LDS RECTORY
USE PERMIT AMENDMENT

INITIAL STUDY AND
MITIGATED NEGATIVE DECLARATION

October 15, 2009

Lead Agency:

City of Newport Beach
Planning Department
3300 Newport Boulevard
Newport Beach, CA 92658 – 8915

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SECTION 1.0
PROJECT DESCRIPTION

INTRODUCTION

The City of Newport Beach is the lead agency under the California Environmental Quality Act (CEQA). This Initial Study has been prepared pursuant to the requirements of Section 15063 of the CEQA Guidelines.

PROJECT LOCATION

The project includes one, 8.88-acre (386,817 sq. ft.), parcel: 2300 Bonita Canyon Drive in the City of Newport Beach, Orange County, California (see **Figure 1**).

The subject property is bordered by the Bonita Canyon Creek Dam/Reservoir and Bonita Canyon Creek Watershed open space to the north, the Bonita Canyon Creek Watershed open space area to the northeast, the Bonita Canyon Village residential development to the northwest, the Church of Jesus Christ of Latter Day Saints (LDS) Stake Center and Temple to the west, Bonita Canyon Drive to the south with the Bonita Canyon Sports Park, a preschool, and Saint Mathews Church south of the roadway, and open space to the east.

PROJECT DESCRIPTION

The applicant proposes the construction of a rectory with a 2,316-square-foot project footprint which consists of 1,825 square feet of living space and a 491-square-foot, attached 2-car garage. A rectory is a home which is traditionally owned and maintained by a religious institution and houses religious officials and often serves as an administrative office of a religious establishment. The proposed rectory is an accessory use to an existing place of religious worship that is similar to a single-unit dwelling.

The project site consists of the project footprint as described above and a fuel modification buffer zone adjacent to the project footprint which extends 40 feet to the nearest property line. Including the fuel modification buffer zone, the project site is approximately 6,066 square feet.

EXISING USES

The proposed rectory is part of the LDS Complex which includes the LDS Stake Center and Temple structures that are located on the properties at 2150 and 2300 Bonita Canyon Drive. The existing LDS Temple on the subject property was previously analyzed for potential impacts through the adoption of an Environmental Impact Report (EIR) in June of 2002 (State Clearinghouse No. 2002031048). There are currently a total of 152 parking spaces on the LDS Temple property located at 2300 Bonita Canyon Drive.

The project site is located on a portion of the property at 2300 Bonita Canyon Drive and consists of a previously graded pad surrounded by disturbed areas of vegetation, primarily with ornamental landscaping, and a slope to the east vegetated primarily with native scrub species. The project site is located adjacent to the LDS Temple parking area and is surrounded by a rod-iron fence which restricts access to the Bonita Canyon Creek Watershed and open space to the east.

SCHEDULE

The project is proposed to start construction in 2010. Completion of construction and full occupancy are anticipated to occur in late 2010.

The project would involve 950 cubic yards (cy) of grading, with 50 cy of soil import.

The construction schedule is anticipated to be as follows:

Demolition: two days (grubbing and clearing of existing landscaping)
Excavation: two months (re-grading of the project site)
Building construction and Foundations: two months
Architectural coatings (painting): two months
Building Finishing: two months

APPROVAL REQUIREMENTS

The proposed project requires a two-part application:

1) An amendment to Use Permit No. 2001-036 to permit an accessory use to a use requiring a use permit in the Bonita Canyon Planned Community.

2) Approval of Site Plan Review No. SR2009-001 to ensure that the project conforms to the objectives of the General Plan as well as the requirements and development standards contained in the Bonita Canyon Planned Community Development Plan Regulations.

The City of Newport Beach has completed an Initial Study and Mitigated Negative Declaration for the LDS rectory project (a CEQA Exemption is not available since there are potential impacts to the project site).

Figure 1, General Site Plan – 2300 Bonita Canyon Drive

Figure 2, Project Site Plan

Figure 3, Project Site - Fuel Modification Boundary

Figure 4, Project Site – ESA Boundary

Figure 5, Project Site - NCCP Boundary

Figure 6, Floor Plans

Figure 7, Exterior Elevations

Figure 8, Landscape Plans

SECTION 2.0
CEQA CHECKLIST FORM

1.	Project Title:	**LDS Rectory Use Permit Amendment**
2.	Lead Agency Name and Address:	**City of Newport Beach Planning Department 3300 Newport Boulevard, Newport Beach, CA 92658-8915**
3.	Contact Person and Phone Number:	**Makana Nova, Planning Department (949) 644-3210**
4.	Project Location:	**2300 Bonita Canyon Drive**
5.	Project Sponsor's Name and Address:	**Church of Jesus Christ of Latter Day Saints (LDS) 50 East North Temple Street Salt Lake City, UT 84150**
6.	General Plan Designation**:**	**Private Institutions**
7.	Zoning:	**Bonita Canyon Planned Community (PC-50 Public/Semi-Public)**
8.	Description of Project:	**See Section 1.0 of this document.**
9.	Surrounding Land Uses and Setting:	

Current Development:	**Church temple**
To the north:	**Bonita Canyon Creek Watershed open space**
To the east:	**Bonita Canyon Creek Watershed open space**
To the south:	**Preschool adjacent to church**
To the west:	**Church temple**

10. Other public agencies whose approval is required.
None.

ENVIRONMENTAL CHECKLIST

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I.	**AESTHETICS.** Would the project:				
a)	Have a substantial adverse effect on a scenic vista?	☐	☐	☑	☐
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☑
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☑	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☑	☐	☐
II.	**AGRICULTURE RESOURCES.** Would the project:				
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?	☐	☐	☐	☑
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☑
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?	☐	☐	☐	☑
III.	**AIR QUALITY.** Would the project:				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☑	☐
b)	Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☑	☐
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)?	☐	☐	☑	☐
d)	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☑	☐
e)	Create objectionable odors affecting a substantial number of people?	☐	☐	☑	☐
IV. BIOLOGICAL RESOURCES. Would the project:					
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?	☐	☑	☐	☐
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	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☑	☐	☐
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 impeded the use of native wildlife nursery sites?	☐	☑	☐	☐
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☑	☐	☐
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?	☐	☐	☑	☐
V.	**CULTURAL RESOURCES.** Would the project:				
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☑
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☑	☐	☐
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☑	☐	☐
d)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☑	☐	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VI.	**GEOLOGY AND SOILS.** Would the project:				
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.	☐	☐	☑	☐
	ii) Strong seismic ground shaking?	☐	☐	☑	☐
	iii) Seismic-related ground failure, including liquefaction?	☐	☐	☑	☐
	iv) Landslides?	☐	☐	☑	☐
b)	Result in substantial soil erosion or the loss of topsoil?	☐	☑	☐	☐
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?	☐	☐	☑	☐
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?	☐	☐	☑	☐
e)	Have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☑

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a)	Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☑
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☑	☐
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☑	☐
d)	Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☑
e)	For a project 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?	☐	☐	☐	☑
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?	☐	☐	☐	☑
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☑

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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?	☐	☑	☐	☐
VIII. HYDROLOGY AND WATER QUALITY.	Would the project:				
a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☑
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)?	☐	☐	☑	☐
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 substantial erosion or siltation on- or off-site?	☐	☐	☑	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of a 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?	☐	☑	☐	☐
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☑	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f)	Otherwise substantially degrade water quality?	☐	☐	☐	☑
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?	☐	☐	☐	☑
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☑
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?	☐	☐	☐	☑
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☑
k)	Result in significant alteration of receiving water quality during or following construction?	☐	☑	☐	☐
l)	Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?	☐	☐	☐	☑
m)	Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?	☐	☐	☑	☐
n)	Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?	☐	☐	☑	☐
o)	Create significant increases in erosion of the project site or surrounding areas?	☐	☑	☐	☐

IX. LAND USE AND PLANNING.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
	Would the proposal:				
a)	Physically divide an established community?	☐	☐	☐	☑
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?	☐	☑	☐	☐
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☑	☐
X. MINERAL RESOURCES.	Would the project:				
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☑
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?	☐	☐	☐	☑
XI. NOISE.	Would the project result in:				
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?	☐	☐	☑	☐
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☑	☐

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☑	☐
e)	For a project located within an airport land use 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?	☐	☐	☐	☑
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?	☐	☐	☐	☑
XII.	**POPULATION AND HOUSING.** Would the project:				
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)?	☐	☐	☑	☐
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☑

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
XIII. PUBLIC SERVICES Would the project:	☐	☐	☑	☐
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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:				
Fire protection?	☐	☐	☐	☑
Police protection?	☐	☐	☐	☑
Schools?	☐	☐	☐	☑
Other public facilities?	☐	☐	☑	☐
XIV. 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?	☐	☐	☑	☐
b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? opportunities?	☐	☐	☐	☑
XV. TRANSPORTATION/TRAFFIC Would the project:				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?	☐	☐	☑	☐
b)	Exceed either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☑	☐
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?	☐	☐	☐	☑
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☑	☐
e)	Result in inadequate emergency access?	☐	☐	☐	☑
f)	Result in inadequate parking capacity?	☐	☐	☐	☑
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
XVI. UTILITIES & SERVICE SYSTEMS Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☑

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☑
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?	☐	☐	☑	☐
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☑
e)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☑
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☑
g)	Comply with federal, state, and local statutes and regulation related to solid waste?	☐	☐	☐	☑
h)	Include a new or retrofitted strom water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetland), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?	☐	☐	☑	☐
XVII.	**MANDATORY FINDINGS OF SIGNIFICANCE.**				

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Does the project have the potential to 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 period of California history or prehistory?	☐	☑	☐	☐
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.)	☐	☐	☑	☐
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☑	☐

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.

☐ Land Use Planning	☐ Transportation/ Circulation	☐ Public Services
☐ Population & Housing	☐ Biological Resources	☐ Utilities & Service Systems
☐ Geological Problems	☐ Energy & Mineral Resources	☐ Aesthetics
☐ Water	☐ Hazards	☐ Cultural Resources

☐ Air Quality ☐ Noise ☐ Recreation

☐ Mandatory Findings of Significance

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 ENVIRONMENTAL IMPACT REPORT is required.
☐

I find that the proposed project MAY have a significant effect(s) 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, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." 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, there WILL NOT be a significant effect in this case 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, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
☐

Prepared by: Makana Nova, Assistant Planner Signature Date

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SECTION 3.0
DISCUSSION OF ENVIRONMENTAL IMPACTS

I. AESTHETICS.

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

Less than significant impact. General Plan Policy NR 20.1 Enhancement of Significant Resources, provides for the protection and, where feasible, enhancement of significant scenic and visual resources that include open space, mountains, canyons, ridges, ocean, and harbor from public vantage points, as shown in Figure NR3. There are no General Plan or other City designated scenic vistas in the immediate vicinity of the site. General Plan Policy NR20.3 Public Views designates State Route 73 from Bayview Way to the easterly City limit as a public view corridor. However, the view along the section of State Route 73 adjacent to the project site is blocked by a sound attenuation wall. Only the upper portion of the 91-foot-high LDS Temple steeple is visible from the right-of-way along the highway. Thus, the new rectory which is a single-story structure will not be visible from this view corridor.

