

Appendix A.

Notice of Preparation/Initial Study and Responses to the NOP

NOTICE OF PREPARATION and INITIAL STUDY

for the

PROPOSED NEWPORT BEACH LEXUS DEALERSHIP ENVIRONMENTAL IMPACT REPORT

Prepared for:

City of Newport Beach
3300 Newport Blvd.
P.O. Box 1768
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(949) 553-1427

Prepared by:

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July 2004

NEWPORT LEXUS INITIAL STUDY

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NOTICE OF PREPARATION

TO: Agencies, Organizations and Interested Parties

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report in Compliance with Title 12, Section 15082(a) of the California Code of Regulations

The City of Newport Beach is the Lead Agency under the California Environmental Quality Act (CEQA) in the preparation of the Environmental Impact Report (EIR) for the project identified below. We request the view of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by the City of Newport Beach when considering the permit that your agency must issue, or other approval for the project. The project description, location and the probable environmental effects of the proposed project are contained in the attached Initial Study.

Due to the time limits mandated by State law, your response must be received no later than 30 days after receipt of this notice. Please indicate a contact person in your response and send your response to the following:

David Lepo, Project Manger
Hogle-Ireland, Inc.
42 Corporate Park, Suite 250
Irvine, CA 92606
(949) 553-1427
DLepo@hogleireland.com

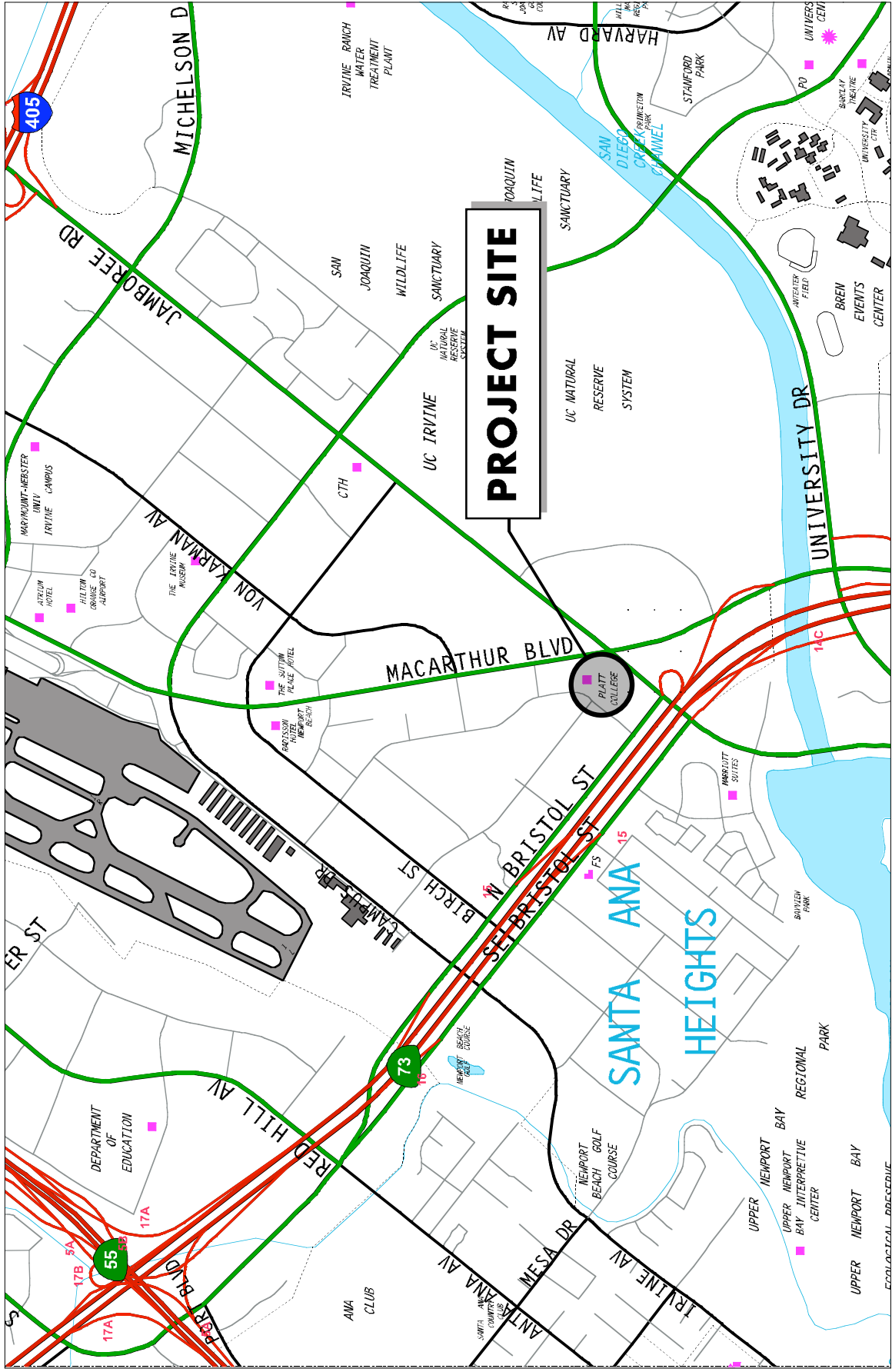
PROJECT TITLE: Newport Lexus Dealership

PROJECT LOCATION: The proposed project site is located at the northwest corner of the intersection of Jamboree Road and MacArthur Boulevard. The project site is bounded by Bowsprit Drive to the north, Dove Street to the west, a commercial strip that runs along Bristol to the south, and Jamboree and MacArthur Boulevard to the east (see Figure 1). The project site is on the western border of the City of Irvine. It is also located approximately one mile to the south and east of John Wayne-Orange County Airport.

PROJECT DESCRIPTION: The project applicant, Wilson Automotive Group, of Orange, California, proposes to develop a 30,000 square foot Lexus dealership showroom, a 100,000 square foot auto service building, and a multi-story parking structure that would accommodate up to 1,700 spaces for employee parking and storage of sales inventory.

The proposed Lexus dealership site consists of two contiguous parcels, currently occupied by an Avis rental car storage lot and Platt College, for a total of approximately 8 acres. The properties are located at 3901, 3931 and 3961 MacArthur Boulevard and 848 and 888 Dove Street in Newport Beach, California.

The Platt College campus property is approximately 5.05 acres and consists of three two-story buildings and surface parking. The 3901 site building (southernmost) is currently occupied by Platt College (see Figure 2). Building units are used for classroom instruction and administrative purposes for the college. The units in the 3931 and 3961 MacArthur Boulevard (northernmost) buildings are used primarily for professional and office purposes. The remaining portion of the property consists of parking areas, landscaped medians, grass yards and sidewalks. Access to the property is from Dove Street to the west.



■ Newport Beach, Lexus / P204224

Figure 1
Project Location Map

SOURCE: Thomas Brothers Maps, 2004



SOURCE: Environmental Science Associates

Newport Beach Lexus / P204224 ■

Figure 2

View of Platt College from Dove Street



SOURCE: Environmental Science Associates

Newport Beach Lexus / P204224 ■

Figure 3

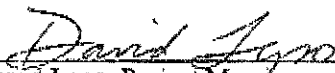
View of Avis Rent-A-Car Facility from Dove Street

The Avis lot is approximately 3.0 acres and consists of two one-story customer service buildings and a vehicle maintenance and repair building (see Figure 3). The remaining portion of the site consists of parking areas, storage areas for automobile parts and tires, and landscaping along the western property boundary, adjacent to Dove Street. Access to the property is also from Dove Street to the west.

These uses would be replaced by the proposed Lexus dealership.

The project site is surrounded by office uses to the north, east and west and a small commercial strip to the south that runs along Bristol Road.

The proposed project will require amendments to the General Plan, Zoning Ordinance, and a Conditional Use Permit (CUP).



David Lepo, Project Manager
Hogle-Ireland, Inc.
for the City of Newport Beach

Date: 7/30/04

SECTION 1.0

INITIAL STUDY CHECKLIST

The following Environmental Checklist and discussion of potential environmental effects were completed in accordance with Section 15063(d)(3) of the CEQA Guidelines to determine if the project may have any significant effects on the environment.

A brief explanation is provided for all determinations. A "No Impact" or "Less than Significant Impact" determination is made when the project would not have any impact or would not have a significant effect on the environment for that issue area based on a project-specific analysis.

CEQA ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

- 1. Project Title:** Newport Lexus Dealership
- 2. Lead Agency Name and Address:** The City of Newport Beach
- 3. Contact Person and Phone Number:** David Lepo
(949) 553-1427
- 4. Project Location:** Northwest corner of MacArthur Boulevard
and Jamboree Road
- 5. Project Sponsor's Name and Address:** Wilson Automotive Group
1400 North Tustin
Orange, CA 92867
- 6. General Plan Designation:** Administrative, Professional and Financial
Commercial
- 7. Zoning:** PC-11 Newport Place
- 8. Description of Project:**

The proposed project is to be located at the northwest corner of MacArthur Boulevard and Jamboree Road in the City of Newport Beach. The site is currently occupied by Platt College and an Avis Rent-a-Car storage lot (see Figures 2 and 3). The existing uses on the site would be demolished and replaced by a 30,000 square foot showroom and sales building and 100,000 square foot auto service building. The project also proposes a multi-story parking structure with 1,700 parking spaces for employee parking and storage of sales inventory.

9. Surrounding Land Uses and Setting:

The site is located within the City of Newport Beach. The City of Irvine is located to the southeast of the project site. The project site is located approximately one mile to the south and east of John Wayne Orange County Airport. It consists of two parcels and is generally bounded by Jamboree Road on the south/southeast, MacArthur Boulevard on the east, Bowsprit to the north and Dove Street to the west. A parcel containing mostly commercial uses separates the project site from Bristol Street and the Route 73 Freeway to the southwest.

The project area is surrounded largely by commercial and office uses. There is a small commercial strip located along Bristol Street that stretches from Jamboree Road to Dove Street. The office buildings surrounding the site vary from 1-2 stories to up to approximately 15 stories. The following land uses surrounded the site as of May 2004:

- North – The site is bordered to the north by GPM Certified Public Accountants (3991 MacArthur Boulevard).
- East – The site is bordered to the east by MacArthur Boulevard. Beyond MacArthur Boulevard are several hi-rise office buildings.
- South – The site is bordered on the south by a shopping center whose occupants include the following: Conroy's Flowers, Liquor-Mart, Supercuts, Yuki's Sushi, Celebrity Cleaners, Planer Beauty, Pizza Hut.
- West – The site is bordered on the west by Dove Street. Quail Street intersects Dove Street and continues to the northwest from the property boundary separating Park MacArthur and Avis location at 848 Dove Street. A mid-rise building containing the offices of John Laing Homes (895 Dove Street) is located to the west of the property on the south side of Quail Street and a two-story office building located at 901 Dove Street lies north of Quail Street. A Coco's Bakery and Restaurant (900 Bristol Street) is located to the southwest of the project site.

