

**INITIAL STUDY  
FOR:**

**HYATT REGENCY  
NEWPORT BEACH  
EXPANSION**



*prepared for:*

**CITY OF NEWPORT  
BEACH**

Contact:  
James Campbell  
Senior Planner

*prepared by:*

**THE PLANNING  
CENTER**

Contact:  
JoAnn Hadfield  
Director, Environmental  
Services

**DECEMBER 2006**

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JoAnn Hadfield  
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**CNB-09.0E**

**DECEMBER 2006**

# Table of Contents

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Section	Page
<b>1. INTRODUCTION.....</b>	<b>1</b>
1.1 PROJECT LOCATION .....	1
1.2 ENVIRONMENTAL SETTING .....	1
1.3 PROJECT DESCRIPTION .....	9
1.4 EXISTING ZONING AND GENERAL PLAN .....	19
1.5 DISCRETIONARY APPROVALS .....	19
<b>2. ENVIRONMENTAL CHECKLIST .....</b>	<b>21</b>
2.1 BACKGROUND .....	21
2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED .....	22
2.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY) .....	22
2.4 EVALUATION OF ENVIRONMENTAL IMPACTS .....	23
2.5 REFERENCES.....	32
<b>3. ENVIRONMENTAL ANALYSIS.....</b>	<b>33</b>
3.1 AESTHETICS .....	33
3.2 AGRICULTURE RESOURCES .....	34
3.3 AIR QUALITY .....	35
3.4 BIOLOGICAL RESOURCES .....	36
3.5 CULTURAL RESOURCES .....	38
3.6 GEOLOGY AND SOILS .....	39
3.7 HAZARDS AND HAZARDOUS MATERIALS .....	41
3.8 HYDROLOGY AND WATER QUALITY .....	43
3.9 LAND USE AND PLANNING .....	46
3.10 MINERAL RESOURCES .....	47
3.11 NOISE .....	48
3.12 POPULATION AND HOUSING.....	49
3.13 PUBLIC SERVICES .....	50
3.14 RECREATION.....	51
3.15 TRANSPORTATION/TRAFFIC.....	51
3.16 UTILITIES AND SERVICE SYSTEMS .....	53
3.17 MANDATORY FINDINGS OF SIGNIFICANCE .....	56



# Table of Contents

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## List of Figures

<b>Figure</b>		<b>Page</b>
Figure 1	Regional Location .....	3
Figure 2	Local Vicinity .....	5
Figure 3	Aerial Photograph .....	7
Figure 4	Site Plan .....	11
Figure 5	Demolition Plan .....	13
Figure 6	Site Section .....	15
Figure 7	Typical Timeshare Building Elevations .....	17

## List of Tables

<b>Figure</b>		<b>Page</b>
Table 1	Proposed Uses .....	9
Table 2	Estimated Construction Timetable.....	19
Table 3	Estimated Increase of Solid Waste Generation .....	55

Sunstone Hotel Investors (Sunstone), the project applicant, proposes to expand the existing Hyatt Regency Newport Beach hotel (Hyatt Regency Newport) located on a 25.7-acre site at 1107 Jamboree Road in the City of Newport Beach. The project would encompass the addition of 88 new timeshare units; a 24,387-square-foot, 800-seat ballroom; a 10,072-square-foot spa and new pool; and a two-level parking garage. As proposed, project implementation would require demolition of 12 existing villas (rooms), the existing 3,190-square-foot terrace ballroom, and removal of the nine-hole golf course. The project is consistent with the City's General Plan and Zoning Code, but will require a Use Permit for proposed building heights up to 35 feet within the 26/35-foot Coastal Height Limitation Zone, a Development Agreement for the timeshare units, and a Coastal Development Permit from the California Coastal Commission.

The City of Newport Beach, as Lead Agency for the project, is responsible for preparing environmental documentation in accordance with the California Environmental Quality Act (CEQA) as amended, to determine if approval of the discretionary actions requested and subsequent development could have a significant impact on the environment. This Initial Study will provide the City of Newport Beach with information to document potential impacts of the proposed project.

## 1.1 PROJECT LOCATION

The project site (APNs 440-132-40 and 440-132-41) is located at 1107 Jamboree Road, on the northwest corner of Jamboree Road and Back Bay Drive, City of Newport Beach, County of Orange, California. The project site has frontage on Jamboree Road and Back Bay Drive. Figure 1, *Regional Location*, and Figure 2, *Local Vicinity*, show the location of the project site within the regional and local contexts of Orange County and the City of Newport Beach, respectively.

## 1.2 ENVIRONMENTAL SETTING

### 1.2.1 Project Background

The Hyatt Regency Newport Beach is one of 11 projects included in a 1993 development agreement between the City of Newport Beach and The Irvine Company. The project sites are generally located east of Newport Bay and along Jamboree Road, MacArthur Boulevard, Coast Highway, and within Newport Center. The Circulation Improvement and Open Space Agreement (CIOSA) vested development rights for the individual properties in consideration of pre-paid, fair share road improvement fees, constructed road improvements, an interest-free loan to the City, and conveyance of approximately 140 acres of property for open space and park purposes. The value of the traffic improvements totaled approximately \$20 million. Under the agreement, the Hyatt Newport received a right to expand to 479 rooms. These vested development rights were conveyed to the property owner, Sunstone Hotel Investors.

Under the CIOSA, the approximately 140 acres of open space was dedicated to remain in either open space or natural area. The open space areas included nearly all coastal sage scrub, all salt marsh and 95 percent of the freshwater marsh habitat existing within the 11 project sites. Included in the dedication was the natural open space that abuts the developed Hyatt site along its northern border.

### 1.2.2 Existing Land Use

The 25.7-acre project site is owned by Sunstone Hotel Investors, and is currently developed with the Hyatt Regency Newport Beach, a resort-style hotel. The hotel is situated on a north-south-trending ridge along the east side of the Newport Back Bay. Current improvements include 403 hotel rooms (keys) and associated hotel lobby, restaurants, a banquet facility that consists of a 3,190-square-foot ballroom and meeting space (Terrace Ballroom), the Plaza Ballroom, an amphitheatre, a nine-hole golf course, three swimming pools, and



## *1. Introduction*

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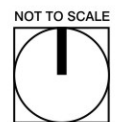
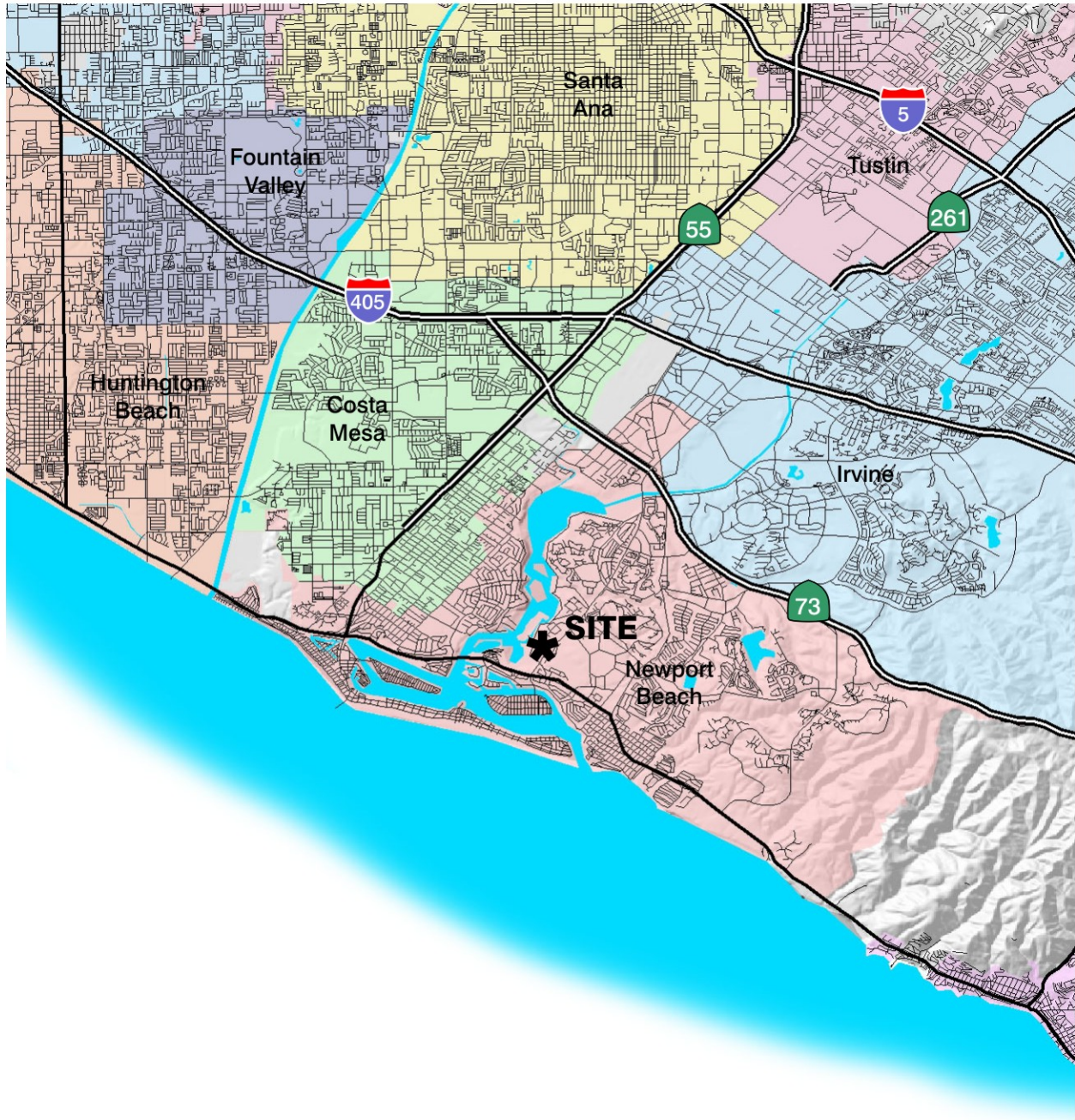
maintenance and housekeeping sheds. The hotel rooms are located throughout four buildings. Additionally, the site contains ornamental and native landscaping, hardscape and surface parking that are associated with the existing resort hotel.

### **1.2.3 Surrounding Land Uses**

The project site is surrounded by a variety of land uses. The Palisades Tennis Club abuts the project site along the northeastern boundary. The remainder of the site's northern boundary abuts open space within the Newport Bay Ecological Preserve, which contains various biological resource areas, including native coastal sage scrub, marsh, and riparian areas. North of the preserve is the existing gated residential community of Harbor Cove, which is located on a bluff across the preserve. Jamboree Road abuts the project site along the eastern boundary. East of Jamboree is the residential community of Sea Island. Back Bay Drive abuts the project site along the southern and western boundaries. South of Back Bay Drive is the senior apartment community of Bayview Landing. Southeast of the project site is the residential community of Villa Point. Southwest and west of Back Bay Drive are the Back Bay Science Center (Shellmaker Island), Newport Dunes, and Upper Newport Back Bay, which consist of a private beach area, vehicle and boat parking areas, docks, and boating areas. These surrounding land uses are shown in Figure 3, *Aerial Photograph*.

