regulatory status is listed as “open remediation.” Additional information on this property is further provided in Section 4.2.1.

Other Properties Identified in the EDR Databases

Based on their regulatory status, their relative distances from the Site, their locations in relation to the assumed direction of groundwater flow, and/or, other information listed in the EDR report, no additional sites listed in the EDR report are expected to represent a significant environmental concern to the Site.

4.1.3 Water Wells

According to the EDR regulatory database search report, no water wells owned by private parties or municipalities are indicated within 1 mile of the Site.

4.1.4 Abandoned Oil and Gas Wells

Abandoned oil and gas wells, if present, can present an environmental concern due to potential methane migration or soil or groundwater contamination from mud pits, storage pits, or other features. Based on the Regional Wildcat Map W 1-6 dated August 16, 2005, produced by the State of California, Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) and on information listed in the EDR report, two oil wells are located within 1 mile from the Site; however, neither of these wells are located within 1/8 mile from the Site. Due to the distance of the oil wells from the Site, they are not expected to represent a significant environmental concern for the Site.

4.2 ADDITIONAL RECORDS REVIEW

In conformance with ASTM E1527-05, AMEC Geomatrix conducted inquiries with environmental and other public agencies in an attempt to obtain additional information on potential environmental conditions at the Site. Agency Freedom of Information Act (FOIA) requests are included in Appendix C. This section summarizes file request and review findings.

4.2.1 GeoTracker

AMEC Geomatrix reviewed information from the California State Water Resources Control Board’s GeoTracker environmental database (<http://geotracker.swrcb.ca.gov/search>) for properties in the Site vicinity. As previously described in Section 4.1.2, the Former Shell Station/Mobil #18 PLR located at 2500 San Joaquin Hills Road is a LUST site with regulatory oversight provided by the Santa Ana Regional Water Quality Control Board (SARWQCB). AMEC Geomatrix reviewed a groundwater monitoring report for this property retrieved from GeoTracker. Based on the Site Status and Groundwater Monitoring Report, Fourth Quarter

2008 Report performed by ETIC Engineering (ETIC) on January 19, 2009, this facility is an active gasoline station with four 10,000-gallon USTs with associated dispenser islands. Currently, groundwater monitoring and sampling and corrective actions are being conducted at this facility. The groundwater beneath this facility reportedly flows to the north-northeast. Based on our review of previous groundwater monitoring reports for this facility performed in 2005 and 2006, groundwater flow has generally been consistent to the northeast. In addition, groundwater impacts do not appear to extend off the site to the northwest, west, or southwest. The plume of impacted groundwater extends toward the east-northeast. Based on this information, this property does not appear to be hydraulically upgradient to the Site and is therefore, not expected to represent a significant environmental concern to the Site.

No other properties were mapped by GeoTracker within 1/8 mile hydraulically upgradient of the Site or at other locations of apparent environmental concern in relation to the Site.

4.2.2 California State Fire Marshal's Office

The State Fire Marshal's (SFM) office was contacted to assess whether underground oil, gas, natural gas, or refined petroleum hydrocarbon pipelines are present beneath the Site. The SFM indicated that no pipelines are present in the Site vicinity.

4.2.3 Department of Toxic Substances Control

AMEC Geomatrix requested to review records from the DTSC, which indicated that no records were found at the agency for the Site. AMEC Geomatrix also searched DTSC's online environmental database (<http://www.envirostor.dtsc.ca.gov/public/>). No listings of environmental concern were found in the vicinity of the Site.

4.2.4 Santa Ana Regional Water Quality Control Board

AMEC Geomatrix requested to review records from the SARWQCB, which indicated that no records were found at the agency for the Site.

4.2.5 Orange County Health Care Agency

AMEC Geomatrix searched public records available at the Orange County Health Care Agency (OCHCA) website (<http://ochealthinfo.com/regulatory/downloads/reports.htm>). No records on the Site were found at the OCHCA website.