10. Other agencies whose approval is required: None

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" or "Less than Significant with Mitigation Incorporation" as indicated by the checklist on the following pages:

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

DETERMINATION: (To be completed by lead agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

David Lepo
 David Lepo,
 Project Manager
 Hogle-Ireland, Inc.
 for the City of Newport Beach

7/30/04
 Date

Issues (and Supporting Information Sources):	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
II. AGRICULTURAL RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issues (and Supporting Information Sources):	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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III. AIR QUALITY -- (cont.):

- | | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 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 that exceed quantitative thresholds for ozone precursors)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or State habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues (and Supporting Information Sources):	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):

<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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**VII. HAZARDS AND HAZARDOUS MATERIALS --
Would the project:**

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|

Issues (and Supporting Information Sources):

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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VIII. HYDROLOGY AND WATER QUALITY --(cont.)

- | | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Result in temporary modifications to existing drainage patterns that may increase the flow rate of stormwater, violate water quality discharge requirements, or result in substantial erosion on or off-site due to construction activities? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Otherwise substantially degrade water quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| h) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| k) Inundation of seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IX. LAND USE AND PLANNING -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issues (and Supporting Information Sources):	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
IX. LAND USE AND PLANNING -- (cont.)				
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity due to construction activities above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (and Supporting Information Sources):

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIII. PUBLIC SERVICES --

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Issues (and Supporting Information Sources):

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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XV. STORM WATER -- Would the proposed project result in:

- | | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Storm water system discharges from areas for materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage delivery or loading docks or other work area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) A significantly environmental harmful increase in the flow rate or volume of storm water runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A significantly environmentally harmful increase in erosion of the project site or surrounding areas? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Storm water discharges that would significantly impair the beneficial uses of receiving waters or areas that provide water quality benefits (e.g., riparian corridors, wetlands, etc.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Harm to the biological integrity of drainage systems and water bodies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

XVI. TRANSPORTATION / TRAFFIC -- Would the project:

- | | | | | |
|---|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Cause an increase in traffic that 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)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in the temporary street or lane closures that would result in either a change of traffic patterns or capacity that is substantial in relation to the existing traffic load and capacity of the street system during construction activities (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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues (and Supporting Information Sources):

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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XVI. TRANSPORTATION / TRAFFIC -- (cont.):

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Result in inadequate parking capacity resulting in an impact on traffic or circulation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, State, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Issues (and Supporting Information Sources):

<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
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XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- | | | | | |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulative 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)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SECTION 2.0

DISCUSSION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

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?**

No Impact. The proposed project site is currently developed with office/commercial uses and an Avis Rent-a-Car storage lot. There are no scenic vistas or scenic highways near the site. Therefore, the project would not affect scenic vistas or scenic highways.

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

Less than Significant Impact with Mitigation Incorporation. The proposed project could alter the visual character of the overall area. Platt College, currently located on the site, consists of three two-story buildings. The proposed project would add a parking structure of up to eight stories on the site. Although several buildings in the surrounding area are of comparable scale, this could be considered a significant impact depending on the design of the structure.

Mitigation Measures

M-I.1: *The parking structure associated with the project shall be designed to be consistent with the surrounding area. The applicant shall submit design plans to the City of Newport Beach for review to ensure proposed design elements do not conflict with the overall visual character of the surrounding area.*

- 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 Incorporation. The proposed facility would operate until 9 PM on weeknights. This would require nighttime lighting. The additional lighting that would be required would be designed to illuminate the appropriate areas only. Design of the project would take advantage of landscaping and on-site architectural massing to block light sources and reflection of artificial lighting off cars on the site. The City of Newport Beach Municipal Code does not contain any specific guidelines pertaining to light and glare impacts. Therefore, the following mitigation measure is necessary to ensure impacts due to light and glare are less than significant.

Mitigation Measures

M-I.2: *The applicant shall submit a lighting plan to be reviewed by the City of Newport Beach. The lighting plan shall include design features to minimize impacts of light and glare on the surrounding area.*

II. AGRICULTURAL 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?**

No Impact. The project site is currently developed with office/commercial uses and an Avis Rent-a-Car storage lot. There are no agricultural resources or operations. In addition, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is located in the immediate vicinity of the project site. Therefore, no impacts to agricultural resources would occur. No mitigation measures are required.

III. AIR QUALITY:

Would the project:

- a) **Conflict with or obstruct implementation of the applicable Air Quality Attainment Plan?**

Potentially Significant Impact. The site is located in the Orange County sub-area of the South Coast Air Basin (SCAB). The basin is designated as a non-attainment area for ozone (O₃), particulates (PM₁₀), carbon monoxide (CO) and a “maintenance” area for oxides of nitrogen, which denotes that it had once been a non-attainment area for the pollutant. The South Coast Air Quality Management District (SCAQMD), the regional agency empowered to regulate stationary sources, maintains an extensive air quality monitoring network to measure criteria pollutant concentrations throughout the SCAB.

The Federal Clean Air Act (FCAA) and the California Clean Air Act require improvement plans to be developed for areas designated as nonattainment (with the exception of areas designated as non-attainment for the State PM₁₀ standard). The 2003 AQMP updates the attainment demonstration (the plan the designates how attainment will be met), the federal standards for ozone and particulate matter (PM₁₀), replaces the 1997 attainment demonstration for the federal carbon monoxide (CO) standard, provides a basis for a maintenance plan for CO for the future, and updates the maintenance plan for the federal nitrogen dioxide (NO₂) standard that the South Coast Air Basin (Basin) has met since 1992. The project will involve the construction of an auto dealership consisting of a showroom, service center and parking structure. Construction and operation impacts may exceed thresholds of significance for certain pollutants set by the 2003 AQMP.

The EIR for the project will further analyze this impact.

- b) **Violate an 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 emissions which exceed quantitative thresholds for ozone precursors)?**

Potentially Significant Impact. Project related construction traffic would have a temporary effect on air quality in the vicinity of the project. Construction traffic and diesel-powered equipment would emit nitrogen oxides, carbon monoxide, sulfur oxides, hydrocarbons, and particulates. These emissions would increase local concentrations temporarily and could contribute to an increase in the frequency of violations of air quality standards.

Stationary-source emissions (on-site) would be generated as a result of the combustion of natural gas to meet the heating needs of the proposed project. Stationary source emissions resulting from electrical energy demand would occur offsite at electrical power generating plants within the SCAB. Power plant emission factors assume continued availability and use of natural gas in power plants.

Total operational emissions include mobile-source (e.g. automobile trip generation) and stationary-source emissions (e.g. smokestacks). Due to the proposed use of the project site (automobile dealership and service center) it is likely that the project will generate a significant amount of criteria pollutants.

The EIR for the project will further analyze these impacts.

d) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact. The project site is currently developed and is surrounded by commercial and office uses. No sensitive receptors such as residences or schools would be affected.

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

Less than Significant Impact with Mitigation Incorporation. Vehicle exhaust could create an objectionable odor in those portions of the site where automobiles idle. The following mitigation measure would reduce this impact to less than significant.

Mitigation Measures

M-III.1: *Design features of the project will provide for adequate ventilation in those areas in which vehicle exhaust would create a strong odor. The applicant shall submit design plans for approval by the City of Newport Beach which address building ventilation.*

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?

No Impact. The proposed project site is located in a developed area of the City of Newport Beach. The proposed project site and surrounding area is developed or landscaped with non-native landscape and ornamental vegetation. Based on general knowledge of the biota of the area and an electronic database review of the Newport Beach quadrangle in the California Natural Diversity Database (CDFG 2004),¹ several sensitive species have historically been sighted in the general area of the project site. The site is located north of Upper Newport Bay which is considered a sensitive habitat. However, the would not be affected by the proposed project because the Route 73 Freeway acts as a barrier between the project and the Bay.

Based on the disturbed condition of the site (i.e. development) and the relative lack of suitable habitat, the potential for any known sensitive species on-site is considered low. The proposed project would, therefore, not have a substantial adverse effect on any species identified as a candidate, sensitive, or

¹ California Department of Fish and Game. *Natural Diversity Database*. accessed June 21, 2004.

special-status species in local or regional plans or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Impacts would be less than significant. No mitigation measures are required.

- 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. No riparian habitats or sensitive natural communities are located at the project site. Upper Newport Bay is located to the south and west of the site and does contain riparian habitat. However, the habitat is located south of the Route 73 Freeway and would not be impacted by the proposed project.

- 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. No wetland habitat has been identified or is known to exist on the project site. Located to the south and west of the project site is Upper Newport Bay Biological Reserve. However, the wetlands are located south of the Route 73 Freeway and would not be impacted by the proposed project.

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

No Impact. The area surrounding the site is developed with commercial and business uses. Wildlife corridors do not exist on or near the project site and would not be affected by project implementation. The project would not result in any disruption to wildlife movement or migration patterns. Newport Bay is located south of the project site; however, because the Route 73 Freeway acts as a barrier between the project site and Newport Bay, the project would not interfere with the movement of any native or migratory fish in the Bay. Impacts would be less than significant. No mitigation measures are required.

- 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 Conservation Community Plan, or other approved local, regional, or State habitat conservation plan?**

No Impact. The project site is developed with office and commercial uses and a rental car storage lot. The surrounding area is largely developed with commercial and business uses. The proposed project would not require the removal of any protected plant species, as none currently exist on the site. Further, there are no known sensitive biological resources in the area as discussed previously. Therefore, the proposed project would not conflict with any local policies or ordinances protecting biological resources or conflict with the provisions of any adopted habitat conservation plans. Impacts would be less than significant. No mitigation is required.

V. CULTURAL RESOURCES

Would the project:

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

No Impact. Generally, historically significant buildings are either more than 50 years old, and/or representative of a particular architectural style or time period in California history. The proposed project site is developed with office and business uses. The buildings currently on the site were constructed less than 50 years ago and do not represent a significant style or period in California history. Therefore, there would be no impact to historical resources. No mitigation measures are required.

- b) **Cause a substantial adverse change in the significance of a unique 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?**

Less than Significant Impact with Mitigation Incorporation. The proposed project site is located in an urbanized area and is currently developed with Platt College and a rental car storage lot. The National Register of Historic Places, California Historical Landmarks and the California Points of Historical Interest do not list any properties within a one-mile radius of the site. The project site does not contain any known historical, archaeological, or paleontological resources or unique geologic features. The proposed project area is entirely developed and there are no human remains known to exist at the proposed project site. Therefore, the proposed project is not anticipated to cause a substantial adverse change in the significance of any historical, archaeological, or paleontological resources or unique geologic features. The proposed project is not anticipated to disturb any human remains. However, in the event that such resources are inadvertently uncovered the following mitigation measures shall be implemented:

Mitigation Measures

M-V.1: *In the event that an archaeological or paleontological resource is inadvertently uncovered, the project applicant shall be required to immediately cease all construction at the place of discovery and a qualified archaeologist and/or paleontologist retained to evaluate the find. If the archaeologist or paleontologist determines that potentially significant paleontological or archaeological materials or human remains are encountered, the archaeologist and/or paleontologist must recover, retrieve and/or remove any paleontological or archaeological materials. The archaeologist shall provide a copy of documentation of all recovered date and materials found on-site to the regional information center of the California Archaeological Inventory for inclusion in the permanent archives and another copy shall accompany any recorded archaeological materials and data.*

M-V.2: *The applicant shall comply with the procedures required by NAHC as outlined in Section 50907.9 of the PRC and Section 7050 of the Health and Safety Code. In the event of discovery or recognition of any human remains during construction or excavation activities associated with the project, the implementing agency shall cease further excavation or disturbance of the site until the coroner has been informed.*

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?**

Less Than Significant Impact. The project site is located within the seismically active region of southern California. Primary ground rupture or fault rupture is defined as the surface displacement, which occurs along the surface of a fault during an earthquake. There are no active faults identified by the State, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, on the project site.² Due to their location within a region subject to strong seismic ground shaking, occupants of the proposed project would be exposed to seismic risks similar to those experienced by occupants at most other locations in the surrounding area.