1. Introduction

*Regional Location*



## *1. Introduction*

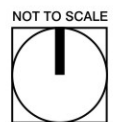
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# 1. Introduction

## Local Vicinity



## *1. Introduction*

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# 1. Introduction

## Aerial Photograph



NOT TO SCALE



## *1. Introduction*

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**1.3 PROJECT DESCRIPTION**

**1.3.1 Proposed Improvements**

The proposed Hyatt Regency expansion would include 88 new timeshare units, a timeshare clubhouse, a new 800-seat ballroom, a new spa facility, a new housekeeping and engineering building, and a new two-level parking garage (see Figure 4, *Site Plan*). Implementation of the project would require the demolition of 12 villas, the existing 3,190-square-foot Terrace Ballroom, and the engineering and maintenance building (see Figure 5, *Demolition Plan*). A summary of existing and proposed land uses is included as Table 1. Additionally, the existing nine-hole golf course would be removed to accommodate the new timeshare units, parking areas, drive aisles, and other hardscape and landscape. The project would also require removal and reconfiguration of a recreational courtyard located in the center of the main hotel complex, and associated hotel parking areas, hardscape, and landscape.

**Table 1  
Proposed Uses**

<i>Use</i>	<i>Existing</i>	<i>Proposed</i>	<i>To be Demolished/Removed</i>	<i>Net Uses After Expansion</i>
Hotel Rooms	403	0	12	391 rooms
Timeshare Units	0	88	0	88 timeshare
Ballroom*	22,590 sq. ft.	11,032 sq. ft. (800 seats)	3,190 sq. ft.	30,432 sq. ft.
Spa & Fitness Building	0	10,072 sq. ft.	0	10,072 sf. ft.
Time Share Clubhouse	0	3,837 sq. ft.	0	3,837 sq. ft.
Parking	Not Available	170 spaces within 25,229 sq. ft. parking structure 734 spaces, surface parking Total: 904 parking spaces	NA	904 parking spaces
Golf Course	9-hole golf course		9-hole golf course	None

\* Building square footage figures represent 'Net' ballroom and meeting space and exclude prefunction, service, and mechanical space. Total square footage of new ballroom building is 24,387 sq. ft.



The majority of the hotel expansion project consists of redevelopment in the northern, northwestern, and southern portions of the project site. Other upgrades would also occur in the central portion of the project site. The total area for redevelopment is approximately 14 acres, or about 55 percent of the overall 25.7-acre project site.

Seven new buildings containing a total of 88 timeshare units are proposed to be constructed over the existing nine-hole golf course and in the area where the 12 existing villas would be demolished on the northern and northwestern portions of the project site, respectively. The height of the timeshare buildings would range between two and three stories and would not exceed 35 feet in height. Four of the seven buildings would include subterranean (below-grade) parking garages. Figure 6, *Site Section*, depicts the height relationship of the proposed buildings with existing and proposed grades. Typical elevations for the timeshare unit buildings are shown in Figure 7, *Timeshare Building Elevations*. A new timeshare clubhouse and an outdoor pool and spa facility are also proposed. The clubhouse and pool and spa facility would be located adjacent to the north-central timeshare buildings. A new 10,072-square-foot building containing the spa and fitness center would be constructed in the center of the main hotel complex. A new pool, pool deck, cabanas, and two spas would also be located adjacent to the spa and fitness center. Additionally, a new

# *1. Introduction*

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housekeeping and engineering building is proposed south of and adjacent to the existing Plaza Ballroom. The new 24,387-square-foot ballroom is proposed in the southwest portion of the site. A 25,229-square-foot two-level parking garage containing 170 parking spaces is also proposed just east of the proposed ballroom. Associated parking areas in the southern project boundary and along Jamboree Road (eastern boundary) would be reconfigured and enhanced with landscaping.

The project has one main entry drive, a full-access driveway, which is accessed from Jamboree Road on the eastern boundary. This entry drive would remain and would be enhanced with decorative paving. The entry drive is flanked by the Plaza Ballroom on the south and a parking area to the north. The parking area north of the entry drive would be redesigned and enhanced with landscaping. The valet and hotel lobby drop-off/pick-up area would also be enhanced with landscaping, decorative paving, and 45-degree parking spaces. The project currently contains two gated entry drives that provide access from Back Bay Drive on the southern and western boundaries. The gated entry along the southern portion of the project site would be reconfigured and realigned with the entry drive to the Bayview Senior Apartment project on the opposite side of Back Bay Drive. This controlled entry would serve as the primary ballroom access and parking structure access. Three additional site entries would be provided along Back Bay Drive; two entries direct to surface parking adjacent to the new ballroom, and one access road to the new timeshare units. Surface parking areas would be reconfigured and enhanced with landscaping and would be designated for both self-parking and valet parking.

## **1.3.2 Infrastructure Improvements**

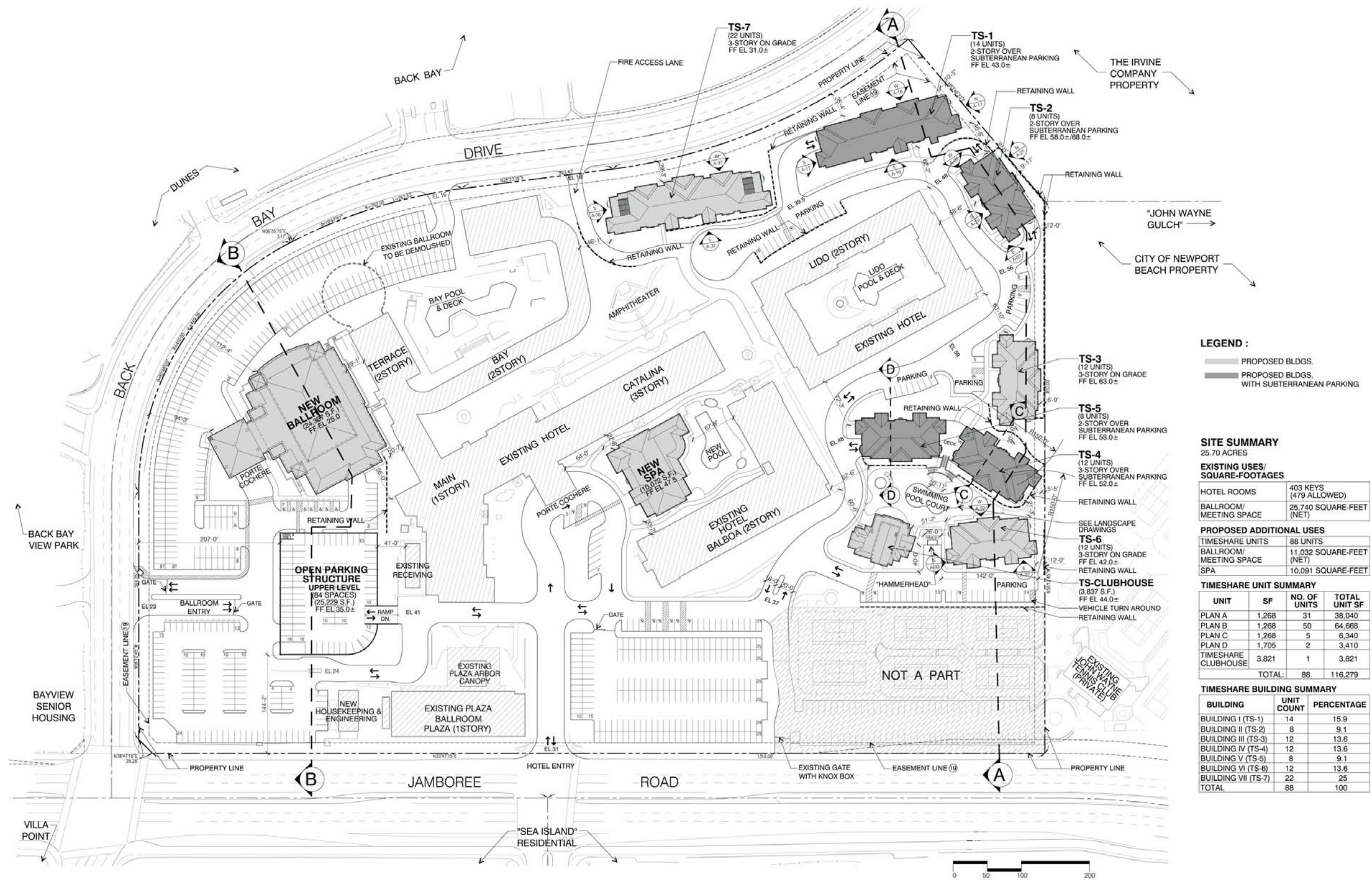
### **Storm Drainage**

Currently, drainage for the project site is via surface flow. The golf course and central portion of the site drain southerly toward Jamboree Road. The western and southwestern portions of the site drain to Back Bay Drive. Off-site flows from an existing storm drain on the south side of Jamboree Road are discharged to the site near the parking lot and surface flow to a collection drain in Back Bay Drive. Improvements would include a new storm drain to capture the off-site flows. On-site water quality measures are proposed to include several best management practices (BMPs), including various media filters, bioswales, and filtration trenches.

### **Water and Sewer Improvements**

A new 250-foot-long private sewer lateral is proposed to extend from the west side of the new ballroom and parking structure to connect to the public sewer along Back Bay Drive. In addition to the private sewer, the project proposes two new private water laterals (domestic and fire) that would extend from the public water line along Back Bay Drive to the south side of the proposed ballroom for a distance of approximately 420 feet.

Portions of existing public water easements and lines would be abandoned and replaced with new easements and water lines to service the timeshare units and clubhouse. Existing 10-foot easements would be replaced with 15-foot-wide easements. Similarly, two new 15-foot-wide public sewer easements and corresponding lines would be constructed to serve the timeshare buildings. The result would be a looped public system to replace the existing looped system within the site.



**LEGEND :**  
 [Grey Box] PROPOSED BLDGS.  
 [Dark Grey Box] PROPOSED BLDGS. WITH SUBTERRANEAN PARKING

**SITE SUMMARY**  
 25.70 ACRES

**EXISTING USES/ SQUARE-FOOTAGES**

HOTEL ROOMS	403 KEYS (479 ALLOWED)
BALLROOM/ MEETING SPACE	25,740 SQUARE-FOOT (NET)

**PROPOSED ADDITIONAL USES**

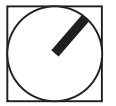
TIMESHARE UNITS	88 UNITS
BALLROOM/ MEETING SPACE	11,032 SQUARE-FOOT (NET)
SPA	10,091 SQUARE-FOOT

**TIMESHARE UNIT SUMMARY**

UNIT	SF	NO. OF UNITS	TOTAL UNIT SF
PLAN A	1,268	31	38,040
PLAN B	1,268	50	64,668
PLAN C	1,268	5	6,340
PLAN D	1,705	2	3,410
TIMESHARE CLUBHOUSE	3,821	1	3,821
<b>TOTAL:</b>		<b>88</b>	<b>116,279</b>

**TIMESHARE BUILDING SUMMARY**

BUILDING	UNIT COUNT	PERCENTAGE
BUILDING I (TS-1)	14	15.9
BUILDING II (TS-2)	8	9.1
BUILDING III (TS-3)	12	13.6
BUILDING IV (TS-4)	12	13.6
BUILDING V (TS-5)	8	9.1
BUILDING VI (TS-6)	12	13.6
BUILDING VII (TS-7)	22	25
<b>TOTAL</b>	<b>88</b>	<b>100</b>



