

4. ENVIRONMENTAL IMPACT ANALYSIS

G. HAZARDS AND HAZARDOUS MATERIALS

1. INTRODUCTION

This section provides an analysis of potential impacts associated with hazards and hazardous materials that could occur with implementation of the proposed project. The analysis considers the potential impacts associated with the potential release of hazardous materials, historical uses of hazardous materials on and near the project site, safety hazards associated with the project site location within an airport land use plan area, and potential conflicts with an adopted emergency response plan or emergency evacuation plan. The discussion regarding hazardous materials presented below is based, in part, on the findings and recommendations contained in the *Phase I Environmental Site Assessment (ESA) – Back Bay Landing Project* prepared by Leighton Consulting, Inc. in October 2009. The Phase I ESA is included as Appendix G to this Draft EIR.

2. ENVIRONMENTAL SETTING

a. Regulatory Framework

(1) Federal

According to the U.S. Environmental Protection Agency (US EPA), a “hazardous” waste is defined as one “which because of its quantity, concentrations, or physiochemical or infectious properties, may either increase mortality or produce irreversible or incapacitating illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed” (U.S. Public Health and Welfare Code Section 6903). Special handling and management are required for materials and wastes that exhibit hazardous properties. Treatment, storage, transport, and disposal of these materials are highly regulated at both the Federal and State levels. Compliance with Federal and State hazardous materials laws and regulations minimizes the potential risks to the public presented by these potential hazards.

(a) Comprehensive Environmental Response, Compensation and Liability Act

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) is a law developed to protect the water, air, and soil resources from the risks created by past chemical-disposal practices. This law is also referred to as the Superfund Act and regulates sites on the National Priority List (NPL), which are called Superfund sites.

(b) Emergency Planning and Community Right-To-Know Act

In 1986, Congress passed the Superfund Amendments and Reauthorization Act. Title III of this regulation may be cited as the “Emergency Planning and community Right-to-Know Act of 1986” (EPCRA). The Act required the establishment of state commissions, planning districts, and local committees to facilitate the preparation and implementation of emergency plan. Under the requirements, local emergency planning committees (LEPCs) are responsible for developing a plan for preparing for and responding to a chemical emergency, including the following:

- Identification of local facilities and transportation routes where hazardous materials are present;
- The procedures for immediate response in case of an accident (this must include a community-wide evacuation plan);
- A plan for notifying the community that an incident has occurred;
- The names of response coordinators at local facilities; and
- A plan for conducting drills to test the plan.

The emergency plan is reviewed by the State Emergency Response Commission and publicized throughout the community. The LEPC is required to review, test, and update the plan each year. The Orange County Environmental Health Department (EHD) is responsible for coordinating hazardous material and disaster preparedness planning and appropriate response efforts with city departments and local and state agencies. The goal is to improve public and private sector readiness and mitigate local impacts resulting from natural or manmade emergencies.

Another purpose of the EPCRA is to inform communities and citizens of chemical hazards in their areas. Sections 311 and 312 of EPCRA require businesses to report to state and local agencies the location and quantities of chemicals stored on-site. Under section 313 of EPCRA, manufacturers are required to report chemical releases for more than 600 designated chemicals. In addition to chemical releases, regulated facilities are also required to report offsite transfers of waste for treatment or disposal at separate facilities, pollution prevention measures, and chemical recycling activities. The EPA maintains the Toxic Release Inventory database that documents the information that regulated facilities are required to report annually.

(c) Resource Conservation and Recovery Act

Federal hazardous waste laws are generally contained in the Resource Conservation and Recovery Act (RCRA). These laws provide “cradle to grave” regulation of hazardous wastes. Businesses, institutions, and other entities that generate hazardous waste are required to identify and track their hazardous waste from the point of generation until it is recycled, reused, or disposed of. The primary responsibility for implementing RCRA is assigned to the US EPA, although individual states are encouraged to seek authorization to implement some or all RCRA provisions.

(d) Title 29, Code of Federal Regulations, Section 1926.62

Title 29, CFR Section 1926.62, sets forth standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standard includes requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical waste removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.

(2) State Level

(a) Hazardous Materials Release Notification

Many state statutes require emergency notification of a hazardous chemical release, as follows:

- California Health and Safety Codes Sections 25270.8, and 25507

- Vehicle Code Section 23112.5
- Public Utilities Code Section 7673, (PUC General Orders #22-B, 161)
- Government Code Sections 51018, 8670.25.5 (a)
- Water Codes Sections 13271, 13272
- California Labor Code Section 6409.1 (b)10

Requirements for immediate notification of all significant spills or threatened releases are applicable to owners, operators, persons in charge, and employers. Notification is required regarding significant releases from facilities, vehicles, vessels, pipelines, and railroads. In addition, all releases that result in injuries or harmful exposure to workers must be immediately reported to the California Occupational Safety and Health Administration pursuant to the California Labor Code Section 6409.1(b).

(b) Hazardous Materials Disclosure Programs

The Unified Program administered by the State of California consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities for environmental and emergency management programs. The Unified Program is implemented at the local government level by Certified Unified Program Agencies (CUPAs).

The County of Orange Environmental Health Division was designated as the CUPA for the County of Orange by the State Secretary for Environmental Protection on January 1, 1997. The CUPA is the local administrative agency that coordinates the regulation of hazardous materials and hazardous wastes in the County of Orange through the following six programs:

- Hazardous Waste (HW);
- Underground Storage Tank (UST);
- Aboveground Petroleum Storage Tank (APST);
- Hazardous Materials Disclosure (HMD);
- Business Emergency Plan (BEP); and
- California Accidental Release Prevention (CalARP).

The County of Orange and city fire agencies have joined in partnership with the CUPA as participating agencies, including the City of Newport Beach Fire Department. In Newport Beach, the City's Fire Department administers the HMD and BEP; the Environmental Health Division administers the hazardous waste, underground storage tank, and aboveground petroleum storage tank programs; and the Orange County Fire Authority (OCFA) administers the CalARP programs.

