

Responses to Comments

and

Mitigation Monitoring and Reporting Program

for the

Orange Coast College Maritime Training Center

SCH #: 2010101005

LEAD AGENCY:

Coast Community College District

1370 Adams Avenue
Costa Mesa, CA 92626

Contact: *Dr. Ding-Jo H. Currie*
714.438.4600

PREPARED BY:

RBF Consulting

14725 Alton Parkway
Irvine, CA 92618

Contact: *Ms. Collette L. Morse, AICP*
(949) 472-3505

November 2010

JN 10-106619

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1. INTRODUCTION

The Orange Coast College (OCC) Maritime Training Center, proposed by the Coast Community College District (CCCD), is located at and adjacent to 1700 West Coast Highway (State Route 1), within the southwestern portion of the City of Newport Beach (City). The OCC Maritime Training Center involves the implementation of an educational facility focusing on sailing, marine safety, seamanship, and vocational marine studies. The project will serve as an expansion of OCC's existing School of Sailing and Seamanship (SSS) within the City. The proposed project is comprised of two primary facilities: 1) the two-story, approximately 10,000 square-foot OCC Maritime Training Center, situated on a 0.53-acre site on the inland site of West Coast Highway; and 2) a pedestrian bridge that will cross over West Coast Highway, connecting the proposed OCC Maritime Training Center to the existing OCC SSS.

Construction is anticipated to commence in 2012. The first phase of construction would consist of the Maritime Training Center, and would last approximately 12 months. The second phase would consist of the proposed pedestrian bridge and would last approximately 6 months. The timing between the two phases would depend on the availability of funding and changes in user demand at the existing OCC SSS.

In accordance with the *California Environmental Quality Act (CEQA) Guidelines* and the CCCD policies for implementing CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed project.

The IS/MND was made available for public review and comment pursuant to *CEQA Guidelines* Section 15070. The public review commenced on October 6, 2010 and expired on November 4, 2010. The IS/MND and supporting attachments were available for review by the general public at the CCCD's Administrative Office (1370 Adams Avenue, Costa Mesa), Newport Beach Public Library, Mariners Branch (2005 Dover Drive, Newport Beach) and the OCC SSS (1801 West Coast Highway, Newport Beach).

2. RESPONSES TO COMMENTS

During the public review period, comments were received on the IS/MND from certain interested public agencies and private parties. The following is a list of the persons, firms, or agencies that submitted comments on the IS/MND during the public review period:

Comment Letter No.	Person, Firm, or Agency	Letter Dated
1	Scott Morgan Director State Clearinghouse and Planning Unit Governor's Office of Planning and Research	November 5, 2010
2	Dave Singleton Program Analyst Native American Heritage Commission	October 28, 2010
3	Al Shami Project Manager Brownfields and Environmental Restoration Program California Department of Toxic Substances Control	November 1, 2010
4	Christopher Herre Branch Chief Local Development/Intergovernmental Review California Department of Transportation, District 12	November 3, 2010
5	Rosalinh Ung Associate Planner Planning Department City of Newport Beach	November 3, 2010
6	Fernie Sy Coastal Program Analyst II California Coastal Commission	November 4, 2010

Although the *CEQA Guidelines* do not require a Lead Agency to prepare written responses to comments received (see *CEQA Guidelines* Section 15088), the CCCD has elected to prepare the following written responses with the intent of conducting a comprehensive and meaningful evaluation of the proposed project.

The number designations in the responses are correlated to the bracketed and identified portions of each comment letter.



Arnold Schwarzenegger
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Cathleen Cox
Acting Director

November 5, 2010

Jerru Marchbank
Coast Community College District
1370 Adams Avenue
Costa Mesa, CA 92626

Subject: Orange Coast College Maritime Training Center
SCH#: 2010101005

Dear Jerru Marchbank:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 4, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1.1

**Document Details Report
State Clearinghouse Data Base**

SCH# 2010101005
Project Title Orange Coast College Maritime Training Center
Lead Agency Coast Community College District

Type MND Mitigated Negative Declaration
Description NOTES: Review Per Lead

The Orange Coast College (OCC) Maritime Training Center involves the implementation of an educational facility focusing on sailing, marine safety, seamanship, and vocational marine studies. The project will serve as an expansion of OCC's existing School of Sailing and Seamanship (SSS) within the City of Newport Beach. The proposed project is comprised of two primary facility: 1) the two-story, approximately 10,000sf OCC Maritime Training Center, situated on a 0.53 acre site on the inland site of West Coast Highway; and 2) a pedestrian bridge that will cross over West Coast Highway, connecting the proposed OCC Maritime Training Center to the existing OCC SSS.

Lead Agency Contact

Name Jerru Marchbank
Agency Coast Community College District
Phone 714-438-4731 **Fax**
email
Address 1370 Adams Avenue
City Costa Mesa **State** CA **Zip** 92626

Project Location

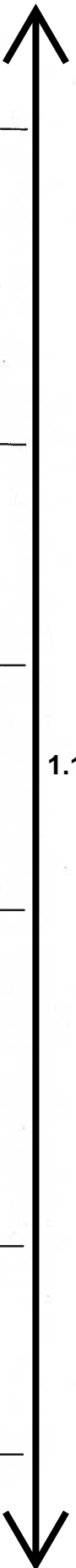
County Orange
City Newport Beach
Region
Lat / Long 33° 37' 1.88" N / 117° 55' 3.41" W
Cross Streets West Coast Highway/ Tustin Avenue
Parcel No. 049-222-31, -32, -33
Township 6S **Range** 10W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR-1, SR-55
Airports
Railways Yes
Waterways Pacific Ocean, Lido Channel, Santa Ana River, Newport Bay
Schools Yes
Land Use The Maritime Training Center site is designated "Public Facilities" (PF) and "General Commercial" (CG 0.3) by the City's General Plan (General Plan), and "Retail Service Commercial, Mariner's Mile Overlay District" (RSC-MM) by the Zoning Code. The existing OCC School of Sailing and Seamanship is designated PF by the General Plan and Balboa Bay Club, Mariner's Mile Overlay District" (PC-45-MM) by the Zoning Code.

