



## **11.1 Notice of Preparation and Comment Letters**

---





# NOTICE OF PREPARATION

**Date:** November 6, 2013

**To:** Reviewing Agencies and Other Interested Parties

**Subject:** Notice of Preparation of a Draft Environmental Impact Report

**Project Title:** Lido House Hotel

**Project Applicant:** R.D. Olson Development

**Scoping Meeting:** November 20, 2013 at 6:00 P.M.

The purpose of this Notice of Preparation (NOP) is to notify potential Responsible Agencies (Agencies) that the Lead Agency, the City of Newport Beach, plans to prepare a Project-level Environmental Impact Report (EIR) for the proposed Lido House Hotel (Project) and to solicit comments and suggestions regarding (1) the scope and content of the EIR and (2) the environmental issues and alternatives to be addressed in the EIR (California Environmental Quality Act [CEQA] Guidelines §15082). This NOP also provides notice to interested parties, organizations, and individuals of the preparation of the EIR and requests comments on the scope and contents of the environmental document.

The City of Newport Beach requests your careful review and consideration of this notice, and it invites any and all input and comments from interested Agencies, persons, and organizations regarding the preparation of the EIR. Pursuant to CEQA §21080.4, Agencies must submit any comments in response to this notice no later than 30 days beginning November 6, 2013, and ending the close of business on December 5, 2013. This NOP is available for view at the City of Newport Beach Planning Division, 100 Civic Center Drive, Newport Beach, California 92660, and can also be accessed online at:

<http://www.newportbeachca.gov/ceqadocuments>.

All comments or other responses to this notice should be submitted in writing to:

James Campbell, Principal Planner  
City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, California 92660  
[jcampbell@newportbeachca.gov](mailto:jcampbell@newportbeachca.gov)  
949.644.3210

The City will conduct a public scoping meeting in conjunction with this Notice of Preparation in order to present the Project and the EIR process and to receive public comments and suggestions regarding the scope and content of the EIR. The meeting will be held on November 20, 2013, at 6:00 P.M. at the old City Council Chambers, 3300 Newport Boulevard.

**Project Location.** The 4.27 acre site (3300 Newport Boulevard) is located at the northeast corner of the intersection of Newport Boulevard and 32<sup>nd</sup> Street on the Balboa Peninsula in the Lido Village area of Newport Beach.

**Background and History.** The project site is currently occupied by the former Newport Beach City Hall Complex, which supports approximately 65,000 square feet of administration/office floor area (previously used to support the former City of Newport Beach City Hall) and the existing Newport Beach Fire Department Fire Station No. 2 that is approximately 7,100 square feet. The City relocated City Hall staff from the site to the new Civic Center located at Newport Center in May of 2013, although the City continues limited use of various buildings. Fire Station No. 2 remains staffed and in operation at the project site.

For the past two decades, the City has considered making changes to its City Hall. Beginning in 2001, a thorough analysis of the existing City Hall Complex was performed. The study found that the aging facility had several significant problems including insufficient work space, lack of adequate parking, lack of full Americans with Disabilities Act (ADA) accessibility to every aspect of the Complex, and inefficient heating, ventilation, air conditioning (HVAC) and electrical systems. A new City Hall building was needed; however, funding and location issues still needed to be resolved. The City's Facilities Finance Review Committee determined that Newport Beach had the financial means to build a new City Hall along with the ability to finance other key city infrastructure improvements. The location of a new City Hall was a matter of much public debate that was resolved in February 2008, when a special ballot measure, Measure B, was approved by voters. Measure B amended the City Charter to say that City Hall should be on city-owned land on Avocado Avenue in the Newport Center. With the location determined, the City began the planning, design, and construction process for a new City Hall. Construction began at the new site in May of 2010 and has since been completed.

Planning for the re-use of the existing City Hall Complex began in 2010, with comprehensive re-imagining of the entire Lido Village area. The overall goal was to revitalize the area and create an inviting place for residents, visitors, and businesses. In January of 2011, the City approved "Concept Plan 5B" that provided a vision for the Lido Village area including the re-use of the Former City Hall Complex. Concept Plan 5B is a non-binding, non-regulatory plan that suggested the site be used for a variety of uses including a small community center, public plazas and promenades, residential uses, commercial uses, public parking, and a fire station. The concept plan also suggested new aesthetic and pedestrian-oriented improvements to the existing public streets in the area (Newport Boulevard, Via Lido, 32<sup>nd</sup> Street, Via Oporto, and Via Malaga). Planning for the site continued in 2011 and 2012, with the creation and adoption of the *Lido Village Design Guidelines* following extensive public input and involvement. The Design Guidelines do not address future land uses, but rather describe the overall design themes for future development within Lido Village. Since the adoption of the Design Guidelines in January of 2012, the City has focused on identifying appropriate land uses for the site, including the density and intensity of that use.

On September 25, 2012, the City Council approved a project description described as the "City Hall Reuse Project." Development considerations at this site included amending the General Plan, Coastal Land Use Plan (CLUP), and Zoning Code designations from "Public Facilities" to new "Mixed Use" designations in order to allow for the reuse of the 4.27 (gross) acre property. If approved, these amendments would allow for redevelopment of the former City Hall Complex property with a combination of land uses, including up to 99 market rate multiple-family residential dwelling units (e.g., mid-rise apartment), a hotel with a floor area of up to a maximum of 99,674 square feet, and up to 15,000 square feet of specialty retail uses. The

proposed amendments would also establish a 55-foot maximum building height (with architectural features up to 65 feet in height) in order to accommodate four-story buildings. Demolition of the existing buildings, establishment of interim uses, or construction of a specific project was not contemplated at that time. An Initial Study/Negative Declaration (IS/ND) was prepared for the City Hall Reuse Project and brought to the City Council for consideration; however, the IS/ND was not adopted.