(c) Hazardous Materials Business Plans

Both the federal government (Code of Federal Regulations) and the State of California (California Health and Safety Code) require all businesses that handle more than a specified amount—or “reporting quantity”—of hazardous or extremely hazardous materials to submit a hazardous materials business plan to its CUPA. According to the EHD guidelines, the preparation, submittal, and implementation of a business plan is

required by any business that handles a hazardous material or a mixture containing a hazardous material in specified quantities.

Business plans must include an inventory of the hazardous materials at the facility. Businesses must update their business plan at least every three years and the chemical inventory every year. Also, business plans must include emergency response plans and procedures to be used in the event of a significant or threatened significant release of a hazardous material. These plans need to identify the procedures for immediate notification of all appropriate agencies and personnel, identification of local emergency medical assistance appropriate for potential accident scenarios, contact information for all company emergency coordinators, a listing and location of emergency equipment at the business, an evacuation plan, and a training program for business personnel.

The EHD currently reviews submitted business plans and updates. Businesses that handle hazardous materials are required by law to provide an immediate verbal report of any release or threatened release of hazardous materials if there is a reasonable belief that the release or threatened release poses a significant present or potential hazard to human health and safety, property, or the environment. The EHD is also charged with the responsibility of conducting compliance inspections of regulated facilities in Orange County.

(d) California Accidental Release Prevention Program

CalARP became effective on January 1, 1997, in response to Senate Bill 1889. CalARP aims to be proactive and therefore requires businesses to prepare risk management plans, which are detailed engineering analyses of the potential accident factors present at a business and the mitigation measures that can be implemented to reduce this accident potential. This requirement is coupled with the requirements for preparation of hazardous materials business plans under the Unified Program, implemented by the CUPA.

(e) Leaking Underground Storage Tanks

Leaking USTs have been recognized since the early 1980s as the primary cause of groundwater contamination from gasoline compounds and solvents. In California, regulations aimed at protecting against UST leaks have been in place since 1983 (Health and Safety Code), one year before RCRA was amended to add Subtitle I, requiring UST systems to be installed in accordance with standards that address the prevention of future leaks. The California State Water Resources Control Board (SWRCB) has been designated the lead California regulatory agency in the development of UST regulations and policy. The California RWQCB, in cooperation with the Office of Emergency Services (OES), maintains an inventory of leaking USTs in a statewide database.

(f) California Code of Regulations, Title 22, Division 4.5

Title 22, Division 4.5, of the California Code of Regulations (CCR) sets forth the requirements for hazardous waste generators; transporters; and owners or operators of treatment, storage, or disposal facilities. These regulations include the requirements for packaging, storage, labeling, reporting, and general management of hazardous waste prior to shipment. In addition, the regulations identify standards applicable to transporters of hazardous waste. These regulations specify the requirements for transporting shipments of hazardous waste, including manifesting, vehicle registration, and emergency accidental discharges during transportation.

(g) California Health and Safety Code, Sections 17920.10 and 105255

Lead must be contained during demolition activities.

(3) Regional Level**(a) South Coast Air Quality Management District**

SCAQMD Rule 1403 governs the demolition of buildings with asbestos containing materials (ACMs). Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACM. The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and cleanup procedures, and storage and disposal requirements for asbestos-containing waste materials.

(4) Local Level**(a) Emergency Response**

The City has a comprehensive Emergency Management Program which includes elements necessary to respond quickly and effectively to major emergencies. These elements include: an Emergency Operations Plan, Emergency Operations Center, Employee Response Program, Public Education Program, and trained Community Emergency Response Team (NBCERT). A variety of activities, programs and projects designed to enhance the City's preparedness are conducted regularly such as training, drills and disaster exercises. The Newport Beach Fire Department is the lead department for coordinating all emergency management activity in the City.

(b) City of Newport Beach General Plan

The primary goal of the City of Newport Beach General Plan (General Plan) Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from natural and human-induced hazards. The Safety Element recognizes and responds to public health and safety risks that could cause exposure to the residents of Newport Beach. The Safety Element provides goals and policies aimed at reducing the risk associated with these hazards.

(c) Airport Environs Land Use Plan (AELUP) for John Wayne Airport

The project site is not located within the Clear Zone/Runway Protection Zones or the Accident Potential Zone for John Wayne Airport (JWA), as designated in the City's General Plan (and illustrated in Figure S5 of the General Plan Safety Element). A portion of the project site is located within the Airport Environs Land Use Plan (AELUP) for JWA, which was adopted in 1975 by the Airport Land Use Commission (ALUC) of Orange County. The ALUC is authorized under State law to assist local agencies in ensuring compatible land uses in the vicinity of airports, particularly with respect to noise, safety hazards, and airport operational integrity. The AELUP is the authoritative planning document for the ALUC and establishes development criteria intended to protect sensitive receptors from airport noise, protect persons from risk of airport operations, and establish height guidelines to ensure aircraft safety.

b. Existing Conditions

(1) Current Site Conditions

The project site is currently used for marina, kayak rental, and parking uses, as well as for the storage of boats, RVs, and non-hazardous materials. The site is developed with a gravel parking lot; a row of garages/storage areas; a restroom fronting onto a paved access road; boat docks; a paved fire and walking lane; and a paved parking lot in the southwest portion of the site with several small utility and storage sheds, a restroom, and a mobile trailer office. There are no buildings underneath or to the south of the Coast Highway Bridge; except a storage bin and several water tanks for washing the kayaks were present .

The immediate project vicinity is developed with residential uses and recreational and marine commercial business. The adjoining properties are occupied by a mobile home park, East Coast Highway and a sewer pump station to the south, and parking for marine related infrastructure to the south and to the east. To the north and west the project site is bordered by Upper Newport Bay.

