

Bay Bridge Pump Station and Force Mains Replacement Project

(Project No. SP-178)

ENVIRONMENTAL IMPACT REPORT

FINAL | DECEMBER 2017



Prepared for:
Orange County Sanitation District

Prepared by:
Michael Baker International

FINAL
ENVIRONMENTAL IMPACT REPORT

**BAY BRIDGE PUMP STATION AND
FORCE MAINS REPLACEMENT PROJECT**

SCH NO. 2016111031



Lead Agency:

ORANGE COUNTY SANITATION DISTRICT

10844 Ellis Avenue
Fountain Valley, California 92708

Contact: Mr. Kevin Hadden
Principal Staff Analyst
714.962.2411

Prepared by:

MICHAEL BAKER INTERNATIONAL

5 Hutton Centre Drive, Suite 500
Santa Ana, CA 92707

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949.472.3505

December 2017

JN 143698

This document is designed for double-sided printing to conserve natural resources.



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1.0 INTRODUCTION

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1.0 INTRODUCTION

In accordance with the *California Environmental Quality Act Guidelines* (CEQA Guidelines) Section 15088, the Orange County Sanitation District (OCSD), as the lead agency, has evaluated the comments received on the Bay Bridge Pump Station and Force Mains Replacement Project Draft Environmental Impact Report (DEIR).

The DEIR for the proposed Bay Bridge Pump Station and Force Mains Replacement Project (herein referenced as the project) was distributed to responsible and trustee agencies, interested groups, and organizations. The DEIR was made available for public review and comment for a period of 45 days. The public review period for the DEIR (established by the CEQA Guidelines Section 15105) commenced on June 21, 2017 and ended August 4, 2017.

The Final EIR (FEIR) consists of the following components:

- Section 1.0 – Introduction
- Section 2.0 – Responses to Comments
- Section 3.0 – Errata
- Section 4.0 – Mitigation Monitoring and Reporting Program

Due to its length, the text of the DEIR is not included with this document; however, it is included by reference in this FEIR. None of the corrections or clarifications to the DEIR identified in this document constitutes “significant new information” pursuant to Section 15088.5 of the CEQA Guidelines. As a result, recirculation of the DEIR is not required.



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2.0 RESPONSES TO COMMENTS

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2.0 RESPONSES TO COMMENTS

2.1 CEQA REQUIREMENTS

Before approving a project, the *California Environmental Quality Act* (CEQA) requires the Lead Agency to prepare and certify a Final Environmental Impact Report (FEIR).

In accordance with *CEQA Guidelines* Sections 15120 through 15132 and Section 15161, the Orange County Sanitation District (OCSD) prepared a Draft Environmental Impact Report (DEIR) for the Bay Bridge Pump Station and Force Mains Replacement Project (SCH #2016111031). This Responses to Comments section, combined with the DEIR, Mitigation Monitoring and Reporting Program, and errata sheet comprise the FEIR.

This Responses to Comments section includes all components required by CEQA Guidelines Section 15120 and is included in the FEIR.

2.2 PUBLIC REVIEW PROCESS – DRAFT EIR

The DEIR was circulated for review and comment to the public, agencies, and organizations. The DEIR was also circulated to State agencies for review through the State Clearinghouse, Office of Planning and Research. The 45-day public review period ran from June 21, 2017 to August 4, 2017. Comments regarding the DEIR received in writing during the 45-day public review period from the public, local, and State agencies have been incorporated into this section.

2.3 FINAL EIR

The FEIR allows the public and Lead Agency an opportunity to review revisions to the DEIR, the responses to comments, and other components of the EIR, such as the Mitigation Monitoring and Reporting Program, before project approval. The FEIR serves as the environmental document to support a decision on the proposed project.

After completing the FEIR, and before approving the project, the Lead Agency must make the following three certifications as required by CEQA Guidelines Section 15090:

- That the FEIR has been completed in compliance with CEQA;
- That the FEIR was presented to the decision-making body of the Lead Agency, and that the decision-making body reviewed and considered the information in the FEIR prior to approving the project; and
- That the FEIR reflects the Lead Agency's independent judgment and analysis.

These certifications, the Findings of Fact, are included in a separate Findings document. Both the FEIR and the Findings will be submitted to the Lead Agency for consideration of the proposed project.



2.4 WRITTEN COMMENT LETTERS AND RESPONSES

All written correspondence from those agencies or individuals commenting on the DEIR is reproduced on the following pages. The individual comments on each letter have been consecutively numbered for ease of reference. Following each comment letter are responses to each numbered comment. A response is provided for each comment raising substantive environmental issues. Added or modified text is underlined, while deleted text will have a ~~strike-out~~ through the text, and is included in a box, as the following example shows:

“Text from EIR” ~~Text from EIR~~

COMMENT LETTERS

A total of 14 comment letters were received by OCSD, as outlined below.

State Agencies

1. Scott Morgan, Director, State Clearinghouse, State of California Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit, August 7, 2017.
2. Gayle Totton, B.S., M.A., Ph.D., Associate Governmental Project Analyst, Native American Heritage Commission, July 14, 2017.
3. Johnson P. Abraham, Project Manager, Brownfields Restoration and School Evaluation Branch, Brownfields and Environmental Restoration Program - Cypress, Department of Toxic Substances Control, July 11, 2017.
4. Yatman Kwan, AICP, Branch Chief, Regional-IGR-Transit Planning, State of California Department of Transportation District 12, August 4, 2017.

Regional/Local Agencies

5. Patrick Alford, Planning Program Manager, City of Newport Beach, August 4, 2017.
6. Richard Vuong, Manager, Planning Division, Orange County Public Works, August 2, 2017.
7. Tamera Rivers, Management Analyst, Orange County Fire Authority, July 25, 2017.

Interested Parties and Individuals

8. Allyson Presta, Partner, Palmo Investments, GP, June 22, 2017.
9. Andrew Salas, Chairman, Gabrieleno Band of Mission Indians – Kizhnation, July 18, 2017.



10. Dan Miller, Senior Vice President, Irvine Company, August 3, 2017.
11. James Chuang, Senior Environmental Specialist, Southern California Gas Company, August 4, 2017.
12. John Erskine, Nossaman LLP, August 4, 2017.
13. Patricia Martz, Ph.D., President, California Cultural Resources Preservation Alliance, Inc., July 8, 2017.
14. Rebecca Robles, United Coalition to Protect Panhe, July 5, 2017.



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Edmund G. Brown Jr.
Governor

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



Ken Alex
Director

August 7, 2017

Kevin Hadden
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708-7018

Subject: Bay Bridge Pump Station and Force Mains Rehabilitation Project
SCH#: 2016111031

Dear Kevin Hadden:

The State Clearinghouse submitted the above named Draft EIR 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 August 4, 2017, 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

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016111031
Project Title Bay Bridge Pump Station and Force Mains Rehabilitation Project
Lead Agency Orange County Sanitation District

Type EIR Draft EIR

Description The proposed project would replace the Bay Bridge Pump Station and associated force mains. The project would bring the pump station facility and force mains to current design and reliability standards to ensure continuous service for the Newport Coast service area. The primary project components consist of: 1) pump station improvements; 2) Newport Bay Channel crossing force main improvements; and 3) West Coast Hwy crossing force main improvements.

Lead Agency Contact

Name Kevin Hadden
Agency Orange County Sanitation District
Phone 714-962-2411 **Fax**
email
Address 10844 Ellis Avenue
City Fountain Valley **State** CA **Zip** 92708-7018

Project Location

County Orange
City Newport Beach
Region
Lat / Long 33° 37' 00.58" N / 117° 54' 03.7" W
Cross Streets East Coast Hwy and Bayside Dr
Parcel No. 4410-132-60, 117-801-10
Township 6S **Range** 10W **Section** 26 **Base** SBM

Proximity to:

Highways 1
Airports
Railways
Waterways Newport Bay Channel
Schools Numerous
Land Use Bayside Village Boat Launch and Storage and Multi-Unit Residential/recreational and Marine Commercial and Mixed Use - Water 2

Project Issues Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; 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; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual; Tribal Cultural Resources

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Conservation; Department of Fish and Wildlife, 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; State Water Resources Control Board, Division of Water Quality; Air Resources Board, Major Industrial Projects; Native American Heritage Commission; State Lands Commission

Date Received 06/21/2017 **Start of Review** 06/21/2017 **End of Review** 08/04/2017



RESPONSE TO COMMENT LETTER NO. 1

Scott Morgan, Director, State Clearinghouse

State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

August 7, 2017

- 1-1 This letter acknowledges that the State Clearinghouse submitted the DEIR to selected State agencies for review and that the DEIR review period closed on August 4, 2017. The comment states that the Lead Agency (OCSD) complied with the public review requirements for draft environmental documents pursuant to CEQA. As such, no further response is necessary.
- 1-2 This comment includes the State Clearinghouse Document Details Report and does not address the DEIR's adequacy or involve an environmental issue. It should be noted that attached to this letter from the State Clearinghouse was correspondence related to the project from the Native American Heritage Commission (NAHC) and California Department of Toxic Substances Control (DTSC). These comment letters from the NAHC and DTSC are included as Response to Comment Letter No. 2 and No. 3, below.



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STATE OF CALIFORNIA
 NATIVE AMERICAN HERITAGE COMMISSION
 Environmental and Cultural Department
 1550 Harbor Blvd., Suite 100
 West Sacramento, CA 95691
 Phone (916) 373-3710

Edmund G. Brown Jr., Governor



July 14, 2017

Kevin Hadden
 Orange County Sanitation District
 10844 Ellis Avenue
 Fountain Valley, CA 92708

sent via e-mail: khadden@ocsd.com

Re: SCH# 2016111031, Bay Bridge Pump Station and Force Mains Replacement Project, Community of Newport Beach;
 Orange County, California

Dear Mr. Hadden:

The Native American Heritage Commission (NAHC) has reviewed the Draft Environmental Impact Report prepared for the project referenced above. The review included the Introduction and Project Description, and the Environmental Analysis, section 5.4 Cultural Resources, and section 5.12 Tribal Cultural Resources prepared by Duke CRM and Michael Baker International for the Orange County Sanitation District. We have the following concerns:

2-1

2-2

2-3

1. There are no mitigation measures specifically addressing Tribal Cultural Resources separately. Mitigation measures must take Tribal Cultural Resources into consideration as required under AB-52, **with or without consultation** occurring. **Mitigation language for archaeological resources is not always appropriate for or similar to measures specifically for handling Tribal Cultural Resources.** For sample mitigation measures, please refer to the California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>

The California Environmental Quality Act (CEQA)¹, specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.² If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared.³ In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended in 2014 by Assembly Bill 52. (AB 52).⁴ **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** AB 52 created a separate category for "tribal cultural resources"⁵, that now includes "a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment."⁶ Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.⁷ Your project may also be subject to **Senate Bill 18 (SB 18)** (Burton, Chapter 905, Statutes of 2004), Government Code 65352.3, if it also involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space. **Both SB 18 and AB 52 have tribal consultation requirements.** Additionally, if your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966⁸ may also apply.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

Agencies should be aware that AB 52 does not preclude agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52. For that reason, we urge you to continue to request Native American Tribal Consultation Lists and Sacred Lands File searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>. Additional information regarding AB 52 can be found online

¹ Pub. Resources Code § 21000 et seq.

² Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b); CEQA Guidelines Section 15064.5 (b)

³ Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1); CEQA Guidelines § 15064 (a)(1)

⁴ Government Code 65352.3

⁵ Pub. Resources Code § 21074

⁶ Pub. Resources Code § 21084.2

⁷ Pub. Resources Code § 21084.3 (a)

⁸ 154 U.S.C. 300101, 36 C.F.R. § 800 et seq.

at http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf, entitled "Tribal Consultation Under AB 52: Requirements and Best Practices".

The NAHC recommends lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources.

A brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments is also attached.

Please contact me at gayle.totton@nahc.ca.gov or call (916) 373-3710 if you have any questions.

Sincerely,



Gayle Totton, B.S., M.A., Ph.D
Associate Governmental Project Analyst

Attachment

cc: State Clearinghouse

Pertinent Statutory Information:

Under AB 52:

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice.

A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.⁹ and **prior to the release of a negative declaration, mitigated negative declaration or environmental impact report.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18).¹⁰

The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects.¹¹
1. The following topics are discretionary topics of consultation:
- a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.

If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency.¹²

With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process **shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10.** Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.¹³

If a project may have a significant impact on a tribal cultural resource, **the lead agency's environmental document shall discuss** both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource.¹⁴

Consultation with a tribe shall be considered concluded when either of the following occurs:

- a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
- b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.¹⁵

Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 **shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program**, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable.¹⁶

If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, **the lead agency shall consider feasible mitigation** pursuant to Public Resources Code section 21084.3 (b).¹⁷

An environmental impact report **may not be certified**, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
- b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

⁹ Pub. Resources Code § 21080.3.1, subds. (d) and (e)

¹⁰ Pub. Resources Code § 21080.3.1 (b)

¹¹ Pub. Resources Code § 21080.3.2 (a)

¹² Pub. Resources Code § 21080.3.2 (a)

¹³ Pub. Resources Code § 21082.3 (c)(1)

¹⁴ Pub. Resources Code § 21082.3 (b)

¹⁵ Pub. Resources Code § 21080.3.2 (b)

¹⁶ Pub. Resources Code § 21082.3 (a)

¹⁷ Pub. Resources Code § 21082.3 (e)

- c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days.¹⁸

This process should be documented in the Tribal Cultural Resources section of your environmental document.

Under SB 18:

Government Code § 65352.3 (a) (1) requires consultation with Native Americans on general plan proposals for the purposes of "preserving or mitigating impacts to places, features, and objects described § 5097.9 and § 5091.993 of the Public Resources Code that are located within the city or county's jurisdiction. Government Code § 65560 (a), (b), and (c) provides for consultation with Native American tribes on the open-space element of a county or city general plan for the purposes of protecting places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

- SB 18 applies to **local governments** and requires them to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf
- **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.**¹⁹
- There is no Statutory Time Limit on Tribal Consultation under the law.
- **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research,²⁰ the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction.²¹
- **Conclusion Tribal Consultation:** Consultation should be concluded at the point in which:
 - The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation.²²

2-4

NAHC Recommendations for Cultural Resources Assessments:

- Contact the NAHC for:
 - A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - A Native American Tribal Contact List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
 - The request form can be found at <http://nahc.ca.gov/resources/forms/>.
- Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - If part or the entire APE has been previously surveyed for cultural resources.
 - If any known cultural resources have been already been recorded on or adjacent to the APE.
 - If the probability is low, moderate, or high that cultural resources are located in the APE.
 - If a survey is required to determine whether previously unrecorded cultural resources are present.
- If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

¹⁸ Pub. Resources Code § 21082.3 (d)

¹⁹ (Gov. Code § 65352.3 (a)(2)).

²⁰ pursuant to Gov. Code section 65040.2,

²¹ (Gov. Code § 65352.3 (b)).

²² (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Examples of Mitigation Measures That May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
- Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
- Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
- Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed.²³
- Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated.²⁴

The lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

- Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources.²⁵ In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
- Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

²³ (Civ. Code § 815.3 (c)).

²⁴ (Pub. Resources Code § 5097.991).

²⁵ per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)).



RESPONSE TO COMMENT LETTER NO. 2

Gayle Totton, B.S., M.A., Ph.D., Associate Governmental Project Analyst
Native American Heritage Commission
July 14, 2017

- 2-1 This is an introductory comment outlining the items reviewed by the Native American Heritage Commission (NAHC), and does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 2-2 The comment indicates that there are no mitigation measures specifically addressing Tribal Cultural Resources (TCRs). Based on Section 5.12, *Tribal Cultural Resources*, of the DEIR, based on the cultural resources investigation, the findings of the records search and field survey, and the Assembly Bill 52 (AB 52) consultation process, OCSD has determined that no TCRs are known to exist on the project site. However, Mitigation Measure CUL-1 was included to minimize impacts in the event unknown TCRs are discovered during on-site ground disturbing activities. Mitigation Measure CUL-1 includes provisions related to the identification of TCRs and protocol to be followed in the event TCRs are discovered. As such, Mitigation Measure CUL-1 was determined to be sufficient to minimize impacts in this regard to a less than significant level (minor editorial revisions to CUL-1 are noted below to provide clarity regarding the monitoring and reporting process).

Minor editorial revisions to Mitigation Measure CUL-1 on DEIR page 5.4-16 have been included to provide additional monitoring and reporting clarification. Mitigation Measure CUL-1 has been revised as follows:

CUL-1 Prior to ground-disturbing activities, a qualified archaeologist shall provide an Archaeological Monitoring Protocol Plan for the project. The archaeologist shall provide training to a Contractor's Representative regarding the Archaeological Monitoring Protocol Plan and the identification of archaeological resources. The training shall be open to Native American tribal representative(s), to assist the Contractor's Representative in identifying potential tribal cultural resources. The plan shall identify procedures for the event that potential resources are discovered by the Construction Contractor.

If evidence of potential subsurface archaeological resources is found during site disturbance/excavation activities, these activities shall cease within 50 feet of that area and the construction contractor shall contact the Orange County Sanitation District Resident Engineer. Construction activities shall be allowed to continue in other areas of the site. The Resident Engineer shall then retain a qualified archaeologist to evaluate the discovery prior to resuming grading/construction activities in the immediate vicinity of the find. If warranted, the archaeologist shall collect the resource, and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussion of the significance (depth, nature, condition, and extent of the resource), final mitigation recommendations, and cost estimates.



If the archaeologist determines that the find is prehistoric or includes Native American materials, affiliated Native American groups shall be invited to contribute to the assessment and recovery of the resource, as applicable. The archaeologist and any applicable Native American contacts shall collect the resource and prepare a test-level 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.

Salvage operation requirements pursuant to Section 15064.5 of the *CEQA Guidelines* shall be followed. Work within the area of discovery shall resume only after the resource has been appropriately inventoried, documented, and recovered, as applicable.

- 2-3 This comment discusses CEQA requirements pertaining to historical resources, AB 52, and Senate Bill 18 (SB 18), as well as the National Environmental Policy Act (NEPA) guidelines pertaining to tribal consultation requirements. The project is not subject to the requirements of SB 18 or NEPA. As noted within Section 5.12, of the DEIR, OCSD fully complied with the requirements of AB 52 during preparation of the DEIR.
- 2-4 This comment provides a brief summary of portions of AB 52 and SB 18 and NAHC's recommendation for conducting cultural resources assessments, and does not address the DEIR's adequacy or involve an environmental issue.