4.2.6 South Coast Air Quality Management District

AMEC Geomatrix searched public records available at the South Coast Air Quality Management District (SCAQMD) website (<http://www.aqmd.gov/webappl/fim/prog/search.aspx>). No records on the Site were found at the SCAQMD website.

5.0 HISTORICAL DOCUMENT REVIEW

AMEC Geomatrix reviewed historical aerial photographs, historical topographic maps, and a city directory abstract to identify the historical use of the Site and adjacent properties. Sanborn maps were not available for the Site or vicinity. The findings of our review are discussed in the sections below.

Based on historical aerial photographs reviewed, the Site was vacant land since at least 1938 and several trails or unpaved roadways were present on the Library Parcels. Both the Central and Northern Parcels have been vacant land since 1938. The Library Parcels were vacant until 1994 when the existing City public library was developed.

5.1 REVIEW OF HISTORICAL AERIAL PHOTOGRAPHS

AMEC Geomatrix reviewed aerial photographs of the Site vicinity for the years 1938, 1947, 1952, 1968, 1977, 1990, 1994, 2002, and 2005 from EDR (EDR, 2009b). Copies of the aerial photographs are included in Appendix D. A summary of the conditions observed on the photographs is presented below.

1938 Photograph – Scale 1 inch = 555 feet

The Site appears to be vacant land with several trails or unpaved roadways crossing the existing Library Parcels from east to west. MacArthur Boulevard is shown to the east of the Site. Adjoining areas appear to be vacant land.

1947 Photograph – Scale 1 inch = 666 feet

No significant changes from the previous photograph were noted.

1952 Photograph – Scale 1 inch = 555 feet

An adjoining property to the south appears to be developed with a commercial building. No other significant changes from the previous photograph were noted in this photograph.

1968 Photograph – Scale: 1 inch = 480 feet

The Central and Northern Parcels of the Site appear to be graded for development. Adjoining properties to the east across MacArthur Boulevard appear to be developed with residences. An additional building appears to be developed on the adjoining property to the south. Adjoining properties to the west and north appear to be graded for development. Fashion Island shopping center is shown further west of the Site.

1977 Photograph – Scale: 1 inch = 666 feet

The Site appears to be unchanged from the previous photograph; however, existing roadways including Avocado Avenue, Farallon Drive, and San Nicolas Drive are shown in the Site vicinity. Adjoining properties to the west across Avocado Avenue appear to be developed with several commercial buildings.

1990 Photograph – Scale: 1 inch = 666 feet

An adjoining property to the north appears to be graded for development and adjoining properties to the northeast and west appear to be developed with additional commercial buildings. San Miguel Drive is shown between the Central and Northern Parcels.

1994 Photograph – Scale: 1 inch = 666 feet

The existing library building and associated parking areas appear to be developed on the Library Parcels. The Central and Northern Parcels appear to be vacant land. A concrete-lined channel is shown in the southern portion of the Central Parcel. An adjoining property to the north appears to be developed with the existing OCTA bus station.

2002 Photograph – Scale: 1 inch=666 feet

An adjoining property to the south appears to be developed with the existing shopping plaza. No other significant changes from the previous photograph were noted in this photograph.

2005 Photograph – Scale: 1 inch=485 feet

No significant changes from the previous photograph were noted.

5.2 HISTORICAL TOPOGRAPHIC MAPS

Topographic maps were obtained from EDR for the years 1901, 1902, 1949, 1965, 1972, and 1981 (EDR, 2009c). A description of the observations from the topographic map review is presented below. The topographic map scales ranged from 1:24,000 (1 inch equals 2,000 feet) to 1:250,000 (1 inch equals 4 miles). Copies of the topographic maps are included in Appendix E.

1901 Topographic Map – Series 60 – Scale 1:250,000

This is a large scale map depicting Newport Beach and surrounding areas. The general vicinity of the Site appears undeveloped.

1902 Topographic Map – Series 30 – Scale 1:125,000

This is a large scale map depicting Newport Beach and surrounding areas. The general vicinity of the Site appears undeveloped. San Joaquin Hills is depicted to the north of the Site.