## *1. Introduction*

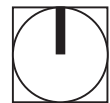
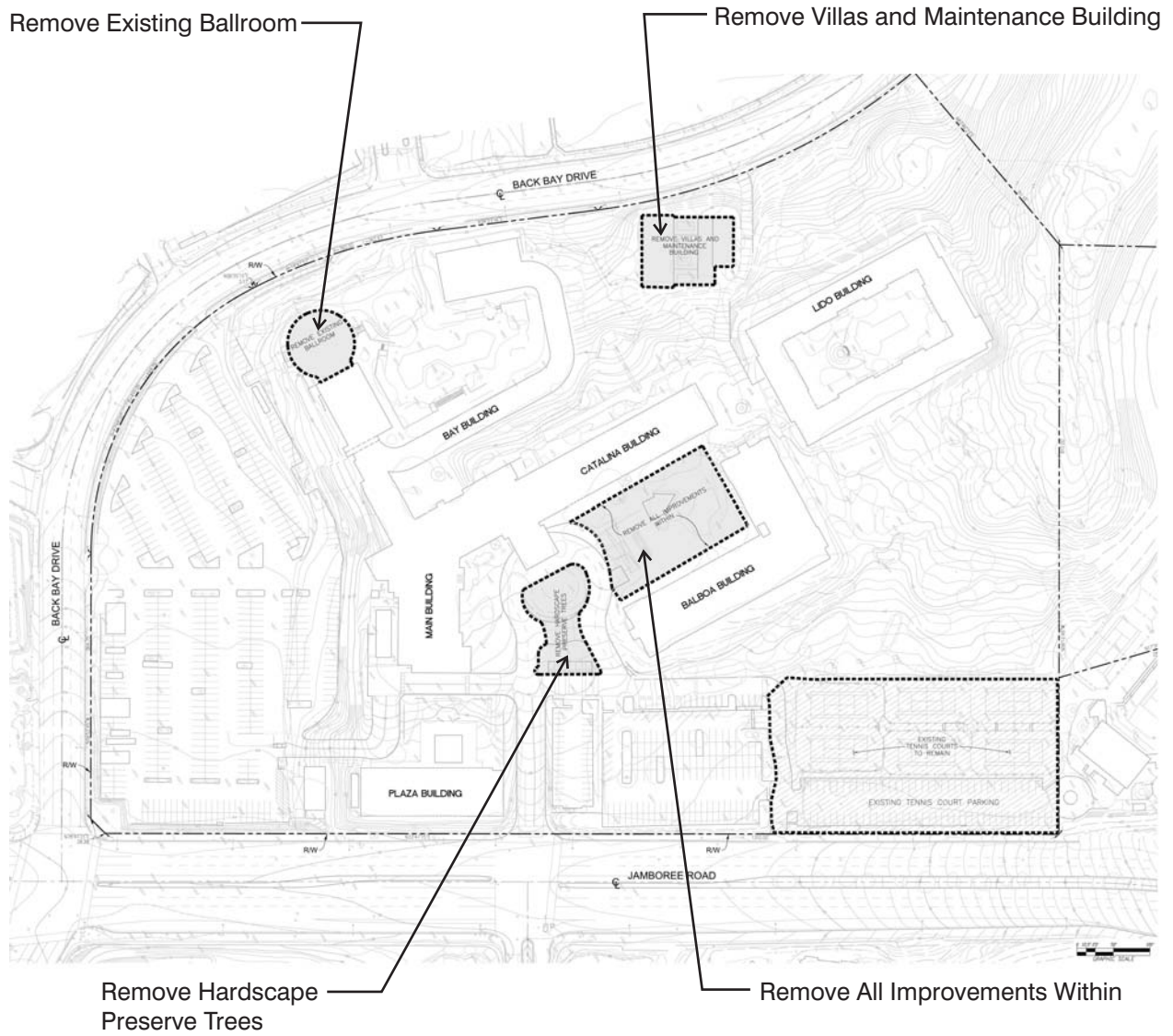
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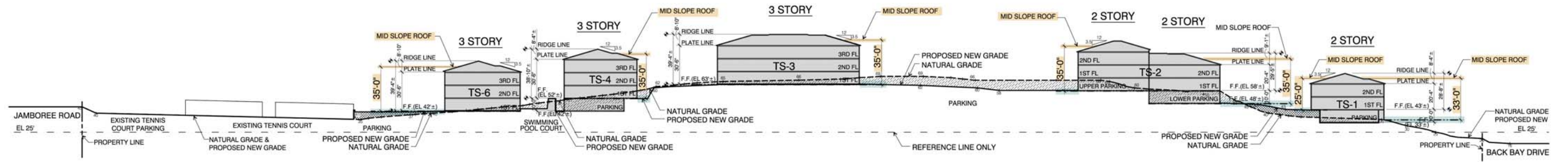
## Demolition Plan



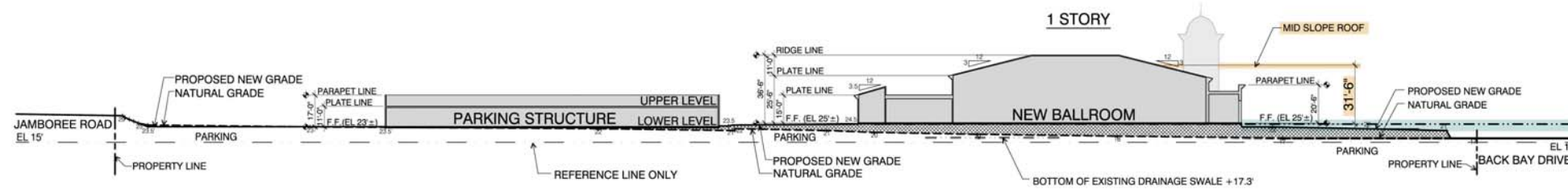
## *1. Introduction*

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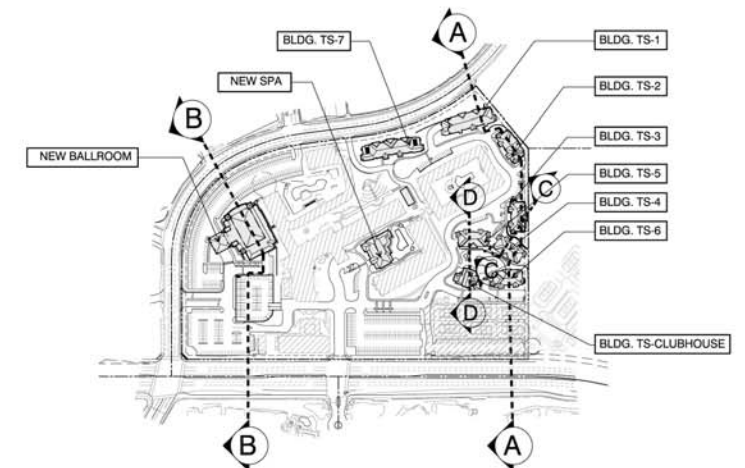
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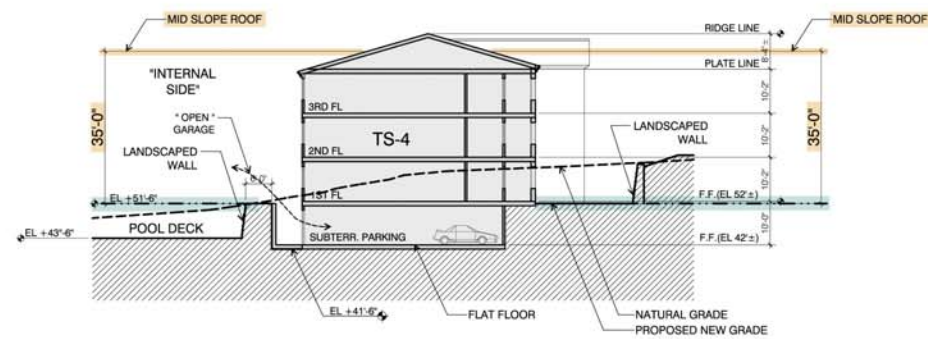
SITE SECTION A-A



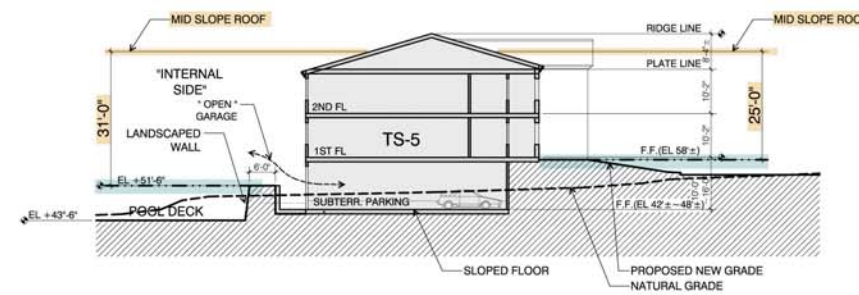
SITE SECTION B-B



KEY MAP



SECTION C-C (TS-4)



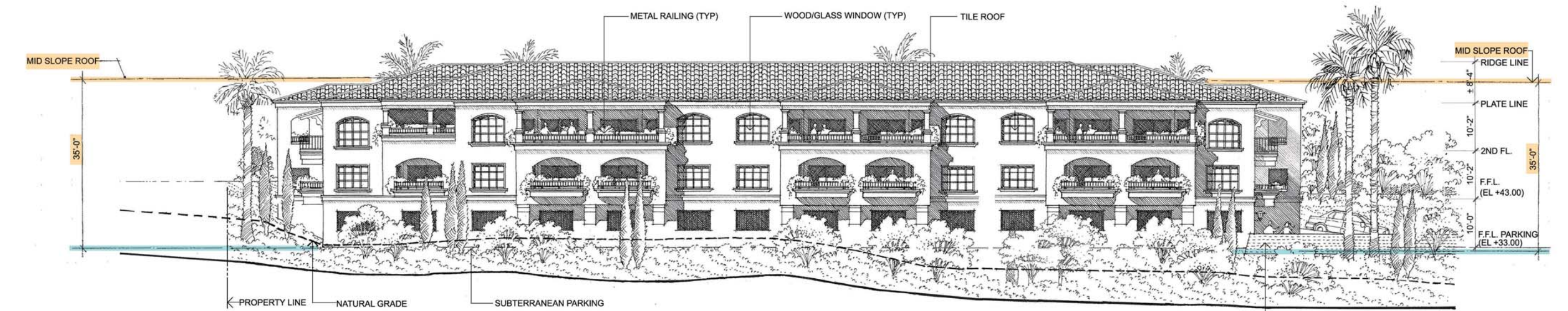
SECTION D-D (TS-5)

## *1. Introduction*

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Typical Timeshare Building Elevation



WEST ELEVATION (BACK BAY DRIVE)



EAST ELEVATION



## *1. Introduction*

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**1.3.3 Construction**

Project construction would be phased to minimize interruption of existing hotel operations and related parking and traffic considerations. Based on the following general schedule, it is anticipated that the project would be completed within approximately 23 months from approval:

**Table 2**  
**Estimated Construction Timetable**

Building Demolition	4 months
Site Grading and Material Export	2½ months
Building Construction	16 months

**1.4 EXISTING ZONING AND GENERAL PLAN**

The proposed hotel expansion is consistent with the City's recently adopted General Plan 2006 Update. The General Plan was approved by the City Council on July 25, 2006, and by the electorate in the November 7, 2006, election (as required by City Charter Section 423, which requires voter approval for amendments that exceed specific development thresholds). The General Plan designates the project site as Visitor Serving Commercial (CV) and also specifies the development limit of 479 hotel rooms.

The project site is located within the Retail and Service Commercial (RSC) zoning district. Proposed uses are consistent with this zone.



**1.5 DISCRETIONARY APPROVALS**

The intent of this Initial Study and subsequent CEQA documentation is to enable the City of Newport Beach, other responsible agencies, and the interested parties to evaluate the environmental impacts of the proposed project, thereby enabling them to make informed decisions with respect to the requested entitlements listed below.