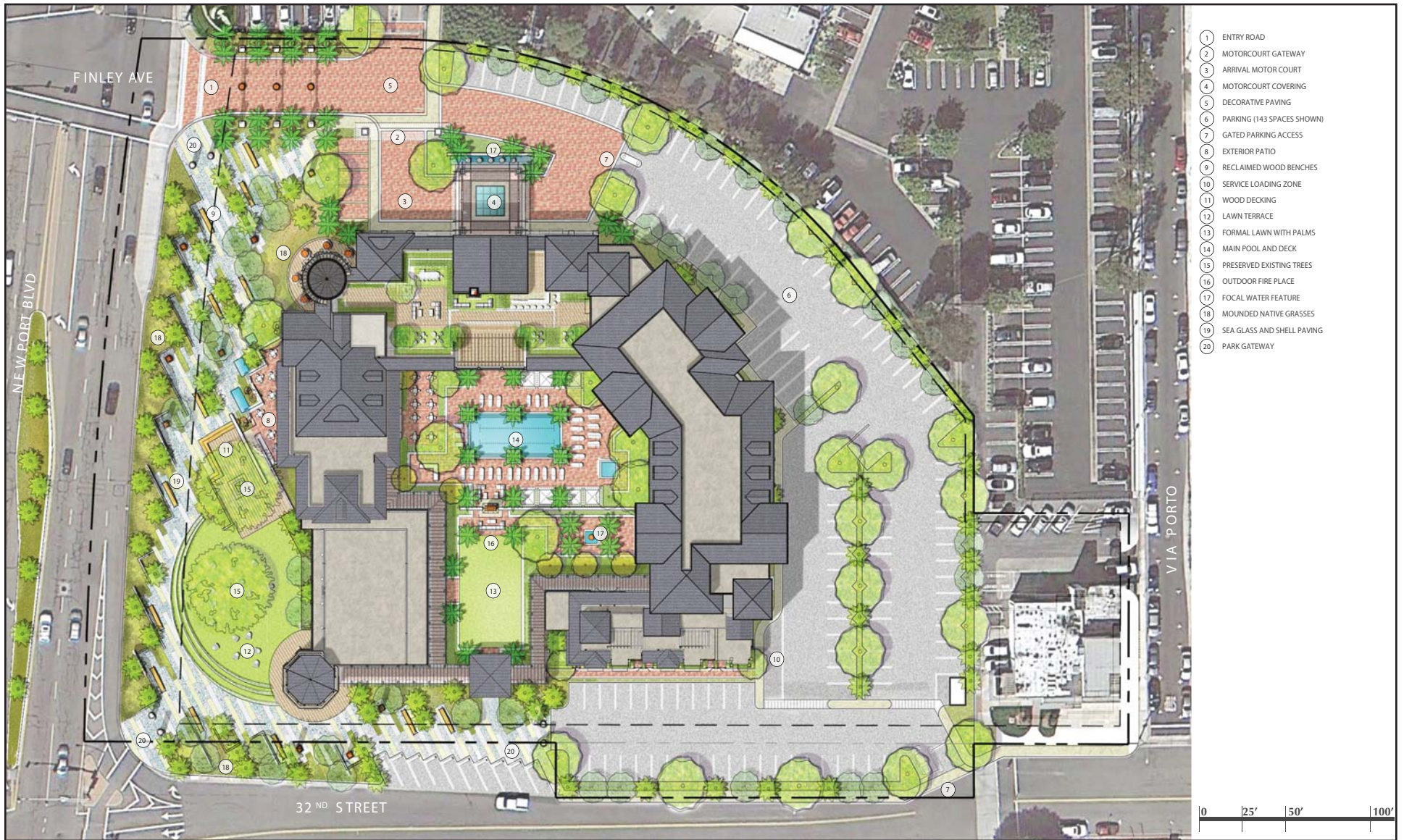
**Project Description.** The City plans to lease the majority of the site for the development of a 130-room Lido House Hotel, the subject of this Notice of Preparation; refer to Exhibit 1, *Conceptual Site Layout*. The proposed hotel would also include meeting rooms, accessory retail spaces, a restaurant, lobby bar, rooftop bar, guest pool and recreational areas, and all required appurtenant facilities including, but not limited to on-site parking, landscaping, utilities, and adjoining public improvements. The hotel would be no larger than 99,625 gross square feet. The project would also provide 143 surface parking spaces and would accommodate additional parking through active parking management including valet parking service.

The proposed architecture is planned to be consistent with the *Lido Village Design Guidelines*. The proposed structures would be approximately four-stories with architectural features up to 58.5-feet in height. The project would also include public open spaces consisting of pedestrian plazas, landscape areas, and other amenities proposed to be located along Newport Boulevard and 32<sup>nd</sup> Street. Landscaping within the public plaza space along Newport Boulevard would include a variation of grasses, shrubs, and trees. This plaza area would also include architectural features such as sea glass and shell paving, reclaimed wood benches, wood decking, a lawn terrace, and a park gateway.

The City is also considering relocating a portion of the existing, angled, metered parking on the north side of 32<sup>nd</sup> Street (just south of the old City Council Chambers) further to the east in front of St. James Church, which is located just west of Lafayette Road. Currently, there is excess street capacity along 32<sup>nd</sup> Street (just west of Lafayette Road) that would be modified in order to accommodate angled parking along the north side of 32<sup>nd</sup> Street in front of the church and travel lanes. This would also pull the curb line along the project site south and 32<sup>nd</sup> Street would be restriped with the intent to modestly “straighten” out the westbound traffic lane to improve vehicle maneuvering.

The project includes the following discretionary actions:

1. General Plan Amendment (GPA) - The amendment includes a text and map change to replace the existing Public Facilities (PF) designation for the site with a new mixed-use land use category (MU-H5) and establish density and intensity limits within Table LU-2 of the Land Use Element by establishing a new anomaly location.
2. Coastal Land Use Plan Amendment (CLUP) - The amendment includes a text and map change to replace the existing Public Facilities (PF) designation for the site with a new mixed-use land use category (MU) and establish density and intensity limits within Table 2.1.1-1. The proposed amendment also includes a change to Policy 4.4.2-1 to establish the policy basis for higher height limits.



- 1 ENTRY ROAD
- 2 MOTORCOURT GATEWAY
- 3 ARRIVAL MOTOR COURT
- 4 MOTORCOURT COVERING
- 5 DECORATIVE PAVING
- 6 PARKING (143 SPACES SHOWN)
- 7 GATED PARKING ACCESS
- 8 EXTERIOR PATIO
- 9 RECLAIMED WOOD BENCHES
- 10 SERVICE LOADING ZONE
- 11 WOOD DECKING
- 12 LAWN TERRACE
- 13 FORMAL LAWN WITH PALMS
- 14 MAIN POOL AND DECK
- 15 PRESERVED EXISTING TREES
- 16 OUTDOOR FIRE PLACE
- 17 FOCAL WATER FEATURE
- 18 MOUNDED NATIVE GRASSES
- 19 SEA GLASS AND SHELL PAVING
- 20 PARK GATEWAY

Source: WATG Architecture | Landscape.