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Cumulative Effects; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife

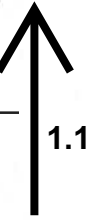
Reviewing Agencies Resources Agency; Department of Boating and Waterways; California Coastal Commission; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 12; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American



**Document Details Report
State Clearinghouse Data Base**

Heritage Commission; State Lands Commission

Date Received 10/05/2010 ***Start of Review*** 10/05/2010 ***End of Review*** 11/04/2010



Response No. 1

Scott Morgan

Director

State Clearinghouse and Planning Unit

Governor's Office of Planning and Research

November 5, 2010

- 1.1 This procedural letter received from the State Clearinghouse acknowledges the close of the public review period for the IS/MND and verifies that the CCCD has complied with State Clearinghouse review requirements under CEQA. It also provides a summary of information contained within the State Clearinghouse's database for the proposed project. No further response is required.

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



October 28, 2010

Mr. Jerry Marchbank, Planner

Coast Community College District

1370 Adams Avenue
Costa Mesa, CA 92626

Re: SCH#2010101005 CEQA Notice of Completion; Initial Study & proposed Mitigated Negative Declaration for the Orange Coast College Maritime Training Center Project; located in the Coastal Area within the southwestern portion of the City of Newport Beach and adjacent to 1700 West Coast Highway, to include a Pedestrian Bridge over West Coast Highway; Orange County, California

Dear Mr. Marchbank:

The Native American Heritage Commission (NAHC) is the state 'trustee agency' pursuant to Public Resources Code §21070 for the protection and preservation of California's Native American Cultural Resources. (Also see *Environmental Protection Information Center v. Johnson* (1985) 170 Cal App. 3rd 604). The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amendment effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines). Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance. The lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. State law also addresses Native American Religious Expression in Public Resources Code §5097.9.

2.1

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §5097.94(a) and Native American Cultural Resources were identified within one-half mile of the Area of Potential Effect (APE). It is important to do early consultation with Native American tribes in your area as the best way to avoid unanticipated discoveries once a project is underway and to learn of any sensitive cultural areas. Enclosed are the names of the culturally affiliated tribes and interested Native American individuals that the NAHC recommends as 'consulting parties,' for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.. Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the 'Initial Study' and in other phases of the environmental planning processes.

2.2



Furthermore the NAHC recommends that you contact the California Historic Resources Information System (CHRIS) of the Office of Historic Preservation (OHP), for information on recorded archaeological data. This information is available at the OHP Office in Sacramento (916) 445-7000.

Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f] *et seq.*), 36 CFR Part 800.3, the President's Council on Environmental Quality (CSQ; 42 U.S.C. 4371 *et seq.*) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 *Secretary of the Interior's Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including *cultural landscapes*. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e).

Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of 'historic properties of religious and cultural significance' may also be protected under Section 304 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by this Commission if the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assure the appropriate and dignified treatment of Native American human remains and any associated grave liens. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is 'advisory' rather than mandated, the NAHC does request 'lead agencies' to work with tribes and interested Native American individuals as 'consulting parties,' on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the 'electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4.3, and §25330 to Division 15, requires consultation with California Native American tribes, and identifies both federally recognized and non-federally recognized on a list maintained by the NAHC



2.2

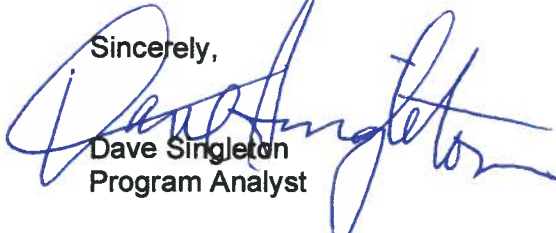
2.3

Health and Safety Code §7050.5, Public Resources Code §5097.98 and Sec. §15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. . Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

2.4

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,



Dave Singleton
Program Analyst

Attachment: List of Culturally Affiliated Native American Contacts

Cc: State Clearinghouse

Native American Contacts
Orange County
October 28, 2010

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
6515 E. Seaside Walk, #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos Juaneno
San Juan Capistrano CA 92675
DavidBelardes@hotmail.
(949) 293-8522
(949) 493-4933 - Home

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano CA 92675-2674
arivera@juaneno.com
(949) 488-3484

(530) 354-5876 - cell

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Gabrielino Tongva
tattnlaw@gmail.com
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert F. Doramae, Tribal Chair/Cultural
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-925-7989 - fax

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Juaneno Band of Mission Indians
Alfred Cruz, Culural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
alfredgcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

2.5



This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 800.

This list is only applicable for contacting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SCH#2010101005; CEQA Notice of Completion; Initial Study & Mitigated Negative Declaration for the Orange Coast College Maritime Training Center; located in the southwestern portion of the City of Newport Beach at and adjacent to 1700 West Coast Highway; Orange County, California.