The proposed project would require the following discretionary permits:

- **City of Newport Beach**
  - *Use Permit.* To allow proposed building heights up to 35 feet within the 26/35-foot Coastal Height Limitation Zone.
  - *Development Agreement.* To operate hotel rooms as timeshare units.
- **California Coastal Commission**
  - *Coastal Development Permit.* Required for development within the Coastal Zone boundary.

## *1. Introduction*

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Future implementation of the project would require permits and/or approvals from the following agencies:

- **Federal Aviation Administration** – compliance with *Federal Aviation Regulations Part 77 (FAR Part 77)*; compliance with building height restrictions as set forth in Part 77 entitled, “Objects Affecting Navigable Airspace.”
- **State Water Resources Control Board** – NPDES permits
- **South Coast Air Quality Management District**



## 2. Environmental Checklist

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### 2.1 BACKGROUND

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**1. Project Title:** Hyatt Regency Newport Beach Expansion

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**2. Lead Agency Name and Address:**

City of Newport Beach  
Planning and Building  
3300 Newport Boulevard  
P. O. Box 1768  
Newport Beach, CA 92658-8915

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**3. Contact Person and Phone Number:**

James Campbell  
(949) 644-3231

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**4. Project Location:**

The project is located at 1107 Jamboree Road, on the northwest corner of Jamboree Road and Back Bay Drive, City of Newport Beach, County of Orange, California.

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**5. Project Sponsor's Name and Address:**

Sunstone Hotel Investors  
903 Calle Amanecer  
San Clemente, CA 92673

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**6. General Plan Designation:**

Adopted General Plan: Retail and Service Commercial (RSC); City Council–Approved General Plan Update (July 2006): Visitor Serving Commercial (CV)

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**7. Zoning:** Retail and Service Commercial (RSC)

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**8. Development Agreement:**

The project is consistent with the Circulation Improvement and Open Space Agreement (CIOSA) approved in 1993 between the City of Newport Beach and The Irvine Company (Sunstone's predecessor-in-interest with respect to the Hyatt Newporter). The CIOSA grants a vested right to expand the hotel to 479 rooms.

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**9. Description of Project:**

A detailed description of the project is provided in Section 1.3, *Project Description*.

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

A detailed description of the surrounding land uses is provided in Section 1.2.2, *Surrounding Land Uses*.

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**11. Other Public Agencies Whose Approval Is Required:**

- California Coastal Commission (CCC)
- Federal Aviation Administration (FAA)



## 2. Environmental Checklist

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### 2.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agricultural Resources                        | <input checked="" type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources            | <input checked="" type="checkbox"/> Cultural Resources                 | <input checked="" type="checkbox"/> Geology/Soils          |
| <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality            | <input checked="" type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources                          | <input checked="" type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing                |
| <input checked="" type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                                    | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems       | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |

### 2.3 DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of this initial evaluation:

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

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

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

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

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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Signature

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Date

---

Printed Name

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For

### 2.4 EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) **Earlier Analysis Used.** Identify and state where they are available for review.
  - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) **Mitigation Measures.** For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.



## *2. Environmental Checklist*

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- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>I. AESTHETICS. Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	X			
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	X			
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	X			
<b>II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
<b>III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	X			
d) Expose sensitive receptors to substantial pollutant concentrations?	X			
e) Create objectionable odors affecting a substantial number of people?			X	
<b>IV. BIOLOGICAL RESOURCES. Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			



## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	X			
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	X			
<b>V. CULTURAL RESOURCES. Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	X			
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			
d) Disturb any human remains, including those interred outside of formal cemeteries?	X			
<b>VI. GEOLOGY AND SOILS. Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	X			
ii) Strong seismic ground shaking?	X			
iii) Seismic-related ground failure, including liquefaction?	X			
iv) Landslides?	X			
b) Result in substantial soil erosion or the loss of topsoil?	X			
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	X			

## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<b>X</b>			
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				<b>X</b>
<b>VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			<b>X</b>	
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<b>X</b>			
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				<b>X</b>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<b>X</b>			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<b>X</b>			
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				<b>X</b>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				<b>X</b>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				<b>X</b>
<b>VIII. HYDROLOGY AND WATER QUALITY. Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<b>X</b>			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			<b>X</b>	



## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site	X			
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	X			
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	X			
f) Otherwise substantially degrade water quality?	X			
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	
<b>IX. LAND USE AND PLANNING. Would the project:</b>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	X			
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	
<b>X. MINERAL RESOURCES. Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<b>XI. NOISE. Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	X			
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	X			



## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	X			
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
<b>XII. POPULATION AND HOUSING. Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<b>XIII. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</b>				
a) Fire protection?	X			
b) Police protection?	X			
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
<b>XIV. RECREATION.</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
<b>XV. TRANSPORTATION/TRAFFIC. Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	X			



## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	X			
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	X			
e) Result in inadequate emergency access?			X	
f) Result in inadequate parking capacity?	X			
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<b>XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:</b>				
a) Exceed waste water treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	X			
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources or are new or expanded entitlements needed?			X	
e) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			X	
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	X			

## 2. Environmental Checklist

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	X			
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	X			



## 2. Environmental Checklist

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### 2.5 REFERENCES

- Arnau, John (Administrative Manager I). 2006, October 10. E-mail. Integrated Waste Management Department.
- California Integrated Waste Management Board (CIWMB). 2005. Jurisdictional Profile for City of Newport Beach: Household Disposal Rates (2000). <http://www.ciwmb.ca.gov/Profiles/Juris/JurProfile1.asp?RG=C&JURID=340&JUR=Newport+Beach>.
- Department of Conservation, Division of Mines and Geology. 1999, October. Seismic Hazards Zones Maps.
- EIP Associates. 2006, April. *City of Newport Beach General Plan Update Draft Environmental Impact Report*, SCH #2006011119.
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- Newport Beach, City of. 2006, July. *General Plan Update*.
- Newport Beach, City of. 2004, July. *Emergency Management Plan*.
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- Newport Beach, City of. 1995. *Municipal Code*.
- Newport Beach, City of. 1992a, August. Ordinance No. 92-35, *Ordinance Approving the Development Agreement Between the City of Newport Beach and The Irvine Company for the Circulation Improvement and Open Space Agreement*.
- Newport Beach, City of. 1992b, June. *Circulation Improvement and Open Space Agreement, Newport Beach, California, Draft Program Environmental Impact Report*
- Newport Beach, City of. 1989, July. *General Plan*.

Section 2.3 provided a checklist of environmental impacts. This section provides an evaluation of the impact categories and questions contained in the checklist and identifies mitigation measures, if applicable.

### 3.1 AESTHETICS

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

**Potentially Significant Impact.** Project development is not anticipated to affect any public views of scenic vistas. Possible scenic view impacts are more likely to be associated with views from the hotel property. Private views, such as views from the hotel, are not protected by City policy. Additionally, potential view impacts to recreational users of the Upper Newport Back Bay may be a concern. Since uses directly adjacent to Back Bay Drive are not particularly scenic (dry boat storage, etc.), these impacts are not anticipated to be significant. The potential impact to scenic vistas, however, will be reviewed in the EIR to assure that this issue is adequately evaluated. Mitigation measures will be recommended, if needed.

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

**Less Than Significant Impact.** According to the California Scenic Highway Mapping System of the California Department of Transportation, the project site is not located on or near a major state-designated scenic highway. The closest officially designated state scenic highway to the project site is State Route 1 (SR-1), also known as Pacific Coast Highway, which is located approximately one-quarter mile south of the project site. There are no known scenic resources, including native or heritage trees, and no rock outcroppings or historic buildings are located within the project site. The main hotel structure was completed in 1967 and is not considered historically significant because it is not over 50 years old. There are, however, over 600 ornamental trees on-site, including a diverse range of unusual palm tree species. Most of these trees will be retained in place or relocated within the project site. No adverse impacts to scenic resources would occur as a result of the proposed project and no mitigation measures are necessary.



#### c) Substantially degrade the existing visual character or quality of the site and its surroundings?

**Potentially Significant Impact.** As mentioned above, potential impacts to existing views are likely to be of concern to some surrounding property owners, particularly Harbor Cove residents situated on a bluff north of the project site and across the Newport Bay Ecological Preserve. Potential view impacts to recreational users of the Back Bay and senior housing residents of the Bayview Landing may also be an issue. Project implementation would intensify on-site land uses by removing open space (nine-hole golf course), introducing new structures (including a two-story parking structure), and increasing the maximum height of structures on-site. Grading, landscaping, and lighting would be modified. The removal and relocation of existing palm trees would also represent a noticeable change to the visual resources of the project site. For these reasons, further evaluation in the EIR is necessary. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** The project site is located adjacent to sensitive open space areas to the north (biological resources associated with the Newport Bay Ecological Preserve) and is visible from adjacent residential neighborhoods such as the Harbor Cove, which is situated at a higher elevation than the project on a bluff north of the project site. Project implementation would introduce additional sources of nighttime lighting in the project area that could potentially impact receptors sensitive to nighttime lighting.

### *3. Environmental Analysis*

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Typical residential lighting uses, security lighting, and parking lot lighting would include nighttime lighting in the project area. The impact of light will be further analyzed in the EIR. Mitigation measures will be incorporated as needed.

#### **3.2 AGRICULTURE RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

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

**No Impact.** According to California Resource Agency's Department of Conservation Important Farmland Maps for Orange County (2004), the project site is not designated as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. The project site is located in an urbanized area of the City of Newport Beach and is developed with a resort-style hotel. No significant impacts would occur and no mitigation measures are necessary.

**b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** As mentioned above, the project site is not used or designated for agricultural use. The project site is not zoned for agricultural purposes and does not fall under a Williamson Act Contract. The project site is zoned Retail and Service Commercial (RSC) per the City's Zoning Code and is designated as Retail and Service Commercial (RSC) per the City's existing General Plan, and Visitor Serving Commercial (VSC) per the City's General Plan Update, which has been approved by the City Council and is pending voter approval in November 2006. No significant impacts would occur and no mitigation measures are necessary.

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

**No Impact.** The project site is not currently utilized for agricultural purposes. The project site is developed with a resort-style hotel; therefore, the project would not result in the conversion of farmland to nonagricultural uses. No impacts to farmland would occur and no mitigation measures are necessary.

### 3.3 AIR QUALITY

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

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

**Less Than Significant Impact.** Emissions projections for the South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan (AQMP) are based on land use designations in adopted General Plans. The proposed project is consistent with both the adopted City of Newport Beach General Plan and the General Plan Update anticipated to be approved by voters in November 2006. Project-related emissions, therefore, were anticipated in the development of the AQMP and would not obstruct implementation of AQMP goals. Impacts would be less than significant and this issue will not be addressed in the EIR.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Potentially Significant Impact.** Project construction and increased vehicular traffic generated by future tourist and conference facility use have the potential to generate fugitive dust, various stationary source emissions, and mobile emissions. Air pollutant emissions associated with the project could occur over the short term for site preparation and construction activities to support the proposed land use. In addition, emissions could result from the long-term operation of the completed project. An air quality analysis is required to determine if the resulting project's short- or long-term emissions would violate any air quality standard. Further evaluation in the EIR is necessary. Mitigation measures will be incorporated as needed.

**c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

**Potentially Significant Impact.** As mentioned above, air pollutant emissions associated with the project could occur over the short term for site preparation and construction activities to support the proposed land use. In addition, emissions could result from the long-term operation of the completed project. An air quality analysis is required to determine if the project will result in a cumulatively considerable net increase in any criteria pollutant. Further evaluation in the EIR is necessary. Mitigation measures will be incorporated as needed.