3. Zoning Code Amendment - The amendment includes a text and map change to replace the existing Public Facilities (PF) zoning designation for the site with a new zone MU-LV designation (Mixed-Use-Lido Village) to establish density and intensity limits consistent with the proposed General Plan amendment. Development standards and allowed uses would also be established.
4. Site Development Review or Planned Development Permit - Either application process is authorized by the Zoning Code for the redevelopment of the site with the proposed Lido House Hotel and all appurtenant facilities. Redevelopment of the site includes the demolition of all on-site structures with the exception of Fire Station No. 2 and its appurtenant facilities. The project would include the provision of necessary utility connections to serve the proposed project. Public improvements consisting of modifying existing street improvements within abutting rights of way are also included. The project applicant would provide detailed plans including a site plan, floor plans, and elevation plans.
5. Conditional Use Permit – A Conditional Use Permit application for the proposed hotel including establishing necessary parking and any parking management provision.

**Environmental Analysis.** Due to the decision to prepare an Environmental Impact Report, an Initial Study was not prepared. This option is permitted under *CEQA Guidelines* Section 15063(a), which states that if the Lead Agency determines an EIR will be required for a project, the Lead Agency may skip further initial review and begin work on the EIR. The Draft EIR will focus on the following environmental issues:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

The Project-level EIR will particularly focus on the following topical areas:

*Aesthetics and Shade/Shadow.* The project represents a permanent change from the site's present visual character and could impact scenic vistas in the area, including those views from Sunset View Park, Cliff Drive Park, and Ensign View Park. The proposed project would also generate additional light and glare

during construction and at buildout and potentially shade shadow-sensitive uses as a result of increased heights. The Draft EIR will address aesthetics, shade/shadow, and light/glare issues.

*Air Quality.* The project may result in air quality impacts due to temporary construction-related emissions, as well as long-term air emissions from project operations associated with daily automobile traffic, in addition to energy consumption. Short-term construction air quality impacts that may occur include dust generation, construction vehicle emissions, and possible odors. With the development of the project, long-term air quality impacts may occur within the South Coast Air Basin. These issues will be addressed in the Draft EIR, including project consistency with regional air quality planning programs.

*Biological Resources.* The proposed project is primarily developed/disturbed, with the former City Hall Complex. The project site is not inhabited by native wildlife and vegetation, and is not known to support sensitive biological resources, other than six existing trees located on-site. The project could adversely impact these special status trees on-site. The Draft EIR will incorporate a *Habitat Assessment* and analyze the potential for biological resource impacts to tree species.

*Cultural and Historic Resources.* No culturally significant resources are known to exist at the site. The City of Newport Beach has previously conducted tribal consultation as required by Senate Bill 18 for the project site. However, the potential exists for the project to encounter unidentified prehistoric and historic resources that have not been subject to cultural resource studies. The Draft EIR will address potential cultural and historic resource impacts as a result of the proposed project.

*Geology and Soils.* The City of Newport Beach is situated within a seismically active region, capable of producing surface rupture, ground motion, liquefaction, or soil settlement of sufficient magnitude to damage buildings or structures during an earthquake. A *Geotechnical Report* will be incorporated into the Draft EIR and impacts associated with the potential for fault rupture, seismic hazards, landform modifications, and soil erosion will be considered.

*Greenhouse Gas Analysis/Climate Change.* Development of the proposed project could increase greenhouse gas emissions both during construction and operations of the project. The Draft EIR will analyze short-term construction activities, long-term operations, buildings, and transportation as these activities pertain to greenhouse gas emissions.

*Hazards and Hazardous Materials.* The existing on-site buildings and associated facilities are proposed to be demolished, which may result in the exposure to hazardous materials including asbestos, lead paints, and other hazardous materials. The Draft EIR will identify whether or not the proposed project would emit hazardous materials and/or interfere with any emergency response plans. Potential impacts to nearby residents and schools, if applicable, will also be evaluated.

*Hydrology and Water Quality.* The project site is situated adjacent to Newport Bay. According to flood hazard maps published by the Federal Emergency Management Agency, the project site is situated outside of the 100- and 500-year floodplains. The project would generate pollutants typical of urban development, which may adversely impact the beneficial uses of Newport Bay. The Draft EIR will analyze short-term temporary construction-related effects on hydrology and water quality; long-term project-related water quality; permanent changes to stormwater drainage and/or flooding; project-related impacts to groundwater quantity and quality; and off-site hydrology and water quality impacts.



Land Use and Relevant Planning. The proposed project will be evaluated in regards to consistency with the City of Newport Beach *General Plan, Municipal Code and Zoning Ordinance*, and the *Coastal Land Use Plan*. The proposed project will require a General Plan Amendment and Zone Code Amendment. The project's potential adverse impacts to adjacent land uses will also be evaluated through an analysis of short-term construction activities and long-term operations.

Noise. The development of the project may result in short-term construction noise and long-term changes in noise levels in the area due to traffic volume changes along area roadways. Project-related on-site activities and off-site mobile noise (from motor vehicles) may adversely affect adjacent sensitive receptors and locations through major travel routes in the City. The Draft EIR will summarize these potential noise-related issues.

Public Services and Utilities. Potentially affected agencies will be contacted to confirm relevant existing conditions, project impacts, and recommended mitigation measures. The discussion will focus on the potential alteration of existing facilities, extension or expansion of new facilities, and the increased demand on services based on the proposed land uses. The Draft EIR will evaluate the ability of the project to receive adequate service based on applicable City standards and, where adequate services are not available, will identify the effects of inadequate service and recommended mitigation measures.

Traffic and Parking. Potential impacts associated with construction-related traffic, project-related operational traffic, internal circulation, and emergency access of the project may occur. The project proposes various on-site and off-site circulation improvements, which may affect access, parking, and/or traffic volumes. The Draft EIR will summarize the results of a Traffic Impact Assessment addressing these issues and a Parking Study will be prepared that considers potential parking-related impacts.

Cumulative Impacts. Consistent with Section 15130 of the CEQA Guidelines, the Draft EIR will discuss cumulative impacts of the proposed project, addressing each topic covered in the environmental analysis.

Effects Not Found to be Significant. This section will discuss those environmental issues found not to have an impact as a result of the proposed project including.

Significant and Unavoidable Environmental Effects. This section will describe any significant and unavoidable impacts on the environment that cannot be avoided or reduced to a less than significant level with the application of mitigation measures.