(a) Physical Setting of Project Site

- Topography - Based on the United States Geological Survey (USGS) “Newport Beach” Quadrangle (1965, photorevised 1981), the topography of the general vicinity slopes towards the northwest. The elevation of the site generally ranges between zero and 14 feet above mean sea level (MSL), with the majority of the site between eight to twelve feet above MSL.
- Surface Water - A portion of the project site includes a portion of Newport Bay.
- Geology and Soils - According to the Soil Survey of Orange County and Western Part of Riverside County, the site is located within the soil type of “beaches.” Beaches is described as sandy, gravelly, or cobbly coastal shores that are washed and rewashed by tidal and wave action.
- Hydrogeology - Due to the close proximity of Newport Bay, the Phase I ESA assumed the depth to groundwater to be shallow, in the upper 10 feet below ground surface (bgs). It was also assumed the groundwater flow direction beneath the site is approximately west-northwest with tidal influences, in the direction of Newport Bay, generally following topography.
- Oil and Gas Fields - The Phase I ESA reviewed the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR) online Regional Oilfield Map 106. The project site is not located within an oil field, however approximately 18 oil and gas wells were identified to be within a one mile radius, the nearest of which was approximately 1,500 feet northeast of the project site.

(b) Site Reconnaissance

During the Phase I ESA preparation, site reconnaissance of the project site was conducted to observe existing conditions. The following observations were noted:

- Hazardous substances, drums, and chemical containers were not observed on the project site.
- USTs and Aboveground Storage Tanks (ASTs) - No USTs or ASTs were observed on or around the project site. However, records indicate the potential presence of a 550-gallon UST installed on-site in 1955, as discussed further below.

- Polychlorinated Biphenyls (PCBs) - Evidence of PCBs was not observed on, or around, the project site with the exception of several transformers that are owned by the site owner. The transformers appeared to be in good working order with no apparent leakage. In addition, a previous Phase I noted that the transformers were dry type transformers free of internal cooling fluids with no indications of leaks or spills.
- Waste Disposal - Evidence of waste disposal was not observed on the project site.
- Dumping - Several large dumpsters were observed on the project site. No staining was observed around the trash receptacles.
- Pits, Ponds, Lagoons, Septic Systems, Wastewater, Drains, Cisterns, and Sumps - Evidence of pits, ponds, lagoons, septic systems, wastewater, cisterns, and sumps was not observed at the project site. A drain which appeared to be for storm water was observed south of East Coast Highway.
- Pesticide Use - Pesticide use was not observed on the project site.
- Staining, Discolored Soils and/or Corrosion - No stained, discolored, or corroded soils were observed. The majority of the site is covered in asphalt or water.
- Stressed Vegetation - Stressed vegetation was not observed on the project site.
- Unusual Odors - Unusual odors were not detected on the project site.
- On-site Wells - Oil, gas production, or groundwater monitoring wells were not observed or reported at the project site.

(2) Historic Site Conditions

As part of the Phase I ESA, historic aerial photographs and records were reviewed to determine the historic conditions on the project site. According to the Phase I ESA, the project site was undeveloped prior to the early 1950s with the exception of Coast Highway. In the early 1950s the site was developed for marina and dry storage purposes. **Table 4.G-1, Historical Land Use Summary**, depicts historic uses within the site and surrounding area. There is an approved permit to install one 550-gallon gasoline UST in 1955. There was also a permit to install two USTs in 1964, including a 550-gallon gasoline UST and a 1,000-gallon gasoline UST. In 1992, two USTs were removed (550-gallon and 1,000-gallon USTs) and there was no reported residual contamination. Historical maps indicate that the 1955 UST was located directly north of the historical orientation of Coast Highway; however, it appears to be south of the current alignment of Coast Highway, which was realigned between 1977 and 1985. Maps showing the locations of the 1964 USTs indicate that they were located to the north of the present orientation of Coast Highway, and it appears to be these that were removed in 1992. There are no records indicating removal or environmental sampling with respect to the 1955 UST, and as such it is assumed that this UST may still be present beneath the site.

(3) Environmental Database Search Results

An environmental database search was performed as part of the Phase I ESA for the project site and surrounding areas per the requirements of ASTM E1527-05 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The database listings were reviewed within the specified radii established by the ASTM E1527-05. The records search was conducted to determine whether recognized environmental conditions (RECs), as defined under the American Society of Testing and Materials (ASTM) E1528-05, occur at the project or in the surrounding area that could impact the site. RECs are defined as the presence or likely presence of any hazardous substances or petroleum products on a

Table 4.G-1

Historical Land Use Summary

Years	Project Site	Surrounding Area
Prior to 1927	The project site and the surrounding area appear to be undeveloped with the exception of Coast Highway, which transects the project site.	Undeveloped
1927 to 1947	Between 1927 and 1938 the configuration of Coast Highway is moved to the south in close proximity to its present configuration, and is partially adjacent to and partially transecting a small portion of the project site. The remainder of the site is undeveloped.	The surrounding area appears to be preparing for development in 1938, and in 1947 small structures and numerous docks are visible.
1947 to 1981	Between 1947 and 1953 the project site is first developed with a dock, beach, parking lot, restrooms/showers, and access road just north of Coast Highway. Between 1953 and 1968, the site develops further with a boat ramp between two "T" docks, ten other docks, long narrow building that appears to be the row of garages, an access road, and marine/vehicle storage. During this time there is a permit to install one UST in 1955 and a permit to install two USTs in 1964. There is a permit to operate the two USTs in 1964 by Small Craft Co. and in 1971 by Bayside Boat Launch.	Largely small structures that appear residential and/or commercial and marinas. The density of these developments increases overtime. The Mobile Home park directly adjacent to the project site develops in the early 1960s.
1981 to Present	Between 1981 and 1990 Coast Highway has moved slightly to its present configuration with the installation of a new bridge over the bay. In addition, the west end of the Marina has been reconfigured with the boat ramp and the two "T" docks were replaced with three new ones. The remaining site usage remained the same. In 1992, two USTs were removed and the case was considered closed by the OCHCA.	Similar to before 1977.

Source: Phase I Environmental Site Assessment (ESA) Back Bay Landing Project prepared by Leighton Consulting, Inc. in October 2009.

property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws. The term is not intended to include *de minimus* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimus* are not recognized environmental conditions (ASTM 1527-05, 2005). The following is a summary of the environmental databases searched, their search radii, and the search results.