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Department of Toxic Substances Control



Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

July 11, 2017

Mr. Kevin Hadden
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10844 Ellis Avenue
Fountain Valley, California 92708
khadden@ocsd.com & CEQA@ocsd.com

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT (SCH# 2016111031)

Dear Mr. Hadden:

The Department of Toxic Substances Control (DTSC) has reviewed the subject EIR. The following project description is stated in the EIR: "Locally, the project site includes sewer pump station improvements located within a property located at 300 East Coast Highway. The project also includes sewer force main improvements that would extend from the proposed pump station, proceed westerly beneath the Newport Bay Channel to a disturbed area within the southern portion of Castaways Park, and extend south beneath West Coast Highway to connect to the existing Orange County Sanitation District (OCSD) force main system; refer to Exhibit 3-2, Site Vicinity."

3-1

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

1. The EIR states, "As noted in Section 5.7.1, Existing Environmental Setting, elevated levels of DDT/DDE pesticide contamination have been reported in the Newport Bay Channel. However, these contaminants are anticipated to be present in topsoils along the channel as a result of deposition. As such, proposed HDD/microtunneling force main crossing beneath the Newport Bay Channel would occur in deeper soils and is not anticipated to involve these contaminated topsoils." However, the EIR states, "The proposed pump station site is entirely disturbed, and is currently occupied by RV storage facilities and a driveway providing access to the facility." DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.

3-2

2. The EIR further states a number of facilities in the vicinity of the project site that have been known to handle, store, and/or transport hazardous materials, especially gasoline. DTSC is unable to evaluate whether vapor sampling and/or potential vapor intrusion risk was adequately addressed due to lack of relevant detailed information in the EIR. DTSC recommends soil gas sampling and vapor intrusion risk evaluation on sites with releases of volatile organic compounds (VOCs). **3-3**

3. If Pump Station Electrical Room or Pump Station Generator Facility currently exist on the project site, polychlorinated biphenyl (PCB) contamination related to transformers may be a possibility. DTSC recommends evaluation, proper investigation and mitigation, if necessary, on onsite areas with current or historic PCB-containing transformers. **3-4**

4. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if the project proposes to import soil to backfill the excavated areas, proper evaluation and/or sampling should be conducted to make sure that the imported soil is free of contamination. **3-5**

5. 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 EIR should identify how any required investigation and/or remediation will be conducted, and the appropriate government agency to provide regulatory oversight. **3-6**

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at Johnson.Abraham@dtsc.ca.gov. **3-7**

Sincerely,


Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Brownfields and Environmental Restoration Program - Cypress

kl/sh/ja

cc: See next page.

Mr. Kevin Hadden
July 11, 2017
Page 3

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

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Schools Evaluation and Brownfields Cleanup
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2016111031



RESPONSE TO COMMENT LETTER NO. 3

Johnson P. Abraham, Project Manager, Brownfields Restoration and School Evaluation Branch,
Brownfields and Environmental Restoration Program - Cypress

Department of Toxic Substances Control

July 11, 2017

- 3-1 This is an introductory comment with a brief project description. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 3-2 The commenter suggests that the topsoil at the proposed pump station site could have residual pesticides, since the DEIR identifies it along the channel. Based on the Back Bay Landing Phase I Environmental Site Assessment (ESA), sediment within the bay reported elevated levels of dichlorodiphenyl trichloroethane (DDT) and dichlorodiphenyl dichloroethylene (DDE) pesticide contamination. This material is anticipated to come from upstream sources that have resulted in runoff and transport of sediment to the project site through the Newport Bay Channel. The proposed pump station site is located outside of the channel's ordinary high water mark and is not anticipated to involve this channel deposit material. Further, the pump station site was not historically developed with agricultural or other uses associated with the potential application of DDT/DDE-related pesticides. Thus, the pesticide contamination is limited to the Newport Bay Channel and not the pump station site.
- 3-3 This comment indicated that there is potential for release of volatile organic compounds (VOCs) and vapor encroachment at the project site due to reported contamination in the project vicinity. However, the DEIR Section 5.7, *Hazards and Hazardous Materials*, does consider potential off-site sources to impact soil gas at the project site. The DEIR identifies the following off-site facilities, which have been known to handle, store, and/or transport hazardous materials:
- *Mobil #18HGK, 301 Coast Highway*: The facility adjoins the project site to the southeast across East Coast Highway. This off-site property released gasoline to the groundwater. However, this facility received case closure by the Regional Water Quality Control Board on July 28, 2005. Further, the Back Bay Landing Phase I ESA indicated that groundwater direction was to the west-southwest (away from the proposed pump station site). Groundwater contamination remained at the site upon receiving case closure, 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 East Coast Highway (which is greater than 200 feet from the proposed pump station). According to the State Water Resources Control Board's (SWRCB's) online database (GeoTracker), confirmation soil borings and sampling were conducted in 2003 and (according to the assessment results) concentrations of contamination in the soil were not present that would warrant a vapor hazard survey. Thus, this off-site facility is not anticipated to present a vapor encroachment concern.



- Newport Beach Cars LLC, 445 East Coast Highway: The facility is located approximately 380 feet to the southeast of the project site. This off-site property released gasoline to the groundwater. The Back Bay Landing Phase I ESA indicated that groundwater direction was to the southwest (cross gradient from the proposed pump station site) and that contaminant concentrations at the facility are low. According to the GeoTracker database, a *Plume Time Travel* report (prepared on October 20, 2005, and updated on September 1, 2006 and January 10, 2008) estimated the plume to be approximately 100 feet long by 20 feet wide. The model demonstrated a maximum plume distance of 100 to 150 feet from the source area by the year 2012, and predicted that the contamination migration would not extend offsite. This facility received case closure by the Regional Water Quality Control Board (RWQCB) on November 22, 2010. With the project site more than 380 feet away and assuming that vapor does not typically travel further than 100 feet from the edge-of-plume, this off-site release has not resulted in a vapor encroachment concern to the proposed pump station site.
- Former ARCO Service Station Site, 200 Coast Highway: The facility is situated off-site to the west of the project site (at 200 West Coast Highway). This off-site property released gasoline to the groundwater. According to the GeoTracker database, this site achieved case closure by the RWQCB on May 5, 1998. Based on the Back Bay Landing Phase I ESA historical aerials, the facility is located at the northwest corner of West Coast Highway and Dover Drive. Given the distance of the facility from the proposed pump station site (greater than 1,500 feet cross-gradient), this off-site release has not resulted in a vapor encroachment concern to the proposed pump station site.
- Shell Oil (Former), 990 Coast Highway: The facility is located approximately 0.47-mile southeast of the project site. Based on the distance of this facility to the proposed pump station site (greater than 0.45 mile), this off-site release has not resulted in a vapor encroachment concern to the proposed pump station site.

3-4 This comment indicates a possibility of polychlorinated biphenyl (PCB) contamination due to the presence of on-site transformers. Based on the Back Bay Landing Phase I ESA, PCB was not observed on, or around, the project site, including the existing pump station facility. Several dry transformers, free of internal cooling fluids, were observed on-site and had no indications of leaks or spills. PCB-containing equipment is not anticipated with regard to the existing pump station facility.

3-5 This comment discusses the proper sampling and disposal of contaminated soil. No soil import/export is proposed as part of the grading activities for the pump station site. Proposed drilling activities would involve channel materials. The DEIR Mitigation Measures HAZ-3 and HAZ-4 are recommended to reduce impacts regarding potential contaminated channel materials prior to disposal. Thus, as concluded in the DEIR, impacts regarding contaminated soils as a result of soil import/export would be reduced to less than significant levels with implementation of the recommended mitigation.

3-6 As discussed on DEIR page 5.7-14, site disturbance and demolition activities could expose construction workers to a variety of unknown hazardous materials. However, Mitigation Measure HAZ-4 would reduce potential impacts from unknown hazardous materials that



could result in accidental conditions at the project site. If unknown wastes or suspect materials are discovered during construction by the contractor, which he/she believes may involve hazardous wastes/materials, the contractor would be required to complete the following (Mitigation Measure HAZ-4):

- Immediately stop work in the vicinity of the suspected contaminant, removing workers and the public from the area;
- Notify the Orange County Sanitation District Director of Engineering;
- Secure the areas as directed by the Orange County Sanitation District Director of Engineering; and
- Notify the Orange County Health Care Agency's Hazardous Waste/Materials Coordinator.

3-7 This comment is a closing statement providing contact information for questions. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.

DEPARTMENT OF TRANSPORTATION

DISTRICT 12

1750 EAST FOURTH STREET, SUITE 100

SANTA ANA, CA 92705

PHONE (657) 328-6267

FAX (657) 328-6510

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*Making Conservation
a California Way of Life.*

August 4, 2017

Mr. Kevin Hadden
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708

File: IGR/CEQA
SCH#: 2016111031
12-ORA-2017-00621
SR 1

Dear Mr. Hadden,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Draft Environmental Impact Report (DEIR) for the proposed Bay Bridge Pump Station and Force Mains Replacement Project. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.

The project consists of upgrading the Bay Bridge Pump station, Newport Bay Channel, and West Coast Highway crossing force main improvements to design and reliability standards. The project is located between Dover Drive and Bayside Drive in the City of Newport Beach and in proximity of Caltrans Right-of-Way (ROW) on State Route 1 (SR 1). Caltrans is a responsible agency and has the following comments:

National Pollutant Discharge Elimination System /Stormwater

1. Section 3 of the DEIR states that a Caltrans Encroachment Permit will be required for work that encroaches or discharges onto State right of way. A Waster Quality Management Plan and Stormwater Pollution Prevention Plan will be required for Caltrans review prior to encroachment permit approval. For specific details for Encroachment Permits procedure, please refer to the Caltrans' Encroachment Permits Manual at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>
2. Due to the close proximity of the project to the Newport Channel, a separate dewatering permit may be needed from the Santa Ana Regional Water Quality Control Board. Groundwater extraction and similar waste discharges from construction, remediation, and permanent groundwater extraction projects to surface waters are regulated under the general permit, Order No. R8-2007-0041, NPDES No. CAG918002, as amended by Order No. R8-2009-0045.
3. Please be advised that Caltrans Encroachment Permit prohibits the discharge of groundwater onto State facilities.

4-1

4-2

4-3

4-4

Orange County Sanitation District

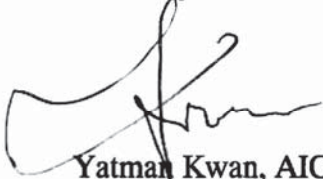
August 4, 2017

Page 2

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Maryam Molavi at (657) 328-6280 or maryam.molavi@dot.ca.gov.

4-5

Sincerely,



Yatman Kwan, AICP
Branch Chief, Regional-IGR-Transit Planning
District 12



RESPONSE TO COMMENT LETTER NO. 4

Yatman Kwan, AICP, Branch Chief, Regional-IGR-Transit Planning
State of California Department of Transportation District 12
August 4, 2017

- 4-1 This is an introductory comment with a brief project description. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 4-2 This comment acknowledges the inclusion of the required Caltrans Encroachment Permit in the DEIR. The commenter states that a Water Quality Management Plan and Stormwater Pollution Prevention Plan is required for Caltrans review prior to Encroachment Permit approval and provides a link to the Caltrans' Encroachment Permits Manual for more details regarding Encroachment Permits procedures. OCSD would adhere to the Caltrans Encroachment Permit approval requirements. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.
- 4-3 This comment discusses the potential requirement of a separate dewatering permit due to the close proximity of the project to the Newport Channel. The project requires a General Construction Permit through the Santa Ana Regional Water Quality Control Board as required under National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ [as amended by 2010-0014-DWQ and 2012-006-DWQ], NPDES Number CAS000002). Section 5.7, *Hazards and Hazardous Materials*, page 5.7-13 of the DEIR discusses potential impacts related to dewatering. As stated in the DEIR, the General Construction Permit would ensure that any harmful pollutants or hazardous materials contained within the Newport Bay Channel would be properly handled and disposed of to prevent unsafe exposure to construction workers. Thus, compliance with General Construction Permit would reduce a potential dewatering impact to a less than significant level.
- 4-4 This comment states that the Caltrans Encroachment Permit prohibits the discharge of groundwater onto State facilities. The Caltrans Encroachment Permit process would ensure that all permit approval requirements are met. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.
- 4-5 This comment is a closing statement requesting continued coordination with Caltrans for future developments that could impact State transportation facilities and provides contact information for questions. This comment does not address the DEIR's adequacy or involve an environmental issue. Thus, no further response is necessary.



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CITY OF NEWPORT BEACH

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Newport Beach, California 92660

949 644-3200

newportbeachca.gov/communitydevelopment



August 4, 2017

Via Electronic & Regular Mail
khadden@ocsd.com

Kevin Hadden, Principal Staff Analyst
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708

Re: Comments on Public Review Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project

Dear Mr. Hadden,

Thank you for the opportunity to comment on the Public Review Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project (the "Project"). The City of Newport Beach ("City") submits the following comments:

5-1

1. Project Description

- a. The project description does not include the gravity sewer construction on East Coast Highway adjacent to the Balboa Marina West property. This construction would significantly impact traffic flow on Coast Highway and could necessitate nighttime work, thus resulting in noise impacts to adjacent residences. The City does not support this project component due these impacts. Relocation of this construction to the south and outside of the Coast Highway right-of-way would significantly reduce these potential impacts.

5-2

2. Mitigation Measures

- a. AES-2: Revise Mitigation Measure language to accurately reflect approval process. As currently written, it states that the pump station plans shall be submitted to City for review, but approval is required by OCSD Director in consideration of comments received from City. However, the pump station is located in the Back Bay Landing Planned Community Zoning District,

5-3

- | | |
|--|------------|
| <p>which requires review and approval of Site Development Review permit by the City's Planning Commission.</p> | 5-3 |
| <p>b. AES-4: Lighting Plan will require review and approval by the City through the required Site Development Review permit.</p> | 5-4 |
| <p>c. N-1: Revise Mitigation Measure language "City" instead of "Town".</p> | 5-5 |
| <p>d. TRA-1: The Construction Management Plan will also require review and approval by Caltrans for closures and impacts to their jurisdictional roadways and by the City Public Works Department for road closures, staging, and impacts to City roadways. The Construction Management Plan needs to ensure bike trails remain open during construction or re-routed to ensure connectivity.</p> | 5-6 |
| <p>3. Page 2-8, the reference to Back Bay Landing Planned Community Development Plan (PCDP) requires correction to the most current version (November 22, 2016) adopted and included with the City's certified Local Coastal Program (LCP) Implementation Plan. The Back Bay Landing PCDP included in the LCP is similar to the original version adopted by the City on February 25, 2014; however, there are slight changes, including the elimination of the 65-foot public view tower. Any reference to the PCDP should be the November 22, 2016 version.</p> | 5-7 |
| <p>4. Page 5.1-12, the building height limitation referenced as subsection b) describes a 65-foot height limit for a public view tower; however, that height limit allowance was eliminated from the final Back Bay Landing PCDP version adopted by the City as part of the LCP on November 22, 2016. Please revise height limit references to match the November 22, 2016 adopted version.</p> | 5-8 |
| <p>5. Page 5.1-13, the Architectural Theme Design Guidelines referenced is from the old PCDP version and has been revised as part of the final November 22, 2016 adopted version. Please use the most current version.</p> | 5-9 |

Lower Castaways

Lower Castaways is a 4-acre open space area owned by the City located at the northeast corner of West Coast Highway and Dover Drive. This site will be developed as a public park.

- | | |
|---|-------------|
| <p>1. Exhibit 3-4 (Conceptual Site Plan) and Exhibit 3-6 illustrate the force mains and temp pipe staging impacting a large portion of the City's Lower Castaways site, with the force mains running through the middle of the site. However, exhibit is not consistent with paragraph on Page 3-11 project description that states preferred location of force mains is on southern portion of the Lower Castaways site.</p> | 5-10 |
|---|-------------|

- a. The location of the force mains and pipe staging as illustrated on the exhibits is not acceptable to the City as it would severely encumber the site and limit future use of the site.
 - b. Although the project description narrative acknowledges the City's preferred location on the southern portion of the site, the DEIR does not analyze potential biological impacts that could result from placing the force mains in that location. Environmental analysis must take into account potential impacts associated with constructing the force mains on the southern portion of the site. **5-10**
 - c. The City is not acceptable to utilizing Dover Drive for pipe staging and instead would request that Bayside Drive be utilized for pipe staging as that would result in less traffic impacts associated with road closures. The DEIR should analyze potential environmental impacts associated with the alternative pipe staging area and illustrate on an exhibit. **5-11**
2. Force Main Improvements (Page 3-12) description states that work would occur within existing disturbed area and pipe staging would occur along Bayside Drive. The work area described and shown on Exhibit would preclude use of the entire site for any other purpose during construction. **5-12**

Cumulative Projects List

The cumulative project list included in Table 4-1 (Page 4-2) is out of date and includes projects that have been denied, including AutoNation and 150 Newport Center Dr. Also, other projects listed as under construction are complete, such as Santa Barbara Condos, Newport Marina ETCO, Newport Beach Country Club. The most current version is attached. **5-13**

Biological Resources Analysis

Table 5.3-1 includes policy analysis related to potential biological impacts, concluding that since the project would not affect ESA or ESHA, no survey/analysis would be required. However, as discussed in the project description, the City preferred force main alignment is to be located as closely as possible to the southernmost edge of the Lower Castaways site. That portion of the property is currently vegetated. A biological assessment shall be conducted to ensure potential biological impacts are adequately avoided or mitigated. The policy analysis should be updated to reflect the additional analysis. **5-14**

Land Use and Relevant Planning

On Page 5.9-8, the second paragraph of LCP summary is outdated. The LCP was certified by the California Coastal Commission on January 13, 2017 and become effective on January 31, 2017. The City's certified LCP will be the standard of review for the coastal development permit.

5-15

Transportation/Traffic

1. Construction related traffic impacts associated with staging and pipe stringing is discussed related to Dover Drive; however, the City preferred location for pipe stringing is to occur on Bayside Drive. Therefore, please include an alternative analysis of potential construction related impacts on Bayside Drive related to pipe stringing.
2. East Coast Highway is incorrectly referenced as Pacific Coast Highway throughout the document. The highway is East Coast Highway east of the bridge and West Coast Highway west of the bridge.
3. Pages 1-2, 2-14, 3-2, required permits from the City include a Site Development Review permit for the construction of the pump station. The Site Development Review Permit requires Planning Commission approval.