Growth Inducing Effects. As a required discussion according to CEQA Section 15126.2(d), the Draft EIR will include a discussion of growth inducing effects. The anticipated growth conditions in the project area and parameters for consideration of any secondary impacts from growth will be discussed. The section will evaluate the potential for the proposed project to generate additional growth in the area using standard growth analysis criteria, such as the project's potential to foster economic or population growth or its potential to remove obstacles to population growth through extension of infrastructure.

Project Alternatives. Under CEQA, environmental documentation must include an analysis of a reasonable range of alternatives to the project, including the "No Project" alternative. Each alternative will be contrasted with the proposed project in terms of the extent to which project's objectives are met and a reduction in adverse impacts is achieved. The environmentally superior alternative will be identified.

This page left intentionally blank.



## **NOP Comment Letters**



From: Jeri [brannonjer@aol.com]  
Sent: Thursday, November 14, 2013 4:27 PM  
To: Campbell, James  
Subject: Lido house hotel

Hi I live in close proximity to the proposed site. My concern is not for guest parking but employee parking considerations my hope is to keep the residential street available to residents. Has this issue been addressed?

Thank you

Jeri Brannon  
605 Clubhouse Ave.

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., GOVERNOR

CALIFORNIA COASTAL COMMISSION

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



FAX TRANSMITTAL FORM

Date: 12/6/13

No. of Pages (Including Cover): 6

TO: JAMES CAMPBELL  
 Fax Number: (949) 644-3250

FROM: PERTIE SY FAX Number: 562-590-5084

Subject: LIDO HOUSE HOTEL REUSE PROJECT

Comments: SCM # 201311022

---

---

---

---

---

---

---

---

- |  |   |
|--|---|
| <input type="checkbox"/> Urgent/Hand Carry | <input type="checkbox"/> Per Your Request     |
| <input type="checkbox"/> Confidential      | <input type="checkbox"/> Please Comment       |
| <input type="checkbox"/> Information       | <input type="checkbox"/> Original Will Follow |

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-6071



December 6, 2013

James Campbell  
City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660

**Re: Lido House Hotel Project  
Draft Environmental Impact Report (SCH# 2013111022)**

Dear Mr. Campbell,

Thank you for the opportunity to review the Notice of Preparation for the Environmental Impact Report for the Lido House Hotel Project. According to the Notice of Preparation, the proposal includes demolition of the existing City Hall Complex and construction of a 130-room Lido House Hotel, which also includes meeting rooms, accessory retail spaces, a restaurant, lobby bar, rooftop bar, guest pool, recreational areas, landscape, hardscape, and a 143 surface parking spaces. Additionally, the proposal includes amending the Land Use Element of the Newport Beach General Plan, the Coastal Land Use Plan and the Zoning Code to allow for the redevelopment/reuse of the existing City Hall Complex property. Regarding the Coastal Land Use Plan, it would be amended to change the existing Public Facilities (PF) designation to a new Mixed-Use (MU) land use designation. A change to Policy 4.4.2-1 of the Coastal Land Use Plan is also proposed that would allow the 35-foot height limit for the site (the site is located in the Shoreline Height Limitation Zone) to be exceeded. The policy change would allow buildings and structures up to 55-feet in height and also allow architectural features to exceed 55-feet by 10-feet for a maximum height of 65-feet.

The proposed project is located within the Coastal Zone in the City of Newport Beach. The proposed development will require an amendment to the City's Coastal Land Use Plan and a Coastal Development Permit from the California Coastal Commission.

The following comments address the issue of the proposed project's consistency with the Chapter 3 policies of the California Coastal Act of 1976. The comments contained herein are preliminary and those of Coastal Commission staff only and should not be construed as representing the opinion of the Coastal Commission itself.

Coastal Commission staff commented on the previously circulated Initial Study/Negative Declaration for development on the same site (City Hall Reuse Project) in a letter dated December 19, 2012. In that letter, Coastal Commission staff raised concerns regarding the proposed land use change, as well as, height of the proposed development. Coastal Commission staff still has the same concerns. Thus, please refer to that previous letter and address those comments. In addition to those previously stated concerns, the proposed project raises additional issues related to land use. Located on the next page are the additional comments by Commission staff on the Notice of Preparation Report.

Notice of Preparation  
Lido House Hotel Project  
Page 2 of 2

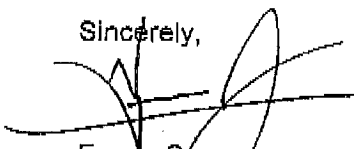
## LAND USE

The proposed project includes the construction of a new 130-room hotel. Will the new hotel provide "lower cost" or "higher cost" accommodations? Lower cost accommodations would be more affordable to a larger segment of the general population. Thus, the preference is to provide "lower cost" accommodations onsite in place of "higher cost" accommodations. However, if that option is not chosen, an in-lieu fee might be required. The City's Coastal Land Use Plan includes a policy regarding lower cost visitor and recreation facilities and "in-lieu" fees. Therefore, please describe how the proposed project is consistent with Policy 2.3.3-1 of the Coastal Land Use Plan, which states:

- 2.3.3-1.** *Lower-cost visitor and recreational facilities, including campgrounds, recreational vehicle parks, hostels, and lower-cost hotels and motels, shall be protected, encouraged and, where feasible, provided. Developments providing public recreational opportunities are preferred. New development that eliminates existing lower-cost accommodations or provides high-cost overnight visitor accommodations or limited use overnight visitor accommodations such as timeshares, fractional ownership and condominium-hotels shall provide lower-cost overnight visitor accommodations commensurate with the impact of the development on lower-cost overnight visitor accommodations in Newport Beach or pay an "in-lieu" fee to the City in an amount to be determined in accordance with law that shall be used by the City to provide lower-cost overnight visitor accommodations.*

Thank you for the opportunity to comment on the Notice of Preparation for the Environmental Impact Report for the Lido House Hotel Project. Commission staff request notification of any future activity associated with this project or related projects. Please note, the comments provided herein are preliminary in nature. Additional and more specific comments may be appropriate as the project develops into final form and when an application is submitted for a Coastal Land Use Plan amendment and Coastal Development Permit. Please feel free to contact me at 562-590-5071 with any questions.