Native American Contacts
Orange County
October 28, 2010

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
sonia.johnston@sbcglobal.
net
(714) 323-8312

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry; Representing Tribal Chairperson
4955 Paseo Segovia Juaneno
Irvine , CA 92612
949-293-8522

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807
(714) 779-8832

Gabrielino-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles , CA 90067 Gabrielino
lcandelaria1@gabrielinoTribe.org
310-428-5767- cell
(310) 587-2281

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando Juaneno
San Clemente CA 92672
rebrobles1@gmail.com
(949) 573-3138

Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles , CA 90067
(310) 428-7720 - cell
(310) 587-2281

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code. Also, federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA. And 36 CFR Part 800.

This list is only applicable for contacting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SCH#2010101005; CEQA Notice of Completion; Initial Study & Mitigated Negative Declaration for the Orange Coast College Maritime Training Center; located in the southwestern portion of the City of Newport Beach at and adjacent to 1700 West Coast Highway; Orange County, California.



2.5

Response No. 2

Dave Singleton
Program Analyst
Native American Heritage Commission
October 28, 2010

- 2.1 This paragraph provides an introductory discussion regarding the Native American Heritage Commission (NAHC) and requirements for the analysis of historical and archaeological resources under CEQA. No additional response is required.
- 2.2 As part of the *Phase I Cultural Resources Assessment (Cultural Resources Assessment)* prepared for the proposed project (included as Appendix B of the IS/MND), the NAHC was contacted in order to initiate consultation with potentially affected Native American tribes. The same 14 tribal contacts listed as part of Comment 1.5 (below) were consulted to solicit input regarding the potential impacts to Native American resources as a result of project implementation. As shown in the *Cultural Resources Assessment*, written responses were received from the Tongva Ancestral Territorial Tribal Nation and the Juaneno Band of Mission Indians Acjachemen Nation. Phone conversations occurred with the Juaneno Band of Mission Indians and the Gabrielino/Tongva San Gabriel Band of Mission Indians. Although several responses indicated the presence of resources in the region, none pointed to known resources occurring on-site. However, given that resources are known to occur within 0.5-mile of the site, Mitigation Measure CUL-1 has been provided within the IS/MND, which would provide for mitigation in the event buried cultural resources are discovered during project grading. Moreover, Mitigation Measure CUL-3 has also been incorporated into the IS/MND, in the event human remains are found during construction. In the event remains are discovered, the NAHC would be contacted to determine the appropriate course of action.
- 2.3 As stated above, the *Cultural Resources Assessment* included consultation with Native American tribes identified by the NAHC. Refer to Response 1.2, above, for information regarding tribal input and mitigation provided within the IS/MND.
- 2.4 As stated within Response 1.2, Mitigation Measure CUL-3 has also been incorporated into the IS/MND. This measure is intended to address impacts in the event human remains are found during construction. In the event remains are discovered, the NAHC would be contacted to determine the appropriate course of action.
- 2.5 This portion of the comment letter provides contact information for potentially-affected Native American tribes. No further response is required.



Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue
Cypress, California 90630



Arnold Schwarzenegger
Governor



Linda S. Adams
Secretary for
Environmental Protection

November 1, 2010

Mr. Jerry Marchbank
Environmental Health & Safety Specialist
Coast Community College District
1370 Adams Avenue
Costa Mesa, California 92626

DRAFT MITIGATED NEGATIVE DECLARATION FOR ORANGE COAST COLLEGE
MARITIME TRAINING CENTER (SCH# 2010101005)

Dear Mr. Marchbank:

The Department of Toxic Substances Control (DTSC) has received your submitted document for the above-mentioned project. As stated in your document: "The proposed Orange Coast College (OCC) Maritime Training Center will be constructed on the north (inland) side of West Coast Highway on property owned currently by the Orange County Sanitation District (OCSD). Subsequent to acquiring the 0.53-acre parcel from OCSD, the Coast Community College District (CCCD) will construct a 2-story facility with approximately 10,000 gross square feet of teaching, learning, and lecture space. First-floor improvements will consist of parking facilities and ancillary improvements, while the second story will include educational and training facilities".

3.1

Based on the review of the submitted document DTSC has the following comments:

- 1) The ND should identify and determine whether current or historic uses at the project area may have resulted in any release of hazardous wastes/substances.
- 2) The document states that the ND would identify any known or potentially contaminated sites within the proposed project area. For all identified sites, the ND should evaluate whether conditions at the site may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

3.2

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- EnviroStor, a database primarily used by the California Department of Toxic Substances Control, at [www. Envirostor.dtsc.ca.gov](http://www.Envirostor.dtsc.ca.gov).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

- 3) The ND should identify the mechanism to initiate any required investigation and/or remediation for any site that may be contaminated, and the government agency to provide appropriate regulatory oversight. If hazardous materials or wastes were stored at the site, an environmental assessment should be conducted to determine if a release has occurred. If so, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. It may be necessary to determine if an expedited response action is required to reduce existing or potential threats to public health or the environment. If no immediate threat exists, the final remedy should be implemented in compliance with state laws, regulations and policies.



3.2

- 4) The project construction may require soil excavation and soil filling in certain areas. Appropriate sampling is required prior to disposal of the excavated soil. If the soil is contaminated, properly dispose of it rather than placing it in another location. Land Disposal Restrictions (LDRs) may be applicable to these soils. Also, if the project proposes to import soil to backfill the areas excavated, proper sampling should be conducted to make sure that the imported soil is free of contamination.
- 5) Human health and the environment of sensitive receptors should be protected during the construction or demolition activities. A study of the site overseen by the appropriate government agency might have to be conducted to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.
- 6) If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the ND should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight.
- 7) If weed abatement occurred, onsite soils may contain herbicide residue. If so, proper investigation and remedial actions, if necessary, should be conducted at the site prior to construction of the project.
- 8) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.