1949 Topographic Map – Series 7.5 – Scale 1:24,000

The vicinity of the Site appears undeveloped. MacArthur Boulevard is depicted to the east of the Site.

1965 Topographic Map – Series 7.5 – Scale 1:24,000

Adjoining properties to the east are depicted with residences. An unnamed pond is depicted in the western portion of the Central Parcel.

1972 Topographic Map – Series 7.5 – Scale 1:24,000

The unnamed pond is no longer depicted. Commercial buildings are depicted on the adjoining properties to the west and additional residential development is depicted on the adjoining properties to the east.

1981 Topographic Map – Series 7.5 – Scale 1:24,000

No significant changes were noted from the previous map except for the development of Avocado Avenue to the west of the Site.

5.3 CITY DIRECTORY ABSTRACT

AMEC Geomatrix reviewed a historical city directory abstract for the Site and surrounding area obtained from EDR (EDR, 2009d). A summary of listings for the period 1920 through 2002 (non-inclusive), using approximately 5-year intervals, were provided in the abstract. The city directory abstract is included as Appendix F of this report.

The Site was not listed in the EDR city directory abstract. AMEC Geomatrix also reviewed the EDR city directory abstract for adjoining addresses on Avocado Avenue, Surfline Way, and San Miguel Drive. Surrounding properties generally have been occupied by various commercial businesses and residences.

5.4 SANBORN MAPS

Sanborn Fire Insurance maps were not available for review in the area of the Site. A copy of the Sanborn maps search results is presented in Appendix G.

6.0 SITE RECONNAISSANCE

Mr. Joseph Kim of AMEC Geomatrix conducted a reconnaissance of the Site and adjacent areas on March 30, 2009, and was accompanied by Ms. Melissa Kelly, the Support Services Coordinator representing the Library. A description of the Site, as observed during the reconnaissance, is provided in the following sections.

6.1 METHODOLOGY AND LIMITING CONDITIONS

The reconnaissance included observing existing conditions at the Site and the general surrounding areas with respect to possible environmental concerns. Photographs taken during the reconnaissance are included in Appendix H.

6.2 ON-SITE OBSERVATIONS

The Library Parcels consist of a two-story building with basement, asphalt-paved parking areas/driveways, and landscaped areas. Ms. Kelly stated that a dewatering system was installed during construction of the library building in 1994. A sump pump associated with the dewatering system was observed in the basement. Ms. Kelly stated that the dewatering system was in good condition and no repairs have been conducted in recent years. She also said she was not familiar with its design or operation. Information on the dewatering system is provided in Section 7.0. In addition, two floor drains were observed in the basement. Ms. Kelly did not know the use of the drains. They appeared to be condensation drains associated with nearby air conditioning equipment. No evidence of surface spills or staining was observed in the vicinity the drains. Janitorial supplies including cleaners, detergents, and soaps contained in aerosol cans and spray guns were observed in the maintenance room. Two 5-gallon buckets, containing paint and paint thinner, respectively, were observed in the metal storage cabinet located outside of the building. Also, a 3-gallon container of diesel was observed beside the metal storage cabinet. Ms. Kelly told AMEC Geomatrix that the diesel fuel is used for a portable emergency generator located in the basement. No evidence of misuse or spillage of these substances was observed during the site reconnaissance. To the east of the building, AMEC Geomatrix observed a fenced area where a boiler and a chiller were located. No evidence of environmental issues was observed in this area. These systems are reportedly maintained by an outside vendor.

The Central Parcel is an approximately 13-acre parcel, which is vacant and consists of grassland, shrubs, weeds, bushes, trees, and wet areas. The southern portion of the Central Parcel was observed to be vegetated with shrubs and grasses. The northern portion of the Central Parcel was observed to be densely vegetated with taller weeds, bushes, trees, and wet areas. A concrete-lined channel was observed in the southern portion of the Central Parcel. Michael Brandman Associates (MBA) conducted a jurisdictional delineation of the Central Parcel in 2004 (MBA, 2004). As a follow up to that delineation, LSA conducted a jurisdictional delineation that included both the Central and Northern Parcels in 2009.