Sincerely,



Fernie Sy  
Coastal Program Analyst II

Attachments: *Letter dated December 19, 2013*

Cc: State Clearinghouse



STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR, Governor

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 OceanGate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071



December 19, 2012

James Campbell, Principal Planner  
City of Newport Beach Planning Department  
3300 Newport Boulevard, P.O. Box 1768  
Newport Beach, CA 92658-8915

**Re: City Hall Reuse Project  
Draft Environmental Impact Report (SCH# 2012111074)**

Dear Mr. Campbell,

Thank you for the opportunity to review the Initial Study/Negative Declaration Report for the City Hall Reuse Project. According to the Initial Study/Negative Declaration Report, the proposal includes amending the Land Use Element of the Newport Beach General Plan, the Coastal Land Use Plan and the Zoning Code to allow for the redevelopment/reuse of the existing City Hall Complex property. The land use designation on the City's Land Use Element Map would be amended to replace the Public Facilities (PF) land use designation with a new Mixed-Use-Horizontal (MU-H5) land use designation for the City Hall site. Similarly, the Coastal Land Use Plan would also be amended to amend the Public Facilities (PF) designation to reflect the new Mixed-Use (MU) land use designation. Lastly, the Public Facilities (PF) zoning on the subject property would also be changed to the new Mixed Use-Lido Village (MU-LV) zoning. The document states that the Mixed Use land use designation and zoning for the City Hall site would allow for a potential mixed-use development that would also include provisions for open space, including public plazas and promenades. A change to Policy 4.4.2-1 of the Coastal Land Use Plan is also proposed that would allow the 35-foot height limit for the site (the site is located in the Shoreline Height Limitation Zone) to be exceeded. The policy change would allow buildings and structures up to 55-feet in height and also allow architectural features to exceed 55-feet by 10-feet for a maximum height of 65-feet.

The proposed project is located within the Coastal Zone in the City of Newport Beach. The proposed development will require an amendment to the City's Coastal Land Use Plan and a Coastal Development Permit from the California Coastal Commission.

The following comments address the issue of the proposed project's consistency with the Chapter 3 policies of the California Coastal Act of 1976. The comments contained herein are preliminary and those of Coastal Commission staff only and should not be construed as representing the opinion of the Coastal Commission itself. As described below, the proposed project raises issues related to land use and visual impacts.

Below are the comments by Commission staff on the Initial Study/Negative Declaration Report.

Initial Study/Negative Declaration Report  
City Hall Reuse Project  
Page 2 of 3

## LAND USE

Section 30213 of the Coastal Act requires the protection and encouragement of lower cost visitor and recreational facilities and gives preference to such development. Section 30222 of the Coastal Act places a priority on visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation, which have priority over private residential, general industrial and general commercial development. The proposed land use and zoning amendments would allow for a variety of future land uses on site, including residential, hotel, retail, a community center and fire station and open space. However, it appears that an emphasis has been placed on only future commercial and residential development on site, which are lesser priority uses in the Coastal Act. Lower cost coastal recreation opportunities, such as parks, open space, lower cost overnight accommodations such as hostels, etc. that provide opportunities for the public to enjoy the coast are higher priority uses in the Coastal Act. Thus, the Commission staff requests that an alternatives discussion be included in the Initial Study/Negative Declaration Report discussing other potential lower cost coastal recreation uses on site, including higher priority uses consistent with the Coastal Act such as, parks, open space, hostels, etc.

Many times in the Initial Study/Negative Declaration Report, reference is made to the *Lido Village Design Guidelines*, which the report states will assist in site development. According to the Initial Study/Negative Declaration Report, these guidelines dictate site design, building massing and height, architecture and landscape architecture, lighting, open space amenities, etc. and concludes that any development on site will be consistent with those guidelines. Please be aware that this document has not been reviewed nor certified by the Commission. The proposed project must be consistent with the Chapter 3 policies of the California Coastal Act of 1976, with the City's certified Coastal Land Use Plan used as guidance.

## VISUAL IMPACTS

The Initial Study/Negative Declaration Report also evaluated a proposed change to Policy 4.4.2-1 of the Coastal Land Use Plan, which currently limits development in the Shoreline Height Limitation Zone, which the City Hall site is located within, to a 35-foot height limit. The policy change involves modifying the policy to allow buildings and structures up to 55-feet in height and also allow architectural features to exceed 55-feet by 10-feet for a maximum height of 65-feet on the subject site. The Initial Study/Negative Declaration Report provides an analysis of how this height would not impact coastal views from a number of areas. However, it fails to include a thorough discussion of how the proposed height would be compatible with the surrounding area. At most the document states the following: "*Several other taller residential, offices, and a mixed use building are also located in the vicinity of the project and within the view.*" A more complete analysis that discusses how the proposed height is compatible with the existing community character is needed. For example, what are the heights of these other structures that the document says the proposed height would be compatible to?, where specifically are these structures?, why is this excessive height necessary? etc.

Currently, the City of Newport Beach is processing an amendment to their certified Coastal Land Use Plan, more specifically Policy 4.4.2-1. That is the same policy that is also being proposed to be amended to include an allowance to deviate from the 35-foot height limit of the Shoreline Height Limitation Zone. The Coastal Land Use Plan amendment proposes to modify the policy to allow a 73-foot tower element at the Marina Park site. This amendment language

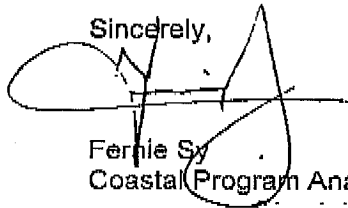
Initial Study/Negative Declaration Report  
City Hall Reuse Project  
Page 3 of 3

is shown in your Initial Study/Negative Declaration Report as if it were already approved by the Commission. Please be aware that this amendment/language has not yet been approved by the Commission. It still needs to be analyzed and processed by the Commission. Both of these changes to the height limit raise significant concerns regarding adverse impacts to public views and consistency with community character and thus need to be thoroughly reviewed.

Commission staff wouldn't want the City and/or potential private entity to invest significantly in a proposal that may be profoundly at odds with the policies of the Coastal Act. Given the concerns raised above regarding both the land use and allowable height, we strongly encourage the City to complete processing its amendment to the Coastal Land Use Plan with the Commission before any specific project is contemplated on the project site. The outcome of that process could fundamentally change/effect the type of development the Commission would find to be appropriate at the site under the Coastal Act.

Thank you for the opportunity to comment on the Initial Study/Negative Declaration Report for the City Hall Reuse Project. Commission staff request notification of any future activity associated with this project or related projects. Please note, the comments provided herein are preliminary in nature. Additional and more specific comments may be appropriate as the project develops into final form and when an application is submitted for a Coastal Land Use Plan amendment and Coastal Development Permit. Please feel free to contact me at 562-590-5071 with any questions.