Mr. Jerry Marchbank
November 1, 2010
Page 4

- 9) DTSC can provide guidance for cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact me at ashami@dtsc.ca.gov, or by phone at (714) 484-5472.

Sincerely,

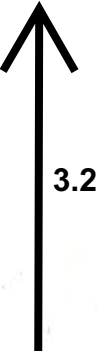


Al Shami
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
ADelacr1@dtsc.ca.gov

CEQA # 3034



Response No. 3

Al Shami
Project Manager
Brownfields and Environmental Restoration Program
California Department of Toxic Substances Control
November 1, 2010

- 3.1 This introductory paragraph provides a summary of the project description. No further response is required.
- 3.2 These comments pertain to analysis that should be performed to determine hazardous materials impacts related to the project. They also describe measures that should be taken to mitigate potential effects related to hazardous materials. As part of the IS/MND, a *Phase I Environmental Site Assessment (Phase I ESA)* was prepared to provide a detailed description of potential hazards through site reconnaissance, a search of public records, and a review of historical uses on and surrounding the site. The *Phase I ESA* was provided as Appendix D of the IS/MND. The *Phase I ESA* was prepared in accordance with regulatory agency requirements and American Society for Testing and Materials (ASTM) standards, and provides recommendations for monitoring and testing prior to and during construction. The proposed project would be subject to existing Federal, State, and local regulatory requirements pertaining to hazardous materials. Based on the findings of the IS/MND, impacts were determined to be less than significant.

DEPARTMENT OF TRANSPORTATION

District 12
 3337 Michelson Drive, Suite 380
 Irvine, CA 92612-8894
 Tel: (949) 724-2267
 Fax: (949) 724-2592



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Post-It® Fax Note	7671	Date	11-4-10	# of pages	2
To	J. Marchbank	From	D. Davis		
Co./Dept.	CCCD	Co.	CALTRANS		
Phone #	714 438-4731	Phone #	914 440-3487		
Fax #	714 438-4893	Fax #	914 724-2592		

November 3, 2010

Mr. Jerry Marchbank
 Coast Community College District
 1370 Adams Avenue
 Costa Mesa, CA 92626

File: IGR/CEQA
 SCH#: 2010101005
 Log #: 2604
 SR-1

Subject: Orange Coast College Maritime Training Center

Dear Mr. Marchbank,

Thank you for the opportunity to review and comment on the Mitigated Negative Declaration for the Orange Coast College (OCC) Maritime Training Center. The proposed project involves the implementation of an educational facility focusing on sailing, marine safety, seamanship, and vocational marine studies. The project will serve as an expansion of OCC's existing School of Sailing and Seamanship (SSS) within the City of Newport Beach. The proposed project is comprised of two primary facilities: 1) the 2-story, approximately 10,000 square-foot OCC Maritime Training Center, situated on a 0.53-acre site on the inland side of West Coast Highway (SR-1); and 2) a pedestrian bridge that will cross over SR-1, connecting the proposed OCC Maritime Training Center and the existing OCC SSS. The nearest State route to the project is SR-1.

4.1

The California Department of Transportation (Department), District 12 is a responsible agency on this project and has the following comments:

1. If any project work (e.g. storage of materials, street widening, emergency access improvements, sewer connections, sound walls, storm drain construction, street connections, etc.) will occur in the vicinity of the Department's Right-of-Way, an encroachment permit is required prior to commencement of work. Please allow 2 to 4 weeks for a complete submittal to be reviewed and for a permit to be issued. When applying for an Encroachment Permit, please incorporate Environmental Documentation, SWPPP/ WPCP, Hydraulic Calculations, Traffic Control Plans, Geotechnical Analysis, Right-of-Way certification and all relevant design details including design exception approvals. For specific details on the Department's Encroachment Permits procedure, please refer to the Department's Encroachment Permits Manual. The latest edition of the manual is available on the web site: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>
2. All work performed within the Department's Right-of-Way shall be in accordance with the Department's Standard Specifications, Standard Plans, Encroachment Permit manual, and the California MUTCD.

4.2

3. The Project must comply with the American's with Disability Act (ADA) design guidelines conforming to California Government Code 4450.

4. All non-standard design features/elements must propose and obtain approved fact sheet exceptions to mandatory design standards.

5. The Department recommends that one of the two driveways on the proposed site inland of West Coast Highway be designated for entering only and the other be designated for exiting only. The parking lot should be delineated for one-way travel from east to west. This will reduce vehicle conflicts at the ingress/regress point that could impact traffic flow on SR-1.

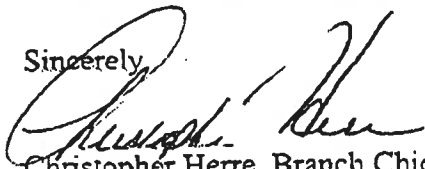
↑
4.2

4.3

Please continue to keep us informed of this project and any future developments, which could potentially impact State transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Damon Davis at (949) 440-3487.

4.4

Sincerely,



Christopher Herre, Branch Chief
Local Development/Intergovernmental Review

C: Terry Roberts, Office of Planning and Research

Response No. 4

Christopher Herre
Branch Chief
Local Development/Intergovernmental Review
California Department of Transportation, District 12
November 3, 2010

- 4.1 This introductory paragraph provides a summary of the project description. No further response is required.
- 4.2 These comments relate to the acquisition of an encroachment permit and adherence to California Department of Transportation (Caltrans) standards for work performed within Caltrans right-of-way. The CCCD has initiated consultation with Caltrans regarding implementation of the proposed pedestrian bridge, and an encroachment permit would be acquired prior to construction. All work within Caltrans right-of-way would adhere to Caltrans standards. In addition, the proposed pedestrian bridge would be in compliance with American's with Disabilities Act (ADA) design guidelines.
- 4.3 In agreement with Caltrans' recommendation, the proposed project will be designed such that the easterly project driveway would be utilized for ingress only, while the westerly project driveway would be utilized for egress only. This would minimize traffic impacts along West Coast Highway.
- 4.4 This paragraph provides a conclusion to the letter and Caltrans contact information. No further response is required.