The proposed project would comply with all applicable building and safety requirements, which would reduce potential effects to less than significant levels. The proposed project itself would not cause a substantial increase in the number of people or structures exposed to seismic risks. No significant impacts would occur and no mitigation is required.

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

Less than Significant Impact. Liquefaction usually occurs in areas where groundwater is less than 30 to 50 feet from the surface. Seismically induced landslides and other slope failures are common occurrences during or directly after earthquakes. The project site is not located in an area prone to liquefaction or landslides.³ Thus, the potential for liquefaction or for seismically induced landslides to affect the proposed project site is considered to be low. The proposed project would, therefore, not expose people or structures to potential substantial adverse effects due to liquefaction or seismically induced landslides. Impacts would be less than significant. No mitigation measures are required.

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

Less Than Significant Impact with Mitigation Incorporation. The proposed project would not significantly alter the existing topography within the project area. Currently, the project site is designed such that the area slopes somewhat along MacArthur Boulevard and Jamboree Road with berms along those sides of the project. However, the majority of the site contains flat impervious surfaces and the nature of the project is such that the final grading of the site would not differ significantly from the existing grade. Therefore, the proposed project is not anticipated to change stormwater run-off volumes or significantly affect drainage patterns. Operation of the proposed project is, therefore, not anticipated to result in substantial erosion or loss of topsoil.

Soil erosion could result when the project site is excavated and cleared prior to construction. Exposed soils during grading and construction activities would be subject to wind and water erosion. Construction activities on 1 to 5 acres require permitting under the National Pollutant Discharge Elimination System (NPDES), which regulates discharge to “navigable waters” of the United States. The requirements of NPDES are examined in Section VIII. **Hydrology**, Impact (a). Erosion and topsoil loss would be mitigated with the implementation of Best Management Practices (BMPs) under the Water Quality Management Plan (WQMP). Therefore, with the implementation of mitigation measure **M-VI.1**, impacts of erosion and loss of topsoil would be reduced to less than significant.

² California Geologic Survey website, <http://www.consrv.ca.gov/CGS/rghm/ap/affected.htm>, accessed June 22, 2004.

³ *Ibid.*

Mitigation Measures

M-VI.1: *The applicant shall prepare and implement a Water Quality Management Plan to be submitted to the City of Newport Beach as required for coverage under the Statewide National Pollutant Discharge Elimination System construction permit. At a minimum, specific measures shall include the following:*

- *Plan excavation and grading activities to be conducted during the dry season to the extent possible.*
- *If construction occurs during the rainy season, storm runoff from construction areas shall be regulated by standard Best Management Practices which may include temporary on-site silt traps or detention basins. Stockpiles of loose material shall be covered to prevent wind and water erosion and runoff diverted away from exposed soil.*
- *After completion of grading, re-vegetation shall be initiated as soon as possible, as feasible.*

- c) **Be located on strata 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, creating substantial risks to life or property?**

Less Than Significant Impact with Mitigation Incorporation. The underlying sediments at the project site have been mapped as Quaternary stratified sequence, and the soils are predominately sandy loam, gravelly-sandy loam, silt loam, clays, fine sandy loam, and fine sands.⁴ Preliminary review indicates that the project is not located in an area prone to subsidence.⁵

The proposed project site is located in a relatively flat area and is not located within an area identified as having a potential for seismically induced landslides. The project site is not mapped within an area identified as having a potential for liquefaction.⁶ Lateral spreading generally occurs where soils are susceptible to liquefaction. Therefore, because the potential for liquefaction at the project site is low, the potential for lateral spreading would also be considered low. The proposed project is, therefore, not anticipated to be located on soil that is unstable or would become unstable due to landslide, lateral spreading, subsidence, liquefaction, or collapse and impacts would be less than significant; no mitigation measures would be required.

Expansive soil is defined as soil that expands to a significant degree upon wetting and shrinks upon drying. Generally, expansive soils contain a high percentage of clay particles. The soils on site are predominately sandy loam, gravelly-sandy loam, silt loam, clays, fine sandy loam, and fine sands. Additional exploration borings will be performed in the locations of proposed buildings to provide detailed foundation design recommendations for the proposed project prior to construction. In the event that expansive soils are encountered, the proposed project would incorporate standard construction procedures and design features in compliance with general building and grading standards to ensure that expansive soils would not impact the proposed structures. With implementation of mitigation measure **M-VI.2**, the proposed project would be designed to be compatible with soil properties at the proposed project site, including expansive soils.

⁴ Golder Associates, *Final Phase I Environmental Site Assessment Park MacArthur*, May 2004.

⁵ Southern California Association of Governments, *Draft Regional Transportation Plan PEIR*, 2004.

⁶ California Geologic Survey website, http://gmw.consrv.ca.gov/shmp/html/pdf_maps_so.html accessed June 22, 2004.

Mitigation Measures

M-VI.2: *Prior to construction of the proposed project, exploration borings shall be performed in the locations of the proposed buildings to provide detailed foundation design recommendations for the proposed new development.*

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

No Impact. The proposed project would not involve the use of septic tanks to handle its wastewater generation. Therefore, no impacts are anticipated as this is not a relevant concern to the proposed project. No mitigation measures are required.

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) **Create a significant hazard to the public or the environment through the 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?**

Less than Significant Impact. The project would generate an increase in the amount of automotive related hazardous materials used on the site due to its use as an auto dealership. These materials include antifreeze, waste oil and motor, transmission and gear oil. These materials are typically classified as low/routine hazards.

The proposed project will likely include the installation of a 280 gallon anti-freeze storage tank, a 500 gallon waste coolant tank, a 750 gallon used oil storage tank, and a 480 gallon new oil storage tank. Potential hazards associated with these materials would be reduced through compliance with existing federal, State, and local rules and regulations. The Newport Beach Fire Department would oversee the design, installation, and operation of the underground and aboveground storage tanks in accordance with State and federal rules and regulations within its jurisdiction. The project applicant is required by the City of Newport Beach to file a Hazardous Materials Business Plan with the City Newport Beach Fire Department detailing all hazardous materials at the site, storage methods, and spill prevention plans. The project applicant shall also prepare and implement a Spill Prevention Control and Countermeasures (SPCC) Plan, as required by the State Water Resources Control Board.

Compliance with federal, State, and local rules and regulations for hazardous materials-handling, and storage tanks would reduce the potential health and safety issues associated with the storage of hazardous materials to less than significant.

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

No Impact. The Newport Montessori School is the closest school to the project site within the City of Newport Beach. The school is located approximately one mile to the west of the project site. However, the project would not involve the use of hazardous materials, acutely hazardous materials, substances, or wastes in sufficient quantities to pose a potential hazard. As described above, the project would be required to comply with all federal, State and local rules and regulations for hazardous materials handling to ensure that no impacts would occur. No mitigation measures are required.

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

No Impact. The proposed project site is not listed as a site containing hazardous waste on any lists compiled pursuant to Section 65962.5 of the Government Code.⁷ The Phase I assessment for the project indicates that previous uses on the site were listed for environmental violations and handling or storage of hazardous materials or wastes. The current Avis Rent-a-Car facility at 848 Dove Street was listed on the HAZNET database. According to the Phase I report, tank bottom wastes generated at the Avis facility are currently disposed of with a recycler. Two facilities that had previously occupied the site, Beach Imports and Newport Nissan (both vacated in 1991) were listed on several environmental databases (UST, HIST) regarding past use of hazardous materials on the site. Since that time contaminated soils were excavated and treated.⁸ The proposed project would, therefore, not create a significant hazard to the public or the environment due to location on a hazardous materials site. No mitigation measures are required.

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

No Impact. The project is located approximately one mile to the south and west of John Wayne-Orange County Airport and is located within the land use plan area for that airport. The site is currently developed with primarily office uses. Although the project is larger in terms of square footage, it provides for fewer employees overall. Implementation of the proposed project would not result in an increase in the number of people at the site on a daily basis. In addition, the proposed project is not located within an accident potential zone/clear zone as stated in the Airport Environs Land Use Plan.⁹ Further, the project will comply with the requirements of the Airport Land Use Commission for Orange County. Therefore, the project would not result in a safety hazard for people residing in the project area. No mitigation measures are required.

- 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 immediate vicinity of a private airstrip. Therefore, the proposed project would not result in a safety hazard for people residing or working in the project area or visiting the project site. No impacts are anticipated. No mitigation measures are required.

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

No Impact. The proposed project would not interfere with a current emergency response plan or an emergency evacuation plan for local, State or federal agencies. All emergency procedures would be implemented consistent with local, State, and federal guidelines during the construction and operation of the project. Therefore, no impacts are anticipated. No mitigation measures are required.

⁷ California Department of Toxic Substance Control, Hazardous Waste and Substances Site List (Cortese List), website http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm, accessed June 21, 2004

⁸ Golder Associates, *Final Phase I Environmental Site Assessment Park MacArthur*, May 2004.

⁹ Airport Land Use Commission, *Airport Environs Land Use Plan*, November 16, 1995.

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

No Impact. The proposed project site and surrounding area are largely developed and no wildland fire hazard risk exists. On-site landscaping would be controlled through trimming and watering so as to reduce fire hazard impacts. Therefore, no impacts are expected. No mitigation measures are required.

VIII. HYDROLOGY AND WATER QUALITY:

Would the project:

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

Potentially Significant Impact. Stormwater and urban runoff is a significant source of water pollution that may result in declines in fisheries and other aquatic life, restrictions on recreational activities, losses to the annual tourism economy, and general impairment of the existing and potential beneficial uses of receiving waters. The proposed project would be required to comply with all applicable federal, State and regional regulations to protect water quality during construction as well as during the life of the project.

As a project within the City of Newport Beach and whose site runoff discharges into the City's Municipal Separate Storm Sewer System (MS4), the proposed Lexus Dealership is subject to the water quality rules and regulations set forth by the City for stormwater and non-stormwater discharges generated from the property.

The project is anticipated to generate a number of general pollutants associated with its use as an automobile dealership. Typical pollutants from these facilities include heavy metals, oil and grease, organic compounds, and trash and debris. Other potential pollutants of concern are nutrients for commercial properties are pesticides, sediments and oxygen demanding substances.

The proposed project is located within the vicinity of San Diego Creek and Upper Newport Bay, both considered impaired receiving water bodies. Currently, San Diego Creek is listed as impaired for pathogens and pesticides, while Upper Newport Bay is impaired by metal and pesticides.¹⁰ Stormwater runoff generated from the project site ultimately discharges into these surface waters. The discharge of pollutants from the property that would further impair San Diego Creek and Upper Newport Bay would need to be prevented.