LSA identified potential United States Army Corps of Engineers (ACOE) and California Department of Fish and Game (CDFG) jurisdiction associated with two primary drainages located on the Central Parcel. These unnamed drainages are situated in two small ravines on-site. The main drainage (hereinafter referred to as Drainage A) extends generally east to

west. Runoff in this drainage is conveyed onto the Site from a large concrete box culvert and ultimately drains into a large standpipe on the western end of the drainage. The other drainage (hereinafter referred to as Drainage B) extends southwesterly from near the northeast corner of the Central Parcel to Drainage A. Runoff in this drainage is conveyed onto the Site from an existing underground concrete culvert at the northeast end of the drainage and ultimately empties into Drainage A. Overall, runoff is conveyed onto the Site, into these earthen-bottomed drainage courses, and then back into the underground storm drain system where it is ultimately conveyed to the Pacific Ocean. LSA determined that the boundary of potential ACOE jurisdiction in both drainages extends to the ordinary high water mark (OHWM) and that there are no adjacent wetlands extending beyond the limits of the OHWM in either Drainage A or B. In other words, potential jurisdictional wetlands are confined to within the OHWMs. Potential CDFG jurisdiction in Drainages A and B not only include the area corresponding to the drainage bottoms and banks but also extends beyond to include associated riparian canopy (LSA, 2009).

LSA observed several concrete drainage ditches located in both the Northern and Central Parcels. These artificial ditches were constructed for the purpose of collecting surface runoff and conveying the runoff into the storm drain system to prevent surface erosion and the flooding of adjacent landscape and structures. These concrete drainages are not considered water bodies by the ACOE since rills and other erosion features would form in the absence of these artificial drainages. Therefore, these concrete drainages reportedly would not be subject to ACOE or CDFG jurisdiction (LSA, 2009).

On the northwestern portion of the Central Parcel, we observed construction debris in one area (concrete and brick) and trash (bottles, paper, and plastic) in several areas that appeared to have been abandoned or dumped.

The Northern Parcel is an approximately 3-acre parcel which consists of grassland and bushes on vacant land. No specialized features were observed on the Northern Parcel. Additional observations made during the Site reconnaissance are further described below.

6.2.1 Transformer

Polychlorinated biphenyls (PCBs) were commonly used historically in electrical equipment such as transformers, fluorescent lamp ballasts, and capacitors. The management of potential PCB-containing transformers is the responsibility of the local utility or the transformer owner. Actual material samples need to be collected to determine if transformers are PCB-containing.

A pad-mounted transformer was observed to the north of the library building. No spills, staining or leaks were observed around the transformer. Based on the apparent good

condition of the equipment and the date of Site development, the transformer is not expected to contain PCBs or represent a significant environmental concern to the Site.

6.3 SURROUNDING PROPERTIES

The immediately surrounding properties include OCTA bus station to the north, residences to the east across MacArthur Boulevard, a shopping plaza to the south, beyond which is East Coast Highway, and multiple shopping plazas and office buildings to the west across Avocado Avenue. A reconnaissance of surrounding properties was limited to visual inspection from the Site perimeters and public areas where access was available. No environmental issues were evident during off-site reconnaissance.

7.0 INTERVIEWS

To facilitate interviews with the owner of the Site and the user of this Phase I ESA, interview questions in questionnaire format were sent to Mr. Jaime Murillo, the Associate Planner at the City. Mr. Murillo completed both the user and owner questionnaires. According to Mr. Murillo, the Site was originally set aside by the Irvine Company during the development of Fashion Island shopping center for a future freeway (Coast Freeway). California Department of Transportation (Caltrans) used to own the MacArthur Boulevard right-of-way, which was designated as SR 73. The proposed freeway system envisioned a freeway connecting the 405 Freeway with the future Coast Freeway. However, the proposed construction of the Coast Freeway was rescinded in the 1970s and MacArthur Boulevard became a City street upon completion of the SR 73 Tollway. Mr. Murillo indicated that the City acquired the Site parcels through development agreements with the Irvine Company in exchange for development rights on other properties in the City. The City took ownership of the Site parcels between 1992 and 2008. Mr. Murillo also indicated that drainage features are present at the Site, which created wetlands. The questionnaires are included in Appendix A.