**d) Expose sensitive receptors to substantial pollutant concentrations?**

**Potentially Significant Impact.** An impact is also potentially significant if emission levels exceed the state or federal Ambient Air Quality Standards, thereby exposing sensitive receptors to substantial pollutant concentrations. Sensitive receptors refer to locations where uses and/or activities result in increased exposure of persons more sensitive to the unhealthful effects of emissions (such as children and the elderly). Short-term impacts related to construction could potentially expose sensitive receptors—such as the residents of the Bayview Landings senior housing south of the project site across Back Bay Drive—to substantial pollutant concentrations. An air quality analysis is required to determine if sensitive receptors would be exposed to substantial pollutant concentrations. Further evaluation in the EIR is necessary. Mitigation measures will be incorporated as needed.



### 3. Environmental Analysis

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#### e) Create objectionable odors affecting a substantial number of people?

**Less Than Significant Impact.** Odors are one of the most obvious forms of air pollution to the general public. Odors can present significant problems for both the source and the surrounding community. Although offensive odors seldom cause physical harm, they can cause agitation, anger, and concern to the general public. Most people consider an odor objectionable if it is sensed longer than the duration of a human breath, typically 2 to 5 seconds.

A minimal amount of objectionable odors, such as diesel exhaust from demolition activities, construction equipment, and laying asphalt, would be created during the demolition of the existing building, grading, and construction of the proposed project. However, construction would occur at limited locations for short periods of time, and daytime dispersion conditions are generally good in southern California because of prevailing winds and sea breeze conditions. No long-term odors would be created with implementation of the proposed hotel expansion. Therefore, any odor impacts would be considered less than significant, and no mitigation measures are necessary.

#### 3.4 BIOLOGICAL RESOURCES

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

**Potentially Significant Impact.** The proposed development would not have any direct effect on sensitive habitat or any direct impact on species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project site is currently developed and there are no candidate, sensitive, or special status species located on the site.

The project site, however, abuts the Newport Bay Ecological Preserve along the northern project boundary. As discussed under Section 1.2.1, *Project Background*, the dedication of this undisturbed natural area for permanent open space was part of the 1993 CIOSA approved between the City and The Irvine Company (Sunstone's predecessor-in-interest for the Hyatt property). Sensitive species are known to occur within this preserve. Potential indirect impacts on candidate, sensitive, or special status species could occur as a result of the proposed project due to construction activities and increased levels of lighting, air pollution, and noise. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** As mentioned above, the site is currently developed with urban uses and there are no riparian habitats or other sensitive natural communities within the confines of the project site.

However, the project site abuts the Newport Bay Ecological Preserve along the northern project boundary. Potential impacts on riparian or other sensitive natural communities could occur as a result of the proposed project due to construction and increased levels of lighting, air pollution, and noise. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.



### 3. Environmental Analysis

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- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**Less Than Significant Impact.** A biological/regulatory constraints analysis was prepared for the project by Glenn Lukos Associates on February 14 and 15, 2006. The report concluded that there are no U.S. Geological Survey (USGS) designated blueline drainages within the site and that the property does not contain any U.S. Corps of Engineers or California Department of Fish and Game jurisdiction. Moreover, project implementation would not involve direct removal, filling, hydrological interruption, or other direct or indirect impact to adjacent wetlands under jurisdiction of regulatory agencies. The project would not adversely affect protected wetlands and this issue will not be addressed in the EIR.

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

**Potentially Significant Impact.** As mentioned above, the project site is currently developed with a resort-style hotel. The project site does not serve as a wildlife dispersal or migration corridor.

However, the project site abuts the Newport Bay Ecological Preserve along the northern project boundary. Impacts on the movement of any native resident or migratory fish or wildlife species (e.g., coastal California gnatcatcher) or with established native resident or migratory wildlife corridors as a result of the proposed project could result due to construction activities and increased levels of lighting, air pollution, and noise. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** The project site currently contains ornamental trees and shrubs. There are no U.S. Fish and Wildlife Service (USFWS) critical habitats on-site and no native trees occur within the golf course. However, project development will be reviewed for consistency with the City of Newport Beach tree policy. City Council Policy G-1 (Retention or Removal of City Trees) was created to establish and maintain appropriate diversity in tree species and age classes, to provide a stable and sustainable urban forest with an inventory that the City can reasonably maintain in a healthy and nonhazardous condition. This issue will be addressed in the EIR and appropriate mitigation measures will be recommended.

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

**Potentially Significant Impact.** The project site is not located within an adopted Habitat Conservation Plan or Natural Community Conservation Plan. This topic will not be addressed in the EIR. As described under Response 3.4 b, however, the potential project impacts on adjacent, sensitive habitat areas will be analyzed in the EIR.



### 3. Environmental Analysis

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#### 3.5 CULTURAL RESOURCES

**a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?**

**No Impact.** Section 10564.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally a resource is considered to be “historically significant” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.

Figure HR1, *Historic Resources*, of the Historic Resources Element of the City’s General Plan update does not identify any historic resources within or adjacent to the project site. The project site consists of numerous buildings and structures. The main hotel structure of the Hyatt Regency Newport Beach was completed in 1967 and is not considered historically significant because it is not over 50 years old. No significant impacts would occur and no mitigation measures are necessary.

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

**Potentially Significant Impact.** The project site is developed with a resort-style hotel and is located within an urbanized area. Implementation of the proposed project is not anticipated to result in significant impacts to archaeological resources. However, due to the potential to unearth unknown archaeological resources during ground-disturbing activities (grading and excavation) of the project site, a cultural resources investigation will be conducted for the EIR analysis. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** The project site is developed with a resort-style hotel and is located within an urbanized area. Implementation of the proposed project is not anticipated to result in significant impacts to paleontological resources. However, due to the potential to unearth unknown paleontological resources during ground-disturbing activities (grading and excavation) of the project site, a cultural resources investigation will be conducted for the EIR analysis. Mitigation measures will be incorporated as needed.

**d) Disturb any human remains, including those interred outside of formal cemeteries?**

**Potentially Significant Impact.** The project site is developed with a resort-style hotel and is located within an urbanized area. The site has been previously disturbed and has not been identified for a high likelihood of containing human remains. Additionally, there is no visible evidence that the project site or the surrounding areas are former burial sites. However, due to the potential to unearth unknown human remains during

ground-disturbing activities (grading and excavation) of the project site, a cultural resources investigation will be conducted for the EIR analysis. Mitigation measures will be incorporated as needed.

#### 3.6 GEOLOGY AND SOILS

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
- i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault zoning map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**Potentially Significant Impact.** Fault rupture occurs when a building sits on top of an active fault that displaces in two separate directions during an earthquake. Fault rupture hazards can be characterized by a site's proximity to an active or potentially active fault and the designation of the site as being within an Alquist-Priolo Special Study Zone.

The project site is not located within an Alquist-Priolo Special Study Zone and no known faults traverse the project site (Kleinfelder 2005). However, the project site is located within seismically active southern California (Seismic Zone 4, encompassing most of southern California). The Newport-Inglewood fault is considered to be the most significant active fault with respect to the project site. The Newport-Inglewood Fault is located approximately two miles southwest of the project site. The proximity of the Newport-Inglewood fault zone to the subject property could subject it to moderate and possibly strong ground motion, which could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. This issue will be addressed in the EIR and appropriate mitigation measures will be recommended, as needed.



ii) **Strong seismic ground shaking?**

**Potentially Significant Impact.** One of the predominant effects of an earthquake is ground shaking. Similar to the rest of southern California, the project site is subject to ground shaking and potential damage in the event of seismic activity. As mentioned above, the project site is located within seismically active southern California (Seismic Zone 4, encompassing most of southern California). The most likely source of strong seismic ground shaking within the region would be a major earthquake along the Newport-Inglewood Fault, which is located approximately two miles southwest of the project site. The fault is classified as active, with a seismic capability over magnitude 7.0. The proximity of the Newport-Inglewood fault zone to the subject property could subject it to moderate and possibly strong ground motion, which could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death. This issue will be addressed in the EIR and appropriate mitigation measures will be recommended, as needed.

iii) **Seismic-related ground failure, including liquefaction?**

**Potentially Significant Impact.** Liquefaction is a phenomenon that occurs where there is a loss of strength or stiffness in the soils, which can result in the settlement of buildings, ground failures, or other hazards. Liquefaction generally occurs as a "quicksand" type of ground failure caused by strong ground shaking. The primary factors influencing liquefaction potential include groundwater, soil type, relative density of the sandy soils, confining pressure, and the intensity and duration of ground shaking.

### 3. Environmental Analysis

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According to Figure S2, *Seismic Hazards*, of the Safety Element of the City's General Plan Update, the project site is located in an area considered to have a potential for ground failure in the form of liquefaction. More specifically, the areas surrounding the main hotel complex to the south, east, and west (parking lots) are located within a designated seismic hazard zone for liquefaction potential (Kleinfelder 2005). For this reason, the potential for liquefaction on the project site could expose people or structures to potential substantial adverse effects. This issue will be addressed in the EIR and appropriate mitigation measures recommended, as needed.

#### iv) Landslides?

**Potentially Significant Impact.** Slope failures in the form of landslides are common during strong seismic shaking in areas of significant relief. According to Figure S2, *Seismic Hazards*, of the Safety Element of the City's General Plan Update, the project site is not located in an area with landslide potential. However, a Geotechnical Feasibility Study of the project site found that the slopes in the northern portion of the project site (along the golf course) are located within a state-designated Seismic Hazard Zone for Earthquake-Induced Landsliding (Kleinfelder 2005). The study also evaluated the potential for earthquake-induced landslides. Based on the geological conditions of the boring tests, the potential for slope instability along the projects northern boundary is considered low. However, slope stability analysis based on additional subsurface data is required during the design-level geotechnical study. This issue will be addressed in the EIR and appropriate mitigation measures will be recommended, as needed.

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

**Potentially Significant Impact.** Erosion is a normal and inevitable geologic process whereby earthen materials are loosened, worn away, decomposed, or dissolved, removed from one place and transported to another. Precipitation, running water, waves, and wind are all agents of erosion. Ordinarily, erosion proceeds so slowly as to be imperceptible, but when the natural equilibrium of the environment is changed, the rate of erosion can be greatly accelerated. This can create aesthetic as well as engineering problems. Accelerated erosion within an urban area can cause damage by undermining structures, blocking storm sewers, and depositing silt, sand, or mud in roads and tunnels. Eroded materials are eventually deposited into our coastal waters, where the carried silt remains suspended in the water for some time, constituting a pollutant and altering the normal balance of plant and animal life.

The project's construction-related activities may result in substantial soil erosion or the loss of topsoil, which could expose people or structures to potential substantial adverse effects. This topic will be included in the EIR and appropriate mitigation measures will be recommended, as needed.

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

**Potentially Significant Impact.** Building improvements founded on collapsible soils may be damaged by sudden and often induced settlement when these soils are saturated after construction. Collapsible soils are typified by low values of dry unit weight and natural water content. The amount of settlement depends on the applied vertical stresses and the extent of wetting and available water.

The Geotechnical Feasibility Study of the project site evaluated the potential for earthquake-induced landslides. Based on the geological conditions of the boring tests, the potential for slope instability along the projects northern boundary is considered low (Kleinfelder 2005). However, slope stability analysis based on

### 3. Environmental Analysis

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additional subsurface data is required during the design-level geotechnical study. This issue will be addressed in the EIR and appropriate mitigation measures recommended, as needed.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**Potentially Significant Impact.** Expansive soil, with respect to engineering properties, refers to those soils that, upon wetting and drying, will alternately expand and contract, causing problems for foundations of buildings and other structures.