The Water Quality Management Plan (WQMP) for the proposed project will prevent the discharge of pollutants mentioned above into San Diego Creek and Upper Newport Bay.

The EIR for the project will further analyze this impact.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there should 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)?**

¹⁰ Fuscoe Engineering, *Newport Beach Lexus Dealership Preliminary Water Quality Management Plan*, June 2004.

No Impact. The project site is located in an urban area, and is currently developed with urbanized uses. The quantity of impervious surfaces associated with the proposed project would not increase above existing conditions. Therefore, the proposed project would not alter the existing contribution of the proposed project site to groundwater recharge. Excavation and grading of the site are also not expected to interfere with any known aquifers. Therefore, no impacts are anticipated and 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?**
- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

Less Than Significant Impact with Mitigation Incorporation. The project site is currently developed with surface parking and office/commercial uses. The proposed project includes the construction of an automobile showroom, auto service building and a 1,700 space parking structure. Changes would be made to the existing grade during construction, however the grade of the finished site would not differ significantly from the existing grade. As a result, operation of the proposed project is not anticipated to significantly alter the existing volume and drainage pattern of storm water at the project site and surrounding area. Operation of the proposed project would, therefore, not result in substantial erosion, siltation, or flooding, or substantially increase the rate or amount of surface runoff.

As detailed in Section **VI. Geology and Soils**, (b), soil erosion could take place during excavation prior to construction. To minimize soil erosion during construction activities, the proposed project would be subject to a municipal NPDES permit for construction and the preparation of a WQMP. With the implementation of mitigation measure **M-VI.1** of Section **VI. Geology and Soils**, impacts of erosion and loss of topsoil would be reduced to less than significant.

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

Less Than Significant Impact with Mitigation Incorporation. The site is currently developed with Platt College (three, two-story buildings) and open air parking. Development of the Lexus Dealership would not substantially alter the existing grade. As a result, the volume and drainage patterns of stormwater runoff would remain similar to existing conditions. The proposed project would, therefore, not create runoff water which would exceed the capacity of existing stormwater drainage systems.

As detailed in Section **VI Geology and Soils** (b), soil erosion could take place during excavation prior to construction. To minimize impacts of soil erosion during construction activities, the proposed project would comply with requirements of a municipal NPDES permit for construction through the preparation of a Water Quality Management Plan (WQMP). With the implementation of mitigation measure **M-VI.1** of Section **VI Geology and Soils**, impacts associated with additional sources of polluted runoff would be reduced to less than significant.

- f) **Result in temporary modifications to existing drainage patterns that may increase the flow rate of stormwater, violate water quality discharge requirements, or result in substantial erosion on or off-site due to construction activities?**

Less than Significant Impact with Mitigation Incorporation. The proposed project would not exceed stormwater drainage systems capacity by causing temporary or permanent changes to existing drainage patterns and stormwater volumes. As detailed in Section **VI Geology and Soils**, the WQMP for the project will minimize soil erosion impacts due to construction and ensure that runoff from the site does not violate water quality discharge requirements. Implementation of **M-VI.1** would reduce the impacts to drainage patterns to less than significant.

g) Otherwise substantially degrade water quality?

Potentially Significant Impact. The project site currently drains in a southerly direction toward Jamboree Road. Surface runoff then discharges off-site and ultimately drains to San Diego Creek/Upper Newport Bay through the City's MS4. Several options for incorporation of treatment control are being considered for the site to create a "treatment train" of BMPs.

The EIR for the project will further analyze this impact and identify appropriate mitigation measures.

- h) 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?**
- i) Place housing within a 100-year flood hazard area structures which would impede or redirect flood flows?**
- j) 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 proposed project is not located in a flood zone according to the City of Newport Beach.¹¹ The project site is also not located in the vicinity of a dam. The proposed project does not include housing. The proposed project will not impede or redirect flood flows, or expose people or structures to a significant risk due to flooding. Impacts are less than significant. No mitigation is required.

k) Inundation of seiche, tsunami, or mudflow?

No Impact. Development and operation of the Lexus Dealership would not subject people or structures to unusual inundation by seiche, tsunami, or mudflow. The Newport Beach General Plan indicates that the risk to the public from tsunamis is "extremely remote."¹² No impacts are anticipated to occur. No mitigation measures are required.

IX. LAND USE AND PLANNING:

Would the project:

a) Physically divide an established community?

Less than Significant Impact. The project site is currently developed with office/commercial uses and open air parking and does not contain residential dwellings. In addition, the project would not introduce new roads or any above ground infrastructure that would divide the existing site. The impact of the proposed project would be less than significant. No mitigation measures are required.

¹¹ City of Newport Beach GIS Mapping Applications website
http://www6.city.newport-beach.ca.us/website/nb_info/viewer.htm accessed online June 21, 2004.

¹² City of Newport Beach General Plan, *Public Safety Element*, March 10, 1975.

- 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 Incorporation. The project is not located in the coastal zone and thus would not conflict with any adopted coastal policies. The current zoning for the site is Administrative, Professional and Financial commercial. The proposed project will require amendments to the General Plan, Zoning Ordinance, and a Conditional Use Permit (CUP).

Mitigation Measures

M-IX.1: *The applicant shall apply for a General Plan Amendment, Zoning Ordinance Amendment and a CUP from the City of Newport Beach.*

- c) **Conflict with any applicable habitat conservation plan or natural communities conservation plan?**

No Impact. The project site and surrounding area are developed with commercial and business uses. There are no known habitat or natural communities conservation plans for the project area.¹³ Therefore, the proposed project would not conflict with any conservation plans. No impacts are anticipated. No mitigation measures are required.

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?**

No Impact. The proposed project site is located in a developed area. Further, there has not been, nor are there any known plans for any mining or mineral recovery projects at the project site or in the immediate vicinity of the project site. Therefore, the proposed project would not result in the loss of availability of a known mineral resource or locally-important mineral resource recovery site. No impacts are anticipated. No mitigation measures are required.

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

¹³ Southern California Association of Governments *Draft Regional Transportation Plan 2004.*

Less than Significant Impact with Mitigation Incorporation. The project site is not located in the vicinity of any sensitive receptors such as schools or residences. It is entirely surrounded by office and commercial uses. However, the following mitigation measures would be implemented to reduce potential noise impacts during construction activities:

Mitigation Measures

M-XI.1: *During construction phases, the contractor shall ensure that all construction be performed in accordance with the City of Newport Beach noise standards. No noise intensive construction or repair work shall be performed between the hours of 9:00 PM and 7:00 AM on any weekday, or before 8:00 AM or after 6:00 PM on any Saturday or national holiday, or at any time on Sundays.*

During construction activities, the construction manager and inspector shall serve as the contact persons in the event that noise levels become disruptive. A sign will be posted at the site with the contact phone numbers.

- 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?**

Less than Significant Impact with Mitigation Incorporation. The amount of noise generated due to operation of the project is not anticipated to be significantly above those levels currently experienced at the site. Increases in noise levels are anticipated to be associated primarily with construction activities, and thus would not generate a permanent increase in ambient noise levels. The temporary increases in noise levels that could occur would be mitigated with the implementation of **M-XI.1**.

Some increases to noise levels could occur due to use of the project site as an automobile dealership and repair shop. The following mitigation measure would reduce the impact of noise to less than significant.

Mitigation Measures

M-XI.2: *Design of the proposed project will incorporate measures to reduce noise associated with the project. These measures shall include noise barriers and setbacks as appropriate that will minimize operational noise impacts. The applicant shall submit designs to the City of Newport Beach for approval prior to construction of the project. The proposed project shall comply with Newport Beach municipal noise standards.*

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

Less than Significant Impact. The project is located within the land use plan area for John Wayne Orange County Airport and is currently developed with office uses. The project site is located within a Noise Impact Zone “2” or Moderate Noise Impact (60 dB CNEL or greater, less than 65dB CNEL). Although residential uses would not be considered acceptable in this zone, the proposed commercial

use is “normally acceptable” pursuant to the Airport Environs Land Use Plan for the County of Orange.¹⁴ This impact is considered less than significant. No mitigation measures are 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. The project is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated. No mitigation measures are required.

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)?**

Less than Significant Impact. The project site is currently occupied with Platt College and a rental car storage facility. The proposed project would replace these uses with a Lexus Dealership which would employ approximately 250 persons. Although the proposed project is larger in terms of overall square footage, it would accommodate fewer people on the site on a daily basis due to its use as a car dealership rather than a college or office. In addition, the project would not include the construction of any homes or the extension of any infrastructure, and therefore, would not induce growth, either directly or indirectly, in the area. This impact is less than significant. 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. No residential units would be removed in order to construct the proposed project. Therefore, the proposed project would not displace substantial numbers of existing housing or people, or necessitate the construction of replacement housing elsewhere. No impacts would occur. No mitigation measures are required.

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 governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Fire protection?

Police protection?

Schools?

Parks?

Other public facilities?

¹⁴ Airport Land Use Commission for Orange County, *Airport Environs Land Use Plan*, November 16, 1995.

Less than Significant Impact. The Newport Beach Police Department currently employs 148 officers to serve the residents and businesses in Newport Beach. Existing staffing levels of both police and fire protection services are sufficient to meet the potential needs of the proposed project.^{15,16}

Though the facility will require fire, police, park and other public services, the project is not expected to generate a need for new or physically altered governmental facilities. Current usage on the site includes three office buildings and an Avis rental car facility. Platt College has approximately 30 full time employees¹⁷ the additional office space on the site is estimated to accommodate between 180 to 240 employees¹⁸ for a total of between 210 to 270 employees. The proposed project is estimated to employ approximately 250 people on site.¹⁹ Therefore, the proposed project would not create a significant increase in public service needs and would not require new or additional governmental facilities. Existing public services would be sufficient to serve the proposed project. The impact would be less than significant. No mitigation measures are required.

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 or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Less Than Significant Impact. The proposed project would generally serve the existing residents in the project area. Approximately 250 people would be employed at the project facility. Many of these prospective employees are likely to already reside in the Newport Beach area. Despite efforts to hire local employees, some people from outside the area may relocate due to new employment at the proposed project site. However, because the projected employment would not be greater than current employment at the site, the proposed project is not anticipated to increase the need for recreational facilities because employment at the dealership is not likely to result in population growth. The project would not require the construction or expansion of recreational facilities. Further, the project will comply with applicable requirements to pay park and other public facilities fees. The impact would be less than significant. No additional mitigation measures are required.

XV. STORM WATER:

Would the project result in:

- a) **Storm water system discharges from areas for materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage delivery or loading docks or other work areas?**

Potentially Significant Impact. The proposed project is anticipated to generate a number of general pollutants associated with its usage as an auto dealership. These pollutants include heavy metals, oil and grease, organic compounds, and trash and debris. Other potential pollutants of concern are nutrients pesticides, sediments, and oxygen demanding substances.²⁰ Best Management Practices

¹⁵ Lieutenant Klein, Newport Beach Police Department. Letter to David Lepo forwarded to ESA, dated July 26, 2004.