AMEC Geomatrix interviewed Ms. Melissa Kelly during our Site reconnaissance. According to Ms. Kelly, the Library was developed in 1994. She stated that the Site underwent exterior and interior repainting in 2006, during which paint sludge might have been generated. She also stated that paint wastes or sludge were disposed off-site by the painting contractor. Ms. Kelly indicated that the dewatering system located in the basement was installed during construction of the library building in 1994. Ms. Kelly stated the dewatering system was in good condition and no repairs have been conducted in recent years. She also stated she was not familiar with its design or operation. Ms. Kelly informed AMEC Geomatrix that diesel fuel is used for a portable emergency generator located in the basement.

Mr. Steve Badum, the Director of Public Works at the City, provided limited information on the reported dewatering system located in the basement of the library building. According to

Mr. Badum, a sump pump was installed during the construction of the library building. The sump pump reportedly discharges to a storm drain located on the Library Parcels, which discharges to a storm drain on Avocado Avenue. The sump pump reportedly does not run continuously and operates automatically when required. Discharge volumes from the sump reportedly are relatively low when operating. According to Mr. Badum, the plans were approved through the building permit process prior to adoption of a National Pollutant Discharge Elimination System (NPDES) program by Orange County or the City. In addition, based on a sump pump installation and operation manual provided by Ms. Melissa Kelly, the sump pump appears to discharge to a storm drain.

AMEC Geomatrix contacted appropriate government agencies to obtain information on potential hazardous materials and wastes at the Site as previously discussed in Section 4.2.

8.0 FINDINGS

The findings of this Phase I ESA did not identify RECs at the Site. The following are findings of our Phase I ESA.

- The Site includes the Library Parcels, which consist of a two-story building with basement and associated parking areas, and the Central and Northern Parcels, which are vacant with grassland, shrubs, weeds, and few trees scattered across the vacant land. Drainage features including concrete-lined channels and culverts, as well as previously identified wetlands, are located within the Central Parcel. Two groundwater monitoring wells, installed in March 2009 as part of a geotechnical investigation by Leighton are present on the Central Parcel.
- A relatively small amount of construction debris and trash were observed on the Central Parcel; however, the dense vegetation made observation of the ground surface difficult in this portion of the Site.
- A sump pump was observed in the basement of the library building. According to Mr. Steve Badum of the City, the sump pump, installed during the construction of the library building, reportedly discharges to a storm drain located on the Library Parcels, which discharges to a storm drain located on Avocado Avenue. Also, based on a sump pump installation and operation manual provided by Ms. Melissa Kelly of the Library, the sump pump appears to discharge to a storm drain. The sump pump reportedly operates automatically when required and discharge volumes reportedly are relatively low. According to Mr. Badum, the plans were approved through the building permit process prior to adoption of a NPDES program by Orange County or the City.
- Two floor drains were observed in the basement of the library building. Ms. Melissa Kelly of the Library did not know the use of the drains; however, they appeared to be condensation drains associated with nearby air conditioning equipment. No evidence of surface spills or staining was observed in the vicinity the drains.

- Based on historical aerial photographs reviewed, the Site was vacant land since at least 1938 and several trails or unpaved roadways were present on the Library Parcels. Both the Central and Northern Parcels have been vacant land since at least 1938. The Library Parcels were vacant until 1994 when the existing City public library was developed.
- Based on our review of a preliminary title report for the Central Parcel that was provided by LSA, which was performed by First American Title Company and dated May 7, 2008, no environmental liens or other AULs were found. The preliminary title report pertains to the Central Parcel only and title reports for the Library Parcels and the Northern Parcel were not provided for our review.