The proposed project will not result in a significant impact to scenic vistas and is therefore consistent with applicable General Plan policies regarding visual resources. No impact to a scenic vista will occur and no mitigation measures are necessary.

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

No 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 over 2.5 miles south of the project site. State Route 73, located to the northwest of the subject property, is not a designated state scenic highway. Moreover, the site does not contain any scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings. No mitigation measures are necessary.

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

Less than significant impact. The project design helps to create a visual gradient as the LDS Complex approaches the edge of Bonita Canyon. The rectory is designed for architectural compatibility with the rest of the LDS Temple Complex, and includes trees and native landscaping to help screen the visual impact of the new rectory from the adjacent right-of-way and improve the structure's visual congruence with the surrounding environment. While the rectory is separated from the main LDS Temple by the parking lot, the rectory will visually appear as a part of the complex since all of the architecturally similar structures are located on the same previously graded pad at the upper edge of Bonita Canyon.

The visual character of the subject property consists of a graded pad with ornamental landscaping and the 17,757-square-foot LDS Temple with associated landscaping, parking, and lighting. The architecture of the LDS Temple is a mission revival design which consists of a series of elongated structures, stucco/stone exterior, and a 91-foot-high steeple. The single-story rectory includes similar mission revival architectural features. The rectory is proposed to be located at the southeast corner of the subject

property which covers approximately one percent of the subject property (2,500 square feet/8.8 acres). The visual impact of the rectory will be minimized since the structure is accessory to the larger LDS Temple complex. The project design includes a trellis along the eastern edge of the rectory adjacent to the Bonita Canyon open space area. The trellis design helps to increase the visual similarity of the rectory with similar single-unit dwellings as it backs up to the Bonita Canyon open space.

The slope to the east of the project footprint where the fuel modification zone will be located is currently vegetated primarily with native scrub species. As required by the mitigation measures under Section IV. (Biological Resources), the planting of native landscaping within the fuel modification zone will maintain the natural aesthetic of the hillside area. No substantial impacts are anticipated and no mitigation measures are necessary.

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

Less than significant impact with mitigation. The development of a rectory, similar to a single-unit dwelling, will result in light and glare sources which are similar to other dwellings in the community. The design would not create substantial light and glare which would impact views in the area.

Exterior lighting shall be provided as required by the Building Code at each exterior access point to the dwelling unit. This includes two, 13 watt fluorescent lights with motion detectors at the rear doors as required by Title 24 of the Municipal Code. In addition, low voltage lighting will be provided along the walk, driveway, and tree accents along the front of the rectory. In order to mitigate the potential impact of the adjacent environmental study area (ESA), the following mitigation measure is required.

Mitigation Measures.

MM AE.1 Lighting shall be in compliance with applicable standards of the Zoning Code. Exterior on-site lighting shall be shielded and confined within site boundaries. No direct rays or glare are permitted to shine onto public streets or adjacent sites or create a public nuisance. “Walpak” type fixtures are not permitted. A lighting plan shall be approved by the Planning Department prior to the issuance of building permits.

MM AE.2 The site shall not be excessively illuminated based on the luminance recommendations of the Illuminating Engineering Society of North America, or, if in the opinion of the Planning Director, the illumination creates an unacceptable negative impact on surrounding land uses or environmental resources. The Planning Director may order the dimming of light sources or other remediation upon finding that the site is excessively illuminated. Night lighting adjacent to the ESA shall be the lowest illumination allowed for human safety, selectively placed, shielded, and directly away from preserved habitat at the maximum extent practicable. A lighting plan shall be approved by the Planning Department prior to the issuance of building permits.

MM AE.3 Prior to the issuance of building permits, the applicant shall prepare photometric study in conjunction with a final lighting plan for approval by the Planning Department.

MM AE.4 Prior to issuance of the certificate of occupancy or final of building permits, the applicant shall schedule an evening inspection by the Code and Water Quality Enforcement Division to confirm control of light and glare.

II. AGRICULTURE RESOURCES.

In determining whether impacts to agricultural resources are significant 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. The project site is not used for agricultural activities. According to the California Resource Agency's Department of Conservation Important Farmland Map for Orange County (2006), the project site is not designated as Farmland of Statewide Importance, Unique Farmland, or Farmland of Local Importance. The project site is located in a suburban area adjacent to the LDS Temple and open space. No impacts will occur and no mitigation measures are necessary.

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

No impact. The project site is not zoned or used for agricultural purposes and does not fall under a Williamson Act contract. The project site is currently zoned Bonita Canyon Planned Community (PC-50) with a "Public/Semi-Public" land use designation within the planned community. The proposed land use is an accessory use to the existing LDS Temple. 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 property is within an urbanized environment adjacent to open space areas dedicated to flood control, drainage facilities, or habitat open space reserves. Farmland does not exist on the site or in the immediate area. The project site is not currently used for agricultural purposes; therefore, the project would not result in the conversion of farmland to nonagricultural uses. No impacts to farmland would occur. No significant impacts would occur and no mitigation measures are necessary.

III. AIR QUALITY.

The site is located within the South Coast Air Quality Management District (SCAQMD). The air quality assessment includes estimating emissions associated with short-term construction and long-term operation of the proposed project. Long-term impacts include impacts from pollutants with regional effects and pollutants with localized impacts. The impact analysis contained in this section was prepared in accordance with the methodologies provided by the SCAQMD in its CEQA Air Quality Handbook. Air quality model data are provided in Appendix D.

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

Less than significant impact. Projects, such as this one, that are consistent with the local general plan are considered consistent with the Air Quality Management Plan (AQMP). The proposed project would not emit either short- or long-term quantities of criteria pollutants which exceed the SCAQMD's air quality significance thresholds (See Appendix C for SCAQMD air quality significant thresholds). The SCAQMD does not consider projects which result in emissions below the SCAQMD significance thresholds

to interfere with the goals established in the AQMP. The proposed project is consistent with SCAQMD thresholds as demonstrated in Table 3.1. and Table 3.2. Therefore, no significant impact to the AQMP will occur as a result of the proposed project. No mitigation measures are necessary.

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

Less than significant impact. Air pollutant emissions associated with the project could occur over the short-term for site preparation and construction activities. In addition, emissions would result from the long-term operation of the completed project from facility-related energy consumption and automobile traffic traveling to and from the project site. The analysis below describes the project's short-term and long-term air quality impacts.

Short-Term Air Quality Impacts

The estimated dates for construction begin in 2010 and are estimated to take eight months. The proposed project does not require demolition of any structure, only clearing and grubbing is necessary to remove vegetation on site, which would take two days to remove. Grading activities would take approximately two months to excavate and refill approximately 900 cubic yards of soil (from previous fill projects on site) and import an additional 50 cubic yards of soil for re-compaction. These construction emissions were estimated using the SCAQMD's URBEMIS 2007 9.2.4 and are included in the Table 3.1; the model run is included in Appendix D.

Table 3.1
Maximum Daily Construction Emissions

	Pollutants (lbs/day)						
Source	**CO**	**NO_X**	**VOC**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**	**CO_2**
Demolition	6	9	2	0	1	1	789
Fine Grading	14	27	4	0	5	2	2,341
Trenching	10	19	3	0	1	1	1,804
Building Construction	11	20	3	0	2	2	1,820
Coating	1	0	2	0	0	0	2
Asphalt	9	13	3	0	2	1	1,135
SCAQMD Threshold	550	100	75	150	150	55	N/A
Exceeds Threshold	NO	NO	NO	NO	NO	NO	N/A

- Source: URBEMIS2007 Version 9.2.4.
- N/A: Not Applicable
- VOC: Volatile Organic Compounds (ref: URBEMIS ROG: Reactive Organic Gases)
- Construction equipment mix based on the URBEMIS2007 computer model, which is based on SCAQMD construction surveys of midsized construction sites.
- Fugitive dust emissions assumes application of Rule 403, which includes replacing ground cover as quickly as possible, watering exposed surfaces two times daily, equipment loading/unloading measures, and reducing vehicle speeds on unpaved roads to less than miles per hour.
- CO_2 emissions are provided for informational purposes only. The SCAQMD, OPR, or CARB have yet to establish regional emissions thresholds for this pollutant.

As shown in the table above, all emissions are less than their respective SCAQMD threshold values. SCAQMD, Office of Planning and Research (OPR), or California Air Resources Board (CARB) have yet to establish regional emissions thresholds for CO_2 emissions. However, because the project is not a regionally significant project and the project would not exceed the SCAQMD thresholds for criteria pollutants (CO, NO, PM_{10}, and $PM_{2.5}$), which were established to identify substantial new sources of air pollution,

CO_2 emissions are likely not to be considered substantial enough to result in a significant cumulative impact relative to Greenhouse Gas (GHG) emissions and climate change impacts. Therefore, the project's cumulative contribution to GHG emissions is less than significant. Short term impacts due to daily construction impacts are less than significant and no mitigation measures are necessary.

Long-Term Operational-Related Impacts

Long-term air pollutant emissions generated by the project would be associated with project-related vehicle trips and stationary-source emissions generated on-site by sources such as water heaters, gas stoves, and fuel consumed for landscaping activities. Long-term air quality impacts are typically associated with the emissions produced by project-generated vehicle trips which are estimated by the Institute of Transpiration Engineers (ITE) as ten trips per day for one single-unit dwelling. However, one single-unit dwelling will not exceed the threshold for SCAQMD air quality significance as pointed out in Table 3.2 below for operational emissions.

Table 3.2
Maximum Daily Operational Emissions

	Pollutants (lbs/day)						
Source	**CO**	**NO_X**	**VOC**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**	**CO_2**
Demolition	.66	0.10	0.06	0	0.10	0.02	51.40
SCAQMD Threshold	550	100	75	150	150	55	N/A
Exceeds Threshold	NO	NO	NO	NO	NO	NO	N/A

- Source: URBEMIS2007 Version 9.2.4.
- N/A: Not Applicable
- VOC: Volatile Organic Compounds (ref: URBEMIS ROG: Reactive Organic Gases)
- Construction equipment mix based on the URBEMIS2007 computer model, which is based on SCAQMD construction surveys of midsized construction sites.
- CO_2 emissions are provided for informational purposes only. The SCAQMD, OPR, or CARB have yet to establish regional emissions thresholds for this pollutant.

Long term impacts due to daily operational emissions are less than significant and no mitigation measures are necessary.

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)?