¹⁶ Lockard, Dennis, Newport Beach Fire Marshal. Letter to David Lepo forwarded to ESA, dated July 27, 2004

¹⁷ Bower, Mary, Platt College, personal communication July 29, 2004.

¹⁸ Based on Orange County Transportation Authority Model, job generation factors.

¹⁹ Information on job projection provided by Lexus.

²⁰ Considered potential pollutants if landscaping or open areas exist on-site.

(BMPs) would be employed to prevent the discharge of pollutants from the property that would further impair San Diego Creek and Upper Newport Bay. The project Water Quality Management Plan (WQMP) for the proposed Lexus Dealership would adequately mitigate the general pollutants mentioned above, prior to storm water runoff discharging off-site.

The EIR for the project will further analyze this impact and identify potential mitigation measures.

b) A significantly environmental harmful increase in the flow rate or volume of storm water runoff?

Less than Significant Impact. As stated in Section **VI. Geology and Soils** (b), because the finished grade of the project would not differ significantly from the existing grade of the project site, the proposed project is not anticipated to change stormwater runoff volumes or drainage patterns. Impacts would be less than significant. No mitigation measures are required.

c) A significantly environmentally harmful increase in erosion of the project site or surrounding areas?

Less than Significant Impact with Mitigation Incorporation. As detailed in Section **VI. Geology and Soils**, soil erosion could take place during excavation prior to construction. To minimize soil erosion during construction activities, the proposed project would comply with requirements of a municipal NPDES permit for construction through the preparation of a WQMP. With the implementation of mitigation measure **M-VI.1** of Section **VI. Geology and Soils**, impacts of erosion and loss of topsoil would be reduced to less than significant. The proposed project is, therefore, not anticipated to create a harmful increase in erosion on the project site or surrounding area, with implementation of mitigation measure **M-VI.1** of Section **VI. Geology and Soils**.

As detailed in Section **VII. Hydrology**, the finished grade of the proposed project would differ only minimally from the grade at the existing site. Stormwater drainage patterns during operation of the proposed project are not anticipated to differ significantly from existing patterns. Operation of the proposed project would, therefore, not result in an environmentally harmful increase in erosion.

d) Storm water discharges that would significantly impair the beneficial uses of receiving waters or areas that provide water quality benefits (e.g. riparian corridors, wetlands, etc.)?

e) Harm to the biological integrity of drainage systems and water bodies?

Less Than Significant Impact with Mitigation Incorporation. As stated in Section **VIII. Hydrology** impact (a), the proposed project would be required to comply with all applicable federal, State and regional regulations to protect water quality during construction as well as during the life of the project. These regulations protect the beneficial uses and biological integrity of receiving water bodies such as San Diego Creek and Upper Newport Bay. Compliance with these regulations would include the preparation of a WQMP to be submitted to the City of Newport Beach for coverage under the general statewide construction NPDES permit, detailed in mitigation measure **M-VI.1** in Section **VI. Geology and Soils**. Implementation of mitigation measure **M-VI.1** would ensure that stormwater from the proposed project site would not impair the beneficial uses of receiving waters or harm the biological integrity of drainage systems and water bodies. Implementation of mitigation measure **M-VI.1** will reduce impacts to less than significant.

XVI. TRANSPORTATION/TRAFFIC:

Would the project:

- 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)?**

Less than Significant Impact with Mitigation Incorporation. The traffic generated by the project could increase the traffic to the roadway network near the project site in comparison to existing conditions.

A traffic study will be prepared for the project and will be included in the EIR. The EIR for the project will further analyze this issue and identify mitigation measures as necessary.

- b) **Result in the temporary street or lane closures that would result in either a change of traffic patterns or capacity that is substantial in relation to the existing traffic load and capacity of the street system during construction activities (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)?**

Less than Significant Impact. The proposed project is located on two parcels that total approximately eight acres. It is unlikely that construction of the project would require lane closures as there is adequate space for construction equipment on the site. However, it is possible that lane closures would be required on adjacent streets in order to stage construction equipment during the construction period. In this case, the applicant will comply with local regulations regarding adequate signage to provide information to drivers in and around the site. The impacts would be less than significant. No mitigation measures are required.

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

Potentially Significant Impact. The amount of traffic generated by the project could have cumulatively significant impacts on the level of service at intersections in the vicinity of the project site.

A traffic study will be prepared for the project and will be included in the EIR.

- d) **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. As previously discussed in Section XII. **Population and Housing**, the project is not anticipated to induce population growth and would, therefore, not lead to increased air travel. Proposed structures will be consistent with height restrictions for the planning area for John Wayne Orange County Airport as set forth in the Airport Land Use Plan for Orange County, and would not require changes in air traffic patterns. Accordingly, no impact would occur and no mitigation measures would be required.

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

No Impact. No significant changes to existing roadway alignments are expected as a result of project development. Changes to the configuration of the traffic diversion island in Bowsprit at MacArthur Boulevard may be required, and reconfiguration of traffic lanes on MacArthur and Jamboree may also

be required. All such improvements will comply with local and State roadway design standards. No design feature hazards will be created. No incompatible uses are contemplated. No impact would occur. No mitigation measures are required.

- f) **Result in inadequate emergency access?**
- g) **Result in inadequate parking capacity?**

No Impact. The design of the project would provide adequate emergency access and adequate parking consistent with Newport Beach Municipal Code requirements. No impact would occur. No mitigation measures are required.

- h) **Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

No Impact. Design of the project will comply with all State and federal requirements relating to public transportation. All policies supporting alternative transportation would be followed by the project. No impact would occur. No mitigation measures are required.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

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

Less Than Significant Impact With Mitigation Incorporation. As stated in Section VIII. Hydrology (a), the proposed project would be required to comply with all applicable federal, State and regional regulations to protect water quality during construction as well as during the life of the project. Compliance with these regulations would include the preparation of a Water Quality Management Plan (WQMP) to be submitted to the City of Newport Beach consistent with the general statewide construction NPDES permit, detailed in mitigation measure M-VI.1 in Section VI. Geology and Soils.

- 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 proposed project site currently includes three 30,000-square foot (90,000 sq. ft. total) office buildings and an Avis rent-a-car storage facility and showroom. These uses are estimated to consume approximately 22,400 gallons per day (GPD) of water and generate approximately 19,500 GPD of wastewater.²¹ Implementation of the proposed project would result in the demolition of the existing buildings and construction of a 100,000 square foot service building and a 30,000 square foot showroom. The proposed project is estimated to consume approximately 6,000 GPD²² of water and generate approximately 9,100 GPD of wastewater.²³ Wastewater generation would be higher than water consumption due to the need to wash cars on the site. Overall, there would be a net reduction of 16,000 GPD of water and 10,400 GPD of wastewater. The existing infrastructure at the site would be sufficient to serve the proposed project. No impacts are anticipated. No mitigation measures are necessary.

²¹ City of Los Angeles, Bureau of Sanitation, *Generation Factors*, 2001.

²² Based information provided to ESA from Tustin Lexus. The Tustin Lexus dealership consumes approximately 3,850 GPD.

²³ City of Los Angeles, Bureau of Sanitation, *Generation Factors*, 2001.

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

Less than Significant Impact. As discussed in Section VIII. Hazards (c), under the proposed project, the volume of storm water runoff from the proposed project site is not anticipated to change with implementation of the proposed project. As a result, the existing storm water drainage infrastructure surrounding the project site would be adequate to serve the proposed project.

- 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 site currently includes three 30,000-square foot office buildings (90,000 sq. ft. total) and an Avis rent-a-car storage facility (10,000 sq ft) and office (2,500 sq ft.). These uses are estimated to consume approximately 22,425 gallons per day (GPD) of water.²⁴ Usage data from an existing Lexus automobile dealership in the area, when adjusted for the difference in size between the existing and proposed dealership, indicates the project facility would consume approximately 6,000 GPD.²⁵ This would be a net decrease in water consumed on site. The project would also require water for on-site car washing. Ionized water for this use will be transported by truck to the project facility. The existing water supply to the site will be sufficient to serve the proposed project.²⁶ No impacts are anticipated. No mitigation measures are necessary.

- 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 site currently includes three 30,000 square foot office buildings (90,000 sq. ft. total) and an Avis rent-a-car storage facility and showroom. These uses are estimated to generate approximately 19,500 GPD of wastewater.²⁷ Currently, wastewater flows from the site to a 12-inch sewer that extends under MacArthur Boulevard to the Orange County Sanitation District (OCSD) Main Street Pump Station.²⁸ The sewerage from the project site would be treated at one of two OCSD area treatment plants which have a combined capacity of 293 million gallons daily (mgd).²⁹

To identify potential impacts to the proposed project area's water supply, water consumption factors for the proposed project were estimated based on water consumption being approximately 15% more than the wastewater generated.³⁰ The proposed project would generate approximately 5,100 GPD of wastewater.³¹

In addition to wastewater generated by other uses associated with the proposed facility, ionized water used for car washing may be discharged, after clarification, into the sanitary sewer. Based on the assumption that approximately 250 cars per day will be washed at the project dealership, an estimated 4,000 gallons of wastewater per day will be generated. Adding this figure to the wastewater generated elsewhere in the facility (5,100 GPD) results in total wastewater generation of 9,100 GPD.

²⁴ *Ibid.*

²⁵ This assumes 1.2 million annual gallons, and operation of the facility 6 days per week.

²⁶ Deutsche, Tim, Newport Beach Department of Public Works. Personal communication July 23, 2004.

²⁷ City of Los Angeles, Bureau of Sanitation, *Generation Factors*, 2001.

²⁸ Nazaroff, Adam, Orange County Sanitation District. Personal communication July 28, 2004.

²⁹ City of Los Angeles, Bureau of Sanitation, *Generation Factors*, 2001..

³⁰ Generation factors based on City of Los Angeles, Bureau of Sanitation water/wastewater generation factors, 2001.

³¹ *Ibid.*

This represents a net decrease of 10,400 gallons of wastewater generation per day from that of current uses on the site. Because this is an overall decrease in the amount of water at the site, the existing infrastructure at the site would be sufficient to serve the proposed project.^{32,33} No impacts are anticipated. No mitigation measures are necessary.

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

Less Than Significant Impact. The City of Newport Beach is served by six landfills: Arvin Sanitary Landfill in Kern County, Fontana Refuse Disposal Site in San Bernardino County, Frank R. Bowerman Sanitary Landfill, Olinda Alpha Sanitary Landfill, and Prima Deshecha Sanitary Landfill in Orange County and Simi Valley Landfill - Recycling Center in Ventura County.³⁴

Olinda Alpha is permitted to receive 8,000 tons per day and has a remaining capacity of 67 percent; Frank R. Bowerman Landfill in Orange County is permitted to receive 8,500 tons per day and has 77 percent of its capacity remaining.³⁵ Both of these landfills have sufficient remaining capacity to serve the project. Since two major landfills have adequate capacity to serve waste generated by the project, this impact is considered less than significant.