The Geotechnical Feasibility Study evaluated the potential for expansive soils. Based on the soil classification (sands) encountered, the potential for expansion of the fill soils and terrace deposit is very low. However, based on laboratory testing, the potential for expansion of the alluvium and bedrock is high (Kleinfelder 2005). This topic will be addressed in the EIR and mitigation measures will be recommended, as needed.

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

**No Impact.** The proposed project involves the expansion of the Hyatt Regency Newport Beach. The project would be served by the City's sewer system and would not involve the use of septic systems or alternative wastewater disposal systems. No significant impacts would occur and no mitigation measures are necessary.

#### 3.7 HAZARDS AND HAZARDOUS MATERIALS

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

**Less Than Significant Impact.** Routine operation of the proposed hotel expansion would not involve use of hazardous materials beyond normal cleaning solvents and landscaping products. Use of these substances would be minimal and would be subject to established federal Occupational Safety and Health Administration (OSHA) guidelines and to approval by the Newport Beach Fire Department. No significant impacts would occur and no mitigation measures are necessary.

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

**Potentially Significant Impact.** Asbestos is the name given to a group of naturally occurring fibrous silicate minerals, typically those of the serpentine group. Over the years, asbestos-containing products have been classified as both cementitious and dry-applied materials. Cementitious products are less likely to release fibers because they are bonded into nonasbestos materials. Dry-applied materials are not well bonded into other materials. As a result, they can have a higher potential for fiber release when disturbed. However, even such friable materials would not normally release fibers in significant numbers if they are undamaged, well maintained, or wrapped in protective coverings.

Although asbestos is hazardous, the risk of asbestos-related diseases depends on exposure to airborne asbestos fibers. In other words, an individual must breathe asbestos fibers to incur any chance of developing an asbestos-related disease. How many fibers a person must breathe to develop a disease is uncertain. However, at very low exposure levels, the risk may be negligible or zero.



### *3. Environmental Analysis*

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There is a potential for asbestos to be released during the project's demolition stage. The project involves the demolition of 12 villas located along the northwestern portion of the project site and the Terrace Ballroom located along the central portion of the western project boundary. There is a potential for hazards involving the release of asbestos as a result of the demolition of these structures due to their age, as they were built in 1967. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

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

**No Impact.** There are no schools within one-quarter mile of the project site. The nearest school is Corona Del Mar High School, located at 2101 Eastbluff Drive, approximately one mile northeast of the project site. As a result, no impacts to school sites would occur and no mitigation measures are necessary.

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

**Potentially Significant Impact.** An environmental site assessment is required to perform a search of local, federal and state environmental database records regarding the site and vicinity for known or suspected contaminated sites and for sites that store, generate, or use hazardous materials. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** The project site is located approximately 3.5 miles south of the John Wayne Airport (JWA). In accordance with the Orange County Airport Environs Land Use Plan (AELUP) for JWA, which is overseen by the Airport Land Use Commission (ALUC), potentially significant safety hazards from aircraft activity at JWA is not an issue because the project site is located outside of the airport impact zones. However, the project site is located within the height restriction overlay zone of the AELUP for JWA. The project will be required to comply with all standards and requirements as set forth by ALUC. Additionally, the project will also be required to comply with all standards and requirements as set forth by the Federal Aviation Administration (FAA), especially building height restrictions as set forth by Federal Aviation Regulations Part 77 (FAR Part 77) entitled, "Objects Affecting Navigable Airspace." Because the project is located within the AELUP for JWA and could potentially result in a safety hazard for people residing or working in the project area, further evaluation in the EIR is necessary. Mitigation measures will be incorporated as needed.

**f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

**No Impact.** The project site is not located within the vicinity of a private airstrip. Project implementation would not result in any private airport-related safety hazards for anyone residing or working in the project area. No significant impacts would occur and no mitigation measures are necessary.

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

**No Impact.** The Newport Beach Fire Department (NBFD) Emergency Services Office published the City of Newport Beach Emergency Management Plan in 2004. The Emergency Management Plan provides guidance for the City of Newport Beach's response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations in both war and peacetime. The plan concentrates on management concepts and response procedures relative to large-scale disasters. Such disasters pose major threats to life, the environment and property, and can impact the well-being of a large number of people. The basic plan is updated every three years. In addition, the Newport Beach City Manager, with assistance from the NBFD, is responsible for ensuring that necessary changes and revisions to this plan are prepared, coordinated, published, and distributed.

The proposed project is not expected to interfere with City of Newport Beach Emergency Management Plan. Project review by the NBFD is required. The Fire Prevention Division works in conjunction with the City's Planning, Public Works, and Building Departments to ensure that all new construction and remodels are built in compliance with local and state building and fire codes, including the provision of adequate emergency access and on-site fire protection measures. Additionally, the City requires all businesses to be inspected annually for adherence to the fire and life safety codes.

The project would incorporate all applicable design and safety requirements as set forth in the Uniform Building Code, Fire Code, and NPFD standards and requirements. Uninterrupted access to the project site for emergency response vehicles is provided via Jamboree Road and Back Bay Drive. A fire lane along the western boundary of the project site would be accessed off of Back Bay Drive. Furthermore, all construction activities would be performed per City and NBFD standards and codes, thereby avoiding any interference with emergency response or evacuation plans. No impacts to adopted emergency response plans are anticipated and no mitigation measures are necessary.



**h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

**No Impact.** The project site is located in a developed area and is not immediately adjacent to any wildland fire areas. According to Figure S4, *Wildfire Hazards*, of the Safety Element of the City's General Plan update, the project site is designated as an area of low-to-no fire hazard. Additionally, although Newport Beach has a number of areas designated as Special Fire Protection Areas (SFPAs), the project site does not fall within one of these SFPAs. Areas in SFPAs require fuel modification and a 100-foot setback between the structure and the wildland areas. For these reasons, the project site would not constitute a wildland fire risk. No impacts from wildland fires would occur and no mitigation measures are necessary.

### 3.8 HYDROLOGY AND WATER QUALITY

**a) Violate any water quality standards or waste discharge requirements?**

**Potentially Significant Impact.** The project site is located within the Newport Bay Watershed and the receiving water is Lower Newport Bay, which is identified by the Santa Ana Regional Water Quality Control Board as impaired due to metals and pesticides. Construction of the proposed project could potentially discharge sediment and pollutants to Lower Newport Bay and result in a potential significant impact to water quality. Grading and excavation of the site would expose and disturb soils. The storage and use of hazardous materials on-site, including treated wood, paints, solvents, fuels, etc., would be potential sources of

### 3. Environmental Analysis

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pollutants during construction. Further analysis in the EIR is necessary to determine if construction-related activities of the project would violate any water quality standard. Mitigation measures will be incorporated as needed.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

**Less Than Significant Impact.** Project development would increase the impervious area within the property. Upon development, the site will be approximately 95 percent impervious. In particular, development of the timeshare units within the existing golf course area will increase impervious areas and reduce the opportunity for groundwater recharge in comparison to existing conditions. Approximately 3.1 acres of the golf course area would be developed with impervious surfaces. This change, however, would not result in a substantial increase in the amount of impervious surface area and runoff draining to the Newport Bay and would not appreciably reduce groundwater recharge. Based on the Orange County Water District's (OCWD) location mapping of groundwater monitoring sites, there are no wells located within an approximate one-mile radius of the project site. Project development, therefore, would not substantially impact groundwater supplies and this impacts will therefore not be addressed in the EIR.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in a substantial erosion or siltation on- or off-site.**

**Potentially Significant Impact.** Development of the project as proposed would not substantially alter the existing drainage pattern. On-site drainage areas would remain essentially the same. Storm drain improvements, however, would be installed to capture runoff in Jamboree Road, and also to control existing run-on drainage from off-site to the east. This water would be conveyed via a new east-west-trending storm drain traversing the southwestern portion of the site and discharging to an existing drain in Back Bay Drive.

Excavation and other construction activities would have the potential to result in erosion on- or off-site. To reduce impacts associated with construction activities, the project would be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), which details BMPs during construction activities and ways to minimize erosion and sedimentation. Further analysis is necessary in the EIR to evaluate impacts of sedimentation and erosion from on-site and off-site construction activities and project operation. Mitigation measures will be incorporated as needed.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**Potentially Significant Impact.** The project site is developed as a resort-style hotel and the existing on-site drainage pattern would not be appreciably altered as a result of project development. Proposed improvements, however, would increase the amount of on-site impervious surfaces, resulting in an increase in stormwater runoff. The EIR will review proposed drainage improvements to control on- and off-site stormwater runoff. Mitigation measures will be recommended as needed.



**e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?**

**Potentially Significant Impact.** Although the project site is currently developed, project implementation could potentially increase the amount of runoff from the site. The amount of impermeable surface would decrease due to the replacement of the nine-hole golf course and other landscaped areas with seven timeshare buildings and other hardscape improvements (e.g., driveways, sidewalk). Additionally, construction and operation of the proposed on-site improvements have the potential to exceed the capacity of the existing stormwater drainage system and provide additional sources of polluted stormwater runoff. For these reasons, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

**f) Otherwise substantially degrade water quality?**

**Potentially Significant Impact.** As previously stated, construction activities and activities associated with operation of the hotel expansion have the potential to degrade water quality through an increase in water pollutants, including sediments. Further analysis in the EIR is necessary to evaluate the potential of the proposed project to degrade water quality within the study area. Mitigation measures will be incorporated as necessary.

**g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

**No Impact.** The project site is not located within a 100- or 500-year flood zone as indicated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM). According to FIRM Number 06059C0382H, revised February 18, 2004, the project site is located in Zone X, which is a special flood hazard area subject to inundation by the 1 percent annual chance flood event. No significant impacts would occur and no mitigation measures are necessary.



**h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

**No Impact.** As mentioned above, the project site is not located within a 100- or 500-year flood zone, as indicated on the FIRM map. Therefore, construction of the proposed project would not place any structures within a 100-year flood zone. No significant impacts would occur and no mitigation measures are necessary.

**i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

**Less Than Significant Impact.** The dams located nearest the project site are the Harbor View Dam, a flood control dam; the Bonita Canyon Dam, an irrigation dam; the Big Canyon dam, a water supply dam; and the San Joaquin Reservoir. These dams are located between four and six miles from the project site in a generally south-southeast direction from the project site.

According to the City of Newport Beach Emergency Management Plan, the only dam that poses a flooding risk to the City of Newport Beach is the Prado Dam, which is located northeast of the City of Newport Beach in the Santa Ana River. In the event of a dam failure, floodwaters from Prado Dam could inundate large portions of the City of Newport Beach, including the project area. However, the City of Newport Beach updated its Emergency Management Plan in 2004, which identified emergency evacuation procedures in the event of dam failure. No significant impacts would occur and no mitigation measures are necessary.

### 3. Environmental Analysis

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#### j) Inundation by seiche, tsunami, or mudflow?

**Less Than Significant Impact.** A seiche is a surface wave created when a body of water is shaken, usually by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam, or other artificial body of water. Although there are no large water tanks in the area that could impact the project site, as mentioned above, the Prado Dam could inundate large portions of the City of Newport Beach, including the project area. However, as discussed above, impacts from the Prado Dam would be less than significant as the City of Newport Beach updated its Emergency Management Plan in 2004, which identified emergency evacuation procedures in the event of dam failure. Additionally, the Safety Element of the City's General Plan does not identify any dam inundation hazard. Similarly, based on the Geotechnical Study prepared for the project, the project site is not located within mapped dam inundation hazard zone (Kleinfelder 2005).