Less than significant impact. In accordance with SCAQMD methodology, any project that does not exceed or can be mitigated to less than the daily threshold values does not add significantly to a cumulative impact. The South Coast Air Basin (SoCAB) is designated as a non-attainment area for ozone and particulates (PM_{10} and $PM_{2.5}$) under the state and federal Ambient Air Quality Standards (AAQS). Air pollutant modeling for construction emissions demonstrates that project implementation would not exceed the SCAQMD's construction phase pollutant thresholds.

The operational emissions which include vehicular trips will not exceed the SCAQMD thresholds as pointed out in the Operational Emissions chart above. Therefore, the project will not result in cumulatively considerable impacts including releasing emissions which exceed quantitative thresholds for ozone precursors. No mitigation measures are necessary.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than significant impact. The subject site is located in a planned community surrounded by religious institutions, a preschool, a public park, residential dwellings, and open space. Although sensitive receptors (i.e., surrounding single-unit dwellings and preschool) are located in the vicinity of the site, the greatest amount of pollutants generated by the proposed project will occur during the construction phase. The emissions will be comprised of mostly dirt and dust particles as the subject site is graded and a new rectory is constructed. However, such emissions will be controlled through the implementation of standard conditions, best management practices, and rules prescribed by the South Coast Air Quality Management District and will be short-term. The emissions released from operations after the constructions phase is completed will predominantly be comprised by vehicle trips which will not be a significant impact as pointed out in Operational Emissions chart above. Therefore, project implementation will not adversely affect sensitive receptors and no mitigation measures are necessary.

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

Less than significant impact. Project construction would involve the use of heavy equipment creating exhaust pollutants from on-site earth movement and from equipment bringing building materials to the site. With regard to nuisance odors, any air quality impacts would be confined to the immediate vicinity of the equipment itself.

During the operations phase of the project, single-unit dwellings do not typically generate substantial emissions or odors that affect people outside the confines of the property. By the time such emissions or odors reach any sensitive receptor sites away from the project site, they are typically diluted to well below any level of air quality concern. Such emissions and odors are an adverse, but not significant, air quality impact. Since the proposed project is similar to a single-unit dwelling, mitigation measures are not necessary as the impacts of emissions and odors are less than significant.

IV. 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?

Less than significant impact with mitigation. According to the biological reconnaissance survey conducted by Chambers Group, Inc. on May 12, 2009, 28 sensitive plant species and 24 sensitive wildlife species have historically occurred in the project vicinity and could potentially inhabit the project site. Within the project site, the survey did not identify suitable habitat for any endangered, threatened, or rare species on the project footprint. However, several sensitive species were identified as potentially occurring within the fuel modification zone of the project site.

The survey identified 17 of the 28 listed sensitive plant species as potentially occurring in the portion of the fuel modification zone that extends into the environmental study area (ESA) within the project site. Two of these 17 sensitive plant species are state and federal listed threatened species: the Laguna Beach dudleya (*Dudleya stolonifera*) and the big-leaved crownbeard (*Verbesina dissita*).

One sensitive wildlife species that is listed as federally threatened and a California Species of Special Concern was identified as potentially occurring in the adjacent fuel modification zone and ESA: the coastal California Gnatcatcher (*Polioptila California californica*). The biological reconnaissance survey indicated that the coastal California

Gnatcatcher could occur in the California Sagebrush Series and forage in the California Encelia Series vegetation community in the ESA area within the fuel modification zone.

The biological reconnaissance survey is included in Appendix E and recommendations from this report are included as mitigation measures below. In order to mitigate the potential impact of the proposed project to these sensitive species, the following mitigation measures are required.

Mitigation Measures.

MM BR.1 If a federal- or state-listed endangered or threatened plant or wildlife species is found during surveys of the project site or project construction within the fuel modification zone, regardless of whether or not it is found during the blooming or breeding season, the resource agencies shall be notified and a consultation may be necessary regarding avoidance measures. The applicant shall work with the Fire Department to develop a strategy to protect the sensitive habitat areas from fuel modification and ongoing maintenance of the fuel modification zone.

MM BR.2 All brush clearing (except tree trimming and removal, see below) and other construction activities within the fuel modification zone shall occur outside the general avian breeding season. All brush clearing and construction shall take place between September 16 and February 14 (i.e., outside of the general avian breeding season of February 15 through September 15).

- Vegetation removal shall take place only under the supervision of a qualified biological monitor knowledgeable in the identification of sensitive plant species. The monitor shall flag sensitive and fire resistive plants so that the vegetation removal crew can avoid impacts to these species.

- Tree trimming or removal shall only take place between September 16 and December 31 (i.e., outside the raptor breeding season of January 1 through September 15).

MM BR.3 In compliance with the Migratory Bird Act, if vegetation removal within the project site (within the project footprint or fuel modification zone) must occur within the breeding season (February 15 through September 15), the following surveys shall be conducted prior to the issuance of building permits. These surveys shall take place prior to vegetation removal and construction.

- Conduct protocol focused surveys for the coastal California gnatcatcher in accordance with United States Fish and Wildlife Service (USFWS) guidelines (1997).

- Survey for nesting activity of raptors within a 500-foot radius of the project site if vegetation removal must occur within the avian breeding season (February 15 through September 15). Surveys shall be conducted during appropriate nesting times and concentrate on mature trees. If any active nests are observed, the nest area shall be flagged and protected (while occupied) during construction.

- Survey habitat in the project area and within a 300-foot radius. If any active nests are observed, the nest area shall be flagged and protected (while occupied) during construction.

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

Less than significant impact with mitigation. Riparian habitat composed of mixed willow series and mule fat series vegetation communities exists approximately 150 to 300 feet northeast of the project footprint. In the Biological Survey conducted by Chambers Group, Inc., a digital outline of the property boundary was superimposed onto aerial maps provided on the City of Newport Beach website. The result showed that the riparian vegetation communities appear to exist outside of the proposed fuel modification zone along the property line.

The mixed willow series and mule fat series vegetation communities may provide suitable nesting habitat for the least Bell's vireo *(Vireo bellii pusillus*), a federal- and state-listed endangered species. The biological survey determined that this species is unlikely to occur in the adjacent fuel modification zone since the least Bell's vireo inhabits the mixed willow series and mule fat series vegetation communities within the ESA that are located beyond the fuel modification zone. Since the fuel modification zone was not clearly identifiable in the field at the time of the biological survey, a survey is required at plan check as a mitigation measure in order to clearly identify the boundary of this feature in relation to existing vegetation communities.

The following mitigation measures are required to verify this information prior to issuance of building permits.

Mitigation Measures

The following are mitigation measures to minimize impacts to adjacent riparian habitat and wildlife prior to issuance to issuance of building permits.

MM BR.4 Conduct a field survey of the property boundary prior to issuance of building permits and stake the area proposed for fuel modification. Should the mixed willow series and/or mule fat series fall within the proposed fuel modification zone, coordination with the City of Newport Beach Fire Department is recommended to completely avoid these communities during vegetation removal.

MM BR.5 Vegetation removal shall take place outside of the avian breeding season in order to avoid disturbance to potentially nesting least Bell's vireo. If vegetation removal must take place during the avian breeding season, bird surveys shall be conducted per recommendations described above in IV.a (Biological Resources). Bird surveys shall be conducted prior to issuance of building permits.

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 with mitigation. The project site is located 2,500 feet north of the San Joaquin Reservoir and lies just southwest of a drainage system leading to the San Joaquin Reservoir and Upper Newport Bay. According to the biological reconnaissance survey conducted by Chambers Group Inc. on May 15, 2009 (Appendix E), a tributary to this drainage system exists at the eastern edge of the fuel modification zone. The following mitigation measures are required to survey and confirm the location of this drainage feature in relation to the fuel modification zone.

Mitigation Measures

MM BR.6 Conduct a field survey of the property boundary prior to issuance of building permits and stake the area proposed for fuel modification to verify whether this drainage feature lies within the proposed fuel modification zone.

MM BR.7 After the field study has been conducted and prior to the issuance of building permits, **c**oordinate with the City of Newport Beach Fire Department to determine if this drainage feature can be completely avoided during fuel modification activities. If the bed, bank, channel and riparian vegetation within this drainage can be avoided entirely, Section 401, 404, and 1600 permits shall not be required.

MM BR.8 If the field survey determines the drainage features exist within the proposed fuel modification zone and cannot be avoided, a formal jurisdictional delineation shall be required prior to issuance of building permits to determine the impacts to SCACE/RWQCB/CDFG jurisdictional waters. Agency coordination shall be required based on the findings of the formal delineation.

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 impeded the use of native wildlife nursery sites?

Less than significant impact with mitigation. The Central/Coastal Subregional Natural Communities Conservation Plan (NCCP) designates the Bonita Canyon Creek and Reservoir adjacent to the subject property as a Habitat Linkage area. This area provides wildlife movement between Upper Newport Bay and the San Joaquin Hills along lower Bonita Creek. The proposed project will not conflict with the NCCP regulatory area since the project site, including the fuel modification zone, does not extend beyond the subject property and into the NCCP boundaries. A map of the NCCP area in relation to the subject property is provided in Figure 5.

An environmental study area (ESA) is located on a portion of the project site and extends onto the subject property up to the rod-iron fence along the eastern edge of the subject property. The project footprint is situated on a terrace on LDS Temple property, fenced in, and covered by dense ornamental vegetation. Therefore, development of the project footprint is not expected to impede any sensitive corridors. However, vegetation clearing and maintenance for a fuel modification zone that extends into the ESA may, without mitigation, have a long-term effect on the existing corridor that provides connectivity between Upper Newport Bay, San Diego Creek, and the San Joaquin Reservoir.

A rod-iron fence currently restricts access to and from the northern, eastern, and southern boundaries of the project site. Following construction activities, access to the fuel modification zone will continue to be restricted by the existing fencing. Access to this area will be limited to routine maintenance of the landscaping under the surveillance of a biological monitor. The development design includes a rectory similar to a single-unit dwelling and exterior lighting for the project shall be limited to those required under the California Building Code adjacent to the wildlife corridor area.

The following mitigation measures will be followed to ensure that impacts related to wildlife corridors remain less than significant.

Mitigation Measures

MM BR.9 Preparation of a Planting Plan that includes the following techniques instrumental for hillside stabilization:

- Describes an above-ground cutting method, leaving approximately 1" stumps.

- Provides a list of species for replacement planting that are instrumental for soil stability. These species shall be selected from the City of Newport Beach Urban Wildland Interface Area Standard for Hazard Reduction Fire Resistive Plant List. This list can be found in Appendix C of the Biological Reconnaissance Study conducted by Chambers Group, Inc. (Appendix C). These plants shall also be native in order to satisfy the recommendations provided below concerning wildlife movement corridors.

- Provides direction in application of a soil binder to areas where plants are removed.

- Replacement planting shall be part of an approved planting plan approved by the Fire Department prior to issuance of final building permits.

- New plants added during regular maintenance shall be reviewed and approved by the Fire Department and updated on the approved planting plan.