5-16

5-17

5-18

Please feel free to contact me at (949) 644-3232 or PAlford@newportbeachca.gov if you have any questions.

5-19

Sincerely,

Patrick J. Alford
Planning Program Manager

Attachment: Cumulative Projects List

Cumulative Projects List

This list has three parts: Reasonably Foreseeable Projects, CIP (Capital Improvements Program) Reasonably Foreseeable Projects, and Approved Projects

Reasonably Foreseeable Discretionary Projects with CEQA review or Traffic Study:

Legend: Projects Pending Coastal Commission Review

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
Ullman Sail Lofts (PA2017-059)	A conditional use permit, minor site development review, tentative tract map, and coastal development permit to demolish an existing 9,962-square-foot commercial building and construct a new mixed-use structure with 1,171 square feet of retail floor area and one 2,347 square foot dwelling unit on Lot 17 and construct three residential dwelling units ranging from 2,484 square feet to 2,515 square feet over Lots 18 and 19.	410 and 412 29 th Street	Application submitted on March 9, 2017. Incomplete status. Anticipated Class 32 CEQA Exemption.	<ul style="list-style-type: none"> • Coastal Development Permit No. CD2017-025 • Site Development and Use Permit No. SD2017-003, • Conditional Use Permit No. UP2017-005 • Tract Map No. NT2017-001 (County Tentative Parcel Map No. 18108) 	Makana Nova
Newport Pointes	A Site Development Review for the development of a mixed-use residential project consisting of 350 rental units and 7,500 square feet of retail use on a 5.7-acre property known as MacArthur Square. The application includes requests for building height adjustment and a Tentative Tract Map for future condominium purposes.	1701 Corinthian Way, 4251, 4253 & 4255 Martingale Way, 4200, 4220 & 4250 Scott Drive and 1660 Dove Street	Application submitted on May 31, 2017. Under review for application completeness. Anticipated EIR and Traffic Study (TBD)	<ul style="list-style-type: none"> • Site Development Review No. SD2017-004 • Tentative Tract Map No. NT2017-002 	Rosalinh Ung

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
Harbor Pointe Senior Living (PA2015-210)	General Plan Amendment, Planned Community Text Amendment, Conditional Use Permit, and Major Site Development Review for a new approximately 90,000-square-foot convalescent and congregate care facility with 121 beds (about 108 care units). As proposed, the facility will be developed with one level of subterranean parking and four levels of living area. The project site is currently developed with a single-story restaurant and supporting surface parking area.	101 Bayview Place	Scoping meeting held on August 15, 2016. Project being revisited and redesigned by applicant/developer. EIR preparation on hold as of June 8, 2017.	<ul style="list-style-type: none"> General Plan Amendment No. GP2015-004 Planned Community Text Amendment No. PD2015-005 Site Development Review No. SD2015-007 Conditional Use Permit No. UP2015-047 Mitigated Negative Declaration 	Benjamin Zdeba
Little Corona Infiltration (PA2015-096) (15X14)	Installation of a diversion and infiltration device on a public beach area.	Little Corona Beach	Final MND adopted on March 22, 2016. Project is on hold due to difficulties presented at Coastal Commission review.	<ul style="list-style-type: none"> Mitigated Negative Declaration Capital Improvement Program, City Council 	Benjamin Zdeba John Kappeler, Public Works
Koll Newport Residential (PA2015-024)	Development of mixed use residential of up to 260 units, 3,000 sf. retail and one-acre park.	4400 Von Karman Ave.	Application submitted and deemed complete. EIR preparation is underway.	<ul style="list-style-type: none"> Planned Community Development Plan Amendment Site Development Plan Transfer of Development Right Traffic Study Tentative Tract Map Development Agreement Environmental Impact Report 	Rosalinh Ung

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
ExplorOcean (PA2014-069)	Demolition of an existing one-story, 26,219 square foot commercial building and a 55-space subterranean parking garage; and the construction of a 70,295 square-foot, 4-story ocean literacy facility located on the 600 East Bay parcel; removal of a 63-metered space surface parking lot (aka: Palm Street Parking Lot) located on the 209 Washington Street, 600 and 608 Balboa Avenue, and 200 Palm parcels and the construction of a 388-space, 141,000 square foot, 5-level off-site parking structure; and a 6,500 square footage floating classroom to be located on the waterside of the project.	600 East Bay, 209 Washington Street, 600 and 608 Balboa Avenue, and 200 Palm	Application submitted 04/22/2014. On hold per applicant's request.	<ul style="list-style-type: none"> • General Plan Amendment • Coastal Land Use Plan Amendment • Zoning Code Amendment (Zone Change) • Planned Community Development Plan Adoption • Transfer Development Allocation • Site Development Review • Conditional Use Permit • Traffic Study pursuant to City's Traffic Phasing Ordinance (TPO) • Tentative Parcel Map and Alley Vacation • Harbor Development Permit • Coastal Development Permit (by California Coastal Commission) • Environmental Impact Report 	Rosalinh Ung

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
Back Bay Landing (PA2011-216)	Request for legislative approvals to accommodate the future redevelopment of a portion of the property with a mixed-use waterfront project. The Planned Community Development Plan would allow for the development of a new enclosed dry stack boat storage facility for 140 boats, 61,534 square feet of visitor-serving retail and recreational marine facilities, and up to 49 attached residential units.	300 E. Coast Highway Generally located at the northwesterly corner of east Coast Highway and Bayside Drive	The project was approved by City Council on February 11, 2014. The Coastal Land Use Plan Amendment for the project was approved by the California Coastal Commission on December 10, 2015. Site Development Review and Coastal Development Permit anticipated to be filed in 2018.	<ul style="list-style-type: none"> General Plan Amendment, Coastal Land Use Plan Amendment, Code Amendment, Planned Community Development Plan, Lot Line Adjustment, Traffic Study, and Environmental Impact Report – approved CLUP Amendment approved Site Development Review & Coastal Development Permit required 	Jaime Murillo
Balboa Marina Expansion (PA2012-103) (PA2015-113)	City of Newport Beach Public Access and Transient Docks and Expansion of Balboa Marina <ul style="list-style-type: none"> 24 boat slips 14,252 SF restaurant 664 SF marina restroom 	201 E. Coast Highway	IS/MND was approved by City Council on November 25, 2014. SDR and CUP were approved by the City in February 2016. The CDP was approved by the CCC in February 2017.	<ul style="list-style-type: none"> IS/MND Site Development Review Conditional Use Permit CDP (Coastal Commission) 	Patrick Alford
Newport Harbor Yacht Club (PA2012-091)	Demolition of the approximately 20,500 square foot yacht club facility and construction of a new 23,163 square foot facility. The yacht club use will remain on the subject property.	720 West Bay Avenue, 800 West Bay Avenue, 711-721 West Bay Avenue, and 710-720 Balboa Boulevard	Project approved by the City February 2014. Coastal Land Use Plan Amendment application withdrawn from California Coastal Commission in September 2015. Coastal Commission considers a Coastal Development Permit for the replacement yacht club on March 10, 2016. Under construction	<ul style="list-style-type: none"> General Plan Amendment Coastal Land Use Plan Amendment Zoning Code Amendment Planned Development Permit Conditional Use Permit 	Jim Campbell
Newport Dunes Hotel (PA2016-175)	A 275-room, 201,498-square-foot, hotel on 14.3 acres. Amenities include a coffee shop, gift/sundry shop, business center, function rooms, spa/fitness facilities, restaurant, pool, tennis courts, sand volleyball courts and picnic area.	West side of the Newport Dunes Resort Swimming Lagoon at 1131 Back Bay Drive.	Application incomplete.	<ul style="list-style-type: none"> PC Development Plan Site Development Review Conditional Use Permit Coastal Development Permit Environmental Impact Report 	Patrick Alford

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
<p>AELUP: Airport Environs Land Use Plan; CDP: Coastal Development Permit; CUP: Conditional Use Permit; cy: cubic yards; DA: Development Agreement; DTSP: Downtown Specific Plan; EIR: Environmental Impact Report; FAA: Federal Aviation Administration; GPA: General Plan Amendment; gsf: gross square feet; HBGS: Huntington Beach Generating Station; I-405: Interstate 405 freeway; IBC: Irvine Business Complex; IS: Initial Study; ITC: Irvine Technology Center; LAFCO: Local Agency Formation Commission; LCP: Local Coastal Program; MCAS: Marine Corps Air Station; MND: Mitigated Negative Declaration; ND: Negative Declaration; PA: Planning Area; PC: Planned Community; sf: square feet; SP: Specific Plan; SR-73: State Route 73; TDR: transfer of development rights; TPM: Tentative Parcel Map; TTM: Tentative Tract Map; VTTM: Vesting Tentative Tract Map; ZC: Zone Change</p>					

CIP Projects with CEQA review:

Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
Little Corona Infiltration (PA2015-096) (15X14)	Installation of a diversion and infiltration device on a public beach area.	Little Corona Beach	Final MND adopted on March 22, 2016. Project is on hold due to difficulties presented at Coastal Commission review.	<ul style="list-style-type: none"> Mitigated Negative Declaration Capital Improvement Program, City Council 	Benjamin Zdeba John Kappeler, Public Works
Old Newport Blvd./West Coast Hwy Widening (15R19)	Widens the westbound side of West Coast Highway at Old Newport Boulevard to accommodate a third through lane, a right turn pocket and a bike lane. Realignment of Old Newport Boulevard maximizes the right turn pocket storage length and improves roadway geometrics.	Intersection of Old Newport Boulevard and West Coast Highway	Consultant was selected for project design in March of 2016. Negative Declaration draft is completed. City is requesting lead agency status from Cal Trans.	<ul style="list-style-type: none"> IS/Negative Declaration Capital Improvement Program, City Council 	Patrick Arciniega, Public Works
Lower Sunset View Park Bridge, Parking Lot and Park (15R09)	Possible pedestrian overcrossings, parking and park uses for Lower Sunset View Park.	Intersection of West Coast Highway and Superior Avenue	An RFP for design services was sent in December of 2015. CEQA determination TBD.	<ul style="list-style-type: none"> Capital Improvement Program, City Council 	Andy Tran, Public Works
Balboa Island Seawall Reconstruction (15H11)	New seawall along the Grand Canal and on the west end of Balboa Island.	Balboa Island	Project initiated in 2011. A consultant has been selected for the project design. The RFP process has not yet been initiated for the MND.	<ul style="list-style-type: none"> Mitigated Negative Declaration Capital Improvement Program, City Council 	Bob Stein, Public Works
Arches Storm Drain Diversion (16X11)	Arches drain outlet is the endpoint for two large storm drains that collect and deliver runoff from neighboring areas to Newport Harbor. The west storm drain collects runoff from Hoag Hospital and areas upstream and the east storm drain runs along Old Newport Boulevard and into Costa Mesa upstream of 15th Street. A conceptual plan to divert dry weather flows from these two subwatersheds to the sanitary sewer system has been prepared.	Newport Boulevard north of Coast Highway	Project initiated in 2015. CEQA determination TBD (exemption?). Anticipated project start date, September 2016.	<ul style="list-style-type: none"> Capital Improvement Program, City Council 	John Kappeler, Public Works

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Project	Proposed Land Uses/Project Description	Location	Determination/Status	Discretionary Actions	Project Planner
Bayview Heights Drainage Treatment (15X11)	Restores a drainage reach subject to erosion and creates a wetland at the end of the reach to benefit environmental water quality.	Headlands area of Upper Bay downstream of Mesa Drive	City Council authorized project in May of 2015. Agency permit applications were submitted March of 2016. CEQA determination TBD (exemption?)	<ul style="list-style-type: none"> Capital Improvement Program, City Council 	John Kappeler, Public Works
Big Canyon Rehab Project (15X12)	Divert about one third of the dry-weather flow from the creek into a bioreactor. The bioreactor strips selenium and other impurities from the flow. Clean flow is returned to the creek to reduce the concentration of pollutants within the stream by 30-35 percent. Storm flows from Jamboree Road also will be directed to the top level of this bioreactor/wetlands to strip roadway pollutants from the flow before the flow rejoins the creek. Partial streambed and canyon restoration are components of this project.	Big Canyon, downstream of Jamboree Road and south of Big Canyon Creek	Resource agency applications submitted March of 2016. Draft MND issued for public comment March 4, 2016.	<ul style="list-style-type: none"> Mitigated Negative Declaration Capital Improvement Program, City Council 	John Kappeler, Public Works
Bay Crossings Water Main Replacement (16W12)	Replaces deteriorating water transmission mains pursuant to the Water Master Plan and Bay Crossing Water Transmission Study.	Newport Harbor	A consultant has been selected for the project design. CEQA TBD	<ul style="list-style-type: none"> Capital Improvement Program, City Council 	Patrick Arciniega, Public Works

Discretionary Projects with CEQA review and Traffic Study Approved by the City and Percent Occupied:

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
ENC Preschool (PA2015-079)	Environmental Nature Center Preschool	745 Dover Drive	Planning Commission Approved 01/21/2016. Class 32 CEQA Exemption. Plans have not been submitted for plan check at this time.	<ul style="list-style-type: none"> Minor Use Permit No. UP2015-020 Traffic Study No. TS2015-001 	Makana Nova	Yes	0%
Park Avenue Bridge Replacement (PA2014-135)	Demolish and replace Park Avenue bridge that connects Balboa Island and Little Balboa Island.	Balboa Island	MND adopted/approved by City Council November 25, 2014. Under construction	<ul style="list-style-type: none"> Mitigated Negative Declaration No. ND2014-002 	Gregg Ramirez	No	0%
Birch Newport Executive Center (PA2014-121)	The project includes the re-subdivision of four lots into three lots for commercial development and for condominium purposes, and the construction of two, 2-story medical office buildings totaling 64,000 square feet in gross floor area and a 324-space surface parking lot.	20350 & 20360 Birch Street (Formerly 20352 – 20412 Birch St)	Application submitted on 08/05/2014. Application and Addendum to MND approved by Planning Commission on 02/19/2015. Rough grading permits issued February 25, 2016.	<ul style="list-style-type: none"> Site Development Review No. SD2014-005 Minor Use Permit No. UP2014-032 Traffic Study No. TS2014-006 Parcel Map No. NP2014-017 Addendum to Mitigated Negative Declaration (PA2006-280) 	Jaime Murillo	Yes	0%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
Ebb Tide (PA2014-110)	The project includes a Tentative Tract Map application to subdivide a 4.7-acre site for 83 residential lots and a Site Development Review application for the construction of 83 single-unit residences, private streets, common open space, and landscaping. The Planned Community Development Plan is proposed to establish guidelines for development of the project site consistent with the General Plan. The Code Amendment is proposed to amend the Zoning Map to change the Zoning District from Multiple-Unit Residential (RM) to Planned Community (PC).	1560 Placentia Drive	Application submitted on 06/20/2014. An MND was prepared. The project was approved and the MND was adopted by the Planning Commission on August 6, 2015. Under construction. Completion of initial phases anticipated in late 2017 or early 2018.	<ul style="list-style-type: none"> Tentative Tract Map No. NT2014-002 Traffic Study No. TS2014-007 Planned Development Permit No. PL2015-001 Mitigated Negative Declaration No. ND2015-002 	Jim Campbell	Yes	0%
Lido House Hotel at the former city hall complex (PA2013-217)	General Plan Amendment, Coastal Land Use Plan Amendment, and Zoning Amendment to change site from Public Facilities to Visitor-serving commercial and increase the allowable building height. Demolition of former city hall buildings and the construction of a 130-room upscale hotel. Fire Station #2 to remain at current location.	3300 Newport Boulevard and 475 32 nd Street	Project approved by the City September 2014. Coastal Development Permit issued February 2016. Demolition complete and new construction underway. Completion of construction anticipated by summer of 2018.	<ul style="list-style-type: none"> General Plan Amendment Coastal Land Use Plan Amendment Zoning Code Amendment Site Development Review Conditional Use Permit Ground Lease Environmental Impact Report 	Jim Campbell	Yes	0%
Westcliff Medical (PA2013-154)	Construction of two building and a three-level parking structure, an addition to an existing building, and the demolition of 25,339 square feet of building area. The project would result in four buildings totaling 73,722 square feet. The total amount of off-street parking would be 382 spaces.	2011, 2043, 2121, and 2131 Westcliff Drive. Bounded by Westcliff Drive, Irvine Avenue, and Sherington Place.	Class 32 CEQA exemption. June 19, 2014: Planning Commission Approved. Demolition complete and construction underway. Completion by the end of 2018.	<ul style="list-style-type: none"> Site Development Review Traffic Study Lot Merger 	Jim Campbell	Yes	0%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
Lido Villas (DART) (PA2012-146)	Request for the demolition of an existing church and office building and legislative approvals for the development of 23 attached three-story townhome condominiums.	3303 and 3355 Via Lido Generally bounded by Via Lido, Via Oporto, and Via Malaga.	Building permits have expired and require a new plan check submittal and updates to the Building Code. Discretionary applications are still valid since tract map was submitted to Public Works for recordation. Application approved November 12, 2013. CLUP Amendment approved by CCC on March 12, 2014. CDP application Approved by CCC on 10/09/2014.	<ul style="list-style-type: none"> • General Plan Amendment • Coastal Land Use Plan Amendment • Zoning Code Amendment • Planned Community Development Plan • Site Development Review • IS/Mitigated Negative Declaration • Tentative Tract Map 	Makana Nova	No	0%
Villas Fashion Island (Formerly San Joaquin Plaza Apartments) (PA2012-020)	Amendment to the North Newport Center Planned Community (NNCPC), which is the zoning document that establishes land uses, development standards, and procedures for development within seven sub-areas of the Newport Center Area of the City. Primarily the request involves increasing the residential development allocation within the NNCPC from 430 dwelling units to a total of 524 dwelling units (increase of 94 units) and allocating the units to the San Joaquin Plaza sub-area.	1101 San Joaquin Hills Road	The project was approved by the City Council on August 14, 2012. Under construction.	<ul style="list-style-type: none"> • Transfer of Development • Planned Community Text Amendment • Development Agreement • Traffic Study 	Jaime Murillo Benjamin Zdeba	Yes	10%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
Uptown Newport Mixed Use Development (PA2011-134)	Development of 1,244 residential units and 11,500 sf. of commercial retail	4311 & 4321 Jamboree Rd	EIR, Tentative Tract Map, Traffic Study, and AHIP were approved by City Council on 2/26/2013. The PC Development Plan and Development Agreement were approved on 3/12/2013. Construction for Phase 1 development is underway	<ul style="list-style-type: none"> PC Development Plan Amendment and Adoption Tentative Tract Map Traffic Study (TPO) AHIP DA Airport Land Use Commission Environmental Impact Report 	Rosalinh Ung	Yes	0%
MacArthur at Dolphin-Striker Way (PA2010-135)	Demolition of a 7,996-sf restaurant and development of 12,351 sf commercial retail.	4221 Dolphin-Striker Way	Approved by the City Council on October 25, 2011. PC Development Plan approved on November 22, 2011. The project is completed. The freestanding building pad is constructed but not occupied.	<ul style="list-style-type: none"> PC Development Plan Amendment Transfer of Development Rights Traffic Study (TPO) CUP Waiver of DA Modification Permit Mitigated Negative Declaration 	Rosalinh Ung	Yes	90%
10 Big Canyon (PA2010-092)	Mitigated Negative Declaration for rough grading for development of a single-family residence.	10 Big Canyon	IS/MND approved 12/20/2011. Project has not been constructed.	<ul style="list-style-type: none"> IS/MND 	Makana Nova	No	0%
D.I.S.C. 3501 Jamboree Rd and 301 Bayview Circle (PA2010-062)	Amendment to Bayview Planned Community (PC-32) text to add outpatient surgery and medical office as permitted uses and to add a parking requirement of 1/200 square feet for such uses. Includes Traffic study pursuant to TPO for conversion of 38, 759 square feet of general office and retail to outpatient surgical center.	3501 Jamboree Rd. and 301 Bayview Circle	On June 22, 2010 City Council approved Resolution No. 2010-070 finding that Traffic Study No. TS2010-002 complies with the TPO and on July 6, 2010 approved Ordinance No. 2010-12 approving Planned Community Amendment No. PD2010-004.	<ul style="list-style-type: none"> PC Amendment Traffic Study complies with TPO 	Melinda Whelan	Yes	100%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
Plaza Corona del Mar (PA2010-061)	Development of 1,750 sf new office space and six (6) detached townhomes.	3900-3928 East Coast Highway	Building permits for residential portion issued 03/17/2017. Commercial portion submitted for plan check June 30, 2014. Application approved by Planning Commission on 1/03/13. Staff Approval No. SA2013-015 (PA2013-245) approved December 10, 2013 and Staff Approval No. SA2014-April 10, 2015 to allow the reconstruction of Gallo's and reduction of commercial scope. CEQA Class 32 exemption.	<ul style="list-style-type: none"> • Site Development Review • Variance • Conditional Use Permit • Tentative Tract Map • Modification Permit 	Makana Nova	No	0%
Old Newport GPA Project (PA2008-047)	Demolition of 3 existing buildings to construct a new 25,000-sf medical office building.	328, 332, and 340 Old Newport Blvd	IS/MND and project approved on March 9, 2010. Demolition and grading permits issued March 6, 2015.	<ul style="list-style-type: none"> • Modification Permit • Traffic Study • Use Permit • GP Amendment • Mitigated Negative Declaration 	Jaime Murillo	Yes	0%
Hoag Memorial Hospital Presbyterian Master Plan Update Project (PA2007-073)	Reallocation of up to 225,000 sf of previously approved (but not constructed) square footage from the Lower Campus to the Upper Campus.	1 Hcag Dr; northwest of West Coast Hwy and Newport Blvd	Final EIR certified and project approved on May 13, 2008. No new major development has been constructed or is planned in the near future.	<ul style="list-style-type: none"> • EIR • GP Amendment • Planned Community Development Plan (PC) Text Amendment • Development Agreement Amendment • CDP (CCC) 	Jim Campbell	Yes	0%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
AERIE Project (PA2005-196)	Residential development including the following: (a) the demolition of the existing residential structures on the 1.4-acre site; (b) the development of 8 residential condominium units; and (c) the replacement, reconfiguration, and expansion of the existing gangway platform, pier walkway, and dock facilities on the site.	201-207 Carnation Ave and 101 Bayside Pl; southwest of Bayside Drive between Bayside Pl and Carnation Ave, Corona del Mar	Final EIR was certified and project approved by the City on July 14, 2009. A CDP has been approved by the Coastal Commission. Project is under construction with completion anticipated by mid 2018.	<ul style="list-style-type: none"> EIR GP Amendment Coastal Land Use Plan (CLUP) Amendment Zone Change Tract Map Modification Permit CDP (CCC) 	Jim Campbell	No	0%
Newport Marina – ETCO Development (PA2001-210)	A mixed use development consisting of 27 residential units and approximately 36,000 square feet of retail and office uses	2300 Newport Boulevard	FEIR certified in February 2006. Tentative Tract Map extended in October 2010. The project is under construction and is anticipated to be complete by summer 2017.	<ul style="list-style-type: none"> Site Plan Review Use Permit Tentative Tract Map Environmental Impact Report 	Jim Campbell		0%
Mariner's Pointe (PA2010-114)	A 19,905-sf, two-story commercial building and a three-story parking structure.	100 West Coast Highway	An IS/MND was released for public review on April 11, 2011. The MND was certified and the project approved by the City Council on August 9, 2011. Construction completed on October 30, 2014, and tenants are beginning to occupy suites. (43% occupied, 23% TI in process, 34% vacant).	<ul style="list-style-type: none"> GP Amendment Code Amendment CUP Variance Site Development Review Traffic Study Mitigated Negative Declaration 	Jaime Murillo	Yes	66%
Newport Business Plaza Project (PA2008-164)	Demolition of 2 existing connected buildings to construct a new 46,044 gross square foot business plaza.	4699 Jamboree Road and 5190 Campus Drive	The City Council approved the project on January 25, 2011. The project has not been constructed.	<ul style="list-style-type: none"> GP Amendment PC text amendment Tentative Parcel Map Mitigated Negative Declaration 	Janet Brown		0%

Project	Proposed Land Uses	Location	Determination/Status	Discretionary Actions	Project Planner	Traffic Study	Percent Occupied
PRES Office Building B Project (PA2007-213)	Increase the maximum allowable entitlement by 11,544 gross sf; increase the maximum allowable entitlement in office suite B by 9,917 net sf to allow for development of a new 2-level office building over a ground-level parking structure.	4300 Von Karman Ave	An IS/MND was released for public review on May 19, 2010. The MND was certified and the project approved by the City Council on February 22, 2011. Project has not been constructed.	<ul style="list-style-type: none"> • GP Amendment • PC Text Amendment • Parcel Map • Mitigated Negative Declaration 	Janet Brown		0%
<p>AELUP: Airport Environs Land Use Plan; CDP: Coastal Development Permit; CUP: Conditional Use Permit; cy: cubic yards; DA: Development Agreement; DTSP: Downtown Specific Plan; EIR: Environmental Impact Report; FAA: Federal Aviation Administration; GPA: General Plan Amendment; gsf: gross square feet; HBGS: Huntington Beach Generating Station; I-405: Interstate 405 freeway; IBC: Irvine Business Complex; IS: Initial Study; ITC: Irvine Technology Center; LAFCO: Local Agency Formation Commission; LCP: Local Coastal Program; MCAS: Marine Corps Air Station; MND: Mitigated Negative Declaration; ND: Negative Declaration; PA: Planning Area; PC: Planned Community; sf: square feet; SP: Specific Plan; SR-73: State Route 73; TDR: transfer of development rights; TPM: Tentative Parcel Map; TTM: Tentative Tract Map; VTTM: Vesting Tentative Tract Map; ZC: Zone Change</p>							



RESPONSE TO COMMENT LETTER NO. 5

Patrick Alford, Planning Program Manager
City of Newport Beach
August 4, 2017

5-1 This is an introductory comment. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.

5-2 The City of Newport Beach expressed concern regarding the construction of the proposed gravity sewer improvements along East Coast Highway. In response to the City's concerns, OCSD has provided a potential option to construct the new gravity sewer on the Balboa Marina West property, which is owned by the Irvine Company. The optional alignment would traverse the property from a west to east direction, beginning at the gravity sewer connection within Bayside Drive and terminating approximately 645 feet within the Balboa Marina West property parking lot; refer to Exhibit 1, Gravity Sewer Alignment Option. OCSD is currently discussing this option with affected property owners (including the Irvine Company). If the property owners agree to this optional alignment, the construction of the gravity sewer would occur in conjunction with the construction of the Balboa Marina West Expansion project. As shown in Exhibit 1, the optional alignment would occur within a previously disturbed area (i.e., a paved parking lot) associated with the Balboa Marina West facility. As noted in the City's comment, this optional alignment would occur at a slightly greater distance from the nearest sensitive receptors (residential uses northeast of the intersection of East Coast Highway/Bayside Drive). As such, it is not anticipated that implementation of this optional alignment would result in a new significant impact or substantially increase the severity of an impact that has been identified in the DEIR.

If the affected property owners do not agree to this optional alignment, the gravity sewer improvements would be required to remain along East Coast Highway, as described on DEIR pages 3-7, 3-10, and 3-12. However, as noted in Section 5.11, Transportation/Traffic, of the DEIR, short-term impacts along East Coast Highway would be reduced to a less than significant level with implementation of Mitigation Measure TRA-1. Mitigation Measure TRA-1 would require engineering drawings and specifications that would implement a variety of measures to minimize traffic impacts. The engineering drawings and specifications would be subject to approval by OCSD, Caltrans, and the City to ensure that impacts would be minimized to a level below significance.

5-3 To address this comment, Mitigation Measure AES-2 has been revised as follows. In addition, minor editorial revisions to Mitigation Measure AES-2 on DEIR page 5.1-17 have been included to provide additional clarity regarding the monitoring and reporting process.

AES-2	Prior to construction of the new pump station facility, OCSD shall submit design plans of the proposed pump station to the City of Newport Beach Director of Community Development <u>for review and approval by the City's Planning Commission or delegated authority</u> for Site Development Review and to determine consistency with the Back Bay Landing PCDP design guidelines. The Orange County Sanitation District Director of Engineering shall provide final review and approval of design plans, in consideration of comments received by the Director of Community Development.
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Source: Google Earth, 2017.
- Optional Alignment

NOT TO SCALE

Michael Baker
INTERNATIONAL



08/17 | JN 143698

FINAL ENVIRONMENTAL IMPACT REPORT
BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT
Gravity Sewer Alignment Option

Exhibit 1



- 5-4 Comment noted. To address this comment, Mitigation Measure AES-4 has been revised as follows. In addition, minor editorial revisions to Mitigation Measure AES-4 on DEIR page 5.1-19 have been included to provide additional clarity regarding the monitoring and reporting process

AES-4 Prior to construction of the proposed pump station, ~~the contractor shall provide~~ lighting plans shall be provided to the Orange County Sanitation District ~~Director of Engineering for review and approval, and to the City of Newport Beach for review and approval by the City's Planning Commission for Site Development Review.~~ The lighting plan shall ~~illustrating~~ illustrate consistency with the Back Bay Landing PCDD regulations for lighting. Per these requirements, all outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to minimize impacts to adjacent sites and to not produce glare onto adjacent sites or roadways.

- 5-5 To address this comment, Mitigation Measure NOI-1 has been revised as follows. In addition, minor editorial revisions to Mitigation Measure NOI-1 on DEIR page 5.10-16 have been included to provide additional clarity regarding the monitoring and reporting process.

NOI-1 Prior to the initiation of construction, the Orange County Sanitation District shall confirm that the Grading Plan, Building Plans, and specifications stipulate that:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.
- The ~~Contractor~~ Orange County Sanitation District shall provide a ~~qualified~~ "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall ~~notify the Town within 24 hours of the complaint and~~ determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement ~~reasonable~~ measures to comply with the City's Noise Ordinance. The ~~contact name and the construction hotline~~ telephone number ~~for the Disturbance Coordinator~~ shall be clearly posted on-site.
- When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.).
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Typical construction activities that produce noise shall not take place outside of the allowable hours specified by the City of Newport Beach



Municipal Code Section 10.28.040 (7:00 a.m. and 6:30 p.m. on weekdays, 8:00 a.m. and 6:00 p.m. on Saturdays; construction is prohibited on Sundays and/or federal holidays). Alternative work hours may be designated by the City to reduce other impacts, such as traffic.

- 5-6 To address this comment, Mitigation Measure TRA-1 has been revised as follows. In addition, minor editorial revisions to Mitigation Measure TRA-1 on DEIR page 5.11-6 through 5.11-8 have been included to provide additional clarity regarding the monitoring and reporting process.

TRA-1 Prior to initiation of construction activities, ~~a Construction Management Plan engineering drawings and specifications~~ shall be submitted for review and approval by the Orange County Sanitation District ~~Director of Engineering, California Department of Transportation, and the City Public Works Department.~~ ~~The Construction Management Plan~~ These documents shall, at a minimum, address the following:

- Traffic control for any lane closure, detour, or other disruption to traffic circulation including bicycle and pedestrian trails. Bicycle and pedestrian trails shall remain open during construction or re-routed to ensure continued connectivity.
- ~~OCTA~~-Bus stop access impacts shall be ~~maintained~~ coordinated with OCTA.
- At least three business days before any construction activities that would affect travel on nearby roadways, the construction contractor shall notify the ~~Newport Beach Fire Department, Newport Beach Police Department, and~~ City of Newport Beach Public Works Department, of construction activities that could impede movement (such as lane closures) along roadways, to allow for uninterrupted emergency access. Surrounding property owners shall also be notified of project activities through advanced mailings.
- Identify construction vehicle haul routes for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to the site; necessary traffic controls and detours; and a construction phasing plan for the project.
- Identify any off-site construction staging or material storage sites.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Contractor to keep all haul routes clean and free of debris, including but not limited to, gravel and dirt resulting from its operations. The Contractor shall clean adjacent streets, as directed by the Orange



County Sanitation District, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.

- Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday. No hauling or transport shall be allowed during nighttime hours, weekends, or Federal holidays. Any oversized loads utilizing Coast Highway shall obtain a Caltrans permit for such activities.
- Use of local streets shall be prohibited, except what is required to provide direct access to the project site.
- Haul trucks entering or exiting public streets shall yield to public traffic at all times.
- If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the contractor shall be fully responsible for repairs. The repairs shall restore the damaged property to its original condition.
- All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site or within other off-street areas.
- Construction-related lane closures ~~will~~ would only occur between the hours of ~~9:00~~ 8:30 a.m. and ~~3:00~~ 3:30 p.m., Monday through Friday. More or less restrictive closure hours may be prescribed by the City.
- Use of a construction flagperson to assist in maintaining efficient vehicle travel in both directions, particularly during peak travel hours, and use of construction signage and safe detour routes for pedestrians and bicyclists when travel lanes and sidewalks along Coast Highway, Dover Drive, and Bayside Drive are affected.
- ~~This Construction Management Plan~~ The engineering drawings and specifications shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD).

5-7 The comment states that the most recent version of the Bay Back Landing Planned Community Development Plan (PCDP) was adopted on November 22, 2016. However, after further dialogue with City of Newport Beach staff, it was confirmed that the April 26, 2016 version is indeed the latest document. The DEIR has been revised to reflect this version of the PCDP. Paragraph one on DEIR page 2-8 has been revised as follows:



- Back Bay Landing Planned Community Development Plan (PC-9) (adopted February 25, 2014, Ordinance No. 2014-4(PA2011-216) and Amended April 26, 2016, Ordinance No. 2016-8). The Back Bay Landing Planned Community Development Plan (PC-9) (Back Bay Landing PCDP) is a redevelopment plan involving a mixed-use waterfront project. This project would construct a dry stack boat storage facility for 140 boats, 61,534 square feet of visitor-serving retail and recreational marine facilities, and up to 49 attached residential units. The Back Bay Landing PCDP establishes appropriate zoning regulations governing land use and development of the Planned Community site, consistent with the General Plan and CLUP. The Back Bay Landing PCDP provides a vision for the land uses on the site, sets the development standards and design guidelines for specific project approvals at the Site Development Review and Community Development Plan approval stage, and regulates the long term operation of the developed site.

Section 10.0, page 10-2 of the DEIR has been revised as follows:

City of Newport Beach, Back Bay Landing Planned Community Development Plan (PC-9), Adopted February 25, 2014 and Amended April 26, 2016.

- 5-8 As explained in the previous response, the most recent version of the PCDP was adopted on April 26, 2016. The following revisions were made to reflect this amended version of the PCDP. DEIR pages 5.1-11 and 5.1-12, Subsection B, Permitted Height of Structures has been revised as follows:

B. Permitted Height of Structures

1. Building Height

The maximum allowable building height shall be 35 feet for structures with flat roofs and 40 feet for structures with sloped roofs (minimum 3:12 pitch), except as follows:

- a) As illustrated on Exhibit 3, *Building Heights*, 100 feet from back of curb along Bayside Drive within the eastern portion of Planning Area 1, maximum allowable building height shall not exceed 26 feet for flat roofs and 31 feet for sloped roofs.
- ~~b) Within Planning Area 1, a single coastal public view tower, or similar structure, that includes public access to a functioning public viewing platform may be developed at a maximum height of 65 feet.~~



- ⇒ b) Within Planning Area 1, maximum allowable height for any parking structure shall not exceed 30 feet for flat roofs and 35 feet for sloped roofs.
- ⇒ e) All other exceptions to height shall be regulated pursuant to Section 20.30.060.D of the Municipal Code.