CITY OF NEWPORT BEACH

PLANNING DEPARTMENT

Mr. Jerry Marchbank
Environmental Health & Safety Specialist
Coast Community College District
1370 Adams Avenue
Costa Mesa, CA 92626

Subject: Mitigated Negative Declaration for the expansion of Orange Coast College
Maritime Training Center, Newport Beach CA

Dear Mr. Marchbank:

The City of Newport Beach appreciates this opportunity to provide comments on the proposed expansion of Orange Coast College's existing School of Sailing and Seamanship within the City of Newport Beach. The City Traffic Engineer's comments on the Mitigated Negative Declaration (MND) are as follows:

5.1

- 1. The MND stated that during construction of the south columns and footing, two 12 ft left lanes, a 2 ft right shoulder, and a 5 ft sidewalk will be maintained in the northbound direction. Please clarify if it is two 12 ft through lanes instead of left lanes.
2. Northbound and southbound travel ways will be separated by a one-foot painted median. This is too narrow. Staff is requesting the review of a Traffic Control Plan when it is available in order to determine the appropriate median width.
3. A night time closure of W. Coast Highway to allow placement of the truss on the completed columns. Please clarify whether it is a lane closure or complete closure of Coast Highway that is being proposed. The complete closure of Coast Highway would not be possible.

5.2

5.3

5.4

Please address the above comments/concerns. Should you have any questions, you may contact our City Traffic Engineer, Tony Brine, at 949-644-3329.

5.5

Sincerely,

Rosalinh M. Ung
Associate Planner

c: Tony Brine, Public Works Dept.

Response No. 5

Rosalinh Ung
Associate Planner
Planning Department
City of Newport Beach
November 3, 2010

- 5.1 This paragraph provides an introduction to the comment letter. No further response is required.
- 5.2 During construction of the south column and footing, two 12-foot through lanes will be maintained on West Coast Highway in the northbound direction.
- 5.2 West Coast Highway is owned and maintained by Caltrans. To ensure the safety of vehicles traveling along West Coast Highway, a Traffic Control Plan will be prepared for the project as part of the final Plans, Specifications and Estimates. In response to the City's request, the Traffic Control Plan will be made available for review by the City of Newport Beach and review and approval by Caltrans.
- 5.3 The CCCD acknowledges the City's concerns involving the closure of West Coast Highway for construction of the proposed pedestrian bridge. However, to ensure safe installation of the bridge truss on the completed columns, a temporary complete closure of West Coast Highway would be required. This closure would occur over one night, to minimize traffic impacts to the maximum extent practicable. In addition, as provided within Mitigation Measure HAZ-3 of the IS/MND, a Traffic Management Plan will be prepared for the project as part of the final Plans, Specifications and Estimates for review and approval by the City of Newport Beach and Caltrans.
- 5.4 This paragraph provides a conclusion to the comment letter and contact information for the City. No further response is required.

CALIFORNIA COASTAL COMMISSION

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



November 4, 2010

Mr. Jerry Marchbank
Environmental Health & Safety Specialist
Coast Community College District
1370 Adams Avenue
Costa Mesa, CA 92626

**Re: Orange Coast College Maritime Training Center Project
Mitigated Negative Declaration (SCH# 2010101005)**

Dear Mr. Marchbank,

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) for the Orange Coast College (OCC) Maritime Training Center Project. According to the Mitigated Negative Declaration, the proposed project is the construction of the OCC Maritime Training Center and a pedestrian bridge that will cross over West Coast Highway, connecting the proposed OCC Maritime Training Center to the existing OCC School of Sailing & Seamanship (SSS).

The proposed pedestrian bridge that will cross over West Coast Highway is located within the Coastal Zone in the City of Newport Beach. The proposed development will require a Coastal Development Permit from the California Coastal Commission.

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

Below are the comments by Commission staff on the Mitigated Negative Declaration.

1. Visual Impacts

The project site is located within and adjacent to a public view road (West Coast Highway) and can be seen from a public view park (King's Road Park), as designated in the City's certified Land Use Plan (LUP).

The Mitigated Negative Declaration states that the proposed pedestrian bridge would be visible from King's Road Park and West Coast Highway, but that coastal public views of Newport Bay, the beaches, or the Pacific Ocean would not be impacted. The certified LUP includes policies to protect and enhance coastal public views of the ocean, harbor, and upper bay. While the Mitigated Negative Declaration states that coastal public views from King's Road Park and

6.1

6.2

West Coast Highway will not be impacted, it appears that the upper portion of the elevator tower to be located on the existing OCC SSS site would potentially impact coastal public views from King's Road Park as well as West Coast Highway. Can the upper portion of the proposed elevator tower be lowered so as to eliminate or reduce any impacts to coastal public views?

↑
6.2

2. Public Access

The Mitigated Negative Declaration states that the proposed pedestrian bridge will provide connectivity between the two OCC facilities and will also provide a new publicly accessible crossing on West Coast Highway. Will public access to the bridge be available 24 hours a day? Is there any intention to prevent public access to the bridge at any time during the morning, day or evening? The proposed pedestrian bridge should provide unobstructed public access.