MM BR.10 During preparation of a planting plan as described above, replacement planting recommendations for Zone B of the fuel modification zone shall consist, to the greatest extent feasible, of native plants characteristic of the California sagebrush scrub vegetation community already present within the ESA. In addition, these plants shall be selected for good hillside stabilization as described above. Replacement planting shall be part of an approved planting plan approved by the Fire Department prior to issuance of final building permits.

MM BR.11 Replacement planting with native plants characteristic of the California sagebrush scrub community, as mentioned above, will minimize effects to the existing corridor. If this is not feasible, then an in-depth wildlife corridor study for the fuel modification buffer may be required. Replacement planting shall be part of an approved planting plan approved by the Fire Department prior to issuance of final building permits.

MM BR.12 Signage on the boundary fencing shall state that access to areas north and east of the project site is prohibited except for required fuel modification maintenance. Plans for signage shall be approved by the Planning Department prior to issuance of building permits.

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

Less than significant impact with mitigation. There are no biological resources on the project site which are protected by a City ordinance. Analysis of General Plan policies, which are relevant to protecting biological resources, have been addressed in Section IX.b (Land Use and Planning). Therefore, no impacts to biological resources are anticipated as a result of the proposed project.

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

Less than significant impact. The project site is located adjacent to the Central/Coastal Subregional Natural Communities Conservation Plan (NCCP) boundary, administered by the Nature Reserve of Orange County. The NCCP has been developed to protect the

diversity of natural wildlife within Orange County. The NCCP for Bonita Canyon Creek and Reservoir is located on the property immediately adjacent to the east of the project site. The proposed project will not conflict with the NCCP since the project site, including the fuel modification zone, does not extend beyond the subject property and into the NCCP. Refer to Figure 5 for a map of the NCCP in relation to the subject property. Implementation of the proposed project will not result in significant impacts and no mitigation measures are required.

V. CULTURAL RESOURCES.

An Archaeological Assessment and a Paleontologic Resource Assessment were completed for the project site in March and April, 1992, and was included in the Initial Study/Mitigated Negative Declaration adopted by the City of Irvine. The Archaeological Assessment determined that no unique or significant resources exist within the proposed project site. However, there was a potential for small, slightly disturbed features that could produce archaeological artifacts such as ornamental stone artifacts and waste flakes suitable for educational display. A Mitigation Monitoring Plan was implemented to reduce potential impacts to archaeological resources during grading and construction activities. The salvage and monitoring activities for the construction of the LDS Temple revealed 57 artifacts, including chipped stone tools, a core and flakes, numerous manos, several mutates, an abrader, and two pestles. After completion of the salvage and monitoring activities, all requirements of the mitigation plan were met.

According to the Paleontologic Resource Assessment included in the 1992-1993 Initial Study/Mitigated Negative Declaration, the Topanga Formation and Pleistocene terraces that underlie the project site are rated as having potential for high paleontologic sensitivity. Grading, trenching, and other earth moving activities in the Pleistocene terrace and the Los Trancos Member of the Topanga Formation were anticipated to impact fossil resources. A Mitigation Monitoring Plan was implemented for the construction of the LDS Temple in order to reduce projected impacts to paleontological resources.

Since salvage and monitoring activities were completed with the Mitigation Monitoring Plan developed for the site in 1992, no additional archaeological or paleontological work was required for the construction of the LDS Temple in 2002. The current project requires additional grading for construction of the proposed rectory, so several mitigation measures have been incorporated in order to ensure that impacts to cultural resources remain less than significant.

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

No impact. Section 10564.5 of the State of California CEQA Guidelines 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 patterns of California’s history and culture 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 does not identify any historic resources within or adjacent to the project site. Before the development of the Bonita Canyon Planned Community, the land was used as a ranch owned by the Irvine Company and did not contain any significant structures. The project location is contiguous to the LDS Temple; however, the rectory was never included as part of the original LDS Temple design or construction. The subject site is vacant and does not contain any structures. The proposed project has no impacts on historical resources; therefore, no mitigation measures are required.

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

Less than significant impact with mitigation. Mass grading of the project site was completed and was monitored by a certified archaeologist, as required by the Mitigation Monitoring Plan developed for the site in 1992. While removing the loose soil during pregrading of the project site, it is unlikely that any significant archaeological resources will be found. However, the following mitigation procedure will be followed to ensure that impacts related to archaeological resources remain less than significant.

Mitigation Measures

Prior to approval of a grading plan, the property owner/developer shall submit a letter to the Planning Department showing that a qualified archaeologist has been hired to ensure that the following actions are implemented.

MM CR.1 The archaeologist must be present at the pre-grading conference in order to establish procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of artifacts if potentially significant artifacts are uncovered. If artifacts are uncovered and determined to be significant during construction, the archaeological observer shall determine appropriate actions in cooperation with the property owner/developer for exploration and/or salvage.

MM CR.2 Specimens that are collected prior to or during the grading process will be donated to an educational or research institution.

MM CR.3 Any archaeological work at the site shall be conducted under the direction of the certified archaeologist during construction. If any artifacts are discovered during grading operations when the archaeological monitor is not present, grading shall be diverted around the area until the monitor can survey the area.

MM CR.4 A final report detailing the findings and disposition of the specimens shall be submitted to the Building Department prior to issuance of final building permits. Upon completion of grading, the archaeologist shall notify the City as to when the final report will be submitted.

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

Less than significant impact with mitigation. As stated above, the project site has been previously mass graded and filled. While removing the loose soil during re-grading of the project site, the project is unlikely to destroy any unique paleontological resources or unique geologic features. However, the following mitigation procedure will be followed to ensure that impacts related to archaeological resources remain less than significant.

Mitigation Measures

The property owner/developer shall submit a letter to the Planning Department showing that a certified paleontologist has been hired to ensure that the following actions are implemented:

MM CR.5 The paleontologist must be present at the pre-grading conference in order to establish procedures to temporarily halt or redirect work to permit the sampling, identification, and evaluation of fossils. If potentially significant materials are discovered during construction, the paleontologist shall determine appropriate actions in cooperation with the property owner/developer for exploration and/or salvage.

MM CR.6 Specimens that are collected prior to or during the grading process will be donated to an appropriate educational or research institution.

MM CR.7 Any paleontological work at the site shall be conducted under the direction of the certified paleontologist during construction. If any fossils are discovered during grading operations when the paleontological monitor is not present, grading shall be diverted around the area until the monitor can survey the area.

MM CR.8 A final report detailing the findings and disposition of the specimens shall be submitted to the Building Department prior to issuance of final building permits. Upon the completion of grading, the paleontologist shall notify the City as to when the final report will be submitted.

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

Less than significant impact with mitigation. No remains are known to be present on site. The project site has previously been graded and filled. Minimal grading will be required for the project. In the event that unknown remains are discovered on the subject site, the proposed project will be in compliance with the State Health and Safety Code 7050.5, as required and cited below:

Mitigation Measure.

MM CR.9 If human remains are encountered, the state Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the county coroner has mad a determination of the origin and disposition pursuant to Public Resources Code 5097.98. The county coroner must be notified immediately of the find. If the remains are determined to be prehistoric, the coroner is required to notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With permission of the owner of the land or his/her authorized representative, the descendent may inspect the site of the discovery. The descendant shall complete the inspection within 24 hours of notification of the NAHC. The MLD may recommend scientific removal and

nondestructive analysis of human remains and items associated with Native American burials.

VI. 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.

Less than significant impact. According to the Geotechnical Investigation conducted by Southern California Geotechnical in October of 2008 (Appendix F), the project site is not located within a currently designated Alquist-Priolo Earthquake fault zone. Therefore, the potential for fault rupture on site is considered less than significant.

ii) Strong seismic ground shaking?

Less than significant impact. Numerous faults capable of producing significant ground motions are located near the subject site. The primary seismic hazard affecting the project site will be ground shaking from a regional seismic event (earthquake) along a known active fault in the Southern California area. Ground shaking is the primary cause of structural damage during an earthquake. The duration and frequency of ground shaking will vary depending on the distance to the epicenter, the depth of shock, and the magnitude of the earthquake. The nearest active fault is the Newport-Inglewood Fault, which is approximately two miles to the southwest. A blind thrust fault model has recently been hypothesized to explain regional uplift of the nearby San Joaquin Hills. The thrust fault runs roughly between the 405 Freeway and the ocean from the City of Huntington Beach to the intersection of the I-405 and I-5 Freeways, then south under the San Joaquin Hills to Dana Point. On the basis of the current data, the existence and location of such a fault is primarily a matter of conjecture. Potential seismically inferred from this blind thrust hypothesis is within the range of that for the nearby Newport-Inglewood fault zone, which is the fault structure that will govern seismic design for the project.

Damage to the rectory and seismic hazards to the inhabitants of the structure are considered to be less than significant with the construction of the project to current building standards. The proposed rectory will be designed and constructed to resist the effects of seismic ground motions as provided in the 2007 Uniform Building Code (UBC) or updated UBC. Given the distance of the nearest fault, the Newport-Inglewood Fault (approximately two miles southwest of this site), the hazard due to rupture from earthquake movement is considered to be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less than significant impact. Liquefaction occurs when water saturated sediments, mainly sand and silt, become particularly suspended and flow. This temporary transformation of the soil to a fluid mass can be a result of earthquake vibrations. Soil boring tests conducted during the environmental impact report (EIR) for the initial construction of the existing LDS Temple on the subject property show that the depth to groundwater is in excess of 50 feet below ground surface in the project site, and the soils underlying the project site have a low potential for liquefaction (Southern California Geotechnical, 2001).

Based on mapping performed by the California Geological Survey (CGS), the subject site is not located within a designated liquefaction hazard zone. In addition, the subsurface conditions encountered at the boring locations for the current soils report conducted in October of 2008 by Southern California Geotechnical are not considered to be conducive to liquefaction. These conditions generally consist of medium dense to dense clayey sands and stiff sandy clays and clayey silts, extending to the maximum depth explored of 9.5± feet. Based on the mapping performed by CGS and the conditions encountered at the boring locations, liquefaction is not considered to be a design concern for this project. Therefore, the likelihood of seismic ground failure is low, and impacts due to liquefaction or seismic related ground failure are considered less than significant.

iv) Landslides?

Less than significant impact. The project site is not located in a known landslide area or a seismically active area, and the site is not identified as being prone to liquefaction or landslides on the latest California Department of Mines and Geology seismic hazards map. The site is not located in a seismic hazard or liquefaction area with the possibility for landslides or located in a fault disclosure zone according to the Seismic Hazards Map in the City of Newport Beach General Plan. The rectory will be designed and constructed to resist the effects of seismic ground motions as provided in the 2007 Uniform Building Code (UBC) or updated UBC. With adherence to the geotechnical design considerations identified in the Geotechnical Investigation (Appendix F), implementation of the proposed project will not result in significant impacts related to landslides. Therefore, no mitigation measures are necessary and the impacts are considered less than significant.