Mudflows are landslide events in which a mass of saturated soil flows downhill as a very thick liquid. The project site is flat and is not located along steep slopes or hillsides. The project would be required to submit grading plans to the City of Newport Beach for review and approval. The potential for mudflow and landslide events is considered low. Implementation of the project would not expose people or structures to inundation by seiche or mudflows.

The City of Newport Beach has southwestern-facing beaches and is vulnerable to tsunamis, or more likely tidal surges, from the south and west. However, the City of Newport Beach Emergency Management Plan indicates that local earthquakes would not generate a tsunami in this area, and no known tsunami has ever hit the Orange County coast. Therefore, the tsunami threat to the City of Newport Beach is considered low to moderate. Additionally, according to Figure S1, *Coastal Hazards*, of the Safety Element of the City's General Plan Update, the project site is not located within a tsunami inundation area. Furthermore, a tsunami warning system is currently in effect as a function of the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service. The Emergency Management Plan identifies suggested evacuation routes and evacuation sites in the case of a tsunami incident. No significant impacts would occur and no mitigation measures are necessary.

### 3.9 LAND USE AND PLANNING

#### a) Physically divide an established community?

**No Impact.** The project site is located in a developed area of the City of Newport Beach. The project would involve the expansion of the existing Hyatt Regency Newport Beach hotel within the confines of an approximately 25.7-acre site and would not divide established communities. No significant impacts would occur and no mitigation measures are necessary.

#### b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

**Potentially Significant Impact.** Locally-adopted land use plans, policies, or regulations that would be applicable to the proposed project include the City of Newport Beach General Plan, the City's Local Coastal Plan (LCP), and the Orange County Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA).

The project site is zoned Retail and Service Commercial (RSC) and is designated Visitor Service Commercial (VSC) per the City's adopted General Plan (July 2006). The hotel expansion project is compatible with

### 3. Environmental Analysis

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existing zoning and the land use designations of the General Plan. The project area does not fall within any specific plans or other special land use overlays or areas. However, the project site is located within the LCP of the City of Newport Beach and is thus within the jurisdictional guidance of the California Coastal Commission (CCC). Project implementation is subject to the approval of a Coastal Development Permit through the CCC. The project site is also located within the AELUP for JWA and could potentially result in a safety hazard for people residing or working in the project area. The AELUP for JWA contains policies governing the land uses within the JWA area. Specifically, these policies establish development criteria that protect sensitive receptors from airport noise, persons from risk of operations, and height guidelines to ensure aircraft safety. The proposed project would be required to implement the guidelines contained in the AELUP. For these reasons, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

#### **c) Conflict with any applicable habitat conservation plan or natural community conservation plan?**

**Less Than Significant Impact.** The project site is not located within the boundaries of a habitat conservation plan or natural community conservation plan. This topic will not be addressed in the EIR.

#### **3.10 MINERAL RESOURCES**

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

**No Impact.** The project site is developed with a resort-style hotel. According to the Natural Resources Element of the City's General Plan Update, Mineral Resource Zones (MRZ) within the City are either classified as containing no significant mineral deposits (MRZ-1), or the significance of mineral deposits has not been determined (MRZ-3). According to Figure 4.5-4, *Mineral Resource Zones*, of the City's General Plan Update EIR, the project site is located within MRZ-3. The project site and surrounding areas are not recognized as sources of important mineral resources. No significant impacts would occur to mineral resources of regional or statewide importance as a result of the proposed project. Therefore, no impacts to mineral resources are anticipated and no mitigation measures are necessary.



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

**No Impact.** Designation of a site as a mineral resource recovery site is a process limited to the identification of significant mineral resources within existing MRZ-2s only. MRZ-2s are areas where the available geologic information indicates that there are significant mineral deposits. The project site is not located in an MRZ-2. As mentioned above, the project site is located within MRZ-3. Therefore, the project site is not designated as a mineral resource recovery site, as indicated by the Department of Conservation Mineral Resource Maps, and does not contain any mineral resource recovery areas. No impacts would occur as a result of the proposed project and no mitigation measures are necessary.

### 3. Environmental Analysis

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#### 3.11 NOISE

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Potentially Significant Impact.** The primary existing noise sources in the project area are transportation facilities. Vehicular traffic on Jamboree Road is a steady source of ambient noise. Takeoffs and landings at John Wayne Airport, a commercial airport located 3.5 miles north of the project site, contribute to the intermittent aircraft noise in the project area. Short-term noise impacts would be associated with demolition, excavation, grading, and erecting of buildings on-site during construction of the proposed project. Construction-related, short-term noise levels could be higher than existing ambient noise levels in the project area. Construction-related noise impacts from the proposed project could potentially impact neighboring land uses, such as the Bayview Landings senior housing located south of the project site across Back Bay Drive. Further evaluation in the EIR is required to determine if the project will exceed noise standards or expose people to excessive noise levels. Mitigation measures will be incorporated as needed.

- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

**Potentially Significant Impact.** Vibration impacts are generally associated with project construction activities such as heavy construction equipment (e.g., bulldozer). Construction equipment utilized during project development would produce vibration from vehicle travel as well as grading and building construction activities. Further analysis in the EIR is necessary to determine the potential for construction related activities resulting in groundborne vibration impacts. Mitigation measures will be incorporated as needed.

- c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Potentially Significant Impact.** The proposed project would result in an increase in traffic levels in the project vicinity, which could result in a permanent increase in the ambient noise environment. Further evaluation in the EIR is required to determine potential on- and off-site impacts of the project on sensitive receptors (e.g., residents of the Bayview Landings senior housing south of the project site across Back Bay Drive) in the vicinity. Mitigation measures will be incorporated as needed.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

**Potentially Significant Impact.** As stated above, during the construction phase of the proposed project, noise levels associated with construction activities may result in a substantial increase in the ambient noise environment throughout the duration of construction activities. Further evaluation in the EIR is necessary to determine the noise impacts on sensitive receptors in the vicinity of the project site from on- and off-site construction activities. Mitigation measures will be incorporated as needed.

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

**Potentially Significant Impact.** The project site is not located within an airport or within two miles of a public use airport. The nearest public use airport is the John Wayne Airport (JWA), a commercial airport located

### 3. Environmental Analysis

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approximately 3.5 miles north of the project site. However, as previously mentioned, the project site is located within the Orange County Airport Environs Land Use Plan (AELUP) for JWA. Although the site is located outside the 65 dBA CNEL noise contour for the airport, takeoffs and landings at JWA contribute to intermittent aircraft noise in the project area, as the site is directly under the flight path of JWA. For this reason, potential significant noise from JWA activity could be an issue at the project site. Therefore, further analysis in the EIR is necessary. Mitigation measures will be incorporated as needed.

**f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

**No Impact.** The project site is not located within the vicinity of a private airstrip. The nearest airstrip is located within John Wayne Airport, approximately 3.5 miles north of the project site. As a result, no impacts are anticipated and no mitigation measures are necessary.

#### 3.12 POPULATION AND HOUSING

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

**Less Than Significant Impact.** The proposed project would not induce substantial population growth in the area, either directly or indirectly. The project does not propose the development of permanent residences. The project involves the expansion of the existing Hyatt Regency Newport Beach hotel. More specifically, the project would demolish 12 existing hotel villas and construct 7 new timeshare buildings consisting of a total of 88 units within the hotel property. Because of the temporary nature of the timeshare units (e.g., vacation units), no significant impacts to population growth are anticipated and no mitigation measures are necessary.



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

**No Impact.** The proposed project would not displace existing housing or necessitate the construction of replacement housing elsewhere. No impacts would occur and no mitigation measures are necessary.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

**No Impact.** The proposed project would not displace substantial numbers of existing people or necessitate the construction of replacement housing elsewhere. As mentioned above, the proposed project involves the expansion of the existing Hyatt Regency Newport Beach hotel. No impacts would occur and no mitigation measures are necessary.

### *3. Environmental Analysis*

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#### **3.13 PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

##### **d) Fire protection?**

**Potentially Significant Impact.** The City of Newport Beach is served by the Newport Beach Fire Department (NBFD). The NBFD operates eight stations in the City. Station 3, the closest station to the project site, is located at 868 Santa Barbara Drive, less than 0.6 mile northeast of the project site. The fire department's average response time to any area in the City is five minutes.

Consultation with the NBFD is required to estimate the level and type of demand associated with the proposed land use plan, to determine the type and significance of impacts to existing and planned levels of service. Further evaluation in the EIR is necessary to determine the impact on fire services. Mitigation measures will be incorporated as needed.

##### **e) Police protection?**

**Potentially Significant Impact.** Law enforcement services for the City of Newport Beach are provided by the Newport Beach Police Department (NBPD), located at 870 Santa Barbara Drive. As of November 2005, the NBPD employed a total of 280 personnel, including 1 Chief, 3 Captains, 7 Lieutenants, 22 Sergeants, 109 sworn officers, 85 civilian personnel, and 53 seasonal and part-time personnel. The NBPD is currently separated into three divisions (Support Services, Patrol/Traffic, and Detectives), all of which are overseen by the Office of the Chief of Police. As well as providing frontline police protection services, the department is involved in a wide range of community programs.

Consultation with the NBPD is required to estimate the level and type of demand associated with the proposed land use plan, to determine the type and significance of impacts to existing and planned levels of service. Further evaluation in the EIR is necessary to determine the impact on police services. Mitigation measures will be incorporated as needed.

##### **f) Schools?**

**No Impact.** The project does not propose permanent residences. The project involves the expansion of the existing Hyatt Regency Newport Beach hotel. More specifically, the project would demolish 12 existing hotel villas and construct 7 new timeshare buildings consisting of a total of 88 units, and other site improvements within the hotel property. Because the use of the timeshare units is short term (i.e., vacation units), no impacts to schools are anticipated and no mitigation measures are necessary.

##### **g) Parks?**

**No Impact.** The project does not propose permanent residences. The project involves the expansion of the existing Hyatt Regency Newport Beach hotel. More specifically, the project would demolish 12 existing hotel villas and construct 7 new timeshare buildings consisting of a total of 88 units, and other site improvements within the hotel property. The short-term nature of the 88 timeshare units (i.e., vacation units) would not significantly impact neighborhood and regional parks. Therefore, no impacts to parks are anticipated and no mitigation measures are necessary.

#### h) Other public facilities?

**No Impact.** The proposed hotel expansion would not result in substantial adverse impacts to other public facilities such as libraries. No mitigation is necessary.

#### 3.14 RECREATION

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

**Less Than Significant Impact.** The project involves the expansion of the existing Hyatt Regency Newport Beach hotel. More specifically, the project would demolish 12 existing hotel villas and construct 7 new timeshare buildings consisting of a total of 88 units, and other site improvements within the hotel property. The timeshare units are short-term vacation units: the project does not propose permanent residences.

The following recreational areas/facilities are located in the vicinity of the project and would likely accommodate recreational demands from the 88 timeshare units: North Star Beach, Newport Dunes, Upper Newport Bay Ecological Preserve, Back Bay Golf Course, and Big Canyon Country Golf Course. However, because of the short-term nature of the 88 timeshare units (i.e., vacation units), they are not anticipated to have a significant impact on neighborhood and regional parks or other recreational facilities. No impacts are anticipated and no mitigation measures are necessary.

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

**Less Than Significant Impact.** The project involves the expansion of the existing Hyatt Regency Newport Beach hotel. More specifically, the project would demolish 12 existing hotel villas and construct 7 new timeshare buildings consisting of a total of 88 units, and other site improvements within the hotel property. The use of the timeshare units is short term by nature, as they are vacation units. The project does not propose permanent residences. The project does not include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment. No impacts are anticipated and no mitigation measures are necessary.