Sincerely,



Fernie Sy  
Coastal Program Analyst II

Cc: State Clearinghouse



# CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

---

November 20, 2013

James Campbell, Principal Planner  
City of Newport Beach, Community Development Department  
100 Civic Center Drive  
Newport Beach, CA 92660

**SUBJECT: NOTICE OF PREPARATION – LIDO HOUSE HOTEL**

Dear Mr. Campbell

Thank you for the opportunity to provide comments on the Initial Study/Notice of Preparation related to Lido House Hotel Project. In response to the available NOP, we have the following comment:

Traffic Impacts:

- Include traffic analysis related to all intersections within the City of Costa Mesa where the proposed project potentially increases the peak hour traffic by 50 trips.

We look forward to participating in any additional reviews before completion of the draft EIR and thank you for considering the City's comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Minoo Ashabi".

MINOO ASHABI, AIA  
Principal Planner



1919 S. State College Blvd.  
Anaheim, CA 92806-6114



RECEIVED BY  
COMMUNITY  
DEC 03 2013  
DEVELOPMENT  
CITY OF NEWPORT BEACH

November 22, 2013

City of Newport Beach  
100 Civic Center Drive  
Newport Beach, CA 92660

Attn: James Campbell

**Subject: Environmental Impact Report for Lido House Hotel**

Thank you for providing the opportunity to respond to this E.I.R. Document. We are pleased to inform you that Southern California Gas Company has facilities in the area where the aforementioned project is proposed. Gas service to the project can be provided from an existing gas main located in various locations. The service will be in accordance with the Company's policies and extension rules on file with the California Public Utilities Commission when the contractual arrangements are made.

This letter is not a contractual commitment to serve the proposed project but is only provided as an informational service. The availability of natural gas service is based upon conditions of gas supply and regulatory agencies. As a Public Utility, Southern California Gas Company is under the jurisdiction of the California Public Utilities Commission. Our ability to serve can also be affected by actions of federal regulatory agencies. Should these agencies take any action, which affect gas supply or the conditions under which service is available, gas service will be provided in accordance with the revised conditions.

This letter is also provided without considering any conditions or non-utility laws and regulations (such as environmental regulations), which could affect construction of a main and/or service line extension (i.e., if hazardous wastes were encountered in the process of installing the line). The regulations can only be determined around the time contractual arrangements are made and construction has begun.

Estimates of gas usage for residential and non-residential projects are developed on an individual basis and are obtained from the Commercial-Industrial/Residential Market Services Staff by calling (800) 427-2000 (Commercial/Industrial Customers) (800) 427-2200 (Residential Customers). We have developed several programs, which are available upon request to provide assistance in selecting the most energy efficient appliances or systems for a particular project. If you desire further information on any of our energy conservation programs, please contact this office for assistance.

Sincerely,

Armando Torrez  
Technical Services Supervisor  
Orange Coast Region- Anaheim

**From:** dehclu@aol.com  
**Sent:** Thursday, November 14, 2013 5:46 PM  
**To:** Campbell, James  
**Subject:** Plans for the Old City Hall Site

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We are 42 year residents of Lido Island and have known Newport Beach all our lives. We had hoped that the old City Hall site might become a mini-park...in our estimation, a more welcoming site to the Peninsula. But We aren't surprised that the "Powers that be" are more interested in more tax dollars. Soooo....our concern is now the preservation of the Firehouse site. We see that you say it will NOT be included in the redevelopment of the 4.6 acres.

We only wish We could trust that it would be so. We can't imagine a Hotel next door to such an active Firehouse. one that serves us so well. We have used the Paramedics twice and have had the Firemen deal with a major home fire three houses away. Every day, we hear the Firehouse response to local needs.

If the Hotel can be built to withstand the noise they are going to have, so be it. We'd hate to be a guest of such a place!! But they should be prevented from ANY future complaint, such as that which has come from residents of the Cannery Village about late night noise.

We have suggested to LICA that relocation of the Firehouse would not only affect the response time to Lido or Peninsula needs but to an increase in our Fire Insurance rates which are based on location to a Firehouse.

We the Citizens of Newport Beach should be listened to in this matter, Please take our concern to heart. Thank you!! Nancy and Dan Harris 109 Via Ravenna Newport Beach 92663 949-675-8941 [dehclu@aol.com](mailto:dehclu@aol.com)

DAN HARRIS  
DAN & NANCY HARRIS  
AUNT NANCY & UNCLE DAN  
NINI & BIG D  
AUNT NANCY  
NANCY

# PAUL HASTINGS

1(714) 668-6291  
donaldmorrow@paulhastings.com

December 5, 2013

**VIA UPS OVERNIGHT AND EMAIL: [JCAMPBELL@NEWPORTBEACHCA.GOV](mailto:JCAMPBELL@NEWPORTBEACHCA.GOV)**

Mr. James Campbell, Principal Planner  
City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, California 92660

**RE: LIDO HOUSE HOTEL, Notice of Preparation of a Draft Environmental Impact Report**

Dear Mr. Campbell,

We represent and are writing on behalf of Lido Partners, the owner of the property immediately adjoining the subject property and commonly referred to as "Via Lido Plaza." Via Lido Plaza has been continuously operated as a commercial center since the 1940's. Via Lido Plaza has a recorded easement for ingress and egress over the subject property to the east of the intersection of Newport Blvd. and Finley Avenue (the "Finley Easement"). Via Lido Plaza also has an easement and right of access across the subject property from 32nd Street (the "32nd Street Access"), which has been used continuously since at least the late 1930's.

According to the site plan attached to the Notice of Preparation, the proposed project would block the existing 32nd Street Access and would effectively destroy Via Lido Plaza's easement rights. Terminating the right of access from 32nd Street to Via Lido Plaza will have numerous negative environmental ramifications, some of which we highlight below. The proposed site plan also may increase dramatically the traffic using the Finley Easement, which could result in additional negative environmental ramifications as also highlighted below. Therefore, the following sections of the EIR must have additional study:

***Traffic and Parking.* Potential impacts associated with construction-related traffic, project-related operational traffic, internal circulation, and emergency access of the project may occur. The project proposes various on-site and off-site circulation improvements, which may affect access, parking, and/or traffic volumes. The Draft EIR will summarize the results of a Traffic Impact Assessment addressing these issues and a Parking Study will be prepared that considers potential parking-related impacts.**

The site plan attached to the NOP appears to extinguish the existing 32nd Street Access easement. This access is regularly used by large commercial trucks delivering product to/from the various tenants of Via Lido Plaza. This access also is crucial for access to Via Lido Plaza by emergency vehicles such as fire trucks. As the owner of Via Lido Plaza, we will take all legal actions to protect the 32nd Street Access easement. However, regardless of the resolution of any legal actions that may be required, the Environmental Impacts of the proposal to shut down an existing circulation path and to gate the entry at another existing path of circulation must be analyzed as it relates to the Via Lido Plaza as well as all surrounding streets and intersections. Stacking, queuing, peak and off peak hour trips, etc. must all be analyzed.