No listed hazardous materials sites were identified within the project site boundaries for the environmental databases reviewed as part of the Phase I investigation. No listed sites were identified for off-site properties within the respective search radii for the following databases: Federal Priority List (NPL) List, Delisted NPL

List, Federal CERCLIS List, CERCLIS No Further Remedial Action Planned (CERCLIS-NFRAP), Federal RCRA List, Department of Toxic Substances Control (HIST CALSITES) Sites, Solid Waste Landfill Facilities (SWF/LF), Voluntary Cleanup Program (VCP), ENVIROSTOR, Indian Reserve (INDIAN RESERV), INDIAN LUST, INDIAN UST, Unmapped Listings, Regulatory Agency Consultations, State of California Radon Survey, and Previous Environmental Assessment Reports.¹ However, one or more listed sites were identified within the respective search radii for the following databases: Leaking Underground Storage Tank (LUST) Sites, Underground Storage Tank (UST) Sites, California Facility Inventory Database (CA FID), Historical UST Registered Database (HIST UST), and Statewide Environmental Evaluation and Planning System (SWEEPS). These listed properties are discussed further below.

Leaking Underground Storage Tank (LUST) Sites: The EPA maintains lists of information pertaining to reported LUSTs in the state. The database search identified 4 LUST facilities within a 0.5-mile radius of the project site, each facility is discussed below.

1. *Mobil #18-HGK at 301 Coast Highway:* The facility is approximately 0.04-mile southeast of the project site across Coast Highway. The contaminant of concern is gasoline affecting other groundwater (uses other than drinking water). The EDR® report and GeoTracker indicated the facility's status as "Case Closed" on July 28, 2005. Leighton Consulting reviewed the case closure summary uploaded to GeoTracker, the summary and map indicated that groundwater direction was to the west-southwest and tidally influenced. Groundwater contamination remained at the site, including methyl tertiary butyl ether (MTBE) at 224 parts per million (ppm); however, the plume was reported to be stable and limited to the area beneath the facility and a portion of Bayside Drive, to the south of Coast Highway. Based on these findings, this facility is expected to have a low potential to adversely affect the project site; however, there is the potential that large scale dewatering at the project site could draw contaminated groundwater onto the project site.
2. *Newport Beach Cars LLC at 445 E Coast Highway:* The facility is approximately 0.15-mile south of the project site. The contaminant of concern is gasoline affecting other groundwater (uses other than drinking water). GeoTracker indicated the facility address as both "Case Closed" and as "Open-Verification Monitoring". Leighton Consulting reviewed a report uploaded to GeoTracker, the report indicated that groundwater direction was to the southwest and that contaminant concentrations at the facility are low. Based on these findings, this facility is expected to have a low potential to adversely affect the project site.
3. *Former ARCO Service Station Site at 200 Coast Highway:* The facility is approximately 0.16-mile west of the project site. The contaminant of concern is gasoline affecting other groundwater (uses other than drinking water). The EDR® report and GeoTracker indicated the facility's status as "Completed-Case Closed". Based on the distance to the project site and the facility status, this facility is expected to have a low potential to adversely affect the project site.
4. *Shell Oil (Former) at 990 Coast Highway:* The facility is approximately 0.5-mile southeast of the project site. GeoTracker indicated that the contaminant of concern is gasoline affecting other groundwater (uses other than drinking water) and the status of the facility as "Open-Verification

¹ *Phase I Environmental Site Assessment (ESA) – Back Bay Landing Project prepared by Leighton Consulting, Inc., Chapter 4.0 Records Review, pages 8 through 23, dated October 2009.*

Monitoring". Leighton Consulting reviewed a report uploaded to GeoTracker, the report indicated that groundwater direction was to the west and that contaminant concentrations at the down-gradient boundary of the facility are low. Based on these findings and the distance to the project site, this facility is expected to have a low potential to adversely affect the project site.

Underground Storage Tank (UST) Sites: The California State Water Resources Control Board (SWRCB) UST inventory list was reviewed to evaluate if USTs are located on properties adjacent to the project site. The database search identified one UST facility located at 301 East Coast Highway, southeast of the project site across Coast Highway. The facility is identified as Mobil Station (18-HGK) and Newport Coast Inc. A LUST has also been reported at this facility (see above LUST section for additional information).

California Facility Inventory Database (CA FID): The CA FID contains active and inactive underground storage tank locations. The source is the SWRCB. The database search identified one CA FID facility identified as Mobil Station (18-HGK) located at 301 East Coast Highway, southeast of the project site across Coast Highway. A LUST has also been reported at this facility (see above LUST section for additional information).

Historical UST Registered Database (HIST UST): A review of the HIST UST list identified one HIST UST facility located at 301 East Coast Highway, southeast of the project site across Coast Highway. The facility is identified as Redjai's Mobil and Mohammad Ali Redjai. A LUST has also been reported at this facility (see above LUST section for additional information).

Statewide Environmental Evaluation and Planning System (SWEEPS): This underground storage tank listing was updated and maintained by a company contracted by the SWRCB in the early 1980s. The listing is no longer updated or maintained. The local agency is the contact for more information on a site on the SWEEPS list. The database search identified one SWEEPS UST facility identified as Mobil Station (18-HGK) located at 301 East Coast Highway, southeast of the project site across Coast Highway. A LUST has also been reported at this facility (see above LUST section for additional information).

(4) Hazardous Building Materials

(a) Asbestos-Containing Materials

Asbestos was used in many commercial products until the early 1970's. If inhaled, asbestos fibers can result in serious health problems, including lung cancer. Building materials containing more than one percent (1%) asbestos are regulated as ACMs (though some state and regional regulators impose a one-tenth of one percent [0.10%] threshold). Since some of the existing structures in the project area were built prior to the 1970s, the potential exists for ACMs on-site.

(b) Lead

Until 1978, when the U.S. Consumer Product Safety Commission (CPSC) phased out the sale and distribution of residential paint containing lead, many homes were treated with paint containing some amount of lead. It is estimated that over 80 percent of all housing built prior to 1978 contains some LBP. The mere presence of lead in paint may not constitute a material to be considered hazardous. If in good condition (i.e., no flaking or peeling), most intact LBP is not considered to be a hazardous material. In poor condition, LBPs can create

a potential health hazard for building occupants, especially children. Since some of the existing structures present within the project area were built prior to the 1970s, there is the potential for LBP on the site.