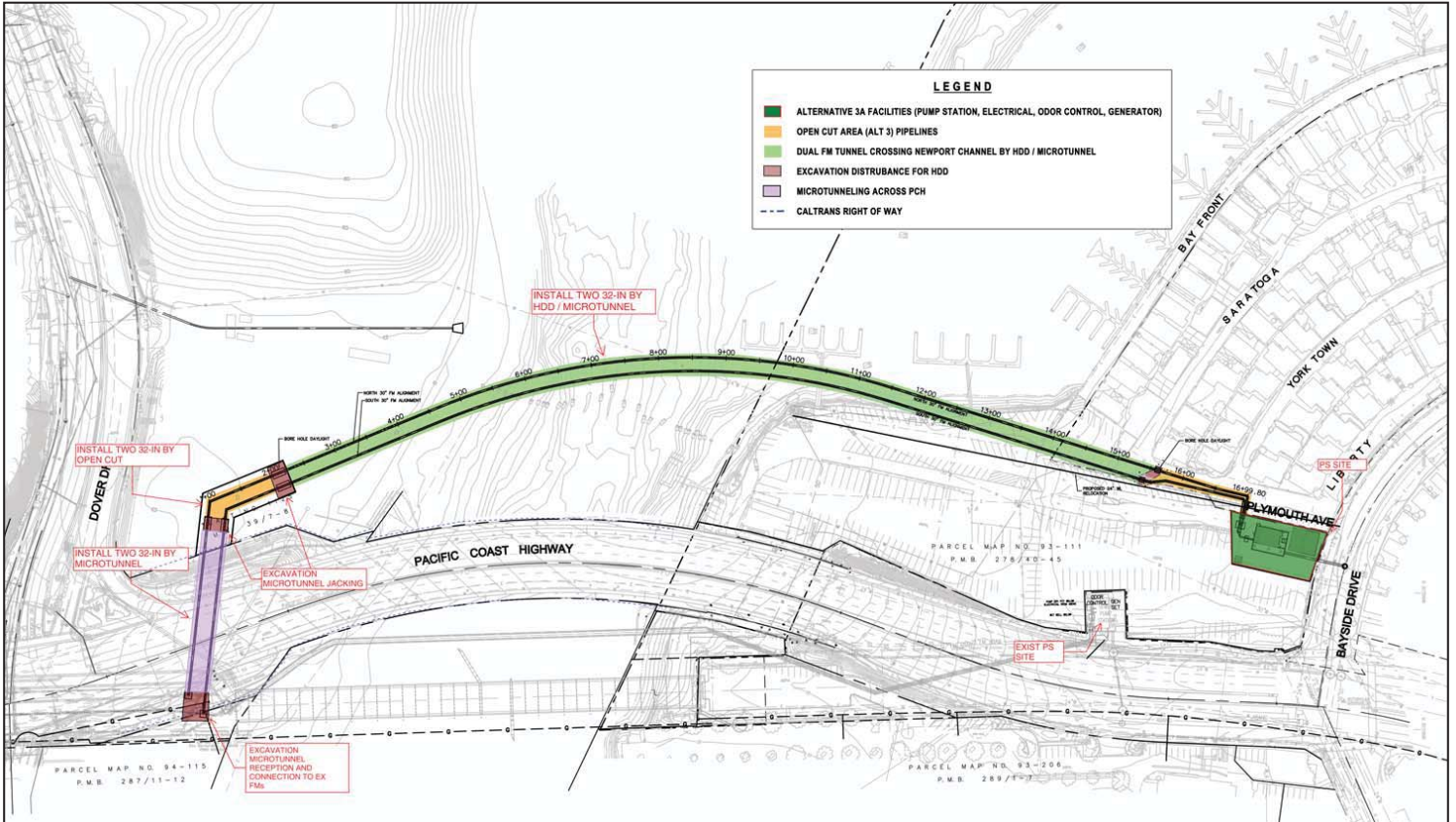
5-9 Comment noted. DEIR pages 5.1-13, Subsection A, *Architectural Theme* has been revised as follows:

A. Architectural Theme

~~The development shall be designed with a Coastal Mediterranean architectural theme. This architectural theme is influenced by the climate of the countries it comes from, emulating palettes of the landscape, and architecture in the North Mediterranean Sea. Principles of quality design are included and recommendations for quality materials and applications are provided. Thick and textured walls, bull-nose borders, terracotta colors with rustic metal and stone details are discussed. The style is marked by the use of smooth plaster, low pitched clay tile, and cast concrete or stone ornaments. Other characteristics typically include small porches or balconies, arcades, wood casement windows and doors, canvas awnings, and decorative iron trim. The intent is not to select a historically specific or rigid architectural style for the project, but to help shape the character of the area and reflect its setting within the City.~~

The development shall be designed with a Coastal architectural theme. This architectural theme is influenced by the marine climate of the California coastline, with varied historical vernacular and casually elegant palette, with building forms and massing that define and create unique and often seamless indoor/outdoor spaces. The project would follow principles of quality design, exhibiting a high level of architectural standards and shall be compatible with the surrounding area, sensitive to scale, proportion, and identity with a focus on place-making. Massing offsets, variation of roof lines, varied textures, openings, recesses, and design accents on all building elevations shall be provided to enhance the architectural design. The intent is not to select a historically specific or rigid architectural style for the project, but to create an active, mixed-use village.

5-10 This comment states that the location of the force mains within the Lower Castaways Park site and pipe staging along Dover Drive is not acceptable to the City as it would severely encumber the site and limit future use of the site. The City expresses a preference that the force mains be constructed in the southerly portion of the Lower Castaways Park site. As a means of resolving this concern, OCS D has investigated the possibility of shifting the force main improvements to be within the southerly portion of the site; refer to Exhibit 2, *Conceptual Site Plan*. The temporary construction staging area would encompass the entire Lower Castaways Park site as analyzed in the DEIR. The shift of the force mains further south would move the borehole locations and work areas further to the south, in addition to the force main alignment that would occur via horizontal directional drilling (HDD) or microtunneling.



Source: Michael Baker International, August 29 2017.
 Note: This plan is considered conceptual and subject to minor refinement during the final design phase.

NOT TO SCALE



FINAL ENVIRONMENTAL IMPACT REPORT
 BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT
Conceptual Site Plan

Exhibit 2



By shifting the alignment south, construction activities would encroach into a vegetated area within the southerly extent of the Lower Castaways site (whereas the DEIR assumed the work area would be limited to unvegetated areas only). Based on a review of site conditions, the southern half of Lower Castaways Park is entirely disturbed, primarily consisting of bare ground and gravel, with the western and southern perimeters dominated by non-native ornamental trees, shrubs, and ground cover. Dominants include eucalyptus (*Eucalyptus* sp.), acacia (*Acacia* sp.), ngaio tree (*Myoporum laetum*), giant cane (*Arundo donax*), Canary Island date palm (*Phoenix canariensis*), and Hottentot fig (*Carpobrotus edulis*), with patches of native saltgrass (*Distichlis spicata*) scattered throughout. The eastern portion of the Lower Castaways site consists of bare ground where recreational water craft parking and access to Newport Bay waters is located. Special-status species with the potential to occur within this area are primarily limited to nesting birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, particularly during the bird breeding season (typically January through July for raptors and February through August for other birds). Mitigation Measure BIO-1 of the DEIR would implement requirements to minimize impacts to nesting birds consistent with the MBTA, and would reduce impacts to a level below significance (minor editorial revisions to BIO-1 are noted below to provide clarity regarding the monitoring and reporting process). A small drainage feature is located in the northwest portion of Lower Castaways Park where off-site storm flows surface from a heavily-buried culvert and re-enter another heavily-buried culvert approximately 40 feet to the west before being conveyed off-site; however, this feature is outside of the area proposed for development. Based on analysis provided within the DEIR and a review of on-site conditions, the slight shift of the force main facilities to the southerly portion of Lower Castaways Park would not result in any new significant impact or substantially increase the severity of an impact that has been identified in the DEIR.

Minor editorial revisions to Mitigation Measure BIO-1 on DEIR page 5.3-10 has been included to provide additional monitoring and reporting clarification. Mitigation Measure BIO-1 has been revised as follows:

BIO-1 To the extent feasible, construction activities shall be scheduled outside of the nesting season (typically February 15 to August 15) to avoid potential impacts to nesting birds. However, if construction must occur during the nesting season, all suitable habitat surrounding the project site shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to commencement of site disturbance activities.

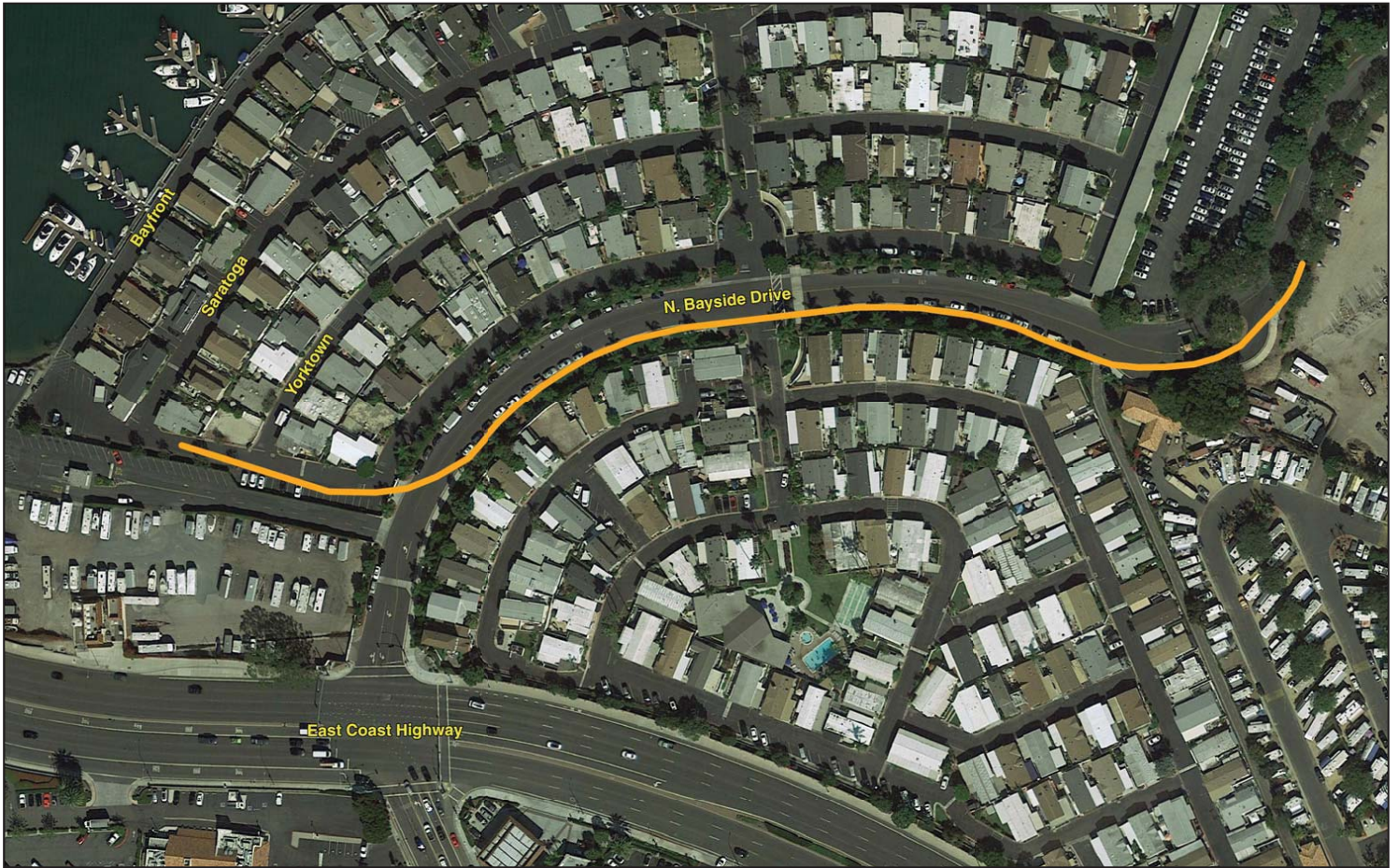
If an active avian nest is discovered in proximity to the project site during the nesting bird survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest in order to ensure that nesting behavior is not adversely affected by construction activities. The buffer area and limitations on construction may be reduced upon coordination with the California Department of Fish and Wildlife, provided the nesting behaviors are not disrupted by construction activities. Once the young have fledged, normal construction activities shall be allowed to occur.



5-11 In response to the City's concerns regarding pipe staging, OCSD has provided a potential option for pipe staging activities along Bayside Drive as shown on Exhibit 3, *Temporary Pipe Stringing Alignment Option*. The optional construction pipe staging alignment would be approximately 1,457 feet in length and would extend approximately 250 feet from the HDD/microtunneling pit to Bayside Drive, continue approximately 990 feet east along Bayside Drive, and would terminate approximately 220 feet northeast of the guard shack associated with the Newport Dunes Resort Marina. The pipe staging areas would encompass proposed pipe stringing activities, which would involve placing piping above ground within existing roadway right-of-way and below ground, using a steel casing sleeve, within the existing driveways in order to maintain traffic flow. If this optional alignment is selected, the pipe stringing activities would occur for approximately 4 to 6 weeks in conjunction with the construction of the proposed force mains. During this time, existing street parking and sidewalk access would be affected. However, these temporary impacts would be short-term and would cease upon completion of pipe stringing activities. As parking and sidewalk access would remain on the other side of Bayside Drive during this time, these temporary impacts would be less than significant. This potential pipe stringing option would occur entirely within disturbed areas (existing roadway) and would not involve substantial ground disturbance, aside from driveway locations to maintain access to adjacent properties. In addition, Mitigation Measures AES-1, which would ensure staging areas are sited and screened to minimize visual impacts (minor editorial revisions to AES-1 are noted below to provide clarity regarding the monitoring and reporting process), NOI-1 (refer to Response 5-5 above), and TRA-1 (refer to Response 5-2 above) would reduce potential impacts to a less than significant level. If this optional alignment is not selected, the pipe stringing would occur along Dover Drive as analyzed in the DEIR. Based on analysis provided within the DEIR and a review of the proposed optional pipe stringing alignment, this option would not result in any new significant impact or substantially increase the severity of an impact that has been identified in the DEIR.

Minor editorial revisions to Mitigation Measure AES-1 on DEIR page 5.1-16 has been included to provide additional monitoring and reporting clarification. Mitigation Measure AES-1 has been revised as follows:

AES-1	Prior to issuance of any grading and/or demolition permits, whichever occurs first, a Construction Management Plan <u>engineering drawings and specifications</u> shall be submitted for review and approval by the Orange County Sanitation District Director of Engineering . The Construction Management Plan <u>These documents</u> shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the project area by avoiding local residential streets, as feasible.
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Source: Google Earth, 2017.
— Optional Alignment

NOT TO SCALE



FINAL ENVIRONMENTAL IMPACT REPORT
BAY BRIDGE PUMP STATION AND FORCE MAINS REPLACEMENT PROJECT
Temporary Pipe Stringing Alignment Option

Exhibit 3



5-12 Refer to Response 5-10, above.

5-13 Comment noted. The list of cumulative projects provided in Section 4.0, *Basis of Cumulative Analysis*, Table 4-1, *Cumulative Projects List* was derived based on information provided by the cities of Newport Beach and Costa Mesa. The geographic areas were determined based upon the project's scope and anticipated area in which the project could contribute to an incremental increase in cumulatively considerable impacts. DEIR pages 4-2 through 4-5, have been revised as follows:

**Table 4-1
 Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
City of Newport Beach ²				
1	Residential Tower	850 San Clemente Drive, Newport Beach	Development of a 100-unit Residential Tower.	Preparation of EIR in progress.
2	AutoNation	320-600 West Coast Highway, Newport Beach	Development of a 33,926 square foot Automobile Sales and Service Facility.	Planning of Environmental Document. Traffic Consultant to be identified.
3	150 Newport Center	150 Newport Center Drive, Newport Beach	Construction of 49 condominium units.	Preparation of EIR in progress.
4	Newport/32 nd Modification	Newport Boulevard from Via Lido to 30 th Street and 3201 Newport Boulevard, Newport Beach	Roadway improvements; southbound through lane along Newport Boulevard from Via Lido to 32 nd Street, terminating as a right turn only lane at 32 nd Street.	Approved. Coastal Development Permit issued February 2016.
<u>1</u>	<u>Ullman Sail Lofts</u>	<u>410 and 412 29th Street</u>	<u>Development of a mixed-use structure with 1,171 square feet of retail floor area, one 2,347 square foot dwelling unit and three residential dwelling units ranging from 2,484 square feet to 2,515 square feet.</u>	<u>Anticipated CEQA Exemption.</u>
<u>2</u>	<u>Newport Dunes Hotel</u>	<u>1131 Back Bay Drive</u>	<u>Development of a 275-room, 201,498 square-foot hotel on 14.3 acres. Amenities include a coffee shop, gift/sundry shop, business center, function room spa/fitness facilities, restaurant, pool, tennis courts, sand volleyball courts and picnic area.</u>	<u>Application incomplete.</u>



**Table 4-1 [continued]
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
5 <u>3</u>	ExplorOcean ³	600 East Bay, 209 Washington Street, 600 and 608 Balboa Avenue, and 200 Palm, Newport Beach	Construction of a 70,295 square-foot, 4-story Ocean Literacy Facility. This project would include removal of 63-metered space surface parking lot; construction of 388 spaces; construction of a 141,000 square-foot, 5-level off-site parking structure and 6,500 square-foot floating classroom.	Application submitted April 2014. On hold per applicant's request.
6 <u>4</u>	Back Bay Landing	300 East Coast Highway, Newport Beach	Redevelopment project involving a mixed-use waterfront project. This project would construct a dry stack boat storage facility for 140 boats, 61,534 square feet of visitor-serving retail and recreational marine facilities, and up to 49 attached residential units.	Approved. <u>Amendments proposed Site Development Review and Coastal Development Permit anticipated to be filed in 2018.</u>
7 <u>5</u>	Balboa Marina West Expansion	201 East Coast Highway, Newport Beach	City of Newport Beach public access and transient dock and expansion of balboa marina including 14,252 square feet of restaurant, 12 transient boat slips, 26 <u>24</u> private boat slips, 664 square feet of marina restroom, and reconfiguration of a 294-space parking lot.	Approved.
8 <u>6</u>	Newport Harbor Yacht Club	720 West Bay Avenue, 800 West Bay Avenue, 711-721 West Bay Avenue, and 710-720 Balboa Boulevard, Newport Beach	Construction of a 23,163 square-foot Yacht Club Facility.	<u>Awaiting Coastal Development Permit Approval Under Construction.</u>
9	Newport-Banning Ranch	5800 West Coast Highway, Newport Beach	Development of 1,375 residential dwelling units, a 75-room resort inn and ancillary resort uses, 75,000 square feet of commercial uses, approximately 51.4 gross acres of parklands, and approximately 252.3 gross acres of permanent open space.	<u>Awaiting Coastal Development Permit Approval.</u>
10	West Newport Community Center	883 West 15th Street, Newport Beach (current location)	Refurbishment or replacement of the West Newport Community Center.	On hold at the direction of the City Manager's Office.
11 <u>7</u>	Old Newport Boulevard/West Coast Highway Widening	Intersection of Old Newport Boulevard and West Coast Highway, Newport Beach	Widening of westbound West Coast Highway at Old Newport Boulevard to accommodate a third through lane, a right-turn pocket, and a bike lane.	<u>Under review ND draft complete.</u>