**PAUL**  
**HASTINGS**

James Campbell, Principal Planner  
City of Newport Beach  
December 5, 2013  
Page 2

At a minimum, the Draft EIR:

- Must consider and analyze ingress/egress for operations, maintenance, and emergency access impacts to adjacent land uses;
- Must consider and analyze on-site and off-site parking impacts;
- Must contain a cumulative projects analysis and the Traffic Impact Assessment report that considers the pending zoning change for the Via Lido Plaza as a cumulative/related project for future base line;
- Must prepare a shared parking analysis for the Via Lido Plaza/Lido House Hotel sites as a part of the Parking Study; and
- Must provide a detailed operations analysis and geometric design for the driveway on Newport Boulevard opposite Finely Avenue to verify operations provide acceptable levels of service for both the Via Lido Plaza and the Lido House Hotel

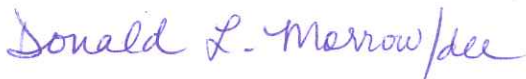
The emergency access issue is hugely important. Currently, the 32nd Street Access provides the only access to the Via Lido Plaza for trucks the size of life safety trucks. It is hard to believe that a design terminating Via Lido's 32nd Street Access can be positively supported by the studies

Further, a Zone Change request for the Via Lido Plaza was filed on November 20, 2013 (PA2013-240). The Lido House Hotel studies must consider this zone change request in the traffic and related studies.

**Cumulative Impacts.** Consistent with Section 15130 of the CEQA Guidelines, the Draft EIR will discuss cumulative impacts of the proposed project, addressing each topic covered in the environmental analysis.

Please see above. This project must consider the Via Lido Plaza zone change request in addition to any other projects currently pending.

Yours very truly,



Donald L. Morrow  
of PAUL HASTINGS LLP

DLM:dee



**PAUL**  
**HASTINGS**

James Campbell, Principal Planner  
City of Newport Beach  
December 5, 2013  
Page 3

bcc: Mr. Fritz Duda  
Mr. Ryan Jones  
Mr. Rob Winkle

From: Jim Mosher [jimmosher@yahoo.com]  
Sent: Wednesday, December 04, 2013 1:39 PM  
To: Campbell, James  
Subject: Lido House Hotel Draft Environmental Impact Report: NOP  
comments

Dear Mr. Campbell,

Thank you for the opportunity to comment on the Notice of Preparation for the Lido House Hotel Draft Environmental Impact Report (DEIR).

Given the lack of a formal Initial Study, and the indication the DEIR will address all the CEQA categories, it is difficult to comment in advance on environmental concerns that may, in the end, be missed; but I would like to reiterate the comments I made verbally at the November 20, 2013, Scoping Meeting.

Among the project alternatives to be evaluated, I think it would be useful to consider the comparative impacts of:

1. A hotel of similar capacity but offering accommodations to lower cost visitors.

and

2. A hotel respecting the constraints of the 35-foot Shoreline Height Limitation Zone.

I think it is quite possible the California Coastal Commission, or the public, might raise concerns about visit cost and/or building height, and if one or both of these alternatives proves necessary to achieve consistency with the Coastal Act, it would seem prudent for decision makers to know how that change would affect the environmental impacts.

Yours sincerely,

James M. Mosher  
2210 Private Road  
Newport Beach, CA. 92660  
(949) 548-6229

**NATIVE AMERICAN HERITAGE COMMISSION**  
1550 Harbor Boulevard, Suite 100  
West Sacramento, CA 95691  
(916) 373-3715  
Fax (916) 373-5471  
Web Site [www.nahc.ca.gov](http://www.nahc.ca.gov)  
Ds\_nahc@pacbell.net  
e-mail: ds\_nahc@pacbell.net

NOP  
12/5/13  
C



November 19, 2013

Mr. James Campbell, Principal Planner

**City of Newport Beach**

**Community Development Department**

100 Civic Center Drive  
Newport Beach, CA 92860

RECEIVED

NOV 20 2013

STATE CLEARING HOUSE

RE: SCH#2013111022 CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the **"Lido House Hotel;"** located in the City of Newport Beach; Orange County,, California

Dear Mr. Campbell:

The Native American Heritage Commission (NAHC) has reviewed the above-referenced environmental document.

The California Environmental Quality Act (CEQA) states that any project which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064.5(b). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report (DEIR).

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure pursuant to California Government Code Section 6254.10.

A list of appropriate Native American Contacts for consultation concerning the project site has been provided and is attached to this letter to determine if the

proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

The NAHC did conduct a Sacred Lands File search of the 'area of potential effect' of the project and did identify Native American sacred sites within the APE. Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, pursuant to California Health & Safety Code Section 7050.5 and California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities. Also, California Public Resources Code Section 21083.2 require documentation and analysis of archaeological items that meet the standard in Section 15064.5 (a)(b)(f).

Lead agencies should consider first, avoidance for sacred and/or historical sites, pursuant to CEQA Guidelines 15370(a). Then if the project goes ahead then, lead agencies include in their mitigation plan provisions for the analysis and disposition of recovered artifacts, pursuant to California Public Resources Code Section 21083.2 in consultation with culturally affiliated Native Americans.

Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

  
Dave Singleton  
Program Analyst

CC: State Clearinghouse

Attachment: Native American Contacts list

**From:** Denys Oberman [dho@obermanassociates.com]  
**Sent:** Wednesday, November 20, 2013 5:43 AM  
**To:** Campbell, James; Brandt, Kim; dho@obermanassociates.com  
**Subject:** City hall site reuse-3300 Newport Blvd and Lido House Hotel

PLEASE ENTER THIS COMMENT INTO THE PUBLIC RECORD.

I understand that there is a Notice of Plan to complete an EIR for the proposed Lido House Hotel Project, and that this meeting is primarily

For purposes of "scoping" the extent of the Environmental Review required.