(5) REC Summary

The following RECs were identified in the Phase I ESA in connection with the project site:

1. A UST was installed in 1955 and there is no documentation regarding environmental sampling or its removal (REC #1).
2. Elevated levels of DDT and DDE have been reported from the sediments in the bay (REC #2).
3. Contaminated groundwater exists to the southeast and there is the potential that dewatering activities could cause migration onto the project site (REC #3).
4. Although not considered a REC; buildings, sheds, and miscellaneous painted features exist on the project site that may have been constructed prior to the early 1980s and there is the potential for ACMs and/or LBP to exist in these structures.

3. PROJECT IMPACTS

a. Methodology

The evaluation of hazards and hazardous materials impacts is focused on the proposed project's potential to adversely affect, or be affected by, physical hazards or health risks associated with identified hazardous materials. In order to most accurately characterize existing conditions on and near the project site, a site-specific Phase I ESA was conducted by Leighton Consulting, Inc. in 2009, the results of which are summarized above under Existing Conditions. Based in part on the results of the Phase I ESA, specific environmental hazards have been identified that have the potential to adversely affect the project site by posing a health risk to people living and working on the property. Where applicable, Leighton's recommendations to address such environmental risks are provided below under Mitigation Measures. Impacts related to safety hazards due to the project site being located within an airport land use plan are evaluated based on the project's consistency with the policies set forth in the AELUP for JWA. Impacts related to emergency evacuation and emergency response plans is based on the extent to which future development pursuant to the proposed project would hinder or otherwise disrupt implementation of such plans.

b. Significance Thresholds

Appendix G of the *CEQA Guidelines* provides a checklist of questions to assist in determining whether a proposed project would have a significant impact related to various environmental issues including hazards and hazardous materials. Based on the following issue areas identified in Appendix G of the *CEQA Guidelines*, a significant impact relative to hazards and hazardous materials would occur if the project would result in one or more of the following:

Threshold 1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (refer to Chapter 6, *Other Mandatory CEQA*)

Considerations, and the Initial Study contained in Appendix A. A less than significant impact would occur in this regard.);

- Threshold 2: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment (refer to Impact Statement 4.G-1 below);
- Threshold 3: Reasonably be anticipated to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (refer to Chapter 6, *Other Mandatory CEQA Considerations*, and the Initial Study contained in Appendix A. No impact would occur in this regard.);
- Threshold 4: Is the project 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 (refer to Impact Statement 4.G-1 below);
- Threshold 5: 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 (refer to Impact Statement 4.G-2 below);
- Threshold 6: 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 (refer to Chapter 6, *Other Mandatory CEQA Considerations*, and the Initial Study contained in Appendix A. No impact would occur in this regard.);
- Threshold 7: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (refer to Impact Statement 4.G-3); or
- Threshold 8: Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands (refer to Chapter 6, *Other Mandatory CEQA Considerations*, and the Initial Study contained in Appendix A. No impact would occur in this regard).
- Threshold 9: Comply with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan and municipal code) adopted for the purpose of avoiding or mitigating an environmental effect (refer to Impact Statement 4.G-4 below).

c. Project Design Features

The proposed project consists of various legislative approvals that would allow for the future development of an integrated, mixed-use visitor-serving commercial, marine services and limited residential village. While the marine services uses have the greatest potential to use or handle hazardous materials, the nature and scale of activities involving hazardous materials would be relatively limited. Furthermore, any use or

handling of hazardous materials on-site would be regulated by applicable federal, State and local regulations regarding hazardous materials.

d. Analysis of Project Impacts

(1) Hazardous Materials Impacts

Threshold	Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?
Threshold	Would the project 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?

Impact 4.G-1 Implementation of the proposed project could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. Also, while the site is not a listed hazardous materials site, there is the potential for hazardous materials to be encountered during construction activities that could create a significant hazard to the public or the environment. These potentially significant impacts would be reduced to a less than significant level with implementation of the prescribed mitigation measures and compliance to applicable regulatory requirements.

As discussed in the Existing Conditions section above, with respect to the project site, the use of small quantities of hazardous materials on the site were noted in the Phase I investigation, in addition to several small spills on boats in the marina that were reportedly cleaned. Based on the information reviewed and the site inspection, the small quantities of hazardous materials used at the site are considered to have a low potential to result in adverse impacts.

Site plans associated with permits appear to indicate that a UST installed in 1955 was located to the south of the current orientation of East Coast Highway (REC #1). Based on site plans associated with permits associated with two USTs installed in 1964, they appear to have been located to the north of East Coast Highway and are located in the area where two USTs were removed in 1992. Based on permits and maps for the installation of three USTs and the documented removal of only two USTs, the Phase I ESA concludes that there is potentially one 550 gallon UST remaining at the project site that constitutes a REC. A geophysical survey of the area where the suspected UST is located confirmed the presence and location of the UST on the project site. As such, it is concluded that hazardous materials impacts associated with the UST are a potentially significant impact. Mitigation Measure G-1 is required to address this impact and requires implementation of a removal and treatment/remediation plan. Implementation of Mitigation Measure G-1 would reduce this impact to a less than significant level.

As stated in the Phase I ESA under REC #2, sampling results from sediment within the bay at the Marina reported DDT and DDE pesticide contamination. Dredging in the bay is not currently proposed as part of the project. However, it is conservatively assumed that the extent of dredging operations for the site, if any, will not be confirmed until the detailed engineering and construction design phases of the project. Under this

conservative assumption, it is concluded that there is a potentially significant impact for hazardous materials impacts during dredging operations without mitigation.

As discussed in Section 4.C, *Biological Resources*, of this Draft EIR, Section 404 of the Clean Water Act requires that dredge/fill permits be obtained from the United States Army Corps of Engineers (ACOE) prior to undertaking dredging activity. Permits typically include conditions to minimize impacts on water quality. Common conditions include: 1) ACOE review and approval of sediment quality analysis before dredging, 2) a detailed pre- and post-construction monitoring plan that includes disposal site monitoring, and 3) requiring compensation for loss of waters of the United States. The areas of the project site that are located below mean higher high water (MHHW) would be subject to regulation under Section 404. Accordingly, it is anticipated that, if a 404 permit is needed for the seawall/bulkhead, compliance with the 404 permit process would address impacts associated pesticide contamination in water or soils during excavation, transport and disposal during dredging activities. Nonetheless, Mitigation Measure G-2 is recommended to further reduce potential impacts related to contamination should dredging activities be undertaken.