The current usages on the site are estimated to generate approximately 80 annual tons of solid waste.³⁶ The proposed project is estimated to generate approximately 103 tons of solid waste per year.³⁷ While this represents an incremental increase over current solid waste generation levels, area landfills have sufficient capacity to accommodate this increase. This impact is considered less than significant. No mitigation measures are required.

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

Less than Significant Impact with Mitigation Incorporation. According to current regulations, including the California Integrated Waste Management Board Model Ordinance, demolition and construction projects are required to participate in existing countywide programs and to implement site-specific source reduction, recycling, and reuse programs. The proposed project would be required to reduce the total estimated waste output (demolition material), through reuse and recycling, by 50 percent, in accordance with the Integrated Waste Management Act AB 939. With implementation of mitigation measure **M-XVII.1**, the proposed project would meet requirements of AB939 and the project's impact on solid waste would be less than significant.

Mitigation Measures

M-XVII.1: *During demolition and construction, inert materials, such as soil, asphalt, concrete, and other recyclable materials, shall be recycled to the greatest extent practicable.*

³² Davidson, Eldon, City of Newport Beach Utilities Department. Letter to Gloria Broming forwarded to ESA, dated July 19, 2004.

³³ Nazaroff, Adam, Orange County Sanitation District. Personal communication, July 28, 2004.

³⁴ Jurisdiction profile for the City of Newport Beach <http://www.ciwmb.ca.gov/Profiles/Juris/JurProfile2.asp?RG=C&JURID=340&JUR=Newport+Beach> accessed online July 27, 2004.

³⁵ California Integrated Waste Management Board Facility Profiles, <http://www.ciwmb.ca.gov/Profiles/Facility/Landfill/> accessed online June 21, 2004.

³⁶ County of Los Angeles *Solid Waste Generation Factors*, 2001.

³⁷ *Ibid.*

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Less than Significant Impact with Mitigation Incorporation. The project site is located within an urbanized area surrounded by commercial and business uses. As discussed in Section IV. **Biological Resources** (a through d), vegetation on the project site includes ornamental trees, shrubs and grasses. There are no known rare or endangered animal or plant species at or surrounding the project site. Therefore implementation of the proposed project would not degrade the quality of the environment, substantially reduce the habitat of fish and wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten or eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed in Section V. **Cultural Resources** (a through c), the project site does not contain any historical resources or any known archaeological, paleontological or unique geologic features. Any surficial archaeological or paleontological resources which may have existed at one time have likely been unearthed or disturbed. Although there is a possibility that archaeological or paleontological resources exist at deep levels below ground surface, the uncovering of such resources would be remote. Implementation of **M-V.1 and M-V.2** would reduce the impacts to less than significant. No historic resources are known to exist on the site. Therefore, implementation of the proposed project would not eliminate important examples of major periods 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.)**

Potentially Significant Impact. The area surrounding the project site is largely urbanized. As such, an increase in the amount of traffic in the area due to the project could be cumulatively considerable. In addition, because the project is located in a non-attainment area for certain air pollutants, construction and operational impacts to air quality associated with the project could be cumulatively considerable.

Both of these impact areas will be analyzed in the EIR for the project.

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

Less than Significant Impact. Due to the proposed use of the project site as an automotive dealership/repair shop, implementation of the proposed project would result in the presence of hazardous materials used or stored on the site. However, as examined in Section VII. **Hazards**, the project would comply with all local, State and federal regulations regarding the use, transport, handling and disposal of these materials. Therefore, the project would not result in any significant environmental effects which could cause adverse effects on human beings.

SECTION 3.0

LIST OF MITIGATION MEASURES INCORPORATED INTO THE PROJECT

AESTHETICS

- M-I.1:** *The parking structure associated with the project shall be designed to be consistent with the surrounding area. The applicant shall submit design plans to the City of Newport Beach for review to ensure proposed design elements do not conflict with the overall visual character of the surrounding area.*
- M-I.2:** *The applicant shall submit a lighting plan to be reviewed by the City of Newport Beach. The lighting plan shall include design features to minimize impacts of light and glare on the surrounding area.*

AIR QUALITY

- M-III.1:** *Design features of the project will provide for adequate ventilation in those areas in which vehicle exhaust would create a strong odor. The applicant shall submit design plans for approval by the City of Newport Beach which address building ventilation.*

CULTURAL RESOURCES

- M-V.1:** *In the event that an archaeological or paleontological resource is inadvertently uncovered, the project applicant shall be required to immediately cease all construction at the place of discovery and a qualified archaeologist and/or paleontologist retained to evaluate the find. If the archaeologist or paleontologist determines that potentially significant paleontological or archaeological materials or human remains are encountered, the archaeologist and/or paleontologist must recover, retrieve and/or remove any paleontological or archaeological materials. The archaeologist shall provide a copy of documentation of all recovered date and materials found on-site to the regional information center of the California Archaeological Inventory for inclusion in the permanent archives and another copy shall accompany any recorded archaeological materials and data.*
- M-V.2:** *The applicant shall comply with the procedures required by NAHC as outlined in Section 50907.9 of the PRC and Section 7050 of the Health and Safety Code. In the event of discovery or recognition of any human remains during construction or excavation activities associated with the project, the implementing agency shall cease further excavation or disturbance of the site until the coroner has been informed.*

GEOLOGY AND SOILS

- M-VI.1:** *The applicant shall prepare and implement a Water Quality Management Plan to be submitted to the City of Newport Beach as required for coverage under the Statewide National Pollutant Discharge Elimination System construction permit. At a minimum, specific measures shall include the following:*

- *Plan excavation and grading activities to be conducted during the dry season to the extent possible.*
- *If construction occurs during the rainy season, storm runoff from construction areas shall be regulated by standard Best Management Practices which may include temporary on-site silt traps or detention basins. Stockpiles of loose material shall be covered to prevent wind and water erosion and runoff diverted away from exposed soil.*
- *After completion of grading, re-vegetation shall be initiated as soon as possible, as feasible.*

M-VI.2: *Prior to construction of the proposed project, exploration borings shall be performed in the locations of the proposed buildings to provide detailed foundation design recommendations for the proposed new development.*

LAND USE AND PLANNING

M-IX.1: *The applicant shall apply for a General Plan Amendment, Zoning Ordinance Amendment and a CUP from the City of Newport Beach.*

NOISE

M-XI.1: *During construction phases, the contractor shall ensure that all construction be performed in accordance with the City of Newport Beach noise standards. No noise intensive construction or repair work shall be performed between the hours of 9:00 PM and 7:00 AM on any weekday, or before 8:00 AM or after 6:00 PM on any Saturday or national holiday, or at any time on Sundays.*

During construction activities, the construction manager and inspector shall serve as the contact persons in the event that noise levels become disruptive. A sign will be posted at the site with the contact phone numbers.

M-XI.2: *Design of the proposed project will incorporate measures to reduce noise associated with the project. These measures shall include noise barriers and setbacks as appropriate that will minimize operational noise impacts. The applicant shall submit designs to the City of Newport Beach for approval prior to construction of the project. The proposed project shall comply with Newport Beach municipal noise standards.*

UTILITIES AND SERVICE SYSTEMS

M-XVII.1: *During demolition and construction, inert materials, such as soil, asphalt, concrete, and other recyclable materials, shall be recycled to the greatest extent practicable.*

SECTION 4.0

REFERENCES

Airport Land Use Commission, *Airport Environs Land Use Plan*, November 16, 1995.

Bower, Mary, Platt College, personal communication July 29, 2004.

California Department of Fish and Game. *Natural Diversity Database.*, accessed June 21, 2004.

California Department of Toxic Substance Control, Hazardous Waste and Substances Site List (Cortese List), website http://www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm accessed June 21, 2004

California Geologic Survey website, <http://www.consrv.ca.gov/CGS/rghm/ap/affected.html> accessed June 22, 2004.

California Geologic Survey website, http://gmw.consrv.ca.gov/shmp/html/pdf_maps_so.html accessed June 22, 2004.

California Integrated Waste Management Board Facility Profiles, <http://www.ciwmb.ca.gov/Profiles/Facility/Landfill/> accessed online June 21, 2004.

California Intergrated Waste Management Board Jurisdiction profile for the City of Newport Beach <http://www.ciwmb.ca.gov/Profiles/Juris/JurProfile2.asp?RG=C&JURID=340&JUR=Newport+Beach> accessed online July 27, 2004.

City of Los Angeles, Bureau of Sanitation, *Generation Factors*, 2001.

City of Newport Beach General Plan. March 1975.

City of Newport Beach GIS Mapping Applications website http://www6.city.newport-beach.ca.us/website/nb_info/viewer.htm accessed online June 21, 2004.

County of Los Angeles, *Solid Waste Generation Factors*, 2001.

Davidson, Eldon, City of Newport Beach Utilities Department. Letter to Gloria Broming forwarded to ESA, dated July 19, 2004.

Fusco Engineering, *Newport Beach Lexus Dealership Preliminary Water Quality Management Plan*, June 2, 2004.

Golder Associates, *Final Phase I Environmental Site Assessment Park MacArthur*, May 2004.

Lieutenant Klein, Newport Beach Police Department. Letter to David Lepo forwarded to ESA, dated July 26, 2004.

Lockard, Dennis, Newport Beach Fire Marshal. Letter to David Lepo forwarded to ESA, dated July 27, 2004

Nazaroff, Adam, Orange County Sanitation District. Personal communication July 28, 2004

Southern California Association of Governments, *Draft Regional Transportation Plan PEIR*, 2004.

SECTION 5.0

LIST OF PREPARERS AND CONTRIBUTORS

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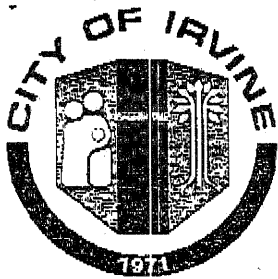
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Responses to NOP



August 20, 2004

David Lepo, Project Manager
Hogle-Ireland, Inc.
42 Corporate Park, Suite 250
Irvine, CA 92606

Subject: Notice of Preparation and Initial Study of a Draft EIR – Lexus Dealership

Dear Mr. Lepo:

The City of Irvine has received and reviewed the information on the above referenced project. The Community Development Department has consulted with the Public Works Department for possible comments on transportation issues. Based on their review, Transportation Services staff has the following comments:

COMMENT 1

City staff has previously met with the City of Newport Beach's traffic consultant and discussed the proposed traffic study area and methodology. City of Irvine methodology and performance criteria shall be applied along arterials and intersections with the City of Irvine. Provided that it is consistent with our discussions, the City of Irvine has no additional comments relating to the traffic study area.

COMMENT 2

Project impacts and mitigation within the City of Irvine shall be identified and discussed in the traffic study and EIR. If project mitigation is required at locations within or affecting the City of Irvine, we would like the opportunity to review all preliminary design and engineering plans. If impacts are identified due to this project, we anticipate that they will likely be at the intersection of Jamboree Road & MacArthur Boulevard or along Jamboree Road.

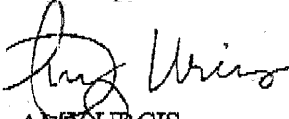
COMMENT 3

We look forward to the review of the project traffic study and EIR.