6.3

3. Water Quality

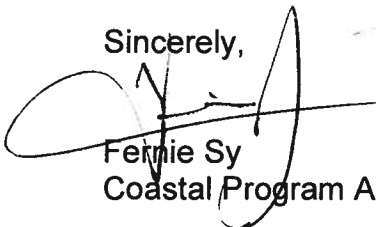
While the Mitigated Negative Declaration states that a Water Quality Management Plan (WQMP) will be prepared for the OCC Maritime Training Center component to identify structural and/or non-structural best management practices to minimize any long-term water quality impacts, no measures have been proposed for the pedestrian bridge component. Are there any measures which can be incorporated to deal with any potential long-term water quality impacts associated with the proposed pedestrian bridge?

6.4

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the OCC Maritime Training Center Project. Commission staff request notification of any future activity associated with this project or related projects. Please note, the comments provided herein are preliminary in nature. Additional and more specific comments may be appropriate as the project develops into final form and when an application is submitted for a coastal development permit. Please feel free to contact me at 562-590-5071 with any questions.

6.5

Sincerely,



Fernie Sy
Coastal Program Analyst II

Cc: State Clearinghouse

Response No. 6

Fernie Sy
Coastal Program Analyst II
California Coastal Commission
November 3, 2010

- 6.1 This paragraph provides an introduction to the comment letter. However, in the second paragraph of the letter, a statement is included that, "the proposed pedestrian bridge that will cross over West Coast Highway is located within the Coastal Zone in the City of Newport Beach. The proposed development will require a Coastal Development Permit from the California Coastal Commission."

Since the Coastal Zone boundary in the project area lies along the inland edge of the West Coast Highway right-of-way, the CCCD acknowledges that the proposed pedestrian bridge would be subject to a Coastal Development Permit (CDP). However, since the entire Maritime Training Center site lies outside of the Coastal Zone, it is the CCCD's understanding that the Maritime Training Center would not be subject to a CDP. In addition, it is CCCD's understanding that, at the California Coastal Commission's discretion, the pedestrian bridge may be permitted under an amendment to the existing OCC School of Sailing and Seamanship CDP. The CCCD will further consult with the California Coastal Commission (CCC) to confirm this understanding.

- 6.2 The elevator tower in question is necessary for the function of the elevator in order to house equipment and machinery. Although the photosimulations provided within the IS/MND were based upon preliminary architectural design, it is unlikely that the height of the elevator tower could be reduced (due to the height of the elevator landing, cab, and safety requirements). Design components associated with the proposed Maritime Training Center and pedestrian bridge (including the elevator tower) would be subject to refinement as final design occurs. The CCCD will consult with the California Coastal Commission during the final design effort and CDP process to minimize visual impacts to the maximum extent practicable.
- 6.3 Stairway access to the proposed pedestrian bridge over West Coast Highway would be unobstructed and maintained 24 hours a day. However, for safety and security concerns, elevator access would not be available during the late evening hours.
- 6.4 As stated within the IS/MND, the proposed pedestrian bridge is not anticipated to result in water quality impacts during long-term operations. The proposed bridge would occur over West Coast Highway; thus, the bridge would not result in any increase in impervious area. Moreover, the bridge facility would not result in the potential for pollutants affecting water quality. As such, it is not anticipated that long-term water quality features would be required for the proposed bridge.
- 6.5 This paragraph provides a closing to the comment letter. No further response is required.

3. MITIGATION MONITORING AND REPORTING PROGRAM

CEQA requires that when a public agency completes an environmental document which includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a reporting or monitoring plan. This requirement ensures that environmental impacts found to be significant will be mitigated. The reporting or monitoring plan must be designed to ensure compliance during project implementation (*Public Resources Code* Section 21081.6).

In compliance with *Public Resources Code* Section 21081.6, the attached *Mitigation Monitoring and Reporting Program* has been prepared for the proposed OCC Maritime Training Center. This *Mitigation Monitoring and Reporting Program* is intended to provide verification that all applicable Conditions of Approval relative to significant environmental impacts are monitored and reported. Monitoring will include 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation; and 3) retention of records in the project file.

This *Mitigation Monitoring and Reporting Program* delineates responsibilities for monitoring the project, but also allows the CCCD flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The CCCD distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Initial Study, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to the CCCD as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide the CCCD with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented. Monitoring compliance may be documented through existing review and approval programs such as field inspection reports and plan review.
- The CCCD prepares a reporting form periodically during the construction phase and an annual report summarizing all project mitigation monitoring efforts.
- Appropriate mitigation measures will be included in construction documents and/or conditions of permits/approvals.

Minor changes to the *Mitigation Monitoring and Reporting Program*, if required, would be made in accordance with CEQA and would be permitted after further review and approval by the CCCD. Such changes could include reassignment of monitoring and reporting responsibilities, plan redesign to make any appropriate improvements, and/or modification, substitution or deletion of mitigation measures subject to conditions described in *CEQA Guidelines* Section 15162. No change will be permitted unless the *Mitigation Monitoring and Reporting Program* continues to satisfy the requirements of *Public Resources Code* Section 21081.6.