Environmental issues include environmental concerns identified by AMEC Geomatrix that warrant discussion but are not considered recognized environmental conditions, as defined by the ASTM E1527-05. No environmental issues were identified by AMEC Geomatrix during this Phase I ESA.

9.0 OPINIONS

The ASTM E1527-05 requires the environmental professional's opinion of the potential impacts on the Site of RECs identified. The following opinions are based on the findings described above:

- This Phase I has not revealed any RECs in connection with the Site.
- Although dense vegetation made observation of the ground surface difficult in some areas of the Central Parcel, the relatively small amount of construction debris and trash that was observed appeared innocuous and no indications of impacts on the ground surface were evident.
- The sump pump located in the basement of the library building reportedly discharges water to the storm drain. Although outside the scope of this Phase I ESA, any water discharged to the storm drain may be subject to National Pollutant Discharge Elimination System (NPDES) permitting requirements.
- Although no evidence of surface spills or staining was observed in the vicinity of the floor drains located in the basement of the library building, the use and discharge connection of these drains should be verified.
- Review of title records for the Library Parcels and Northern Parcel should be performed by LSA or the City to evaluate whether there are environmental liens or AULs for these parcels.

10.0 DATA GAPS

AMEC Geomatrix has identified the following data gap during the course of this Phase I ESA: the discharge point for the sump pump and floor drains, as well as use of the floor drains, was not clearly identified during this Phase I ESA.

11.0 CONCLUSIONS

AMEC Geomatrix has performed a Phase I ESA in conformance with the scope and limitations of ASTM Practice E1527-05 of Orange County APNs: 442-014-24, 442-014-25, 442-014-26, and 442-014-27, located at 1000, 1100, 1300, and 1450 Avocado Avenue, in the City of Newport Beach, California. Any exceptions to, or deletions from, this practice are described in Section 1 of this report. No RECs were found during the course of this Phase I ESA.

12.0 ADDITIONAL SERVICES

No additional services were provided.

13.0 DEVIATIONS

No deviations or deletions from ASTM E1527-05 were made during preparation of this Phase I ESA.

14.0 REFERENCES

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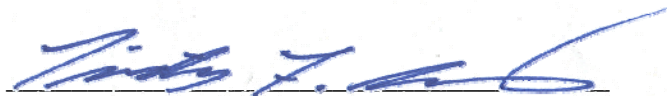
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State of California Regional Water Quality Control Board website, March 2009
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15.0 ENVIRONMENTAL PROFESSIONAL STATEMENT

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in section 312.10 of 40 Code of Federal Regulations (CFR) 312. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the Site. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