**Table 4-1 [continued]
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
13 <u>12</u>	Lower Sunset View Park Bridge, Parking Lot, and Park	Intersection of West Coast Highway and Superior Avenue, Newport Beach	Construction of a pedestrian overcrossings, parking, and park uses for lower Sunset View Park.	CEQA determination TBD.
13 <u>9</u>	Balboa Island Seawall Reconstruction	Balboa Island, Newport Beach	New seawall along the Grand Canal and on the west end of Balboa Island.	Awaiting City's Request for Proposal (RFP).
<u>14</u> <u>10</u>	Arches Storm Drain Diversion	Newport Boulevard north of Coast Highway, Newport Beach	Divert dry weather flows from west and east storm drains (subwatersheds) to the sanitary sewer system.	CEQA determination TBD.
15 <u>11</u>	Big Canyon Rehab Project	Big Canyon, downstream of Jamboree Road and south of Big Canyon Creek, Newport Beach	Divert dry weather flows from the creek into a bioreactor.	Final MND in Progress.
16 <u>12</u>	Bay Crossings Water Main Replacement	Newport Harbor, Newport Beach	Replaces deteriorating water transmission mains pursuant to the Water Master Plan and Bay Crossing Water Transmission Study.	CEQA determination TBD.
<u>17</u> <u>13</u>	ENC Preschool	745 Dover Drive, Newport Beach	Construction of an Environmental Nature Center Preschool.	Approved. CEQA Exemption.
18 <u>14</u>	Park Avenue Bridge Replacement	Balboa Island, Newport Beach	Replacement of Park Avenue Bridge.	Under construction.
<u>19</u> <u>15</u>	Ebb Tide	1560 Placentia Drive, Newport Beach	Construction of 83 single-unit residences, private streets, common open space, and landscaping. Proposed Zoning Code Amendment from Multiple-Unit Residential (RM) to Planned Community (PC). A Planned Community Development Plan is proposed.	Approved <u>Under construction.</u>
20 <u>16</u>	Lido House Hotel	3300 Newport Boulevard and 475 32 nd Street, Newport Beach	Construction of a 130-room upscale hotel. General Plan Amendment, Coastal Land Use Plan Amendment, and Zoning Amendment to change zoning from Public Facilities to Visitor.	Under construction.
<u>21</u> <u>17</u>	Westcliff Medical	2011, 2043, 2121, and 2131 Westcliff Drive, Newport Beach	Construction of four buildings (two buildings, three-level parking structure, and an existing building) totaling 73,722 square feet with 382 spaces of off-street parking.	CEQA exemption. Approved. Demolition permit issued <u>Under construction.</u>



**Table 4-1 [continued]
Cumulative Projects List**

No.1	Name	Location	Proposed Land Use	Status
<u>22</u> <u>18</u>	Lido Villas	3303 and 3355 Via Lido, Newport Beach	Construction of 23 attached three-story townhome condominiums.	Building permit approval; pending recordation of tract map expired. <u>Application, CLUP Amendment, and CDP application approved.</u>
<u>23</u> <u>19</u>	<u>Villas Fashion Island (Formerly San Joaquin Plaza Apartments)</u>	1101 San Joaquin Hills Road, Newport Beach	Amendment to the North Newport Center Planned Community (NNCPC) increasing the residential development allocation with the NNCPC from 430 dwelling units to a total of 524 dwelling units (increase of 94 units) and allocating the units to the San Joaquin Plaza sub-area.	Under construction.
<u>24</u> <u>20</u>	10 Big Canyon	10 Big Canyon, Newport Beach	Rough grading for development of a single-family residence.	Approved. Not yet constructed.
25	Newport Beach Country Club Inc.	1600 East Coast Highway, Newport Beach	Construction of 51,213 square-foot golf clubhouse and ancillary facilities including a cart barn and bag storage.	Under construction.
<u>26</u> <u>21</u>	Old Newport GPA Project	328, 332, and 340 Old Newport Boulevard, Newport Beach	Construction of 25,000 square-foot medical office building.	Approved. Demolition and grading permits are issued.
<u>27</u> <u>22</u>	Hoag Memorial Hospital Presbyterian Master Plan Update Project	1 Hoag Drive, Newport Beach	Reallocation of up to 225,000 square feet of previously approved (but not constructed) square footage from the Lower Campus to the Upper Campus.	Approved.
<u>28</u> <u>23</u>	AERIE Project	301-207 Carnation Avenue and 101 Bayside Place,	Construction of 8 residential condominium units and replacement, reconfiguration, and expansion of the existing gangway platform, pier walkway, and dock facilities.	Under construction.
29	Meridian (Santa Barbara) Condominiums Project	Santa Barbara Drive, west of Fashion Island, and 1001 Santa Barbara Drive, Newport Beach	Construction of 79 condominium units totaling approximately 205,232 net square feet, approximately 97,231 gross square feet of subterranean parking structures for a total of 201 parking spaces on-site, approximately 79,140 square feet of open space and approximately 21,300 square feet of recreational area.	Under construction.



**Table 4-1 [continued]
 Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
30	Newport Marina—ETCO Development	2300 Newport Boulevard, Newport Beach	Mixed Use development consisting of 27 residential units and approximately 36,000 square feet of retail and office uses.	Under construction.
City of Costa Mesa ⁴				
34 <u>24</u>	Lions Park Project ³	Lions Park, 570 West 18 th Street, 1845 and 1855 Park Avenue, Costa Mesa	Improvements to Lions Park; new signage, library building, and café; and renovation and repurposing of the existing Donald Dungan Library building to the Neighborhood Community Center.	IS/MND public review period ended March 4, 2017.
32 <u>25</u>	Westside Lofts Mixed-Use Development Project	1640 Monrovia Avenue, Costa Mesa	Proposes a new mixed-use development. Phase I has constructed a 185-unit assisted living facility. Phase II would construct 42,000 square feet of commercial office uses.	IS/MND Addendum prepared July 2016.
Notes:				
1. Refer to Exhibit 4-1, <i>Cumulative Project Locations</i> .				
2. City of Newport Beach, <i>Cumulative Projects List</i> , http://www.newportbeachca.gov/Pln/CEQA_Cumulative/cumulative_projects_current.pdf , accessed March 27, 2017.				
3. For projects with multiple addresses, the address with the nearest proximity to the project site was depicted in Exhibit 4-1.				
Written Correspondence: Mino Ashabi, Principal Planner, City of Costa Mesa, March 27, 2017.				

5-14 Refer to Response 5-10, above.

5-15 Comment noted. Section 5.9, *Land Use and Relevant Planning*, DEIR page 5.9-8, second paragraph, has been revised as follows:

The City’s LCP and associated Coastal Land Use Plan (CLUP) were ~~approved~~ certified by the CCC on ~~September 8, 2016~~ January 13, 2017, and ~~are expected to become~~ became effective ~~in on January 31,~~ 2017. The CLUP sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City of Newport Beach and its sphere of influence consistent with the General Plan. The City’s CLUP identifies the Coastal Act coastal resources planning and management policies that are relevant to Newport Beach. The CLUP addresses Coastal Act policies within three chapters: Land Use and Development; Public Access and Recreation; and Coastal Resource Protection. Each section or subsection begins with the identification of the Coastal Act sections that are relevant to Newport Beach, followed by a narrative of the local setting and policy direction adopted by the City to address the requirements of the Coastal Act and a listing of specific policies.

5-16 Refer to Response 5-11, above.



5-17 Comment noted. DEIR pages 5.2-6 and 5.10-6, Tables 5.2-2 and 5.10-2, *Sensitive Receptors* have been revised as follows:

**Table 5.2-2
Sensitive Receptors**

Type	Name	Approximate Distance from Project Site (feet)	Orientation from Project Site	Location/Description
Residential	Residential Uses	25	North	Single Family Residences
		25	East	Single Family Residences
		25	South	Single Family Residences
		50	West	Single Family Residences
Hotels	Hyatt Regency Newport Beach	3,705	East	1107 Jamboree Road
	Balboa Inn	5,269	South	105 Main Street
Schools	Newport Harbor High School	1,925	Northwest	600 Irvine Avenue
	Horace Ensign Intermediate School	2,765	Northwest	2000 Cliff Drive
	Harper Elementary School	4,546	North	452 E 18th Street, Costa Mesa
	Mariners Elementary School	4,785	North	2100 Mariners Drive
	Newport Elementary School	4,850	Southwest	1327 West Balboa Boulevard
	Children's Center By the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Newport Heights Elementary	4,981	Northwest	300 E 15th Street
Places of Worship	Newport Harbor Lutheran Church	910	North	798 Dover Drive
	St. Andrew's Presbyterian Church	2,047	Northwest	600 St Andrews Road
	St. John Vianney Chapel	4,480	Southeast	314 Marine Avenue
	Christ Church by the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Our Lady of Mount Carmel Church	5,172	Southwest	1441 West Balboa Boulevard
Hospitals	Newport Bay Hospital	1,265	North	1501 East 16th Street
Libraries	Balboa Branch Library	4,277	South	100 East Balboa Boulevard
	Mariners Library	5,182	North	1300 Irvine Avenue
Recreation/Parks	Bob Henry Park	1,370	North	900 Dover Drive
	Back Bay View Park	2,904	Southeast	Jamboree Road and Pacific East Coast Highway
	Back Bay Golf & Fitness	3,724	Northeast	1107 Jamboree Road
	Genoa Park	3,791	West	232 Via Genoa
	Harper Park	4,546	North	452 E 18th Street, Costa Mesa
	Galaxie View Park	4,750	Northeast	1554 Galaxy Drive
	Pinkley Park	4,794	Northwest	360 Ogle Street, Costa Mesa
	Cliff Drive Park	4,840	Northwest	298 Riverside Avenue

Note:

1. Distances are measured from the exterior project boundary only and not from individual construction projects/areas within the interior of the project site.

Source: Google Earth, 2017.



**Table 5.10-2
 Sensitive Receptors**

Type	Name	Approximate Distance from Project Site (feet)	Orientation from Project Site	Location/Description
Residential	Residential Uses	25	North	Single Family Residences
		25	East	Single Family Residences
		25	South	Single Family Residences
		50	West	Single Family Residences
Hotels	Hyatt Regency Newport Beach	3,705	East	1107 Jamboree Road
	Balboa Inn	5,269	South	105 Main Street
Schools	Newport Harbor High School	1,925	Northwest	600 Irvine Avenue
	Horace Ensign Intermediate School	2,765	Northwest	2000 Cliff Drive
	Harper Elementary School	4,546	North	452 E 18th Street, Costa Mesa
	Mariners Elementary School	4,785	North	2100 Mariners Drive
	Newport Elementary School	4,850	Southwest	1327 West Balboa Boulevard
	Children's Center By the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Newport Heights Elementary	4,981	Northwest	300 E 15th Street
Places of Worship	Newport Harbor Lutheran Church	910	North	798 Dover Drive
	St. Andrew's Presbyterian Church	2,047	Northwest	600 St Andrews Road
	St. John Vianney Chapel	4,480	Southeast	314 Marine Avenue
	Christ Church by the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Our Lady of Mount Carmel Church	5,172	Southwest	1441 West Balboa Boulevard
Hospitals	Newport Bay Hospital	1,265	North	1501 East 16th Street
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	Mariners Library	5,182	North	1300 Irvine Avenue
Recreation/Parks	Bob Henry Park	1,370	North	900 Dover Drive
	Back Bay View Park	2,904	Southeast	Jamboree Road and Pacific East Coast Highway
	Back Bay Golf & Fitness			
	Genoa Park	3,791	West	232 Via Genoa
	Harper Park	4,546	North	452 E 18th Street, Costa Mesa
	Galaxie View Park	4,750	Northeast	1554 Galaxy Drive
	Pinkley Park	4,794	Northwest	360 Ogle Street, Costa Mesa
	Cliff Drive Park	4,840	Northwest	298 Riverside Avenue
Note: 1. Distances are measured from the exterior project boundary only and not from individual construction projects/areas within the interior of the project site. Source: Google Earth, 2017.				

5-18 Mitigation Measure AES-2 on DEIR page 1-2 has been revised, as noted within Response 5-3. DEIR page 2-14 does not exist and DEIR page 3-2 is an exhibit. DEIR pages 3-16 and 3-17 discusses permits and approvals, and the City's Site Development Review process is cited as a required permit/approval. As such, no further response is necessary.

5-19 This comment is a closing statement providing contact information for questions. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.



- 5-20 The commenter attached an updated cumulative projects list, which has been incorporated as part of Response 5-13. Thus, no further response is necessary.



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August 2, 2017

NCL-16-043

Kevin Hadden, Principal Staff Analyst
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, California 92708

Subject: Notice of Availability for the Bay Bridge Pump Station and Force Mains Replacement Project

Dear Mr. Hadden:

The County of Orange has reviewed the Notice of Availability for the Bay Bridge Pump Station and Force Mains Replacement Project and has no comments at this time. We would like to be advised of any further developments on the project. Please continue to keep us on the distribution list for future notifications related to the project.

6-1

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Vuong', is written over a circular stamp.

Richard Vuong, Manager, Planning Division
OC Public Works Service Area/OC Development Services
300 North Flower Street
Santa Ana, California 92702-4048
Richard.Vuong@ocpw.ocgov.com



RESPONSE TO COMMENT LETTER NO. 6

Richard Vuong, Manager, Planning Division
Orange County Public Works
August 2, 2017

- 6-1 This letter acknowledges that the Orange County Public Works received and reviewed the DEIR and has no comments. The commenter requests continued communication of further developments and future notifications related to the project. No further response is necessary.

From: Rivers, Tamy [mailto:TamyRivers@ocfa.org]
Sent: Tuesday, July 25, 2017 7:29 AM
To: CEQA <ceqa@ocsd.com>
Subject: Draft Environmental Impact Report - Bay Bridge Pump Station and Force Mains Replacement Project

To whom it may concern:

Thank you for the opportunity to review the subject document. Orange County Fire Authority has no comments.

7-1



Tamera Rivers

Management Analyst
Orange County Fire Authority
Office: 714-573-6199

We visualize problems and solutions through the eyes of those we serve.



RESPONSE TO COMMENT LETTER NO. 7

Tamera Rivers, Management Analyst
Orange County Fire Authority
July 25, 2017

- 7-1 This letter acknowledges that the Orange County Fire Authority received and reviewed the DEIR and has no comments. No further response is necessary.

From: ALRON7099@aol.com [mailto:alron7099@aol.com]
Sent: Thursday, June 22, 2017 5:23 PM
To: CEQA <ceqa@ocsd.com>
Cc: Dix, Martin <MDIX@OCSD.COM>; msinacori@newportbeachca.gov
Subject: BAY BRIDGE PUMP STATION

Hello:

I am the property owner at 2888 Bayshore Drive; Newport Beach, CA 92663
Could you please tell me exactly how this might impact my property (both land side and water side) as we are reconfiguring the marina, and bringing in new power and a transformer to our north property side?

8-1

I look forward to hearing from you

Thank you,
Allyson Presta, partner
PALMO INVESTMENTS, GP

phone 949-759-1275
fax 949-759-1288
mobile 949-874-1725
email: ALRON7099@AOL.COM
or accounting@prestaproperties.com



RESPONSE TO COMMENT LETTER NO. 8

Allyson Presta, Partner
Palmo Investments, GP
June 22, 2017

- 8-1 This commenter requests additional information pertaining to project implementation and potential impact to the property located at 2888 Bayshore Drive and the property's planned improvements. The DEIR analyzes temporary and permanent impacts within the existing OCSD easement adjacent to the 2888 Bayshore Drive property. Construction activities associated with this project are not anticipated to occur on the 2888 Bayshore Drive property. The project is not anticipated to result in any potential conflicts with planned improvements on the 2888 Bayshore Drive property. This comment does not address the DEIR's adequacy or involve an environmental issue. Thus, no further response is necessary.



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians
 recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Orange County
 Sanitation District

July 18, 2017

Re: AB52 Consultation request for the Bay Bridge Pump station and Force mains replacement project located: 300 East Coast Highway

Dear Kevin Hadden,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning descending from, or a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission, ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. This is the reason the Native American Heritage Commission (NAHC) will always refer the lead agency to the respective Native American Tribe of the area because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. Therefore, to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 901 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email gabrielenoindians@yahoo.com to schedule an appointment.

** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view the video at: <http://nahc.ca.gov/2015/12/ab-52-tribal-training/>

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Perez, treasurer |

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer ||

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com



RESPONSE TO COMMENT LETTER NO. 9

Andrew Salas, Chairman

Gabrielino Band of Mission Indians – Kizh Nation

July 18, 2017

- 9-1 This comment from the Gabrielino Band of Mission Indians – Kizh Nation requests consultation with OCSD in accordance with AB 52. However, as discussed on pages 5.12-2 and 5.12-3 of the DEIR, the Gabrielino Band of Mission Indians - Kizh Nation and OCSD completed the AB 52 consultation process in early 2017. Based on the DEIR, impacts related to tribal cultural resources were determined to be less than significant with implementation of recommended mitigation. Thus, no further response is necessary.



August 3, 2017

Kevin Hadden, Principal Staff Analyst
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, California 92708

Subject: Orange County Sanitation District (OCSD) - Bay Bridge Pump Station
Draft Environmental Impact Report Comments

Dear Mr. Hadden:

Irvine Company appreciates the opportunity to provide comments on the Bay Bridge Pump Station Draft Environmental Impact Report (DEIR). Irvine Company previously submitted a comment letter, dated December 8, 2016, during the review period for the Notice of Preparation and Initial Study/Environmental Checklist which included a number of concerns related to the proposed alignment of the new dual force mains and the proposed work areas on the Balboa Marina parking lot, among others. During subsequent meetings between Irvine Company, OCSD and other parties, Irvine Company requested that the DEIR analyze a project that would traverse the Back Bay Landing site and cross the Newport Bay channel north of Coast Highway in order to reduce impacts to Balboa Marina. We note that the proposed project identified in the DEIR is for the northern alignment of the pump station and force mains, of which Irvine Company is generally supportive.

10-1

The Conceptual Site Plan in the DEIR presents a project that is significantly improved with a northern alignment (north of Coast Highway) for the dual force main placement and channel crossing, the relocation of the pump station 300' northeast of the existing pump station location, and the identification of alternative work areas that will not impact the Balboa Marina project site. This alignment provides significantly fewer impacts to Irvine Company property. We do note that the originally proposed alignment south of Coast Highway is included as a project Alternative in the DEIR and do not support that Alternative for the reasons stated in our meetings and our comment letter of December 8, 2016.