Mr. David Lepo
August 20, 2004
Page 2

Thank you for the opportunity to review the project. We would appreciate information on any change in the project description as the planning process proceeds. If you have any questions, please contact me at (949) 724-6546 or aurcis@ci.irvine.ca.us

Sincerely,



AMY URCIS
Associate Planner

cc: Barry Curtis, Principal Planner
Kerwin Lau, Senior Transportation Analyst
File

DEPARTMENT OF TRANSPORTATION

District 12

3337 Michelson Drive, Suite 380

Irvine, CA 92612-8894

Tel: (949) 2724-2267

Fax: (949) 724-2592



*Flex your power!
Be energy efficient!*

August 31, 2004

Mr. David Lepo
City of Newport Beach
3300 Newport Boulevard
P.O.Box 1768
Newport Beach, California 92658-8915

File: IGR/CEQA
SCH#: 2004081004
Log #: 1442
SR #: 73

Subject: Newport Lexus Dealership

Dear Mr. Lepo,

Thank you for the opportunity to review and comment on the **Notice of Preparation for the New Port Lexus Dealership Draft Environmental Impact Report**. The project applicant, Wilson Automotive Group proposes to develop a 30,000 square foot dealership showroom, a 1000,000 square foot auto service building, a multi story parking structure that would accommodate up to 1,700 spaces for employees parking and storage of sales inventory. The project site is located on 3901, 3931, and 3961 MacArthur Boulevard and 848 and 8888 Dove Street in the City of Newport Beach California. The nearest State Route to the project site is State Route 73.

Caltrans District 12 status is a reviewing agency on this project and has the following comments:

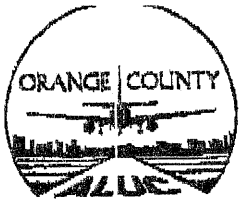
1. A Traffic Impact Analysis must be submitted to Caltrans for review and comments.
2. In the event of any activity in Caltrans' right-of-way, an encroachment permit will be required. Applicants are required to plan for sufficient permit processing time, which may include engineering studies and environmental documentation.

Please continue to keep us informed of this project and any future developments, which could potentially impact the transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2267.

Sincerely,


ROBERT F. JOSEPH, Chief
IGR/Community Planning Branch

c. Terry Roberts, Office of Planning and Research
Terri Pencovic, Caltrans HQ IGR/Community Planning
Isaac Alonso Rice, Traffic Operations North
Praveen Gupta, Environmental Planning A



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

August 31, 2004

Mr. David Lepo, Project Manager
Hogle-Ireland, Inc.
42 Corporate Park, Suite 280
Irvine, CA 92606

Subject: NOP-DEIR for Newport Lexus Dealership

Dear Mr. Lepo:

On behalf of the Airport Land Use Commission (ALUC) for Orange County, we have reviewed the Draft Environmental Impact Report (DEIR) Notice Of Preparation (NOP) for the Newport Lexus Dealership and wish to offer the following comments/corrections:

The project site is located within two planning areas described and depicted in the Airport Land Use Commission's *Airport Environs Land Use Plan (AELUP) for John Wayne Airport (JWA)*, specifically being within the *AELUP* Noise Impact Zone and the Height Restriction Zone. The project description includes a multi-story parking structure of as-yet unspecified height, as well as an auto dealer showroom and service center within an area of FAA-mandated physical height restrictions of particular concern to the ALUC. Initial Study Sections VII & XI "Hazards And Hazardous Materials" & "Noise" respectively, in each corresponding "Paragraph e)" states assurance of project compliance with the ALUC's *AELUP for JWA*. However, your accompanying Footnotes 9 & 14 both reference an earlier *AELUP* that has been superseded by the current *AELUP*, last amended on December 19, 2002. Following analysis of the project by FAA under the FAR Part 77 procedure, a Determination of Consistency or Inconsistency with the *JWA AELUP* would need to be made by the ALUC.

Please note that California Public Resources Code Section 21096(a) requires that lead agencies preparing an EIR for a project within an ALUC's airport planning area (i.e. *AELUP* zone) utilize the Caltrans/Division of Aeronautics' *California Airport Land Use Planning Handbook* as a technical resource for the CEQA document. The *Handbook* is available on-line at the Caltrans/DOA website which is: www.dot.ca.gov under Land Use Planning.

Thank you for this opportunity to comment on this project in the environs of JWA.

If you have any questions, please contact me at (949) 252-5170 or jgolding@ocair.com.

Sincerely,

Joan S. Golding
Executive Officer

cc: City of Newport Beach Planning Department

Appendix B.

Air Quality Worksheet

ESTIMATED EMISSIONS FROM DEMOLITION

Construction Imports Inputs						
Total days Allowed for Project		360.00				
Total Days Allowed for Demolition (Days)		40.00				
Total Site Acres (Acres)		8.00				
Total Cubic Yards for Demolition		9400				
Number of Employees		15				
Average Trip Length One Way POV (Miles)		30				
Total Work Hours Per Day (Hours/Day)		8				
Total Number of Demo Haul Trucks		783				
Daily Number of Demo Haul Trucks		20				
Average Trip Length One Way Demo Haul Trucks (Miles)		25				
Total VMT Water Trucks per day (Miles)		2				
Total Number of Each Equipment used for Construction						
# of equipment	0	0	0	1	0	0
Hours per Day	0	0	0	8	0	0
Days in Operation	0	0	0	30	0	0
Miles Per Hour						
	scraper diesel	forklift diesel	compactor diesel	crane diesel	welder diesel	pipe-jacker diesel
# of equipment	1	1	0	1	0	0
Hours per Day	8	6	0	6	0	0
Days in Operation	20	40	0	20	0	0
Miles Per Hour	1	1		1		
	loaders diesel	dozer diesel	truck diesel	backhoe diesel	dump truck diesel	excavator diesel
Assumptions Used in EMFAC2002						
% LDA	66.00%			Daily VMT LDA & LDT	902.000	
%LDT	34.00%			Daily VMT Haul Truck	979.1666667	
Season	summer					
EMFAC2002 Inputs						
		LDA	LDT	HDD		
		Grams/Mile	Grams/Mile	Grams/Mile		
Carbon Monoxide (CO)		3.02	3.6	2.9		
Reactive Organic Compounds (ROC)		0.19	0.2	0.65		
Nitrogen Oxides (NOx)		0.25	0.3	15.97		
Particulates (PM10)		0.01	0.01	0.26		

Source: EMFAC2002

Vehicle Exhaust Emissions from POV, Construction

Construction Workers POV Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	3.2172	6.39
Reactive Organic Compounds (ROC)	0.1934	0.38
Nitrogen Oxides (NOx)	0.267	0.53
Particulates (PM10)	0.01	0.02

Source: Emission Factors From EMFAC2002

Haul Truck Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	2.9	6.25
Reactive Organic Compounds (ROC)	0.65	1.40
Nitrogen Oxides (NOx)	15.97	34.44
Sulfur Oxides (SOx)	NA	0
Particulates (PM10)	0.26	0.56

Source: EMFAC2002

Construction Equipment Emissions

	scraper	forklift	compactor	crane	welder	pipe-jacker	Total Emissions lbs/day
	500 hp diesel	175 hp diesel	50 hp diesel	175 hp diesel	50 hp diesel	175 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.62	0.24	0.05	0.22	0.55	0.11	1.3
Reactive Organic Compounds (ROC)	0.24	0.13	0.03	0.11	0.1	0.2	0.7
Nitrogen Oxides (NOx)	4.82	2.24	0.49	2.01	0.9	1.85	12.1
Particulates (PM10)	0.10	0.05	0.01	0.05	0.05	0.05	0.3

	loaders	dozer	truck	backhoe	dump truck	excavator	Total Emissions lbs/day
	175 hp diesel	120 hp diesel	175 hp diesel	120 hp diesel	500 hp diesel	120 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.23	0.36	0.22	0.11	0.66	0.08	3.1
Reactive Organic Compounds (ROC)	0.12	0.19	0.12	0.06	0.25	0.15	1.8
Nitrogen Oxides (NOx)	2.07	3.27	2.02	1.01	5.16	1.39	30.9
Particulates (PM10)	0.05	0.08	0.05	0.02	0.1	0.03	0.7

Source: ARB Emission Inventory Publication Number MO99_32.3 Table 13 released: 2000

Source: ARB Inventory Publication MO99_32.5 App. B released: 2000

Total PM10 Fugitive Dust Emissions from construction

<u>Air Pollutant</u>	<u>Emission Factor</u>		<u>Unmitigated Emissions</u>	<u>Mitigation Efficiency</u>	Est. Emissions (lbs/day)
Particulates (PM10) Loaders*	0.000035	lb/ton	0.09996 lb/day	50%	0.0
Particulates (PM10) Bulldozer**	2.4	lb/hr	14.4 lb/day	50%	7
Particulates (PM10) Scraper***	4.3	lb/vmt	0 lb/day	50%	0
Particulates (PM10) Backhoe****	0.000035	lb/ton	0 lb/day	50%	0.0
Particulates (PM10) Trencher*****	0.000035	lb/ton	0 lb/day	50%	0.0
Particulates (PM10) demolition*****	0.00042	lb/ft ³	2.6649 lb/day	50%	1.3
Particulates (PM10) POV & Haul Truck	0.42	gm/mile			1.74
Total Particulates					10

* Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 280 cubic yards per hour per loader, 1 cubic yard = 2550 pounds.

** Bulldozing Overburden Equation Table 11.9-1 AP-42 Assume 15% silt content, 7.9 % soil moisture content

*** Cut and Fill Operations with 15 Cubic Meter Pan Scraper Equation SCAQMD CEQA Air Quality Handbook, Table A9-9

**** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per backhoe, 1 cubic yard = 2550 pounds.

***** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per Trencher, 1 cubic yard = 2550 pounds.

***** Demolition emissions factor, Table A9-9 SCAQMD CEQA Air Quality Handbook, 1993.

Source: Table 11.9-1 EPA AP-42

*Source: ARB Recommended

Total Air Emissions from Construction Including POV, Fugitive Dust, and

<u>Air Pollutant</u>	Est. Emissions (lbs/day)	SCAQMD Thresholds (lbs/day)	Significant?
Carbon Monoxide (CO)	17.10	550.00	NO
Reactive Organic Compounds (ROC)	4.25	75.00	NO
Nitrogen Oxides (NOx)	77.96	100.00	NO
Particulates (PM10)	11.94	150.00	NO