MITIGATION MONITORING AND REPORTING CHECKLIST

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AESTHETICS							
AES-1	Construction equipment staging areas shall be located, to the greatest extent feasible, away from surrounding sensitive receptors in order to minimize public views to equipment. Appropriate screening (i.e., temporary fencing with opaque material) shall be utilized to shield views of construction equipment and material. Compliance with this measure shall be subject to periodic field inspection by the Coast Community College District.	Construction Field Inspection	During Construction	CCCD; Construction Contractor			
AES-2	Prior to occupancy of the Maritime Training Center, all on-site lighting shall be shielded and confined within site boundaries. Light spill-off shall not be permitted onto public streets or adjacent properties or create a public nuisance. "Wal-Pak" types of lighting fixtures shall not be utilized on-site, and parking lighting shall be shielded for zero glare spill-off. All such light fixtures shall be noted on project plans.	Review and Approval of Project Plans	Prior to Approval of Project Plans	CCCD; California Division of the State Architect			
AES-3	The building plans (to be approved by the California Division of the State Architect and the California Department of Transportation) shall depict that no light shall be affixed to the pedestrian bridge that would cause rays to be directed onto West Coast Highway, and that bridge lighting shall have a cutoff of 90 degrees or less to contain nighttime glare.	Review and Approval of Project Plans	Prior to Approval of Project Plans	CCCD; California Division of the State Architect; California Department of Transportation			
AIR QUALITY							
AQ-1	During demolition, hauling, or other construction operations, excessive fugitive dust emissions shall be controlled by regular water or other dust	Review and Approval of Project Plans;	Prior to Approval of Project Grading Plans;	CCCD; Construction Contractor			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>preventive measures using the following procedures, as specified in the SCAQMD Rule 403.</p> <ul style="list-style-type: none"> • Limit on-site vehicle speed to 15 miles per hour. • Water material excavated or graded sufficiently to prevent excessive amounts of dust. Water three times daily with complete coverage, preferably in the late morning and after work is done for the day. • Water or securely cover material transported on-site or off-site sufficiently to prevent generating excessive amounts of dust. • Minimize area disturbed by clearing, grading, earth moving, or excavation operations so as to prevent generating excessive amounts of dust. • Indicate these control techniques in project specifications. Compliance with the measure will be subject to periodic site inspections by the City. • Prevent visible dust from the project from emanating beyond the property line, to the maximum extent feasible. • Apply nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more). 	CCCD Field Inspections	During Construction / Grading Activity				