A search of selected government databases was conducted as part of the Phase I ESA. The project site was not identified in any of the databases. However, one nearby facility was identified in the EDR® Radius Reports that could have the potential to negatively impact the project site. A Mobil gas station at 301 East Coast Highway, located to the southeast of the project site, across East Coast Highway, was reported as a LUST site. A gasoline release affected groundwater, remediation occurred, and the facility was granted a “Case Closed” status on July 28, 2005. As stated in the Phase I ESA under REC #3, groundwater contamination remains at the Mobil gas station at 301 East Coast Highway, southeast of the project site across East Coast Highway. Based on the location and reported stability of the groundwater plume, the potential to affect the project site was determined to be low; however, large scale dewatering at the project site could draw contaminated groundwater onto the site. This is considered a potentially significant impact. Mitigation Measure G-3 is required to address this impact, which requires implementation and completion of a dewatering plan that would dispose of contaminated groundwater in compliance with applicable regulatory requirements. Implementation of Mitigation Measure G-3 would ensure that potentially significant impacts regarding groundwater contamination during dewatering activities on the project site are reduced to a less than significant level.

The construction dates of some of the buildings, sheds, and miscellaneous painted structures on the project site are uncertain; however, a number may have been constructed prior to the 1980s and therefore may contain ACMs and/or LBP. The project proposes to demolish all buildings and structures on-site. Demolition would have the potential to release asbestos fibers into the atmosphere if they are not properly stabilized or removed prior to demolition activities. This is considered a potentially significant impact. The removal of asbestos is regulated by SCAQMD Rule 1403, which requires abatement by a certified asbestos containment contractor in accordance with applicable regulations prior to demolition or renovation. Implementation of Mitigation Measure G-4 is recommended to ensure compliance with regulatory requirements.

Also, due to the time frame in which the buildings located on the project site were constructed, it is likely that one or more of the layers of paint contain lead. Because the project proposes to demolish all the structures on-site, the potential for lead exposure is potentially significant and therefore Mitigation Measure G-5 is prescribed. Implementation of Mitigation Measure G-5 below is recommended to ensure compliance with regulatory requirements and that potentially significant impacts are reduced to a less than significant level.

Overall, with implementation of the prescribed mitigation measures and compliance to applicable regulatory requirements, potentially significant hazardous materials impacts to the public or the environment related to hazardous materials would be reduced to a less than significant level.

(2) Airport Safety Hazards

Threshold	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?
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Impact 4.G-2 Implementation of the proposed project would not create a safety hazard for people residing or working in the project area as a result on being within an airport land use plan. This impact is considered less than significant.

Since a portion of the project site is located within the southernmost boundary of the AELUP for JWA, the project applicant is required to demonstrate compliance with the guidelines contained in the AELUP. The project was evaluated for consistency with the current AELUP for JWA in Section 4.I, Land Use and Planning, of this Draft EIR. As discussed therein, the project would be consistent with the applicable policies in the AELUP for JWA, including those related maximum height restrictions based on FAA requirements. Also, the project site is not located within the Clear Zone/Runway Protection Zones or the Accident Potential Zone for JWA, as designated in the City’s General Plan (and illustrated in Figure S5 of the General Plan Safety Element). As such, the proposed project would not result in a safety hazard for people residing or working in the project area, and impacts in this regard would be less than significant.

(3) Emergency Response and Evacuation Plans

Threshold	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
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Impact 4.G-3 Implementation of the proposed project could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This potentially significant impact would be reduced to a less than significant level with implementation of the prescribed mitigation measures.

Project-related traffic system improvements at the intersection of East Coast Highway and Bayside Drive, as well as future water pipeline relocation activities within the East Coast Highway or Bayside Drive right-of-ways, could temporarily restrict vehicular access to and from the project site while construction activities are occurring if a traffic control program is not in place. As such, the proposed project could potentially interfere with emergency access to, or evacuation from, the project site and surrounding properties during construction activities. This is considered a potentially significant impact. Mitigation Measures 4.G-6, 4.G-7, and 4.G-8 are required to address this impact. The mitigation measures require implementation of a Construction Traffic Management Plan, Traffic Control Plan, and proper notification to the police and fire departments to disclose and identify temporary closures and alternative travel routes. Implementation of the prescribed mitigation measure would ensure that the project’s construction-related activities do not impair implementation of or physically interfere with an adopted emergency response plan or emergency

evacuation plan. With implementation of these mitigation measures, potentially significant construction-related impacts would be reduced to a less than significant level.

While the project would involve the addition of residents, employees, and shoppers to the project area, implementation of the project would not have a notable impact on the function of established emergency management and response plans. All future development projects in the City, including the project, would be required to provide sufficient emergency access, as required by the City’s Fire Prevention Guidelines. Furthermore, given that future on-site development would be subject to review and approval by the Nbfd, which is most directly responsible for emergency response in the project vicinity, the systems and facilities designed to protect public health and safety during emergencies would be adequate to effectively implement emergency management procedures within the project area. Coordination with the Nbfd would preclude the possibility of inadequate access for emergency vehicles at the project site. As no apparent conflicts with adopted emergency response or evacuation plans would result from project implementation, impacts would be less than significant in this regard. As such, operation of future development within the project site would not interfere with an adopted emergency response plan and/or the emergency evacuation plan and impacts would be less than significant.

(4) Consistency With Regulatory Framework

Threshold	Would the project conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan and municipal code) adopted for the purpose of avoiding or mitigating an environmental effect?
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Impact 4.G-4 Implementation of the proposed project would not conflict with any applicable plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan and Municipal Code). This impact is considered less than significant.