Source: EMFAC7G and SCAQMD CEQA Air Quality Handbook

ESTIMATED EMISSIONS FROM EXCAVATION

Construction Imports Inputs						
Total days Allowed for Project			360.00			
Total Days Allowed for Demolition (Days)			40.00			
Total Site Acres (Acres)			8.00			
Total Cubic Yards for Demolition			10000			
Number of Employees			50			
Average Trip Length One Way POV (Miles)			30			
Total Work Hours Per Day (Hours/Day)			8			
Total Number of Demo Haul Trucks			833			
Daily Number of Demo Haul Trucks			21			
Average Trip Length One Way Demo Haul Trucks (Miles)			25			
Total VMT Water Trucks per day (Miles)			1			
Total Number of Each Equipment used for Construction						
# of equipment	1	0	1	0	0	0
Hours per Day	6	0	6	0	0	0
Days in Operation	20	0	20	0	0	0
Miles Per Hour	1		1			
	scraper diesel	forklift diesel	compactor diesel	crane diesel	welder diesel	pipe-jacker diesel
# of equipment	2	1	0	0	0	1
Hours per Day	8	6	0	0	0	6
Days in Operation	15	40	0	0	0	20
Miles Per Hour	1	1				1
	loaders diesel	dozer diesel	truck diesel	backhoe diesel	dump truck diesel	excavator diesel
Assumptions Used in EMFAC2002						
% LDA	66.00%			Daily VMT LDA & LDT	3001.000	
% LDT	34.00%			Daily VMT Haul Truck	1041.666667	
Season	summer					
EMFAC2002 Inputs						
		LDA	LDT	HDD		
		Grams/Mile	Grams/Mile	Grams/Mile		
Carbon Monoxide (CO)		3.02	3.6	2.9		
Reactive Organic Compounds (ROC)		0.19	0.2	0.65		
Nitrogen Oxides (NOx)		0.25	0.3	15.97		
Particulates (PM10)		0.01	0.01	0.26		

Source: EMFAC2002

Vehicle Exhaust Emissions from POV, Construction

Construction Workers POV Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	3.2172	21.27
Reactive Organic Compounds (ROC)	0.1934	1.28
Nitrogen Oxides (NOx)	0.267	1.76
Particulates (PM10)	0.01	0.07

Source: Emission Factors From EMFAC2002

Haul Truck Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	2.9	6.65
Reactive Organic Compounds (ROC)	0.65	1.49
Nitrogen Oxides (NOx)	15.97	36.64
Sulfur Oxides (SOx)	NA	0
Particulates (PM10)	0.26	0.60

Source: EMFAC2002

Construction Equipment Emissions

	scraper	forklift	compactor	crane	welder	pipe-jacker	Total Emissions lbs/day
	500 hp diesel	175 hp diesel	50 hp diesel	175 hp diesel	50 hp diesel	175 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.62	0.24	0.05	0.22	0.55	0.11	2.0
Reactive Organic Compounds (ROC)	0.24	0.13	0.03	0.11	0.1	0.2	0.8
Nitrogen Oxides (NOx)	4.82	2.24	0.49	2.01	0.9	1.85	15.9
Particulates (PM10)	0.10	0.05	0.01	0.05	0.05	0.05	0.3

	loaders	dozer	truck	backhoe	dump truck	excavator	Total Emissions lbs/day
	175 hp diesel	120 hp diesel	175 hp diesel	120 hp diesel	500 hp diesel	120 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.23	0.36	0.22	0.11	0.66	0.08	3.8
Reactive Organic Compounds (ROC)	0.12	0.19	0.12	0.06	0.25	0.15	2.3
Nitrogen Oxides (NOx)	2.07	3.27	2.02	1.01	5.16	1.39	36.2
Particulates (PM10)	0.05	0.08	0.05	0.02	0.1	0.03	0.9

Source: ARB Emission Inventory Publication Number MO99_32.3 Table 13 released: 2000

Source: ARB Inventory Publication MO99_32.5 App. B released: 2000

Total PM10 Fugitive Dust Emissions from construction						
Air Pollutant	Emission Factor		Unmitigated		Mitigation	Est. Emissions (lbs/day)
			Emissions		Efficiency	
Particulates (PM10) Loaders*	0.000035	lb/ton	0.19992	lb/day	50%	0.1
Particulates (PM10) Bulldozer**	2.4	lb/hr	14.4	lb/day	50%	7
Particulates (PM10) Scraper***	4.3	lb/vmt	25.8	lb/day	50%	12.9
Particulates (PM10) Backhoe****	0.000035	lb/ton	0	lb/day	50%	0.0
Particulates (PM10) Trencher*****	0.000035	lb/ton	0.03612	lb/day	50%	0.0
Particulates (PM10) POV & Haul Truck	0.42	gm/mile				3.74
Total Particulates						24

* Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 280 cubic yards per hour per loader, 1 cubic yard = 2550 pounds.

** Bulldozing Overburden Equation Table 11.9-1 AP-42 Assume 15% silt content, 7.9 % soil moisture content

*** Cut and Fill Operations with 15 Cubic Meter Pan Scraper Equation SCAQMD CEQA Air Quality Handbook, Table A9-9

**** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per backhoe, 1 cubic yard = 2550 pounds.

***** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per Trencher, 1 cubic yard = 2550 pounds.

Source: Table 11.9-1 EPA AP-42

*Source: ARB Recommended

Total Air Emissions from Construction Including POV, Fugitive Dust, and			
Air Pollutant	Est. Emissions	SCAQMD	Significant?
	(lbs/day)	Thresholds (lbs/day)	
Carbon Monoxide (CO)	33.71	550.00	NO
Reactive Organic Compounds (ROC)	5.89	75.00	NO
Nitrogen Oxides (NOx)	90.55	100.00	NO
Particulates (PM10)	25.82	150.00	NO

Source: EMFAC7G and SCAQMD CEQA Air Quality Handbook

ESTIMATED EMISSIONS FROM CONSTRUCTION

Construction Imports Inputs						
Total days Allowed for Project	360.00					
Total Days Allowed for Demolition (Days)	280.00					
Total Site Acres (Acres)	8.00					
Number of Employees	50					
Average Trip Length One Way POV (Miles)	30					
Total Work Hours Per Day (Hours/Day)	8					
Total Number of Delivery Trucks	1840					
Daily Number of Delivery Trucks	7					
Average Trip Length One Way Demo Haul Trucks (Miles)	25					
Total VMT Water Trucks per day (Miles)	1					
Total Number of Each Equipment used for Construction						
# of equipment	1	3	1	1	3	3
Hours per Day	4	6	4	4	6	6
Days in Operation	40	140	40	40	160	160
Miles Per Hour						
	mortar mixer diesel	forklift diesel	roller diesel	paver diesel	welder diesel	compressor diesel
# of equipment	0	0	0	0	2	0
Hours per Day	0	0	0	0	4	0
Days in Operation	0	0	0	0	160	0
Miles Per Hour						
	loaders diesel	dozer diesel	truck diesel	backhoe diesel	boom truck diesel	excavator diesel
Assumptions Used in EMFAC2002						
% LDA	66.00%			Daily VMT LDA & LDT	3001.000	
%LDT	34.00%			Daily VMT Haul Truck	328.5714286	
Season	summer					
EMFAC2002 Inputs						
	LDA	LDT	HDD			
	Grams/Mile	Grams/Mile	Grams/Mile			
Carbon Monoxide (CO)	3.02	3.6	2.9			
Reactive Organic Compounds (ROC)	0.19	0.2	0.65			
Nitrogen Oxides (NOx)	0.25	0.3	15.97			
Particulates (PM10)	0.01	0.01	0.26			

Source: EMFAC2002

Vehicle Exhaust Emissions from POV, Construction

Construction Workers POV Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	3.2172	21.27
Reactive Organic Compounds (ROC)	0.1934	1.28
Nitrogen Oxides (NOx)	0.267	1.76
Particulates (PM10)	0.01	0.07

Source: Emission Factors From EMFAC2002

Haul Truck Emissions

	EMFAC Emissions	
	Factor. Grams/Mile	Est. Emissions lbs/day
Carbon Monoxide (CO)	2.9	2.10
Reactive Organic Compounds (ROC)	0.65	0.47
Nitrogen Oxides (NOx)	15.97	11.56
Sulfur Oxides (SOx)	NA	0
Particulates (PM10)	0.26	0.19

Source: EMFAC2002

Construction Equipment Emissions

	mortor mixer	forklift	roller	paver	welder	pipe-jacker	Total Emissions lbs/day
	50 hp diesel	175 hp diesel	175 hp diesel	175 hp diesel	50 hp diesel	175 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.5	0.24	0.23	0.24	0.55	0.11	9.5
Reactive Organic Compounds (ROC)	0.1	0.13	0.12	0.13	0.1	0.2	4.5
Nitrogen Oxides (NOx)	1.2	2.24	2.08	2.22	0.9	1.85	51.6
Particulates (PM10)	0.05	0.05	0.05	0.05	0.05	0.05	1.6

	loaders	dozer	truck	backhoe	boom truck	excavator	Total Emissions lbs/day
	175 hp diesel	120 hp diesel	175 hp diesel	120 hp diesel	250 hp diesel	120 hp diesel	
	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	lbs/hour	
Carbon Monoxide (CO)	0.23	0.36	0.22	0.11	0.34	0.08	1.6
Reactive Organic Compounds (ROC)	0.12	0.19	0.12	0.06	0.18	0.15	0.8
Nitrogen Oxides (NOx)	2.07	3.27	2.02	1.01	3.14	1.39	14.4
Particulates (PM10)	0.05	0.08	0.05	0.02	0.08	0.03	0.4

Source: ARB Emission Inventory Publication Number MO99_32.3 Table 13 released: 2000

Source: ARB Inventory Publication MO99_32.5 App. B released: 2000

Total PM10 Fugitive Dust Emissions from construction

<u>Air Pollutant</u>	<u>Emission Factor</u>	<u>Unmitigated Emissions</u>	<u>Mitigation Efficiency</u>	Est. Emissions (lbs/day)
Particulates (PM10) Loaders*	0.000035 lb/ton	0 lb/day	50%	0.0
Particulates (PM10) Bulldozer**	2.4 lb/hr	0 lb/day	50%	0
Particulates (PM10) Scraper***	4.3 lb/vmt	0 lb/day	50%	0
Particulates (PM10) Backhoe****	0.000035 lb/ton	0.10836 lb/day	50%	0.1
Particulates (PM10) Trencher*****	0.000035 lb/ton	0 lb/day	50%	0.0
Particulates (PM10) POV & Haul Truck	0.42 gm/mile			3.08
Total Particulates				3

* Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 280 cubic yards per hour per loader, 1 cubic yard = 2550 pounds.

** Bulldozing Overburden Equation Table 11.9-1 AP-42 Assume 15% silt content, 7.9 % soil moisture content

*** Cut and Fill Operations with 15 Cubic Meter Pan Scraper Equation SCAQMD CEQA Air Quality Handbook, Table A9-9

**** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per backhoe, 1 cubic yard = 2550 pounds.

***** Aggregate Batch Drop Equation AP-42, 13.2.4-3 (1) Assume mean wind speed = 1.6475 mph, 7.9% soil moisture content & 135 cubic yards per hour per Trencher, 1 cubic yard = 2550 pounds.

Source: Table 11.9-1 EPA AP-42

*Source: ARB Recommended

Total Air Emissions from Construction Including POV, Fugitive Dust, and

<u>Air Pollutant</u>	Est. Emissions (lbs/day)	SCAQMD Thresholds (lbs/day)	Significant?
Carbon Monoxide (CO)	34.42	550.00	NO
Reactive Organic Compounds (ROC)	7.03	75.00	NO
Nitrogen Oxides (NOx)	79.27	100.00	NO
Particulates (PM10)	5.32	150.00	NO

Source: EMFAC7G and SCAQMD CEQA Air Quality Handbook