10-2

We would like to take this opportunity to comment on additional components of the proposed project and request additional information or clarification on the following:

1. Construction Schedule - While the DEIR does provide construction duration (weeks) for some segments of the project, such as gravity sewer improvements, it does not include a detailed construction schedule. Please provide estimated timeframes for all project components. We note that the total project timeline is 44 months.

10-3

2. Section 3.3 of the Project Description notes that the existing force mains would be abandoned once the new pump station facilities are complete. We assume this directly relates to the existing force mains which run adjacent to and beneath the Balboa Marina parking lot. Please provide detail about the process for such “abandonment” including the timing for the process, anticipated environmental impacts, and whether any equipment staging on the Balboa Marina site will be required to effectuate the abandonment. 10-4

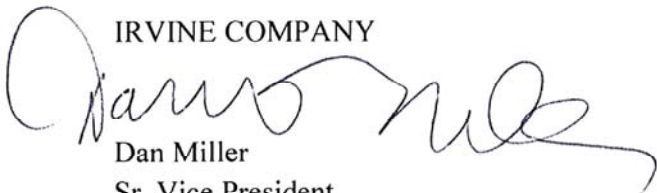
3. With respect to the issue of the sewer lines on Balboa Marina property, the DEIR does not identify the impacts that will occur on the Balboa Marina site related to the existing sewer lines. In recent correspondence with Adam Nazaroff, OCSD Project Manager, Mr. Nazaroff confirmed that no provision has been made to address the impact on Balboa Marina if the existing sewer must be redesigned and installed in order to reach Bayside Drive before connecting to a City sewer. We appreciate Mr. Nazaroff’s coordination and look forward to meeting with OCSD to discuss this issue on August 15. 10-5

We request that the Responses to Comments identify the potential significant impact to Balboa Marina and provide an analysis of the proposed sewer system and how it impacts the existing sewer serving the marina. We are concerned that impacts will be extensive and may include the need to build a new on-site sewer system to take the discharge from the existing Balboa Marina, Yacht Broker office, marina restrooms, SOL restaurant and the future Balboa Marina restaurant to Bayside Drive. Based on engineering review, it appears that the proposed on-site system will be lower than the existing or proposed sewer on Bayside Drive requiring additional equipment in order to connect to OCSD’s sewer. Please note that once we have met with OSCD, we anticipate submitting additional comments. 10-6

We appreciate OCSD’s communication and coordination with Irvine Company over the past two years and are pleased with the new alignment analyzed in the DEIR. Thank you in advance for your responses to the above-requested information.

Sincerely,

IRVINE COMPANY



Dan Miller
Sr. Vice President
Entitlement and Public Affairs

c: Shawna Schaffner, CAA Planning, Inc.



RESPONSE TO COMMENT LETTER NO. 10

Dan Miller, Senior Vice President
Irvine Company
August 3, 2017

- 10-1 This is an introductory comment that summarizes a comment letter provided by the Irvine Company during the review period for the Notice of Preparation (NOP) for the proposed project. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 10-2 This comment includes a summary of the project description and notes that the Irvine Company is not supportive of the "Existing Pump Station Site Rehabilitation" alternative presented in Section 7.0, *Alternatives to the Proposed Project*. This comment is noted; since it does not address the DEIR's adequacy or involve an environmental issue, no further response is necessary.
- 10-3 The proposed project conservatively assumes a total of 44 months for the completion of construction, and the analysis of the DEIR related to air quality, noise, traffic, and other topical areas is similarly considered to be conservative in nature. While durations for primary components of the construction process have been estimated with the DEIR, a detailed construction schedule for all project components would be determined during Final Design, and shared by OCS D with affected stakeholders and property owners. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 10-4 The existing force mains that traverse the Balboa Marina property and cross the Newport Bay Channel would be abandoned in place and filled with slurry. This method of abandonment would minimize potential impacts (ground disturbance, trenching, etc.) to the Balboa Marina and Newport Bay Channel. The existing force mains would be filled and abandoned following completion and operation of the new force mains. Equipment and activities associated with abandonment of the existing force mains would occur within areas previously analyzed in the DEIR, and would not affect the Balboa Marina property.
- 10-5 Refer to Response 5-2, above.
- 10-6 This comment is a closing statement. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.



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James Chuang
Senior Environmental Specialist

Southern California Gas Company
Sempra Energy utilities
GT17E2
555 Fifth Street
Los Angeles, Ca. 90013
Tel: 213-244-5817
Fax: 323 518 2324

08/04/2017

Mr. Kevin Hadden
Principal Staff Analyst
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708

Re: Bay Bridge Pump Station and Force Mains Replacement Project

Dear Mr. Hadden:

Southern California Gas Company (SoCalGas) appreciates the opportunity to review and respond to the Bay Bridge Pump Station and Force Mains Replacement Project. SoCalGas understands that the proposed project would replace the existing Bay Bridge pump station and associated force mains and include improvements to the pump station, the Newport Bay Channel crossing force main and the West Coast Highway crossing force main. Activities for the pump station improvements would involve construction of new pump station facilities and replacement of several portions of the existing OCSD gravity sewer system. Activities for the force main improvements would involve construction of 3,985 linear feet of force mains for the Newport Bay channel crossing to connect the new pump station to the existing OCSD force main system, and further force main alignment extension to connect the an existing OCSD valve vault near West Coast Highway. We respectfully request that the following comments be incorporated in the administrative record.

11-1

- SoCalGas has a 5-inch distribution pipeline that runs along the southbound lanes of North Bayside Drive at its intersection with East Coast Highway, and a medium pressure distribution line that runs along the eastbound on State Highway 1 just beginning after the Bay Bridge.
- SoCalGas recommends that the project proponent call Underground Service Alert at 811 at least two business days prior to performing any excavation work for the proposed project. Underground Service Alert will coordinate with SoCalGas and other Utility owners in the area to mark the locations of buried utility-owned lines.

11-2

11-3

Once again, we appreciate the opportunity to comment on the Bay Bridge Pump Station and Force Mains Replacement Project. If you have any questions, please feel free to contact me at (213) 244-5817 or Envreview@semprautilities.com.

11-4

Sincerely,

James Chuang
Senior Environmental Specialist
Southern California Gas Company

cc. Jennifer Pezda, SoCalGas



RESPONSE TO COMMENT LETTER NO. 11

James Chuang, Senior Environmental Specialist
Southern California Gas Company
August 4, 2017

- 11-1 This is an introductory comment that provides a brief summary of the project description. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.

- 11-2 The location of the 5-inch distribution pipeline and the medium pressure distribution line are noted along the southbound lanes of North Bayside Drive at its intersection with East Coast Highway and along the eastbound on State Highway 1 just beginning after the Bay Bridge, respectively. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.

- 11-3 This comment recommends that the project proponent contact Underground Service Alert to mark the locations of buried utility-owned lines. The project contractor would adhere to State and local regulations including utility coordination prior to construction.

- 11-4 This comment is a closing statement providing contact information for questions. This comment does not address the DEIR's adequacy or involve an environmental issue. No further response is necessary.



ATTORNEYS AT LAW

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John P. Erskine
D 949.477.7633
jerskine@nossaman.com

Refer To File #: 400244-0001

VIA EMAIL AND U.S. MAIL

August 4, 2017

Kevin Hadden, Principal Staff Analyst
Orange County Sanitation District
10844 Ellis Avenue
Fountain Valley, CA 92708
Email: CEQA@OCSD.com

Re: Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Main Project (Project No. SP-178)

Dear Mr. Hadden:

Thank you for the opportunity to review the Orange County Sanitation District ("OCSD") Draft Environmental Impact Report ("DEIR") for the Bay Bridge Pump Station ("BBPS") and Force Main Project ("the Project").

As noted in Section 3.0 Project Description of the DEIR, the Project is proposed to be relocated on approximately 10,000 square feet of the 31.4 acre Back Bay Landing Project ("BBL Project") near the entrance to our client's property, approximately 300 feet northeast of the pump station's current location on East Coast Highway.

12-1

The following comments are primarily focused on compatibility of the Project with the BBL project, particularly as it pertains to OCSD's Regulatory Review and Permitting Schedule and Construction and Disassembly / Site Restoration Schedule and Process. We are also providing several needed corrections to the Project Description and requests for additional clarification of the exact nature of various components of the Project.

Our comments are as follows:

1.3 Goals and Objectives

OCSD should explain the relationship between the "peak wet weather flow conveyance capacity" and the increase in the BBPS from 16 MGD to 18.5 MGD.

12-2

If the existing BBPS location poses a safety issue in terms of the current direct access from East Coast Highway (as described in Goals and Objectives #3), how will the "Existing Pump Station Site Rehabilitation Alternative" avoid significant conflicts with access through the BBPS project from Bayside Drive, similar to the safety issues currently experienced at the East Coast Highway access point?

12-3

3.2.1 Project Setting (Existing Conditions Project Description Issues)

The proposed BBPS (relocation) site is “disturbed,” but to be clear should be described as a fully improved and partially paved facility, providing storage for RV’s and trailered boats, as well as parking for the Bayside Village Marina, a coastal-dependent use. The site also includes areas leased for kayak and SUP rentals and launching, and parking for and access to Pearson’s Port Fish Market.

12-4

As commented below, the proposed OCSD project, which includes construction staging areas, as well as unidentified additional staging areas that are foreseeably needed, will create significant disruption of the current BBL recreational and marine commercial uses and our proposed BBL Project.

12-5

3.3 Project Characteristics

The Project’s new pump station facility was previously identified in the Notice of Preparation issued on November 10, 2016, as being located on approximately 9,500 square feet to accommodate a state-of-the-art odor control facility and other equipment. The current proposal is for the facility to be on 10,000 square feet. Could OCSD construct the necessary facilities and equipment on a smaller footprint, including partial or complete undergrounding of pump station equipment and has this been done on other pump stations in California? Could the two 10-foot diameter tanks included in the vapor-phase odor control system be undergrounded? Pg 3-10 provides an indication that the proposed pump station building would include *features, architecture, and screening* consistent with the *Back Bay Landing Planned Community Development Plan (PCDP)*, and Section 5.1 Aesthetics (pg. 5.1-17) states that the new pump station structures would be *generally consistent* with the BBL PCDP. We would expect that all of the project components be completely consistent with the PCDP, and request that Mitigation Measure AES-Z be modified to include concurrent submittal of design plans to both the City Community Development Director, and to BBL representatives for review and approval.

12-6

3.4 Construction

Construction of the proposed Project is scheduled to take almost four (4) years, exclusive of demolition / disassembly of the existing pump station and site cleanup. Can construction be expedited and how long will the disassembly process take (the DEIR does not describe this process or the timeline for same)?

12-7

Pump Station Improvements and Force Main Improvements generally describe construction activities that require significant, long-term disruption of current and proposed uses on the BBL Project site, the City’s Castaways Park, Pearson’s Port Fish Market in the County tidelands area of the Newport Harbor Channel, as well as lane closures on East Coast Highway and Bayside Drive. Please provide more specific information on impacts created by:

12-8

- 80,000 sq. ft. of staging area (Exhibit 3-6) and potential impacts to marina access and parking;
- 20,000 sq. ft. of Castaway’s Park;

- Additional temporary construction easements needed for heavy equipment associated with microtunneling that will occur on the bayfront and potential impacts to Pearson's Port, our existing kayak and SUP rental businesses, public access to tidelands area, marina gangways and docks, etc.;
- Impacts to street parking currently available on Bayside Drive caused by expected lane closures;
- Additional staging areas west of the staging area shown in Exhibit 3-6 needed during the relocated pump station buildings construction.

12-8

This Construction section 3.4 (see also 5.2-12) does not provide sufficient clarity with respect to full remediation of the existing pump station and force mains. OCSD must clarify that all existing facilities, including the existing force mains and particularly the existing pump station facility will be removed and a fully remediated, compacted site clean to residential standards, be provided.

12-9

5.11 Traffic

As outlined above, the potential four-and-a-half year occupation of the BBL Project site will not only disrupt existing uses but proposed project development of the BBL Project. In addition, lane closures, particularly on Bayside Drive, will adversely impact access to existing recreational and marine commercial businesses.

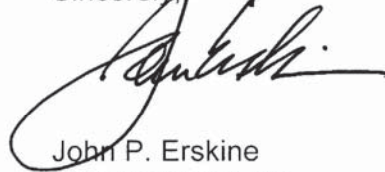
Traffic Mitigation Measure TRA-1 (pg. 5.11-6) requires OCSD to prepare a Construction Management Plan ("CMP") to be submitted for review and approval by OCSD's Director of Engineering, containing fairly standard and non-specific elements. TRA-1 should be expanded and should identify, prior to issuance of construction permits, identification of specific lane closures, as well as timing and duration of same, identification of all OCSD-related construction, engineering and management parking, alternative BBL Project site access, and, a requirement that the CMP be provided to and reviewed by the BBL Project representatives and reviewed and approved by the City of Newport Beach Public Works Director.

12-10

Thank you for your review and response on these comments.

12-11

Sincerely,



John P. Erskine
of Nossaman LLP

JPE:dif



RESPONSE TO COMMENT LETTER NO. 12

John Erskine
Nossaman LLP
August 4, 2017

- 12-1 This is an introductory comment that provides a brief project description and summary of the nature of the comments provided in the letter. This comment does not address the DEIR's adequacy or involve an environmental issue. As such, no further response is necessary.
- 12-2 Since 2003 OCSD has conducted several studies evaluating hydraulics within the Newport Force Main Network (NFMN). OCSD's *Technical Memorandum No. 3 Hydraulic Assessment*, prepared by Malcom Pirnie, Inc., dated December 2010 (2010 Hydraulic Assessment) documents the hydraulic assessment of current and future NFMN configuration and flows, identifying hydraulic deficiencies and recommending solutions to contain flows within the collection system under both normal and adverse operating conditions. Based on the 2010 Hydraulic Assessment, current peak wet-weather flows for the Bay Bridge pump station is 16.9 MGD and projected peak wet-weather flows for year 2030 is 18.5 MGD. The 2010 Hydraulic Assessment concluded that the Bay Bridge Pump Station is hydraulically deficient under all existing and future scenarios for peak wet-weather flow conditions and recommended upsizing the pump station to convey year 2030 peak wet-weather flow of 18.5 MGD.
- 12-3 This comment is related to the safety risk of the existing driveway access to the site as proposed in the "Existing Pump Station Site Rehabilitation" Alternative. The existing driveway has been used since the existence of the current site and OCSD has no record of vehicular accidents with pedestrians or oncoming traffic. OCSD can continue to use the existing site and driveway access. However, the preferred alternative site off of Bayside Drive contains a reconfigured pump station that would allow improved maneuverability for OCSD operations and maintenance vehicles. In addition, traffic volumes along Bayside Drive are considerably lower than volumes along East Coast Highway.
- 12-4 Comment noted. DEIR page 3-1, paragraph 3, has been revised as follows:

The proposed pump station would be located on the same 31.4-acre parcel, approximately 300 feet to the northeast. The proposed pump station site is ~~entirely disturbed~~ fully improved and partially paved, and is currently occupied by RV storage facilities, which includes trailered boats, parking for the Bayside Village Marina, parking and access to Pearson's Port Fish Market, area for kayak and stand-up paddleboard (SUP) rentals and launching, and a driveway providing access to the facility. An existing fence that serves as the northerly boundary of the RV storage facility also bisects the proposed pump station site in an east/west orientation.

- 12-5 As explained in DEIR Section 5.9, *Land Use and Relevant Planning*, the existing and proposed pump station sites are located within Planning Area 1 of the PCDP, which is currently occupied by an RV storage facility, trailered boats, parking for the Bayside Village Marina, parking and access to Pearson's Port Fish Market, and an area for kayak and stand-up paddleboard rentals and launching. Due to the duration and scope of the project, the project



may involve some disruption to the current BBL recreation and marine commercial uses. These impacts would be mitigated to the extent possible by minimizing construction, hauling, transport, and lane closures during evening hours, holidays, and weekends. The project would further minimize interference with recreational opportunities in the Newport Channel by implementing microtunneling processes rather than conventional dredging. Alternate routes can be provided for access to the west end of the Back Bay Landing property.

- 12-6 A 10,000 square-foot site is preferred. Facilities can be designed on smaller footprints and possibly be located underground, but this would add to construction costs, decrease maintenance access, increase maintenance costs, and decrease equipment reliability. A smaller site would make the option of relocating the pump station less attractive. OCSD is willing to submit design plans concurrently with BBL to the City. Please note that OCSD is exempt from Uniform Building Code review. OCSD is willing to submit plans to BLL for review and comment.
- 12-7 Construction can be expedited. OCSD is committed to streamlining and minimizing the duration of construction activities to the extent possible, but the complexity and scale of the project would be more expensive and would have greater public impacts (i.e., nighttime construction activities). Additionally, deconstruction of the existing pump station facility would occur once the new pump station facilities are completed. OCSD has estimated the duration of this project component, but a detailed construction schedule for all project components would be determined during Final Design and shared with affected stakeholders and property owners.
- 12-8 The disassembly process can be a minimum of four months. However, it can take a year longer if the existing pump station deep foundations require removal. Impacts to property owners and their tenants due to construction easements would be addressed when they are being negotiated. Specific impacts to street parking on Bayside Drive would be coordinated with the City of Newport Beach Public Works and advanced communications would be sent to the surrounding public.
- 12-9 The project would comply with all Federal, State, and local rules and regulations including those pertaining to site remediation of hazardous materials, if necessary. The DEIR includes Mitigation Measures HAZ-1 through HAZ-4, which relate to asbestos-containing materials, lead-based paints, force main construction, and the discovery of unknown wastes (minor editorial revisions to HAZ-1, HAZ-2, and HAZ-4 are noted below to provide clarity regarding the monitoring and reporting process). The existing force mains would be abandoned in place and filled with slurry to minimize potential impacts to affected properties and the Newport Bay Channel (refer to Response 10-4, above). The pump station and associated structures are planned to be removed a maximum of five feet below the ground surface.

Minor editorial revisions to Mitigation Measure HAZ-1 on DEIR page 5.7-15 have been included to provide additional monitoring and reporting clarification. Mitigation Measure HAZ-1 has been revised as follows:

HAZ-1 Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of



Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Contractors performing ACM removal shall provide evidence of abatement activities to the Orange County Sanitation District ~~Director of Engineering~~.