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

Less than significant impact with mitigation. The project site is relatively flat and will require minimal excavation. The project requires the excavation of approximately 900 cubic yards of soil at the project site, importation of an additional 50 cubic yards of soil, and grading of the project site with 950 cubic yards of fill. The proposed project will comply with the City Excavation and Grading Code, as well as the Development Project Guidance requirements of Chapter 14.36 of the Municipal Code. The construction phase of the project will include grading that will leave soil exposed. The City has policies to insure Best Management Practices (BMP) be followed that minimize erosion and loss of topsoil. After the site is developed, landscaping, paving, and drainage will reduce erosion as less soil will be exposed and proper drainage will be installed. Additionally, with adherence to the geotechnical design considerations, site grading and site preparation recommendations as detailed in the Geotechnical Investigation, implementation of the proposed project will not result in significant impacts related to geology and/or soils on the site. Therefore, significant impacts related to soil erosion will not result from the proposed project with the implementation of the following mitigation measures.

Mitigation Measure.

MM G.1 Replacement planting shall be required for Zone B of the fuel modification zone as shown in Figure 3. Plants instrumental for hillside stabilization shall be selected from the City of Newport Beach Urban Wildland Interface Area Standard for Hazard Reduction Fire Resistive Plant List and shall be installed after the removal of combustible plants within Zone B of the fuel modification zone to provide proper soil stabilization and prevent hillside erosion. All plantings shall be approved by the Fire Department prior to issuance of building permits.

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?

Less than significant impact. With the exception of the surficial weathered soils and the recently stockpiled fill soils, the existing fills and the underlying terrace deposits are considered suitable for support of the foundation and floor slab of the rectory.

According to the current Geotechnical Investigation conducted in October of 2008, fills of approximately 4.5 to 7.5± feet below existing site grades will be required to achieve the proposed grade elevation of 181± feet above msl for the proposed rectory pad area. As the site is underlain by documented structural fill soils, significant over-excavation is not expected. However, the removal of stockpiled fills and the surficially weathered fill soils is recommended prior to placement of new fills.

To ensure that soils not suitable for structural bearing will be removed as determined by the geotechnical engineer, best management practices shall be implemented as recommended in the Geotechnical Investigation and presented in Appendix B. With adherence to these best management practices, potential impacts will be reduced a level below significance.

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?

Less than significant impact. Based on laboratory testing, the on-site soils and the proposed import soils are considered to possess very low expansion potential (EI = 9). The foundation and floor slab design recommendations contained within the Geotechnical Investigation are made in consideration of the expansion index test results to address potential impacts of expansive soils following standards for compaction. Implementation of these standard site preparation procedures will reduce impacts from expansive soils to less than significant levels.

e) Have soils incapable of adequately supporting the use 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 development of a rectory building similar to a one, single-unit dwelling in Newport Beach. The Utilities Department requires that dwellings install water service and sewer service per City standards, so the project will not need a septic tank or alternative wastewater disposal system. No significant impacts would occur and no mitigation measures are necessary.

VII. HAZARDS AND HAZARDOUS MATERIALS.

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

No impact. The Safety Element of the City of Newport Beach General Plan includes Policies S7.1 through S7.6 to minimize the exposure of people and environment to hazardous materials associated with methane gas extraction, oil operations, leaking underground storage tanks, and hazardous waste generators. The proposed rectory is not located on a site that is near any of these hazardous materials.

The proposed rectory will not utilize or dispose of any hazardous materials in its typical operations, beyond substances used for landscaping. Substances for landscaping, such

as fertilizers and pesticides, will be subject to all applicable best management practices. No impacts will occur, and no mitigation measures are necessary.

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

Less than significant impact. The project has a potential for on-site dirt to be released into the air during the grading process of construction. Compliance with the existing regulations for air quality would reduce potential impacts to a level less than significant. Refer to the air quality analysis in Section III (Air Quality) for more information on the construction dust impacts the proposed project may have on the surrounding environment.

A very small (incalculable) risk is present from gasoline or diesel tank rupture from construction equipment. However, compliance with construction site safety regulations limits the risk of upset to less than significant levels. To reduce impacts from potential spills of hazardous materials during construction, the project is required to comply with the requirements set fourth under the Statewide General Permit for Construction Activities, pursuant to Section 402 of the federal Clean Water Act. Per the requirements, best management practices would be employed to control hazardous materials use and spills. Also, because of the limited and short duration of these activities, there is minimal risk of spillage.

Development of the proposed project will not create a health hazard or the potential for a health hazard related to pollutants. Therefore, no impacts related to the release of hazardous materials will result from the proposed project.

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

Less than significant impact. There is one preschool located within one-quarter mile of the project site. The preschool, the Newport Coast Child Development School is located immediately across Bonita Canyon Drive to the south of the project site at 2350 Ford Road. The proposed project has limited risk of emitting hazardous emissions, acutely hazardous materials, substances, or waste as discussed above. Since the proposed project is similar to the construction of a single-unit dwelling, compliance with construction and site safety regulations limits the risk of hazardous materials such as fugitive dust, gasoline, or diesel tank ruptures to less than significant levels and no mitigation measures are necessary.

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

No impact. The project site has not been previously developed. The project site is not identified in the Department of Toxic Substances Control's (DTSC) hazardous wastes and substances list, which includes the Federal Superfund sites (National Priority List), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Permitted Sites, and Corrective Actions Sites. Construction of the proposed rectory on the project site would not create a significant hazard to the public or the environment. Therefore, no impacts related to this issue will result and no mitigation measures are necessary.

e) For a project 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?

No impact. The project site is not within two miles of a public airport or public use airport. The project site, which is located approximately three miles southeast of John Wayne Airport, is within the limits of its Airport Environs Land Use Plan (AELUP) as established by the Orange County Airport Land Use Commission (ALUC). The John Wayne Airport AELUP has established various zones surrounding the airport including Noise Impact Zone and Runway Protection Zone.

The Noise Impact Zone establishes land uses that are "normally acceptable", "conditionally acceptable", and "normally unacceptable" within each noise impact zone delineated by the respective Community Noise Equivalent Level (CNEL) noise contour derived from studies of aircraft flight operations into and out of the John Wayne Airport. A map of the Noise Impact Zone in relation to the subject property is included in Appendix H. As shown on the map, the project site does not fall within the Noise Impact Zone. Therefore, noise from airport operations would be less than significant at the project site.

The Runway Protection Zone (also known as the Clear Zone) identifies areas within the direct pathway of the runways that should remain relatively clear of development. Figure S5 of the City of Newport Beach General Plan (JWA Clear Zone/Runway Protection Zones and Accident Potential Zones) is included in Appendix I. As shown on the map, the project site does not fall within the Runway Protection Zone as the project site is located approximately three miles southeast of the runway. Therefore, the location of the project will not be an impact.

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. No impact will result from this project.

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

No impact. Access to the project site will be taken from the parking lot and access drive for the LDS Temple along Bonita Canyon Drive. The addition of one new driveway among the internal circulation for the LDS Temple site will not interfere with emergency response. The proposed project has been routed to City public safety departments including Fire and Police, and no issues have been identified that will impair emergency response. Therefore, the location of the project will not be an impact to site evacuation.

The City of Newport Beach Emergency Management Plan (EMP) identifies the basic framework for reaction to disasters. MacArthur Boulevard is identified as a major evacuation route in Figure 1.8.10.1, Tsunami Evacuation Map (Appendix J) in the Newport Beach Emergency Management Plan. Implementation of the proposed project will not interfere with using adopted emergency response or evacuation plans. No impacts related to the EMP will result from the proposed project.

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?

Less than significant impact with mitigation. The project site is located in an urbanized area and is surrounded by residential development, parks, open space, and

public/semipublic uses. The project site is within an area designated for high fire susceptibility as designated in Figure S4 Wildfire Hazards of the City of Newport Beach General Plan Safety Element. Fire risk is dependent upon the moisture level in the plants and the presence of incendiary sources.

The Safety Element of the City of Newport Beach General Plan provides policies which are designed to protect human life and property from the risks of wildfires and urban fires. General Plan Policy S6.2 Development in Interface Areas requires the application of hazard reduction, fuel modification, and other methods to reduce wildfire hazards to existing and new development in urban wildland interface areas. A fuel modification zone is proposed in a 40-foot radius around the project site within the adjacent environmental study area (ESA). A site plan of the proposed fuel modification zone is included in Figure 3. General Plan Policy S6.4 Use of City-Approved Plant List requires the use of fire-resistive, native plant species from the City-approved plant list in fuel modification zones abutting sensitive plants. The mitigation measures provided in Section IV.d (Biological Resources) requires native plants for the project site which are selected for hillside stabilization within the fuel modification zone.

The building plans, including suitable emergency access routes, will be reviewed by the City's Fire Department to ensure that they meet the Fire Department standards, including building materials, sprinklers, internal fire walls, access for emergency vehicles, and similar issues at plan check. The following mitigation procedures shall be adhered to in order to ensure that impacts related to the risk of loss, injury, or death involving wildland fires remain less than significant.

Mitigation Measure

MM HZ.1 The property owner/developer shall submit a Fuel Modification Plan prior to the issuance of building permits to the Fire Department showing that a fuel modification zone will be provided from the structure up to the adjacent property line.

MM HZ.2 The property owner/developer shall meet all requirements in Guideline G.03-"Construction Requirements for Special Fire Protection Areas" to the satisfaction of the Fire Department prior to the issuance of building permits.

MM HZ.3 The structure shall be provided with fire sprinklers at plan check to the satisfaction of the Fire Department.

VIII. HYDROLOGY AND WATER QUALITY.

Information presented in this section is based on the Hydrology Analysis for Parcel Map 91-270, Parcel 1, City of Newport Beach, prepared by Hunsaker & Associates (H & A, 2002) for the initial grading and construction of the LDS Temple. The stormwater runoff coefficient has been updated based on the capacity information provided in this study to incorporate the proposed project in the following analysis.

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

No impact. Pursuant to Section 420 of the Clean Water Act, the Environmental Protection Agency (EPA) has established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct stormwater discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. For Orange County, the Santa Ana Regional Control Board (SARWQB) would be responsible for implementation of the NPDES requirements.

The City of Newport Beach is a co-permittee under the Orange County Municipal Permit for the Santa Ana Region, Order No. R8-2009-030 (NPDES No. CAS618030). This permit stipulates that the permittees shall determine the need to develop a revised Water Quality Management Plan (WQMP) for new development and redevelopment projects. The proposed project, which is similar to a single-unit dwelling, does not trigger the requirement for a WQMP since the project proposal is exempt as one, single-unit detached dwelling of 3,600 square feet or less. In addition, the project site does not qualify as "significant redevelopment" since the project does not create more than 5,000 square feet of impervious surface area on an already developed site, and the project site does not create more than 2,500 square feet of impervious surface area discharging directly adjacent to, or directly to receiving water within environmentally sensitive areas.