#### 3.15 TRANSPORTATION/TRAFFIC

##### a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

**Potentially Significant Impact.** Expansion of the Hyatt Regency Newport Beach hotel is anticipated to result in an increase in vehicle trips within the vicinity of the project site. A traffic impact analysis will be conducted as part of the EIR to determine project-related impacts on traffic. Mitigation measures will be incorporated as needed.

##### b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

**Potentially Significant Impact.** Expansion of the Hyatt Regency Newport Beach hotel is anticipated to result in an increase in vehicle trips within the vicinity of the project site. A traffic impact analysis will be conducted



### *3. Environmental Analysis*

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as part of the EIR to determine project-related impacts on a level of service standard. Potential impacts to designated congestion management roadways will be addressed. Mitigation measures will be incorporated as needed.

**c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

**No Impact.** The proposed project is not located within the vicinity of any major airports, nor would it conflict with any air traffic patterns. John Wayne Airport is the nearest airport to the project site, located approximately 3.5 miles north of the project site. No significant impacts would occur and no mitigation measures are necessary.

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

**Potentially Significant Impact.** The project has one main entry drive, a full-access driveway, which is accessed from Jamboree Road on the eastern boundary. This entry drive would remain and would be enhanced with decorative paving. The project also contains two gated entry drives that provide access from Back Bay Drive on the southern and western boundaries. The entry drive along the western project boundary would remain at its current location and would be enhanced with landscaping. The gated entry along the southern portion of the project site would be reconfigured and relocated closer to the Jamboree Road/Back Bay Drive intersection. The traffic study prepared for the EIR will evaluate potential safety hazards related to revised circulation plans. Mitigation measures will be incorporated as necessary.

**e) Result in inadequate emergency access?**

**Less Than Significant Impact.** Project review by the Newport Beach Fire Department (NBFD) is required. The project would incorporate all applicable design and safety requirements as set forth in the Uniform Building Code, Fire Code, and NBFD standards and requirements. Uninterrupted access to the project site for emergency response vehicles is provided via Jamboree Road and Back Bay Drive. A fire lane along the western boundary of the project site would be accessed off of Back Bay Drive. Additionally, construction activities would be performed per City and NBFD standards and codes, thereby avoiding any interference with emergency access. No significant impacts to emergency access are anticipated and no mitigation measures are necessary.

**f) Result in inadequate parking capacity?**

**Potentially Significant Impact.** Implementation of the project would require the removal of and reconfiguration of the hotel's parking areas in the southern project boundary and along Jamboree Road (eastern boundary). Seven new buildings containing a total of 88 timeshare units are proposed to be constructed. The three timeshare buildings proposed for the northwestern portion of the project site would be served by two subterranean (below grade) parking garages. The four timeshare buildings proposed for the north central portion of the project site would be served by one subterranean parking garage. A two-level parking garage containing 86 parking spaces is also proposed just east of the proposed ballroom, which would serve the hotel uses. Upon completion, the proposed project would provide the required number of parking spaces on-site, in accordance with the City's Zoning Code. However, temporary parking impacts on hotel and conference uses could result due to on-site construction activities. Therefore, further analysis in the EIR is necessary to determine if project construction activities will result in a temporary inadequate parking capacity. Mitigation measures will be incorporated as needed.



**g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

**No Impact.** The proposed project would not conflict with adopted policies supporting alternative transportation. Public transportation is readily available in and around the project area. No significant impacts would occur and no mitigation measures are necessary.

#### 3.16 UTILITIES AND SERVICE SYSTEMS

**a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**No Impact** The City of Newport Beach is the wastewater service provider for the project site. Wastewater from the City's sewer system is treated by the Orange County Sanitation District (OCSD). Wastewater treatment at the OCSD facility is required to meet applicable Regional Water Quality Control Board standards. The project would not exceed wastewater treatment requirements and this issue will not be addressed in the EIR.

**b) Require or result in the construction of new water or waste water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.** Existing water services and wastewater treatment are already provided to the project site by the City of Newport Beach. The proposed hotel expansion would incrementally increase wastewater and water treatment needs. The General Plan Update EIR (April 2006) includes an analysis of both wastewater and water treatment demands for build-out of designated land uses. The EIR concludes that the increased water supply and treatment demand resulting from implementation of the General Plan Update would result in a less than significant impact. The General Plan Update EIR also concludes that development associated with the plan could increase sewer demand but would not exceed the capacity of existing wastewater treatment facilities. The two OCSD treatment plants are currently operating at 52 percent and 55 percent capacity, respectively. The proposed hotel expansion and increase in hotel rooms are consistent with the General Plan Update and therefore accommodated within existing plans to increase water supplies and wastewater treatment capacity for the City. This topic, therefore, will not be addressed in the EIR.



**c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.** As proposed, on-site drainage areas of the proposed project would remain essentially the same. The proposed project would require minor modifications to the existing stormwater drainage system. Storm drain improvements would be installed to capture runoff in Jamboree Road, and also to control existing run-on drainage from off-site to the east. This water would be conveyed via a new east-west-trending storm drain traversing the southwestern portion of the project site and discharging to an existing drain in Back Bay Drive. The proposed drainage plan and tie-in to existing infrastructure will be addressed in the Hydrology section of the EIR.

**d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

**Less Than Significant Impact.** Existing water services and wastewater treatment are already provided to the project site. According to the City of Newport Beach General Plan update EIR, water services for the project site are provided by the City of Newport Beach. Domestic water for the project site is supplied by both

### 3. Environmental Analysis

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groundwater and imported surface water. Local wells are not a source of water supply for the areas serviced by the City's water services, which includes the project site. Currently, a majority of water supplied to the City, including the project site, is supplied by groundwater from the Lower Santa Ana Basin (Basin). Specifically, approximately 75 percent of the water supplied by the City's service area, including the project site, is supplied by groundwater from the Basin, and the remaining 25 percent of water is imported and purchased from the Municipal Water District (MWD). According the General Plan update EIR, build-out of the City's General Plan update indicates that adequate existing and planned imported water supplies are available to accommodate the increased demand associated with the proposed General Plan update. The General Plan build-out would include the hotel expansion. Therefore, the increase in water supply required by the expansion of the Hyatt Regency Newport Beach hotel is negligible and impacts on water supply are less than significant.

- e) **Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less Than Significant Impact.** As discussed in response 3.16b above, adequate wastewater treatment capacity would be available for the proposed hotel expansion and land uses, as designated in the General Plan Update. This topic will not be addressed in the EIR.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

**Less Than Significant Impact.** The City of Newport Beach is under contract with Waste Management of Orange County for solid waste hauling and disposal. The Frank R. Bowerman Sanitary Landfill, located at 11002 Bee Canyon Access Road in Irvine, is the closest facility for solid waste disposal. The Frank R. Bowerman Sanitary Landfill, which is owned and operated by the Orange County Integrated Waste Management Department (IWMD), opened in 1990 and is scheduled to operate until approximately 2022. The current rate of disposal for the landfill is a maximum of 8,500 tons of solid waste per day, except for 36 days per year that a higher tonnage of 10,625 tons per day is allowed (annual acceptance of approximately 3.2 million tons.) As of June 30, 2006, the landfill had a remaining airspace capacity estimated at 71.5 million cubic yards (Arnau 2006). IWMD is planning for the future expansion of the landfill until 2053, for which an EIR has been prepared. The Orange County Board of Supervisors certified the Final EIR for the project on August 15, 2006. Once all required permits have been obtained for the landfill expansion, the landfill will have the ability to accept up to 11,500 tons of solid waste per day, which equates to 3,000 tons more than the current maximum rate of disposal allowed for this landfill. Table 3 shows the estimated increase of solid waste generation of the proposed project, utilizing the City of Newport Beach's solid waste generation rates.

### 3. Environmental Analysis

**Table 3  
Estimated Increase of Solid Waste Generation**

<i>Land Use</i>	<i>Proposed Development</i>	<i>Solid Waste Generation Rate</i>	<i>Solid Waste Generation (lbs/day)</i>
Commercial	24,944 sf	5lbs/1,000 sf/day <sup>1</sup>	124.72
Visitor Serving	88 rooms (keys)	2.5 lbs/room/day	220
<b>Total</b>			<b>344.72 lbs/day (0.17 tons/day) (62.05 tons/year)</b>

<sup>1</sup> Integrated Waste Management Board

1 ton [short, US] = 2,000 pounds

A different commercial solid waste generation rate was used (compared to the City's) because the proposed Hyatt Regency Newport Beach hotel expansion project is based on permitted square footage, not anticipated employees.

As shown in Table 3, expansion of the Hyatt Regency Newport Beach hotel would result in an additional 62.05 tons per year of solid waste to be disposed of at the Frank R. Bowerman Sanitary Landfill, representing approximately 0.002 percent of the amount of solid waste the landfill is allowed to accept annually. With the remaining capacity of approximately 44.6 million tons, as well as a 16-year lifespan at the Frank R. Bowerman Sanitary Landfill without the proposed landfill expansion, the increase in solid waste generated by the hotel expansion would not exceed the capacity of the landfill. No deficiencies currently exist at the Frank R. Bowerman Sanitary Landfill, as there is adequate daily surplus capacity to accept the additional solid waste generated from the proposed project. Additionally, expansion of the hotel will not significantly change the amount of solid waste generated from that of existing conditions. Therefore, as the Frank R. Bowerman Sanitary Landfill would have sufficient capacity to serve the Hyatt Regency Newport Beach hotel expansion, impacts associated with solid waste disposal would be less than significant and no mitigation measures are necessary.



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

**Less Than Significant Impact.** Public Resources Code §§ 40000 et seq. required that local jurisdictions divert at least 50 percent of all solid waste generated by January 1, 2000. In order to fulfill the state mandate on solid waste, the City of Newport Beach has a number of City ordinances related to solid waste management. The City Municipal Code, Section 12.63.030, requires businesses that provide commercial solid waste handling services in City limits to obtain a franchise. The ordinance states that, because state law requires the City to substantially reduce the amount of solid waste it sends to landfills, and the City is required to report to the state the amount of materials diverted from landfills in compliance with state law, the City must be able to regulate the collection of solid waste from residential and commercial premises through the requirements of a franchise.

The Hyatt Regency Newport Beach operates under a franchise, as required per Section 12.63.030 of the City's Municipal Code. The proposed hotel expansion would continue to operate under a franchise and would thus comply with all federal, state, and local statutes and regulations related to solid waste disposal. Therefore, no impacts would occur as a result of the proposed project and no mitigation measures are necessary.

### *3. Environmental Analysis*

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#### **3.17 MANDATORY FINDINGS OF SIGNIFICANCE**

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

**Potentially Significant Impact.** The proposed project has the potential to degrade the quality of the environment, and could indirectly impact the important habitat of a wildlife species (e.g., coastal California gnatcatcher). The EIR will analyze these topics in greater detail to determine whether the project would generate any significant impacts.

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

**Potentially Significant Impact.** The proposed project has the potential to degrade the quality of the environment through impacts involving aesthetics, air quality, biological resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, public services, transportation/traffic, and utilities/service systems. The EIR will analyze these topics in greater detail to determine whether the project would generate any cumulatively considerable impacts.

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

**Potentially Significant Impact.** Development of the proposed project has the potential to create direct and indirect adverse effects on humans. The proposed project has the potential to affect humans through impacts such as aesthetics, air quality, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, public services, transportation/traffic, and utilities and service systems. The significance of these impacts will be analyzed in the EIR.