Future development of the project site would be required to comply with all applicable rules and regulations related to hazardous materials and emergency response/access, including federal and State laws, and local policies of the Newport Beach General Plan. An evaluation of the project’s consistency with each of the applicable policies of the General Plan Safety Element is provided below in **Table 4.G-2, General Plan Consistency Analysis**. As shown in Table 4.G-2, the project would not conflict with the applicable policies contained in the General Plan Safety Element. Regulatory consistency impacts regarding hazards and hazardous materials would be less than significant.

Table 4.G-2

General Plan Consistency Analysis

Applicable Policies	Project Consistency Statement
Land Use Element	
<p>Policy LU 3.7: Natural Resource or Hazardous Areas. Require that new development is located and designed to protect areas with high natural resource value and protect residents and visitors from threats to life or property.</p>	<p>Consistent. The project site is currently used for marina, kayak rental, and parking purposes, and for the storage of boats, RV's, and other non-hazardous materials. The developed portions of the site subject to redevelopment do not contain high natural resource value. Nonetheless, as part of the project, any potential hazardous materials within the groundwater or soils beneath the site, as well as the structures currently on site (i.e., ACM and LBP) that could pose risks to the public or the environment would be remediated to acceptable health risk levels per applicable regulatory requirements with implementation of the prescribed mitigation measures and compliance by the project with applicable regulatory requirements.</p>
Harbor and Bay Element	
<p>Policy HB 8.3: Ground Water Contamination. Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and state agency with appropriate jurisdictions. (Policy NR 3.3)</p>	<p>Consistent. There is the potential for the project to encounter unknown groundwater contamination during construction. If so, mitigation measures have been prescribed to ensure that an appropriate remediation strategy that is approved by the City and state agency with appropriate jurisdictions.</p>
Natural Resources Element	
<p>Policy NR 3.3: Ground Water Contamination. Suspend activities and implement appropriate health and safety procedures in the event that previously unknown groundwater contamination is encountered during construction. Where site contamination is identified, implement an appropriate remediation strategy that is approved by the City and the state agency with appropriate jurisdiction. (Policy HB 8.3)</p>	<p>Consistent. Please refer to response to Policy HB 8.3.</p>
Safety Element	
<p>Policy S 7.1 Known Areas of Contamination Require proponents of projects in known areas of contamination from oil operations or other uses to perform comprehensive soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature</p>	<p>Consistent. The project site would be remediated, as necessary, per implementation of the prescribed mitigation measures cited in this EIR analysis (refer to Mitigation Measures G-1 to G-3). As discussed in this section, groundwater and soils beneath the site could be impacted by an existing UST or from an off-site LUST. The prescribed mitigation measures require testing and removal of contaminated groundwater and soils per applicable regulatory requirements prior to issuance of a grading permit. All clean-up/remediation activities would be conducted in accordance with applicable American Society for Testing and Materials standards</p>

Table 4.G-2 (Continued)

General Plan Consistency Analysis

Applicable Policies	Project Consistency Statement
of any identified contamination). (Imp 7.1, 8.1)	and under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board, as appropriate.
<p>Policy S 7.4 Implementation of Remediation Efforts Minimize the potential risk of contamination to surface water and groundwater resources and implement remediation efforts to any resources adversely impacted by urban activities.</p>	<p>Consistent. Please refer to response to Policy S 7.1. In addition, as discussed in Section 4.H, <i>Hydrology and Water Quality</i>, of this Draft EIR, the project would implement construction and operation Best Management Practices (BMPs), including those listed as project design features, which would minimize the potential risk of contamination to surface water and groundwater resources. As concluded in Section 4.H, water quality impacts to surface and groundwater would be less than significant.</p>
<p>Policy S 7.5 Siting of Sensitive Uses Develop and implement strict land use controls, performance standards, and structure design standards including development setbacks from sensitive uses such as schools, hospitals, day care facilities, elder care facilities, residential uses, and other sensitive uses that generate or use hazardous materials.</p>	<p>Consistent. As discussed in Section 4.B, <i>Air Quality</i>, an assessment was prepared to assess potential health impacts for people exposed to toxic air contaminants (TACs) anticipated to be released from the new sources associated with proposed residential and commercial area operations. As concluded therein, TACs from the project would not pose a significant risk to human health. Also, the project would involve a limited use of hazardous materials to which the concentrations would not pose significant threats to the public or the environment during the transport, use and storage of such materials. Further, the use of such materials on site would not present a health risk when used in accordance with manufacturer specifications and with compliance to applicable regulations.</p>
<p>Policy S 7.6 Regulation of Companies Involved with Hazardous Materials Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, state, and federal agencies in the event of a violation.</p>	<p>Consistent. Contaminated soils or other hazardous materials removed from the project site would be transported only by a Licensed Hazardous Waste Hauler, who shall be in compliance with all applicable State and federal requirements, including the U.S. Department of Transportation regulations under 49 CFR (Hazardous Materials Transportation Act), Caltrans standards, OSHA standards, and under 40 CFR 263 (Subtitle C of Resource Conservation and Recovery Act). The City is responsible for verifying that only Licensed Haulers who are operating in compliance with regulatory requirements are used to haul hazardous materials.</p>

Table 4.G-2 (Continued)

General Plan Consistency Analysis

Applicable Policies	Project Consistency Statement
<p>Policy S 8.6 John Wayne Airport Traffic Pattern Zone Use the most currently available John Wayne Airport (JWA) Airport Environs Land Use Plan (AELUP) as a planning resource for evaluation of land use compatibility and land use intensity in areas affected by JWA operations. In particular, future land use decisions within the existing JWA Clear Zone/Runway Protection Zone (Figure S5) should be evaluated to minimize the risk to life and property associated with aircraft operations.</p>	<p>Consistent. The project was evaluated for consistency with the current AELUP for JWA in Section 4.I, <i>Land Use and Planning</i>, of this Draft EIR. As discussed therein, the project would be consistent with the applicable policies in the AELUP for JWA, including those related maximum height restrictions based on FAA requirements. Also, the project site is not located within the Clear Zone/Runway Protection Zones or the Accident Potential Zone for JWA, as designated in the City’s General Plan (and illustrated in Figure S5 of the General Plan Safety Element).</p>

Source: PCR Services Corporation, 2013.