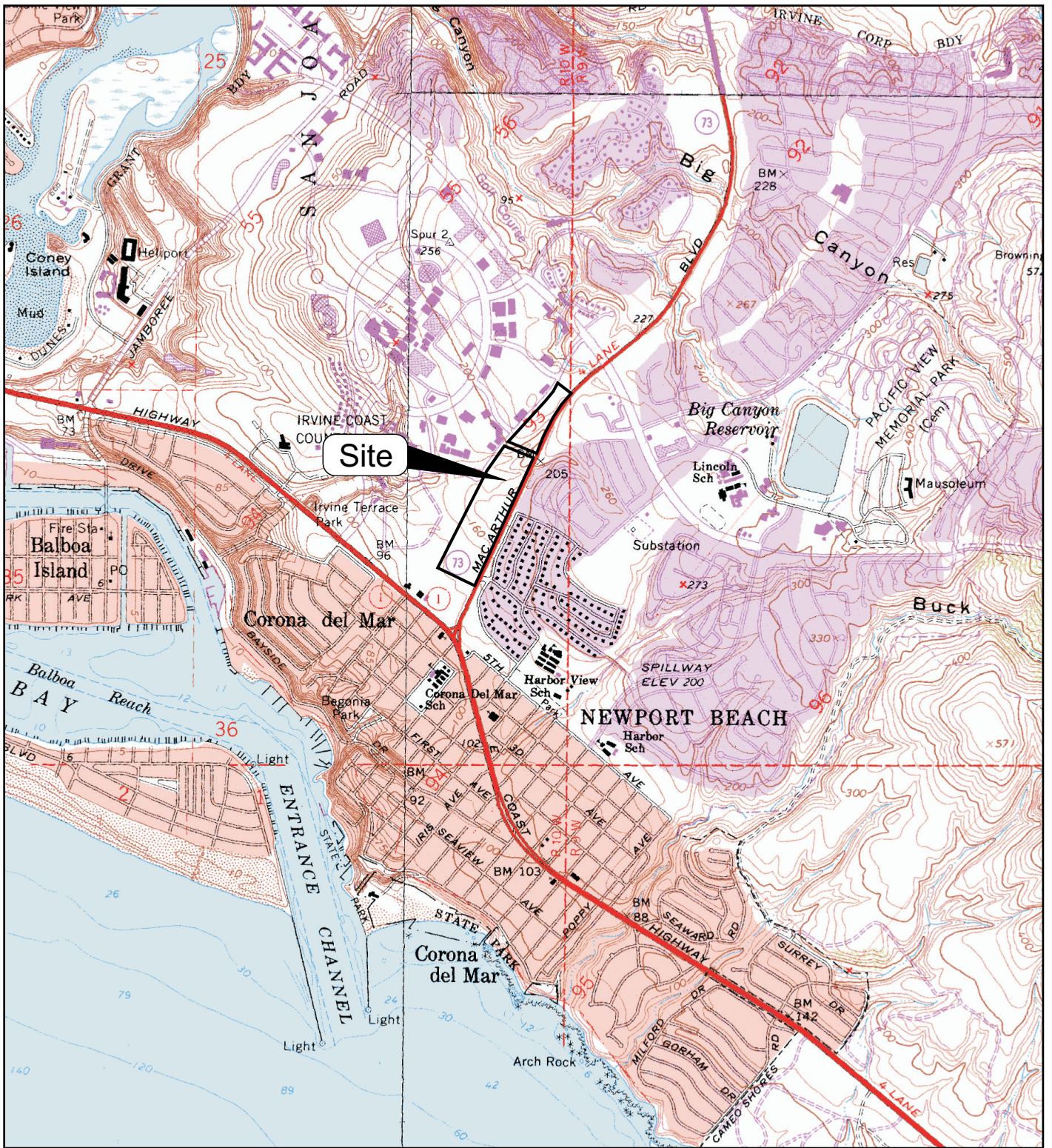


Timothy F. Wood, CHG
Senior Hydrogeologist



Timothy S. Simpson, PE
Principal Engineer

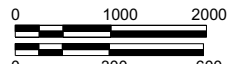
FIGURES



y:\14841.000\other_fig\site location map.cdr



APPROXIMATE SCALE IN FEET



APPROXIMATE SCALE IN METERS

Basemap modified from U.S.G.S. 7.5 minute quadrangle maps
 Laguna Beach 1965, California, photo-revised 1981; Newport
 Beach 1965, California, photo-revised 1981; and Tustin 1965,
 California, photo-revised 1981.

SITE LOCATION MAP Proposed Newport Beach City Hall MacArthur Boulevard and San Miguel Drive Newport Beach, California		
By: pah	Date: 05/07/09	Project No. 14841.000.0
AMEC Geomatrix		Figure 1



y:\14841.000.0\other_fig\site map.cdr



APPROXIMATE SCALE IN FEET

0 1000 2000

0 300 600

APPROXIMATE SCALE IN METERS

Basemap modified from Google aerial photograph dated October 23, 2007

SITE PLAN
 Proposed Newport Beach City Hall
 MacArthur Boulevard and San Miguel Drive
 Newport Beach, California

By: pah

Date: 07/21/09

Project No. 14841

AMEC Geomatrix

Figure **2**