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<ul style="list-style-type: none"> Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site must be tarped from the point of origin. 						
AQ-2	Ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, to the satisfaction of the Coast Community College District. Compliance with this measure shall be subject to periodic inspections of construction equipment vehicles by the Coast Community College District and included in construction bid documents.	Review and Approval of Project Plans; CCCD Field Inspections	Prior to Construction / Grading Activity; During Construction	CCCD; Construction Contractor			
AQ-3	All trucks that are to haul material shall comply with California Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. This provision shall be provided in construction bid documents.	Review and Approval of Project Plans; CCCD Field Inspections	Prior to Construction / Grading Activity; During Construction	CCCD; Construction Contractor			
CULTURAL RESOURCES							
CUL-1	In the event buried cultural resources are discovered during grading activities, an Orange County-certified archaeologist shall be retained to evaluate the discovery prior to resuming grading in the immediate vicinity of the find. If warranted, the archaeologist shall collect the resource, and prepare a technical report describing the results of the investigation. The test-level report shall evaluate the site including discussion of significance (depth, nature, condition and extent of the resources), final mitigation recommendations, and cost estimates. The Coast Community College District shall prepare excavated materials to the	During Grading and Excavation	During Grading and Excavation	CCCD; Orange County-Certified Archaeologist			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	point of identification, and shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. The Coast Community College District shall pay curatorial fees if an applicable fee program has been adopted by the County's Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee.						
CUL-2	Prior to the issuance of any grading permit, the Coast Community College District shall provide written evidence to the City of Newport Beach Planning and Building Departments that is has retained an Orange County-certified paleontologist to observe grading activities and salvage and catalogue fossils as determined necessary by the project paleontologist. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the Coast Community College District, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are discovered and found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the Coast Community College District, which ensure proper exploration and/or salvage. Prior to the release of the grading bond the Coast Community College District shall submit the paleontologist's follow-up report for approval. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. The Coast Community College District	Written Evidence to City of Newport Beach Planning and Building Departments	Prior to Issuance of Grading Permit	CCCD; City of Newport Beach Planning and Building Departments			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	shall prepare excavated material to the point of identification and shall offer excavated finds for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. The Coast Community College District shall pay curatorial fees if an applicable fee program has been adopted by the County's Board of Supervisors, and such fee program is in effect at the time of presentation of the materials to the County of Orange or its designee.						
CUL-3	In the event human remains are found during construction, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or believed to be Native American, the County Coroner shall notify the Native American Heritage Commission in Sacramento within 48 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descended from the deceased Native American. The descendents shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.	Construction Activities	During Construction	CCCD; Construction Contractor; County Coroner; Native American representative (if necessary)			
GEOLOGY AND SOILS							
GEO-1	Prior to approval of structural plans, the Coast Community College District shall ensure that the proposed Maritime Training Center and associated	Review and Approval of Structural Plans	Prior to Approval of Project Structural Plans	CCCD; California Division of the State Architect			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	pedestrian bridge meet the seismic design parameters identified in the latest version of the California Building Code.						
GEO-2	<p>Prior to plan approval, the Coast Community College District shall ensure that design and construction recommendations related to the northerly building retaining wall of the Maritime Training Center are denoted on construction plans. These recommendations shall include, but not be limited to the following:</p> <ul style="list-style-type: none"> • Prior to demolition of the existing retaining wall along the northern site boundary, braced soldier piles or other suitable systems shall be utilized to stabilize the slope to ensure that slope failure does not occur; and • Permanent compacted fill slopes shall be no steeper than 2 to 1 (horizontal to vertical) and shall be covered by vegetation to reduce surface erosion. 	Review and Approval of Project Plans	Prior to Approval of Project Plans	CCCD; California Division of the State Architect			
GEO-3	Prior to grading plan approval, the Coast Community College District shall ensure that the project complies with Chapter 15.10, <i>Excavation and Grading Code</i> , of the <i>City of Newport Beach Municipal Code</i> . Water quality features intended to reduce construction-related erosion impacts shall be clearly denoted on the grading plans for implementation by the construction contractor.	Review and Approval of Grading Plans	Prior to Approval of Grading Plans	CCCD; City of Newport Beach; Construction Contractor			
HAZARDS AND HAZARDOUS MATERIALS							
HAZ-1	During construction, the construction contractor shall ensure that methane and hydrogen sulfide levels are monitored with an appropriate device throughout the project area to ensure that methane	During Construction	During Construction	CCCD; Construction Monitor			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	and hydrogen sulfide levels do not increase or create odors, or expose workers to risk of explosion or health effects.						
HAZ-2	<p>Prior to the issuance of grading permits, the Coast Community College District shall submit a plan, prepared by a licensed consulting geologist or other qualified consultant, to test building site soils for the presence of methane gas, or commit to test in conformance with any standard plans and specifications adopted by the City Fire Chief and/or Building Department Director (consistent with the City of Newport Beach Municipal Code).</p> <p>Soils shall be tested in accordance with the approved plan. In the event testing reveals methane gas in excess of 1.25 percent by volume at ambient pressure and temperature (lower explosive limit), a mitigation plan (prepared by a licensed geologist or other qualified consultant) shall be submitted for approval by the City Fire Chief and/or Building Department Director. Mitigation shall be accomplished by flared vent systems, underground collection systems, or other proven systems, devices, or techniques. Mitigation shall be designed to reduce the level of methane gas in the Maritime Training Center to less than 25 percent of the lower explosive limit. In the event the measures specified in the mitigation plan do not reduce the level of methane gas below 25 percent of the lower explosive limit, the mitigation plan shall be modified to include additional measures, and those measures shall be implemented within 30 days after approval of the amended plan.</p>	Review and Approval of Grading Permits	Prior to Approval of Grading Permits	CCCD; City of Newport Beach Fire Chief and/or Building Department Director			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	An isolation barrier shall be installed, consisting of a continuous, flexible, permanent, and nongas permeable barrier beneath the Maritime Training Center foundation and floors at ground level. Barrier penetrations shall be secured with a gas-tight seal.						
HAZ-3	<p>Prior to construction, the Coast Community College District shall prepare a Traffic Management Plan (TMP) to address traffic and safety concerns resulting from any lane closure(s) along West Coast Highway. At a minimum, the TMP shall include measures to accomplish the following:</p> <ul style="list-style-type: none"> • In compliance with Chapter 12.32.010 of the City's <i>Municipal Code</i>, haul trucks and other construction equipment weighing over three tons shall only utilize designated truck routes except when necessary to traverse another street to a destination for the purpose of loading or unloading, but then only by such deviation from the nearest truck route as is reasonably necessary; • Clearly denote lane closures, traffic rerouting, and signage to alert travelers of such closures; • Ensure vehicular and emergency access to the project area is maintained during construction; and • Construction equipment traffic shall be controlled by a flagperson. 	Review of Project Plans	Prior to Construction	CCCD; City of Newport Beach; California Department of Transportation			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	The TMP shall be subject to review and approval by the California Department of Transportation and the City of Newport Beach.						
HYDROLOGY AND WATER QUALITY							
HYD-1	Prior to issuance of a grading permit, the Coast Community College District shall prepare a Water Quality Management Plan for the proposed project that shall identify structural and/or non-structural Best Management Practices for minimizing water quality impacts. The Water Quality Management Plan shall identify entities responsible for the funding and long-term maintenance/inspection of all Best Management Practices. The Water Quality Management Plan shall be subject to approval by the City of Newport Beach.	Review and Approval of the Water Quality Management Plan	Prior to Approval of Grading Permits	CCCD; City of Newport Beach			
NOISE							
N-1	<p>To minimize short-term construction noise impacts on surrounding uses, the following measures shall be implemented. These measures shall be included in either a construction management plan or noted on construction plans to be approved by the Coast Community College District.</p> <ul style="list-style-type: none"> All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers; Construction noise reduction methods such as shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and use of electric air compressors and similar power 	Review and Approval of Project Plans; CCCD Field Inspections	Prior to Approval of Project Plans; During Construction	CCCD; Construction Contractor			

Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>tools, rather than diesel equipment, shall be used where feasible;</p> <ul style="list-style-type: none"> • During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers; • During construction, stockpiling and vehicle staging areas shall be located as far as practical from noise sensitive receptors; • Operate earthmoving equipment on the construction site, as far away from vibration sensitive sites as possible; and • A project sign shall be clearly posted at the primary construction entrance, as an information resource for surrounding property owners and residents. The sign shall include the following minimum project information: project name, general contractor, normal construction hours, normal workdays, and local telephone number of the Job Superintendent. If the Coast Community College District, City, or the Job Superintendent receives a complaint, the Superintendent shall investigate, take appropriate corrective action, and report the action taken to the Coast Community College District. 						
N-2	Mechanical equipment shall be placed as far away as practicable from sensitive receptors. Additionally, the following shall be considered prior to HVAC installation: proper selection and sizing of equipment, installation of equipment with proper	Review and Approval of Project Plans	Prior to Approval of Project Plans	CCCD; California Division of the State Architect			

	acoustical shielding, and incorporating the use of parapets into the building design.						
--	---	--	--	--	--	--	--