4. CUMULATIVE IMPACTS

All related projects listed in a government hazardous materials database would require site-specific investigations and remediation (if necessary) to adequately address existing hazardous materials impacts to the satisfaction of the regulatory agencies with jurisdiction over the site, thereby precluding the potential for adverse physical effects related to hazardous materials health risks. For instance, soil and groundwater contamination at any of the related project sites would be subject to oversight by the RWQCB, OCFA, DTSC, and/or OCHCA, as appropriate. Given that the project would result in less than significant impacts with implementation of the prescribed mitigation measures and would comply with all applicable regulatory requirements, and related projects would be subject to the same local, regional, State, and Federal regulations pertaining to hazardous materials, the project would not contribute impacts that are cumulatively considerable regarding hazardous materials.

With regards to safety hazards associated with being located within the AELUP for the JWA, all related projects would require site-specific evaluation, as necessary, to adequately address the related project’s consistency with the AELUP’s policies established development criteria that protect sensitive receptors from airport noise, protect persons from risk of airport operations, and establish height guidelines to ensure aircraft safety. Given that the project would be consistent with the AELUP safety policies and development criteria, and related projects would be subject to the same AELUP policy consistency requirements, the project would not contribute impacts that are cumulatively considerable in this regard.

With regards to cumulative impacts regarding adopted emergency response and evacuation plans, all related projects would be evaluated on a project-by-project basis to determine consistency with applicable plans. For example, all related projects would be required to provide the minimum number of required emergency access roads per the City’s Fire Prevention Guidelines and other applicable regulatory requirements, and any related traffic improvements would be reviewed by the City of Newport Beach Fire and Public Works

Departments, or applicable adjacent jurisdiction's traffic improvements reviewing department, as necessary, for approval of emergency access, which is a required process for all new development projects in the City and County. Further, emergency response and evacuation plans would not be notably affected by cumulative development, since each development project generates an incremental increase in City and County revenues, which are then applied to funding expanded public safety and emergency services in the area. The ongoing expansion of emergency service agencies' staffing, facilities, and equipment to meet growing demand would ensure that adequate response capabilities are maintained. The project would not conflict with any adopted emergency response and evacuation plans and as such, would not contribute impacts that are cumulatively considerable regarding impairing implementation of or physically interfering with an adopted emergency response plan or emergency evacuation plan.

5. MITIGATION MEASURES

The following mitigation measures have been prescribed for the project to address potentially significant impacts associated with hazards and hazardous materials.

Mitigation Measure G-1: A removal and treatment/remediation plan for the existing on-site 550-gallon UST shall be prepared by the Project Applicant for submittal to the Santa Ana Regional Water Quality Control Board (SARWQCB) and other appropriate agencies determined appropriate in consultation with the SARWQCB for review and approval. The plan shall include but not be limited to monitoring of excavation by a certified environmental consultant to identify and sample groundwater and soils that may be contaminated; and excavation, treatment and disposal of contaminated groundwater/soil in compliance with applicable regulatory requirements. Written verification from the SARWQCB of approval of a dewatering plan/management plan completion shall be submitted to the City of Newport Beach Community Development Department prior to issuance of grading permit.

Mitigation Measure G-2: If dredging of the bay occurs, disposal requirements for the dredged materials, which may contain elevated levels of dichlorodiphenyltrichloroethane and dichlorodiphenyldichloroethylene (DDT and DDE) pesticide contamination, shall be confirmed with the appropriate regulatory agencies during the 404 permit process (i.e., Santa Ana Regional Water Quality Control Board and California Department of Fish and Game).

Mitigation Measure G-3: If dewatering activities occur on-site during future redevelopment, samples shall be obtained from the water and analyzed for volatile organic compounds (VOCs) and oxygenates to ensure that they do not exceed applicable discharge requirements. Should the samples exceed VOC, oxygenates or any other applicable discharge requirement, a dewatering plan shall be prepared by the Project Applicant for submittal to the Santa Ana Regional Water Quality Control Board (SARWQCB) and other appropriate agencies determined appropriate in consultation with the SARWQCB for review and approval. The plan shall include but not be limited to sampling of groundwater that may be contaminated; and treatment and disposal of contaminated groundwater in compliance with applicable regulatory requirements. Written verification from the SARWQCB of approval of a dewatering plan completion shall be submitted to the City of Newport Beach Community Development Department prior to issuance of grading permit.

Mitigation Measure G-4: Prior to issuance of demolition permits, the Project Applicant shall conduct an asbestos survey of the of all on-site structures and submit verification to the City of Newport Beach Community Development Department prior that a certified asbestos abatement contractor has properly removed asbestos in accordance with procedural requirements and regulations of South Coast Air Quality Management District Rule 1403.

Mitigation Measure G-5: Prior to issuance of demolition permits, the Project Applicant shall submit verification to the City of Newport Beach Community Development Department prior that a lead-based paint survey has been conducted at all existing structures located on the project site. If lead-based paint is found, the Project Applicant shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint.

Mitigation Measure G-6: Prior to the issuance of a grading permit, the Project Applicant shall prepare a Construction Management Plan for implementation during construction of the project. The plan shall be subject to final approval by the City of Newport Beach Director of Community Development.

Mitigation Measure G-7: The Project Applicant shall prepare a Traffic Control Plan that identifies all traffic control measures, signs, and delineators to be implemented by the construction contractor throughout the duration of construction activities associated with the project. The plan shall identify any temporary lane closures and identify alternative travel routes. The plan shall be subject to final approval and issuance of a Temporary Street and Sidewalk Closure Permit by the City of Newport Beach Public Works Department.

Mitigation Measure G-8: Prior to construction, the Project Applicant shall consult with the City of Newport Beach Police and Fire Departments to disclose and identify temporary closures and alternative travel routes, in order to ensure adequate access for emergency vehicles when construction activities would result in temporary lane or roadway closures.

6. LEVEL OF SIGNIFICANCE AFTER MITIGATION

All potentially significant impacts would be reduced to less than significant with implementation of the mitigation measure provided above.