I would expect that the analysis would address all factors typically addressed with an Environmental impact review for a similar project.

Relative to Parking, I would expect the proposed project to provide adequate parking for the anticipated Occupancy level. As there is currently an excess of Parking capacity relative to use ,from the parking garage on Via Lido, and other prospective parking,

I request that the City consider the resources of the entire area when considering mitigation by the project developer,with the Developer being responsible for securing such capacity. The Developer should not be required to accommodate general use of the Village and beach area in terms of parking.

We recommend that the City engage all of the major Developers in the area to discuss planned uses, to evaluate and develop an integrated strategy

For the Lido village and marina area,as a separate matter which may best be considered as part of the Local Coastal Plan update.

Thank you for your consideration.

Denys H. Oberman  
Resident and community stakeholder

I would appreciate clarification of the objectives of this afternoon's meeting ,as previously requested, along with a proposed target Schedule to complete the required steps in the EIR process.

Regards,  
Denys H. Oberman, CEO



OBERMAN Strategy and Financial Advisers  
2600 Michelson Drive, Suite 1700  
Irvine, CA 92612  
Tel [\(949\) 476-0790](tel:9494760790)

Cell [\(949\) 230-5868](tel:(949)230-5868)

Fax [\(949\) 752-8935](tel:(949)752-8935)

Email: [dho@obermanassociates.com](mailto:dho@obermanassociates.com)

CONFIDENTIALITY NOTICE: The documents accompanying this transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us immediately at [949/476-0790](tel:949/476-0790) or the electronic address above, to arrange for the return of the document(s) to us.

RECEIVED BY  
COMMUNITY

NCL 13-054

DEC. 13 2013

DEVELOPMENT  
NEWPORT BEACH

December 09, 2013

Mr. James Campbell, Principal Planner  
City of Newport Beach/Community Development Dept.  
100 Civic Center Drive  
Newport Beach, California 92660

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the Lido House Hotel

Dear Mr. Campbell:

The County of Orange has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Lido House Hotel located in City of Newport Beach and has no comments at this time. We would like to be advised of any further developments on the project. Please continue to keep us on the distribution list for future notifications related to this project.

Sincerely,



Polin Modanlou, Manager  
Strategic Land Planning Division  
OC Public Works/OC Planning Services  
300 North Flower Street  
Santa Ana, California 92702-4048  
[Polin.modanlou@ocpw.ocgov.com](mailto:Polin.modanlou@ocpw.ocgov.com)

PM/yj

# Orange County Sanitation District

10844 Ellis Avenue, Fountain Valley, CA 92708

(714) 962-2411 www.ocsewers.com

RECEIVED BY

COMMUNITY

DEC 06 2013

DEVELOPMENT  
CITY OF NEWPORT BEACH

## Serving:

Anaheim

Brea

Buena Park

Cypress

Fountain Valley

Fullerton

Garden Grove

Huntington Beach

Irvine

La Habra

La Palma

Los Alamitos

Newport Beach

Orange

Placentia

Santa Ana

Seal Beach

Stanton

Tustin

Villa Park

Yorba Linda

County of Orange

Costa Mesa  
Sanitary District

Midway City  
Sanitary District

Irvine Ranch  
Water District

December 4, 2013

James Campbell, Principal Planner  
City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, CA 92660

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report for the Lido House Hotel

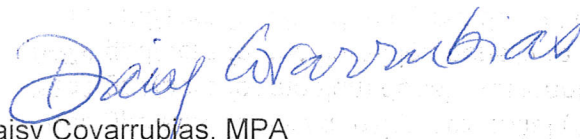
This letter is in response to the above referenced Notice of Preparation for the Draft Environmental Impact Report for the Lido House Hotel project. The City is within the jurisdiction of the Orange County Sanitation District (OCSD). The proposed project involves the construction of a 130-room hotel, including retail space, a restaurant, bars and recreational areas.

To verify OCSD can properly handle the proposed flows, please use the following flow factors, unless the City has more accurate flow factors, to estimate current and future flows in the Draft Environmental Impact Report:

- 1488 gpd/acre for low density residential (4-7d.u. /acre)
- 3451 gpd/acre for medium density residential (8-16 d.u./acre)
- 5474 gpd/acre for medium-high density residential (17-25 d.u./acre)
- 7516 gpd/acre for high density residential (26-35 d.u./acre)
- 2262 gpd/acre for commercial/office
- 150 gpd/room for hotels and motels

Also, please note that any construction dewatering within the City (public or private) that involve discharges to the local or regional sanitary sewer system must be permitted by OCSD prior to discharges. OCSD staff will need to review/approve the water quality of any discharges and the measures necessary to eliminate materials like sands, silts, and other regulated compounds prior to discharge to the sanitary sewer system.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact me at 714-593-7119.



Daisy Covarrubias, MPA  
Senior Staff Analyst

DC:sa  
EDMS:003981479/1.8g







# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178

(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

RECEIVED BY  
COMMUNITY

December 13, 2013

DEC 18 2013

DEVELOPMENT  
CITY OF NEWPORT BEACH

James Campbell, Principal Planner  
City of Newport Beach  
Community Development Department  
100 Civic Center Drive  
Newport Beach, CA 92660

## **Notice of Preparation of a CEQA Document for the Lido House Hotel Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

### **Air Quality Analysis**

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: [www.aqmd.gov/ceqa/hdbk.html](http://www.aqmd.gov/ceqa/hdbk.html). SCAQMD staff also recommends that the lead agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: <http://www.aqmd.gov/ceqa/handbook/signthres.pdf>. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore,

when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/ceqa/handbook/LST/LST.html>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: [http://www.aqmd.gov/ceqa/handbook/mobile\\_toxic/mobile\\_toxic.html](http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html). An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

### **Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the project, including:

- Chapter 11 of the SCAQMD *CEQA Air Quality Handbook*
- SCAQMD's CEQA web pages at: [www.aqmd.gov/ceqa/handbook/mitigation/MM\\_intro.html](http://www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html)
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>.
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions
- Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/prdas/aqguide/aqguide.html>.

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (<http://www.aqmd.gov>).

The SCAQMD staff is available to work with the Lead Agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [imacmillan@aqmd.gov](mailto:imacmillan@aqmd.gov) or call me at (909) 396-3244.

Sincerely,



Ian MacMillan  
Program Supervisor, CEQA Inter-Governmental Review  
Planning, Rule Development & Area Sources