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. The project site is not located within a designated groundwater basin or recharge area. The previous hydrology analysis for the LDS Temple conducted by Hunsaker & Associates in 2002 identified the static water table in the area of the project site to exist at a depth of 50 feet. The proposed project will not deplete groundwater supplies or interfere substantially with ground water recharge. The hydrology analysis (H&A, 2002) also determined that the on-site soils have a very slow infiltration rate.

Construction of a rectory similar to one, single-unit dwelling will include a drainage plan that will not interfere with or deplete ground water. The project will be served by the local sewer and water system. It is not anticipated that the project will have any significant impact on groundwater. Therefore, no mitigation measures are required.

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 substantial erosion or siltation on- or off-site?

Less than significant impact. The project footprint is located in storm drainage system Area "B" as identified on the drainage map of the previous hydrology analysis for the LDS Temple conducted by Hunsaker & Associates in 2002. The project footprint does not involve the alteration of the course of a stream or river in a manner that would result in substantial erosion or siltation on- or off-site and will not result in a significant change to the drainage pattern of property as the drainage plan will be required to comply with applicable NPDES policies. Therefore, it's not anticipated that the rectory will result in any significant impacts to erosion or siltation on- or off-site since the project site is not located near or adjacent to a stream or river.

While the project footprint is located in the existing drainage watershed created for the LDS Temple, the fuel modification zone for the project site is located beyond the drainage watershed identified in the previous hydrology analysis. Code and Water Quality Enforcement has determined that the impact of this area is less than significant and that the application of best management practices provided in Appendix B will sufficiently eliminate any potential impacts of locating the fuel modification zone in the adjacent environmental study area (ESA).

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a 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?

Less than significant impact with mitigation. The project does not involve any alteration of the existing and/or planned drainage system (pattern) of the area. The project site is served by the storm drain system for Area "B" which consists of two catch basins that connect to an 18 inch to 24 inch mainline. The storm drain conveys storm runoff to an existing 18 inch to 24 inch storm drainline, Line "B" that is currently flowing open channel with a peak storm runoff of 21.7 cubic feet per second (cfs). Line "B"'s full flow (100%) capacity is 151.5 cfs. Therefore, Line "B" is able to accommodate the additional cfs due to the proposed project. The project does not propose any alterations to the existing or planned storm drain system in Newport Beach.

A tributary to a drainage system which flows to the San Joaquin Reservoir and the Upper Newport Bay existed along the eastern edge of the proposed fuel modification zone. The mitigation measures specified in Section IV.c (Biological Resources) are required in order to ensure that the impacts to this tributary are mitigated to a level that is less than significant for the proposed project.

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

Less than significant impact. The City of Newport Beach is primarily built-out and contains an existing storm water drainage system. The project is consistent with the capacity of the existing storm drain system in the City of Newport Beach and will be required to install drainage systems in accordance with applicable policies. Line B has a capacity of 151.5 cfs and therefore, is able to accommodate the additional cfs in the developed condition. The line has enough capacity for the existing and developed 100-year storm flows. Therefore, no impacts associated with runoff will occur as a result of the proposed project.

f) Otherwise substantially degrade water quality?

No impact. See response to "a)" above. The project will comply with all requirements regarding water quality. Therefore, it is not anticipated that the project degrade water quality.

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 City of Newport Beach General Plan provides policies S5.1 through S5.3 which are designed to protect human life, public and private property from the risks of flooding. The project site is not located within a 100-year flood hazard area and would not place housing within a 100-year flood hazard area. Therefore, no impacts to this area will occur as a result of the proposed project.

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

No impact. The project site is not located within a 100-year flood plain. Therefore, no impacts to this area will occur as a result of the proposed project.

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?

No impact. The project site is not located within a 100-year flood plain. The Bonita Canyon Dam/Reservoir is located directly adjacent to the northern boundary of the project site. Improvements have been completed to the dam to stabilize the structure to satisfy current CA Division of Safety of Dams (DSOD) design standards. Therefore, impacts associated with failure of a levee or dam are less than significant.

j) Inundation by seiche, tsunami, or mudflow?

No impact. The project site is not located in the immediate vicinity of a reservoir, harbor, lake, or storage tank capable of creating a seiche. The closest body of water is located approximately 3.3 miles northwest of the project site (Upper Newport Bay). Due to the distance and the relatively small surface area of the Upper Newport Bay as well as the difference in elevation between the Bay and project site, inundation of the project site by a seiche is highly unlikely.

The project site is located approximately 3.5 miles inland of the Pacific Ocean. The City of Newport Beach Tsunami Run Up Area Map provided by the Fire Department in Appendix K indicates the project site is in an area where the elevation is 100 feet or greater from mean sea level and is therefore not in an area which is subject to potential tsunami run up. Therefore, inundation of the project site by tsunami is also unlikely. The project site is not subject to mudflows or other flood hazards. Therefore, there are no impacts related to this issue and no mitigation measures are required.

k) Result in significant alteration of receiving water quality during or following construction?

Less than significant impact with mitigation. The project footprint is located on a previously graded pad which includes site drainage designed to handle the additional stormwater runoff capacity of the proposed rectory. The impact of stormwater runoff from the fuel modification area into the adjacent Bonita Canyon Creek Watershed has been determined to be less than significant by the City of Newport Beach Building Department. Any alterations to possible drainage features in the fuel modification zone shall be protected per the mitigation measures outlined in Section IV.c (Biological Resources). Therefore, impacts of stormwater from the proposed project are considered less than significant to the beneficial use of adjacent receiving waters and no mitigation measures are required.

l) Result in a potential for discharge of stormwater pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks or other outdoor work areas?

No impact. The design and proposed use of the project site does not include any areas for exterior material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas, loading docks, or other outdoor work areas. Therefore, there are no impacts related to this issue and no mitigation measures are required.

m) Result in the potential for discharge of stormwater to affect the beneficial uses of the receiving waters?

Less than significant impact. The standards for the Planning and Development Services Department for the County of Orange regarding the implementation of National

Pollutant Discharge Elimination System (NPDES) Program indicate the proposed project is exempt from the requirement for a Water Quality Management Plan (WQMP) since the scope of work does not create 2,500 square feet or more of impervious surface area adjacent to receiving water within an environmentally sensitive area and the construction of one, single-unit detached dwelling of 3,600 square feet or less is exempted from this requirement.

In addition, the project site is located on a previously graded pad which includes site drainage that is designed to handle the additional stormwater runoff capacity of the proposed rectory. The impact of stormwater runoff from the fuel modification area has been determined to be less than significant by the City of Newport Beach Building Department. Therefore, the impacts of stormwater from the proposed project are considered less than significant to the beneficial use of adjacent receiving waters and no mitigation measures are required.

n) Create the potential for significant changes in the flow velocity or volume of stormwater runoff to cause environmental harm?

Less than significant impact. The increase in flow velocity or volume of stormwater runoff as a result of the proposed project will not be significant as described in Section VIII.d. (Hydrology and Water Quality). The project site lies within Area B which is served by storm drain Line B. The current volume of stormwater runoff is 21.7 cfs and the capacity of Line B is 151.5 cfs. Since the anticipated volume of stormwater runoff from the proposed project is minimal, the impact to the flow velocity or volume of stormwater runoff is less than significant and no mitigation measures are required.

o) Create significant increases in erosion of the project site or surrounding areas?

Less than significant impact with mitigation. The proposed project includes a fuel modification zone to the east of the project site along a sloped 40-foot wide portion of land up to the property line. The biological reconnaissance survey conducted by Chambers Group, Inc. recommends that replacement planting within these areas should be selected based on soil stability to minimize erosion on the project site and surrounding areas. Section IV.d. (Biological Resources) provides a full description of the mitigation measures and required planting plan and criteria for plant selection in order to minimize the impact of soil erosion within the fuel modification area.

IX. LAND USE AND PLANNING.

a) Physically divide an established community?

No impact. The proposed project is located within the existing LDS Temple and adjacent to a public park, schools, open space, and residential development. The rectory is proposed along Bonita Canyon Drive, where several institutional uses currently exist. Because the proposed rectory is an accessory use to an existing place of worship among other institutional and public recreation uses, the proposed project continues the land use pattern of the area. The addition the rectory as an accessory use similar to a single-unit dwelling will not divide the community. There will not be a division of existing residential communities as the nearest homes are located across the open space preserve to the northwest. Therefore, no impact related to this issue will result from the proposed project.

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?

Less than significant impact with mitigation. The zoning of the project site is currently designated as Public/Semipublic Sub-Area 7 in the Bonita Canyon Planned Community. This zoning designation permits public/semipublic facilities and utilities subject to site plan review approval. Places of worship require a use permit and the existing LDS Temple was approved by Use Permit No. UP2001-036. As an accessory use to a use requiring a use permit, the proposed rectory will require an amendment to Use Permit No. UP2001-036. Use permits are required for use classifications typically having special site development features, or operation characteristics requiring special consideration, so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. The site plan review procedure is required to ensure that the project conforms to the objectives of the General Plan as well as the requirements and development standards contained in the Planned Community Development Plan Regulations.

The Land Use Element of the General Plan contains objectives, policies, and distributions of land use for development in the City. The project site is designated within the Land Use Element of the General Plan as Private Institutions (PI). The PI designation is intended to provide for privately owned facilities that serve the public, including places for religious assembly, private schools, healthcare, cultural institutions, museums, yacht clubs, congregate homes, and comparable facilities. As an accessory use to a place of religious assembly, the proposed project is consistent with the PI designation.

The following General Plan policies apply directly to the proposed project.

1) The Natural Resources Element of the General Plan identifies Policy NR 10.3 (Analysis of Environmental Study Areas):

"Require a site-specific survey and analysis prepared by a qualified biologist as a filing requirement for any development permit applications where development would occur within or contiguous to areas identified as ESAs. (Imp 2.1, 6.1)"

A portion of the project fuel modification zone is located within an environmental study area (ESA), the Bonita Canyon Creek Watershed, identified in Figure NR3 Environmental Study Areas of the General Plan. In compliance with the General Plan policy identified above, a biological reconnaissance survey was conducted by Chambers Group, Inc. on May 12, 2009, and is included in Appendix E. The biological reconnaissance survey indicates that a portion of the vegetation to be cleared by the fuel modification zone contains habitat communities that could potentially support nesting birds and sensitive wildlife. The issues identified in this study have been addressed through mitigation measures specified in the Section IV (Biological Resources) of this document.

2) The Natural Resources Element of the General Plan also identifies Policy NR 10.4 (New Development Siting and Design):

"Require that the siting and design of new development, including landscaping and public access, protect sensitive or rare resources against any significant disruption of habitat values. (Imp. 2.1)"

The proposed location of the new rectory is considered the best option for the siting and design of the new structure because it reduces the need for construction and redesign to the adjacent LDS Temple Complex and minimizes the potential impact to cultural and

paleontological resources discovered during studies conducted prior to the construction of the LDS Temple.

The biological reconnaissance survey (Appendix E) indicates that the areas adjacent to the project footprint within the fuel modification zone could potentially support nesting birds and sensitive wildlife. Public access to these areas is restricted by a rod-iron fence on the property located along the boundary to the adjacent environmental study area. The extent of the fuel modification zone has been reduced from the standard four-zone, 100-foot buffer required by the Fire Department to a more intense, two-zone, 40-foot buffer from the proposed structure. The impacts of the fuel modification zone on sensitive habitat beyond the fence have been addressed through the planting of native, fire resistant plant species as specified in mitigation measures in Section IV (Biological Resources) of this report. The planting of native species within the fuel modification area will help to limit the project's encroachment into habitat areas for sensitive species which also serves as a wildlife corridor.

The issues identified in this study have been addressed through mitigation measures specified in the Section IV (Biological Resources) of this document. With the implementation of these mitigation measures, the project is sited and designed to protect the sensitive and rare resources against significant disruption to a level that is less than significant.

3) Fire Hazards: Protection from Wildlife and Urban Fire Risk Policy S 6.3 (New Development Design):

"Site and design new development to avoid the need to extend fuel modification zones into sensitive habitats (Imp 2.1, 6.1)."

In order to reduce the fire risk for the proposed project, a fuel modification buffer is proposed to extend to the property line adjacent to the project area. The required fuel modification area encroaches into the environmental study area of approximately 40 feet. A site plan of the proposed fuel modification zone is included in Figure 3. As mentioned above and in Section IV (Biological Resources) of this report, the impacts of the fuel modification buffer have been mitigated through the planting of native, fire resistant species which will support the hillside within the fuel modification buffer.

In order to ensure compliance with the General Plan policies identified above, the mitigation procedures specified in Section IV (Biological Resources) of this document will be followed to ensure that impacts related to land use General Plan policies remain less than significant so that sensitive and rare resources will be protected from significant disruption.

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

Less than significant impact. The project site is not designated as a natural community conservation plan (NCCP) reserve area or a habitat conservation area that supports flora or fauna. However, the project site is located adjacent to an NCCP reserve area and the project site has habitat that could potentially support nesting birds and sensitive wildlife. A map of the subject property in relation to the NCCP reserve area is included in Figure 5. The vegetation communities identified in this area could potentially provide habitat for three species of plants and animals. The mitigation procedures specified in Section IV (Biological Resources) of this document will be followed to ensure that impacts related to sensitive flora and fauna remain less than significant. Impacts to the natural community conservation plan are considered less than significant since the project site does not encroach into the NCCP.

X. MINERAL RESOURCES.

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

No impact. The City of Newport Beach's General Plan and the USGS Geologic Map of California for Santa Ana do not identify any known minerals on the subject property or the surrounding vicinity of the subject property. The USGS Mineral Resources On-Line Spatial Data reports one record of a mineral resource in Newport Beach. This single record is from an old offshore salt mine in Newport Bay and is not located near the subject property. The project will not result in the loss of known mineral resources that would be of state, regional, or local value. Therefore, no mineral resource impacts are expected to occur and no mitigation measures are required.

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. The project site is not delineated as a locally-important resource recovery site in the City's General Plan or Planned Community and the project is not located within a specific plan district. Therefore, no impacts in relation to locally important mineral resources will result from the implementation of the proposed project and no mitigation measures are required.

XI. 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?

Less than significant impact. The project includes the construction of a rectory similar to one, single-unit dwelling. Project-generated noise during the construction phase of the project would be from project-generated traffic and on-site operations. Refer to Section XI.d (Noise) for additional analysis on the construction impacts from the proposed project.

Once the construction phase of the project is complete, the project will not generate noise beyond the typical use of a single-unit dwelling, such as noise generated by the garage door opener or an air conditioning unit. Impacts during and after construction of the proposed project are considered less than significant and no mitigation measures are required.

Exterior ambient noise levels for the rectory are considered similar to that of a single-unit dwelling use. Figures N2 and N5 of the General Plan provided in Appendix H indicate that the project footprint will fall within the 60 and 65 CNEL roadway noise contours. Table N2 of the General Plan indicates that these community noise levels are clearly compatible or normally compatible with the proposed rectory which is an accessory residential use. The rectory will provide air conditioning and double paned windows which will reduce the impact of exterior noise levels to the proposed use. Long-term noise with project operation would not be substantially higher than the existing levels. Therefore, no persons would be exposed to excessive noise levels and any potential impact would be short-term and considered less than significant.

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

Less than significant impact. Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads.

The project will be constructed using typical construction techniques. Vibration intensive activities, such as pile-driving or sheet piles, are not required as part of this project. As such, it is anticipated that the equipment to be used during construction would not cause excessive groundborne noise or vibration. Post-construction on-site activities would be limited to suburban land uses that do not generate excessive groundborne vibration or noise. Furthermore, the Building Department requires the contactor to notify the adjacent property owners by certified mail 10 days prior to starting shoring or excavation work. Long-term operation of the proposed project will not generate significant groundborne noise and vibration. Therefore, impacts from vibration or noise levels will be less than significant.

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

Less than significant impact. As noted in response XI.a above, the proposed project would not substantially increase ambient noise levels at residential uses in the vicinity of the project due to stationary or mobile noise sources generated by the rectory which is similar to one, single-unit dwelling. Impacts would be less than significant.

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

Less than significant impact. Two types of noise impacts could occur during the construction phase. First, the transport of workers and equipment to the construction site would incrementally increase noise levels along the site's access roadways. The second type of impact is related to noise generated by on-site construction operations. The local residents would be subject to elevated noise levels due to the operation of on-site construction equipment. Construction activities are carried out in phases, each of which have a mix of different types of equipment and consequently, different noise characteristics. These various sequential phases would change the character of the noise levels surrounding the construction site as work progresses.

Noise levels associated with construction activities would be higher than ambient noise levels in the project area today, but would subside once construction of the proposed project is completed. Although there would at times be high intermittent construction noise in the project area during project construction, construction of the project would not significantly affect land uses adjacent to the project site.

Construction of the project is estimated to take approximately eight months and noise generated by construction activities will cease once construction is completed. Noise related impacts are typical to the construction of a single-unit dwelling and the City of Newport Beach limits the hours of noise-generating construction as specified in the standard condition provided below.

Once project construction is complete, exterior ambient noise levels for the rectory are considered similar to that of a single-unit dwelling use. Figures N2 and N5 of the General Plan provided in Appendix H indicate that the project footprint will fall within the 60 and 65 CNEL roadway noise contours. Table N2 of the General Plan indicates that these

community noise levels are clearly compatible or normally compatible with the proposed rectory use which is similar to residential uses. The rectory will provide air conditioning and double paned windows which will reduce the impact of exterior noise levels to the proposed use. Long-term noise with project operation would not be substantially higher than the existing levels. Therefore, any potential impact would be short-term and considered less than significant.

Standard Condition.

Hours of noise-generating construction shall be limited to from 7 a.m. to 6:30 p.m. on weekdays and from 8:00 a.m. to 6:00 p.m. on Saturdays. No construction shall be permitted on Sundays or holidays. Adequate noise control measures at all construction sites shall be ensured through the provision of mufflers and the physical separation of machinery maintenance areas from adjacent uses.

e) For a project located within an airport land use 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?

No impact. The project site is located approximately three miles southeast of John Wayne Airport. The project site is located outside of the 60 dBA CNEL Noise Contour of the John Wayne AELUP as established by the Orange County ALUC. A map of roadway and airport existing and future noise contours in relation to the subject property is included in Figure N2 and N5 of the General Plan (Appendix H). Since the project site is not within two miles of a public airport, there are no impacts related to this issue and no mitigation measures will be required.

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. There are no private airstrips within at least five miles of the project site. No impacts are anticipated and no mitigation measures are required.

XII. 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 rectory is designed to serve existing church members of the adjacent LDS Temple. The introduction of the proposed rectory similar to one, single-unit dwelling will not induce substantial population growth as the State Department of Finance reports the average household size in Newport Beach was 2.19 persons in 2005. Therefore, no significant impacts related to inducing a substantial population growth will result from the proposed project, and no mitigation measures are required.

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

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

No impact (a - b). The proposed project site is currently vacant, with the exception of ornamental landscaping. The project will not require the removal/replacement of any housing structures. Therefore, there are no impacts related to this issue and no mitigation measures will be required.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government 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:

- **Fire protection?**

No impact. The City of Newport Beach Fire Department currently serves the site. The proposed rectory is an addition to the existing LDS Temple complex, within an area dedicated to church religious, recreation, and day care uses. The proposed project is an infill project intended to serve existing church members in the surrounding community and will not require additional fire protection services. The nearest existing fire station is the Newport Center Station which is located approximately two miles from the project site.

The Fire Department reports that the project will not result in a substantial increase in demand for public safety services. In addition, the proposed project will comply with Newport Beach Fire Department standards and will provide the required fuel modification protection area. Therefore, no impacts related to fire protection services will result from the proposed project.

- **Police protection?**

No impact. The City of Newport Beach Police Department currently serves the site. No increase in crime is anticipated with implementation of the proposed project. The Police Department reports that the project will not result in a substantial increase in demand for public safety services. Therefore, no impacts related to police protection services will result from the proposed project.

- **Schools?**

No impact. Since the proposed rectory is similar to a single-unit dwelling, the impact from this additional development will not create a substantial increase in demand for schools in the surrounding community. The proposed project will be assessed fees for the school district fees to off-set any impacts to these public facilities during the plan check process. Therefore, no impacts related to this issue will result from the proposed project and no mitigation measures are required.

Other public facilities?

Less than significant impact. The project will be assessed fair share fees and is exempted from the San Joaquin Hills Transportation Corridor Fee. Therefore, impacts related to public facilities will be less than significant from the proposed project.

XIV. 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 proposed project would result in the construction of a rectory as an accessory use to the existing LDS Temple. Therefore, the proposed project will not increase the use of existing neighborhood and regional parks due to the nature of the proposed development. Individuals utilizing the proposed rectory will be living at the site for the specific purpose of conducting religious functions and gatherings. On-site outdoor passive garden areas will serve the passive recreation needs of those inhabiting the proposed rectory. Figure R13 of the General Plan indicates the subject site is located in Service Area 11 (Harbor View), which contains substantial active and passive recreational facilities with a surplus of park area. The proposed project would not result in a substantial change in the intensity of usage and the impact would not result in substantial physical deterioration of parks in the area. Therefore, impacts related to existing parks and recreational facilities will be less than significant from the proposed project.

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

No impact. The project site has a relatively level building pad that is part of a religious complex that provides on-site passive recreational amenities through the gardens. The project, which is similar to one, single-unit dwelling and is designed to serve individuals who conduct religious functions and gatherings at the LDS Temple, would not require the construction or expansion of new recreational facilities. Therefore, no impacts or adverse physical effects on the environment are anticipated and the project will not have an impact on recreation facilities.

The City of Newport Beach requires a park fee for new dwelling units associated with a subdivision of land, which the City uses for purchasing new park land and upgrading existing facilities. In this case, the proposed project does not include a subdivision of land and park fees are not required for this project.

XV. 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)?

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

Less than significant impact (a-b). The proposed rectory provides 1,825 square feet of living space and a 491-square-foot attached 2-car garage. The proposed project is anticipated to generate a total of 10 trips per day, including one a.m. peak hour trip and one p.m. peak hour trip. Since the project does not generate 300 or more new daily trips, a traffic study is not required. No significant project-related or cumulative long-term traffic impacts to the existing roads would occur as a result of the proposed project and no mitigation measures are required.

The City of Newport Beach Public Works Department has reviewed the proposed project and concluded that the proposed project will not result in any significant impacts to any traffic load and capacity, levels of service, or result in an increase in traffic levels that will result in a safety risk on the existing roads.

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 rectory will provide living accommodations for members of the adjacent LDS Temple who provide religious services on site. As the rectory is similar to a single-unit dwelling, the project will not result in a substantial safety risk due to an increase in air traffic levels. Therefore, there will be no impact to air traffic patterns, and no mitigation measures are required.

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

Less than significant impact. Access to the project site will be provided via a driveway from the existing drive aisle through the surface parking area on the project site. All surrounding drive aisles and roadways are in place and will not be physically altered as a result of the proposed project. The following mitigation measures will ensure that safety standards are adequately met during the plan check process.

e) Result in inadequate emergency access?

No impact. Police and Fire Departments concluded that the proposed project will provide adequate emergency access. Access to the site will be provided via Prairie Road off of Bonita Canyon Drive. Emergency access to the project site will be provided from the southeast corner of the LDS Temple parking lot onto Bonita Canyon Drive. At the time of plan check for building permits, the Building Department will check for Building Code compliance and emergency ingress and egress from inside the dwelling unit to a safe outdoor location. Therefore, there will be no impacts related to emergency access and no mitigation measures are required.

f) Result in inadequate parking capacity?

No impact. The proposed rectory, which is similar to a single-unit dwelling, will be required to provide adequate parking on-site per the City of Newport Beach Zoning Code.

Two enclosed parking spaces are proposed for the rectory which is consistent with development standards for single-unit dwellings throughout the City. The Planning Department will plan check the parking proposed as part of the plan check process.

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

No impact. The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The project does not propose to alter any existing bus turnouts or established alternative transportation programs within the City. The City's Transportation Demand Management (TDM) Ordinance would not apply to this project since it is an accessory use and is not estimated to employ 100 or more persons. No mitigation measures are required.

XVI. UTILITIES & SERVICE SYSTEMS

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

No impact. The project will generate conventional wastewater, which will be collected by the existing sewer and storm drain systems. Wastewater will be treated to acceptable standards in the Irvine Ranch Water District treatment facilities prior to being released to water bodies. Therefore, no impacts related to water quality will result from the proposed project and no mitigation measures are required.

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

No impact. The existing sewer facilities will adequately accommodate the wastewater generation of the proposed project. Therefore, no impacts related to wastewater treatment will result from the proposed project.

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. The two existing storm drains have sufficient capacity to accommodate storm waste runoff. Expansion of existing or construction of new stormwater drainage facilities will not be required. Hydrology and Water Quality best management practices as specified in Appendix B will apply for the fuel modification zone at the eastern edge of the project site to limit soil erosion and pollutants into Bonita Canyon. Therefore, impacts related to storm drainage facilities will be less than significant, and no mitigation measures will be required.

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

No impact. The proposed project will not result in a significant demand for water service. Therefore, no impacts related to water supplies will result from the proposed project.

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

No impact. The proposed project will not generate significant amounts of wastewater since the project is similar to a single-unit dwelling. Therefore, no significant impacts to the wastewater system are anticipated as a result of the proposed project.

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

No impact. The proposed project will be served by County of Orange landfills. The proposed project would not generate a significant amount of solid waste, and there is adequate landfill capacity to meet the waste disposal needs of the area. Therefore, no impacts related to landfills will result from the proposed project.

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

No impact. Private contractors will provide solid waste collection service. All regulations governing solid waste disposal will be complied with. Therefore, no impacts related to this issue will result from the proposed project.

h) Include a new or retrofitted strom water treatment control Best Management Practice (BMP), (e.g. water quality treatment basin, constructed treatment wetland), the operation of which could result in significant environmental effects (e.g. increased vectors and odors)?

Less than significant impact. The proposed has been reviewed by the City of Newport Beach's Utilities Department. The dwelling will need water and sewer services installed per City standard at plan check. Construction and storm water runoff will be limited to a level that is less than significant by the best management practices provided in the Hydrology and Water Quality section of Appendix B.

XVII. 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 period of California history or prehistory?

Less than significant impact with mitigation. The subject site was previously graded and is currently landscaped with limited ornamental landscaping. However, the fuel modification zone has the possibility to reduce the habitat of the California Gnatcatcher and two plant species: the Luguna Beach dudleya and the big-leaved crownbeard. With the mitigation measures stated in Section IV (Biological Resources), the project will have less than a significant impact on the environment. Although the potential for discovery of examples of the major periods of California history or prehistory is minimal since the site was previously graded, the potential for subsurface discovery remains and has been mitigated to a less than significant level. No further mitigation measures are necessary.

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

Less than significant impact. No cumulative impacts are anticipated with this or other projects. All project impacts are less that significant or can be mitigated to a level of insignificance. No other projects have been proposed in the vicinity of the project site that would result in significant impacts.

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

Less than significant impact. Increases in traffic, air pollutant emissions, alterations of views, the introduction of new lighting and glare sources, and traffic congestion have been analyzed in the Initial Study to review the proposed project's potential impacts. As discussed in the respective sections of this document, implementation of the proposed project would not result in potentially significant impacts. However, where impacts were to be potentially significant, mitigation has been provided that will reduce the impact to less than significant. Therefore, the proposed project would have no substantial adverse effects on human beings, either directly or indirectly.

XVIII. STATUTORY AUTHORITY AND EARLIER ANALYSES

In compliance with state law and procedures, the City has determined that a Mitigated Negative Declaration is the appropriate environmental document for the proposed project. In compliance with §15063 of the CEQA Guidelines, the City conducted an Initial Study to determine if the project may have a significant effect on the environment. The preparation of the Initial Study and Mitigated Negative Declaration is governed by two principal sets of documents -- the California Environmental Quality Act, and the CEQA Guidelines (California Code of Regulations §15000, et seq.). Additionally, City of Newport Beach Council Policies and case law provide guidance to this Initial Study and Mitigated Negative Declaration. Section 15063(d)(3) requires that the entries on the Initial Study checklist identifying environmental effects be briefly explained to indicate that there is evidence to support the entries. An Initial Study may rely upon expert opinion supported by facts, technical studies or other substantial evidence to document its findings. Section 15070 identifies that a public agency shall prepare a Negative Declaration or Mitigated Negative Declaration for a project subject to CEQA when the Initial Study shows that the project will not have a significant effect on the environment or the Initial Study identifies potentially significant effects but revisions in the project plans/designs show the effects would be avoided or the effects would be reduced with implementation of mitigation measures to a point where it is clearly shown that no significant impacts to the environment would occur as a result of the project.

As allowed by CEQA, this Mitigated Negative Declaration relies on the General Plan Program EIR (see source list below). CEQA allows that earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration [CEQA Guidelines §15063(c)(3)(D)]. In such case a discussion should identify the following on attached sheets:

a) Earlier analyses used. Identify earlier analyses 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 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.

In the case of this Mitigated Negative Declaration, where the General Plan EIR is relied upon, the analysis of the issue indicates what information has been used and the extent to which information and mitigation measures are relied upon.

XIX. INCORPORATION BY REFERENCE AND SOURCE LIST

Certain documents are incorporated by reference into this Initial Study and Mitigated Negative Declaration pursuant to CEQA Guidelines §15150. These documents are identified in the Initial Study Checklist discussion above (all are available for review at City of Newport Beach, Planning Department, 3300 Newport Boulevard, Newport Beach, California 92660). When a document is referenced and/or incorporated by reference, its pertinent sections are briefly summarized in Initial Study Checklist discussion above.

The following documents are available at the offices of the City of Newport Beach, Planning Department, 3300 Newport Boulevard, Newport Beach, California 92660.

1. Final Program EIR – City of Newport Beach General Plan, 2006
2. General Plan, including all its elements, City of Newport Beach, 2006
3. PC-50 (Bonita Canyon Planned Community, Sub-area 7 Public/Semi-Public)
4. Zoning map, revised February 2009
5. Title 20, Zoning Code of the Newport Beach Municipal Code.
6. EIR – Church of Jesus Christ of Latter Day Saints (LDS Temple), State Clearinghouse No. 2002031048, June, 2002
7. Map of Orange County important farmland – 2006 reference ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2006/ora06.pdf
8. Williamson Act Program http://www.conservation.ca.gov/dlrp/lca/Pages/Index.aspx
9. Air Quality Management District http://www.aqmd.gov/
10. South Coast Air Quality Management District, Air Quality Management Plan 2007
11. South Coast Air Quality Management district, CEQA Handbook, 1993
12. SCAQMD Rule 403, Fugitive Dust http://planning.lacounty.gov/assets/upl/case/tr_53108_volume-5-appendix-c9-fugitivedust.pdf
13. Nature Reserve Orange County http://www.naturereserveoc.org/NCCP%20EIR%20Map%20Section.pdf

14. Draft Phase II Archaeology Testing at CA-ORA-124/134 Irvine, California on September 16, 1992 by LSA Associates, Inc.

15. Cultural/Scientific Resources Salvage and Monitoring Procedures for Parcel 1, TP&1-270, 10396-CPS, revised October 21, 1992 by LSA Associates

16. City Excavation and Grading Code, Newport Beach Municipal Code.

17. Hydrology Analysis for Parcel Map 91-270, Parcel 1, City of Newport Beach, prepared by Hunsaker & Associates in 2002

18. National Geologic Map Database, Rogers, T.H., 1965, Geologic map of California: Santa Ana sheet: California Division of Mines and Geology, scale 1:250000 http://ngmdb.usgs.gov/ngm-bin/ILView.pl?sid=452_1.sid&vtype=b&sfact=1.5

19. USGS Mineral Resources On-Line Spatial Data Orange County http://tin.er.usgs.gov/mrds/select.php?place=f06059&div=fips

20. Chapter 10.28, Community Noise Ordinance of the Newport Beach Municipal Code