Minor editorial revisions to Mitigation Measure HAZ-2 on DEIR page 5.7-16 have been included to provide additional monitoring and reporting clarification. Mitigation Measure HAZ-2 has been revised as follows:

HAZ-2 If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Orange County Sanitation District ~~Director of Engineering~~.

Minor editorial revisions to Mitigation Measure HAZ-4 on DEIR page 5.7-16 have been included to provide additional monitoring and reporting clarification. Mitigation Measure HAZ-4 has been revised as follows:

HAZ-4 If unknown wastes are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor shall comply with the following:

- Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area;
- Notify the Orange County Sanitation District ~~Director of Engineering~~;
- Secure the area as directed by the Orange County Sanitation District ~~Director of Engineering~~; and
- Notify the Orange County Health Care Agency's Hazardous Materials Division's Hazardous Waste/Materials Coordinator (or other appropriate agency specified by the Director of Engineering). The



Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.

- 12-10 As noted above in Response 5-6, Mitigation Measure TRA-1 has been modified to note that engineering drawings and specifications would be subject to approval by Caltrans and the City of Newport Beach, in addition to OCSD. Mitigation Measure TRA-1 includes a range of minimum requirements that would be necessary within the engineering drawings and specifications, and OCSD acknowledges that additional provisions related to items such as access and parking (developed in consultation with the City and Caltrans, and based on final design) may be required. Based on the analysis provided within the DEIR, Mitigation Measure TRA-1 would reduce short-term project-related traffic impacts to a level below significance.
- 12-11 This comment is a closing statement. This comment does not address the DEIR's adequacy or involve an environmental issue. No further comment is necessary.



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P.O. Box 54132
Irvine, CA 92619-4132

California Cultural Resource Preservation Alliance, Inc.
An alliance of American Indian and scientific communities working for
the preservation of archaeological sites and other cultural resources.

July 8, 2017

Kevin Hadden
Principal Staff Analyst
Orange County Sanitation District

Re: Bay Bridge Pump Station and Force Mains Rehabilitation Project Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to comment on the DEIR for the above-mentioned project. We appreciate that the City of Newport Beach and Orange Sanitation District acknowledges the fact that the City of Newport Beach has a long cultural history and is culturally sensitive. Based on the information provided in the Cultural Resources Appendix, we agree that the project has a low potential to impact intact archaeological materials and concur with Mitigation Measure CUL-1.

13-1

Sincerely,

Patricia Martz, Ph.D.
President



RESPONSE TO COMMENT LETTER NO. 13

Patricia Martz, Ph.D., President
California Cultural Resources Preservation Alliance, Inc.
July 8, 2017

- 13-1 This letter acknowledges that the California Cultural Resources Preservation Alliance, Inc. received and reviewed the DEIR and agrees with the findings related to cultural resources and recommended Mitigation Measure CUL-1 in the DEIR. No further response is necessary.

From: Rececca Robles [mailto:rebrobles1@gmail.com]
Sent: Wednesday, July 5, 2017 9:19 PM
To: CEQA <ceqa@ocsd.com>
Subject: Bay Bridge Pump Station and Force Mains Rehabilitation Project DEIR Report

July 5,2017

Kevin Hadden

Principal Staff Analyst

Orange County Sanitation District

Re: Bay Bridge Pump Station and Force Mains Rehabilitation Project Draft Environmental Impact Report (DEIR)

Thank you for the opportunity to comment on the DEIR for the above-mentioned project. We appreciate that the City of Newport Beach and Orange Sanitation District acknowledge the fact that the City of Newport Beach has a long cultural history and was home to our ancestors prior to settlement by Euro-Americans. Based on the information provided in the Cultural Resources Appendix, we agree that the project has a low potential to impact intact archaeological materials and concur with Mitigation Measure CUL-1. In the event that buried cultural materials are discovered during construction, we wish to be notified.

14-1

Sincerely,



RESPONSE TO COMMENT LETTER NO. 14

Rebecca Robles

United Coalition to Protect Panhe

July 5, 2017

- 14-1 This letter acknowledges that the United Coalition to Protect Panhe received and reviewed the DEIR and agrees with the findings related to cultural resources and recommended Mitigation Measure CUL-1 in the DEIR. OCS D has noted that the United Coalition to Protect Panhe requested notification in the event buried cultural materials are discovered during project construction. No further response is necessary.



3.0 ERRATA

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3.0 ERRATA

Changes to the Draft Environmental Impact Report (DEIR) are noted below. A double-underline indicates additions to the text; strikeout indicates deletions to the text. These changes are considered minor and editorial in nature, and do not affect the conclusions of the environmental document or require recirculation of the EIR.

Section 2.0, page 2-8, 1st paragraph

- Back Bay Landing Planned Community Development Plan (PC-9)* (adopted February 25, 2014, Ordinance No. 2014-4(PA2011-216) and Amended April 26, 2016, Ordinance No. 2016-8). The *Back Bay Landing Planned Community Development Plan (PC-9)* (Back Bay Landing PCDP) is a redevelopment plan involving a mixed-use waterfront project. This project would construct a dry stack boat storage facility for 140 boats, 61,534 square feet of visitor-serving retail and recreational marine facilities, and up to 49 attached residential units. The Back Bay Landing PCDP establishes appropriate zoning regulations governing land use and development of the Planned Community site, consistent with the General Plan and CLUP. The Back Bay Landing PCDP provides a vision for the land uses on the site, sets the development standards and design guidelines for specific project approvals at the Site Development Review and Community Development Plan approval stage, and regulates the long term operation of the developed site.

Section 3.0, page 3-1, 3rd paragraph

The proposed pump station would be located on the same 31.4-acre parcel, approximately 300 feet to the northeast. The proposed pump station site is ~~entirely disturbed~~ fully improved and partially paved, and is currently occupied by RV storage facilities, which includes trailered boats, parking for the Bayside Village Marina, parking and access to Pearson's Port Fish Market, area for kayak and stand-up paddleboard (SUP) rentals and launching, and a driveway providing access to the facility. An existing fence that serves as the northerly boundary of the RV storage facility also bisects the proposed pump station site in an east/west orientation.

Section 4.0, pages 4-2 – 4-5, Table 4-1, Cumulative Projects List

**Table 4-1
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
City of Newport Beach²				
1	Residential Tower	850 San Clemente Drive, Newport Beach	Development of a 100-unit Residential Tower.	Preparation of EIR in progress.
2	AutoNation	320-600 West Coast Highway, Newport Beach	Development of a 33,926 square foot Automobile Sales and Service Facility.	Planning of Environmental Document. Traffic Consultant to be Identified.
3	150 Newport Center	150 Newport Center Drive, Newport Beach	Construction of 49 condominium units.	Preparation of EIR in progress.



**Table 4-1 [continued]
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
4	Newport/32 nd Modification	Newport Boulevard from Via Lido to 30 th Street and 3201 Newport Boulevard, Newport Beach	Roadway improvements; southbound through lane along Newport Boulevard from Via Lido to 32 nd Street, terminating as a right turn only lane at 32 nd Street.	Approved. Coastal Development Permit issued February 2016.
<u>1</u>	<u>Ullman Sail Lofts</u>	<u>410 and 412 29th Street</u>	<u>Development of a mixed-use structure with 1,171 square feet of retail floor area, one 2,347 square foot dwelling unit and three residential dwelling units ranging from 2,484 square feet to 2,515 square feet.</u>	<u>Anticipated CEQA Exemption.</u>
<u>2</u>	<u>Newport Dunes Hotel</u>	<u>1131 Back Bay Drive</u>	<u>Development of a 275-room, 201,498 square-foot hotel on 14.3 acres. Amenities include a coffee shop, gift/sundry shop, business center, function room, spa/fitness facilities, restaurant, pool, tennis courts, sand volleyball courts and picnic area.</u>	<u>Application incomplete.</u>
<u>3</u>	<u>ExplorOcean³</u>	600 East Bay, 209 Washington Street, 600 and 608 Balboa Avenue, and 200 Palm, Newport Beach	Construction of a 70,295 square-foot, 4-story Ocean Literacy Facility. This project would include removal of 63-metered space surface parking lot; construction of 388 spaces; construction of a 141,000 square-foot, 5-level off-site parking structure and 6,500 square-foot floating classroom.	Application submitted April 2014. On hold per applicant's request.
<u>4</u>	<u>Back Bay Landing</u>	300 East Coast Highway, Newport Beach	Redevelopment project involving a mixed-use waterfront project. This project would construct a dry stack boat storage facility for 140 boats, 61,534 square feet of visitor-serving retail and recreational marine facilities, and up to 49 attached residential units.	Approved. Amendments proposed <u>Site Development Review and Coastal Development Permit anticipated to be filed in 2018.</u>
<u>5</u>	<u>Balboa Marina West Expansion</u>	201 East Coast Highway, Newport Beach	City of Newport Beach public access and transient dock and expansion of balboa marina including 14,252 square feet of restaurant, 12 transient boat slips, 26 <u>24</u> private boat slips, 664 square feet of marina restroom, and reconfiguration of a 294-space parking lot.	Approved.



**Table 4-1 [continued]
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
8 <u>6</u>	Newport Harbor Yacht Club	720 West Bay Avenue, 800 West Bay Avenue, 711-721 West Bay Avenue, and 710-720 Balboa Boulevard, Newport Beach	Construction of a 23,163 square-foot Yacht Club Facility.	Awaiting Coastal Development Permit Approval Under Construction.
9	Newport Banning Ranch	5800 West Coast Highway, Newport Beach	Development of 1,375 residential dwelling units, a 75-room resort inn and ancillary resort uses, 75,000 square feet of commercial uses, approximately 51.4 gross acres of parklands, and approximately 252.3 gross acres of permanent open space.	Awaiting Coastal Development Permit Approval.
10	West Newport Community Center	883 West 15th Street, Newport Beach (current location)	Refurbishment or replacement of the West Newport Community Center.	On hold at the direction of the City Manager's Office.
11 <u>7</u>	Old Newport Boulevard/West Coast Highway Widening	Intersection of Old Newport Boulevard and West Coast Highway, Newport Beach	Widening of westbound West Coast Highway at Old Newport Boulevard to accommodate a third through lane, a right-turn pocket, and a bike lane.	Under review ND draft complete.
12 <u>8</u>	Lower Sunset View Park Bridge, Parking Lot, and Park	Intersection of West Coast Highway and Superior Avenue, Newport Beach	Construction of a pedestrian overcrossings, parking, and park uses for lower Sunset View Park.	CEQA determination TBD.
13 <u>9</u>	Balboa Island Seawall Reconstruction	Balboa Island, Newport Beach	New seawall along the Grand Canal and on the west end of Balboa Island.	Awaiting City's Request for Proposal (RFP).
14 <u>10</u>	Arches Storm Drain Diversion	Newport Boulevard north of Coast Highway, Newport Beach	Divert dry weather flows from west and east storm drains (subwatersheds) to the sanitary sewer system.	CEQA determination TBD.
15 <u>11</u>	Big Canyon Rehab Project	Big Canyon, downstream of Jamboree Road and south of Big Canyon Creek, Newport Beach	Divert dry weather flows from the creek into a bioreactor.	Final MND in Progress.
16 <u>12</u>	Bay Crossings Water Main Replacement	Newport Harbor, Newport Beach	Replaces deteriorating water transmission mains pursuant to the Water Master Plan and Bay Crossing Water Transmission Study.	CEQA determination TBD.
17 <u>13</u>	ENC Preschool	745 Dover Drive, Newport Beach	Construction of an Environmental Nature Center Preschool.	Approved. CEQA Exemption.
18 <u>14</u>	Park Avenue Bridge Replacement	Balboa Island, Newport Beach	Replacement of Park Avenue Bridge.	Under construction.



**Table 4-1 [continued]
Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
<u>19</u> <u>15</u>	Ebb Tide	1560 Placentia Drive, Newport Beach	Construction of 83 single-unit residences, private streets, common open space, and landscaping. Proposed Zoning Code Amendment from Multiple-Unit Residential (RM) to Planned Community (PC). A Planned Community Development Plan is proposed.	<u>Approved Under construction.</u>
<u>20</u> <u>16</u>	Lido House Hotel	3300 Newport Boulevard and 475 32 nd Street, Newport Beach	Construction of a 130-room upscale hotel. General Plan Amendment, Coastal Land Use Plan Amendment, and Zoning Amendment to change zoning from Public Facilities to Visitor.	Under construction.
<u>21</u> <u>17</u>	Westcliff Medical	2011, 2043, 2121, and 2131 Westcliff Drive, Newport Beach	Construction of four buildings (two buildings, three-level parking structure, and an existing building) totaling 73,722 square feet with 382 spaces of off-street parking.	CEQA exemption. Approved. <u>Demolition permit issued Under construction.</u>
<u>22</u> <u>18</u>	Lido Villas	3303 and 3355 Via Lido, Newport Beach	Construction of 23 attached three-story townhome condominiums.	<u>Building permit approval; pending recordation of tract map expired. Application, CLUP Amendment, and CDP application approved.</u>
<u>23</u> <u>19</u>	<u>Villas Fashion Island (Formerly San Joaquin Plaza Apartments)</u>	1101 San Joaquin Hills Road, Newport Beach	Amendment to the North Newport Center Planned Community (NNCPC) increasing the residential development allocation with the NNCPC from 430 dwelling units to a total of 524 dwelling units (increase of 94 units) and allocating the units to the San Joaquin Plaza sub-area.	Under construction.
<u>24</u> <u>20</u>	10 Big Canyon	10 Big Canyon, Newport Beach	Rough grading for development of a single-family residence.	Approved. Not yet constructed.
<u>25</u>	Newport Beach Country Club Inc.	1600 East Coast Highway, Newport Beach	<u>Construction of 51,213 square-foot golf clubhouse and ancillary facilities including a cart barn and bag storage.</u>	Under construction.
<u>26</u> <u>21</u>	Old Newport GPA Project	328, 332, and 340 Old Newport Boulevard, Newport Beach	Construction of 25,000 square-foot medical office building.	Approved. Demolition and grading permits are issued.



**Table 4-1 [continued]
 Cumulative Projects List**

No. ¹	Name	Location	Proposed Land Use	Status
27 <u>22</u>	Hoag Memorial Hospital Presbyterian Master Plan Update Project	1 Hoag Drive, Newport Beach	Reallocation of up to 225,000 square feet of previously approved (but not constructed) square footage from the Lower Campus to the Upper Campus.	Approved.
28 <u>23</u>	AERIE Project	301-207 Carnation Avenue and 101 Bayside Place,	Construction of 8 residential condominium units and replacement, reconfiguration, and expansion of the existing gangway platform, pier walkway, and dock facilities.	Under construction.
29	Meridian (Santa Barbara) Condominiums Project	Santa Barbara Drive, west of Fashion Island, and 1001 Santa Barbara Drive, Newport Beach	Construction of 79 condominium units totaling approximately 205,232 net square feet, approximately 97,231 gross square feet of subterranean parking structures for a total of 201 parking spaces on site, approximately 79,140 square feet of open space and approximately 21,300 square feet of recreational area.	Under construction.
30	Newport Marina—ETCO Development	2300 Newport Boulevard, Newport Beach	Mixed Use development consisting of 27 residential units and approximately 36,000 square feet of retail and office uses.	Under construction.
City of Costa Mesa ⁴				
31 <u>24</u>	Lions Park Project ³	Lions Park, 570 West 18 th Street, 1845 and 1855 Park Avenue, Costa Mesa	Improvements to Lions Park; new signage, library building, and café; and renovation and repurposing of the existing Donald Dungan Library building to the Neighborhood Community Center.	IS/MND public review period ended March 4, 2017.
32 <u>25</u>	Westside Lofts Mixed-Use Development Project	1640 Monrovia Avenue, Costa Mesa	Proposes a new mixed-use development. Phase I has constructed a 185-unit assisted living facility. Phase II would construct 42,000 square feet of commercial office uses.	IS/MND Addendum prepared July 2016.
Notes: 1. Refer to Exhibit 4-1, <i>Cumulative Project Locations</i> . 2. City of Newport Beach, <i>Cumulative Projects List</i> , http://www.newportbeachca.gov/Pln/CEQA_Cumulative/cumulative_projects_current.pdf , accessed March 27, 2017. 3. For projects with multiple addresses, the address with the nearest proximity to the project site was depicted in Exhibit 4-1. Written Correspondence: Minoo Ashabi, Principal Planner, City of Costa Mesa, March 27, 2017.				



Section 5.0, pages 5.1-11 – 5.1-12, Subsection B

B. Permitted Height of Structures

1. Building Height

The maximum allowable building height shall be 35 feet for structures with flat roofs and 40 feet for structures with sloped roofs (minimum 3:12 pitch), except as follows:

- a) As illustrated on Exhibit 3, *Building Heights*, 100 feet from back of curb along Bayside Drive within the eastern portion of Planning Area 1, maximum allowable building height shall not exceed 26 feet for flat roofs and 31 feet for sloped roofs.
- ~~b) Within Planning Area 1, a single coastal public view tower, or similar structure, that includes public access to a functioning public viewing platform may be developed at a maximum height of 65 feet.~~
- ⇒ b) Within Planning Area 1, maximum allowable height for any parking structure shall not exceed 30 feet for flat roofs and 35 feet for sloped roofs.
- ⇒ c) All other exceptions to height shall be regulated pursuant to Section 20.30.060.D of the Municipal Code.

Section 5.0, page 5.1-13, Subsection A

A. Architectural Theme

~~The development shall be designed with a Coastal Mediterranean architectural theme. This architectural theme is influenced by the climate of the countries it comes from, emulating palettes of the landscape, and architecture in the North Mediterranean Sea. Principles of quality design are included and recommendations for quality materials and applications are provided. Thick and textured walls, bull-nose borders, terracotta colors with rustic metal and stone details are discussed. The style is marked by the use of smooth plaster, low-pitched clay tile, and cast concrete or stone ornaments. Other characteristics typically include small porches or balconies, arcades, wood casement windows and doors, canvas awnings, and decorative iron trim. The intent is not to select a historically specific or rigid architectural style for the project, but to help shape the character of the area and reflect its setting within the City.~~

The development shall be designed with a Coastal architectural theme. This architectural theme is influenced by the marine climate of the California coastline, with varied historical vernacular and casually elegant palette, with building forms and massing that define and create unique and often seamless indoor/outdoor spaces. The project would follow principles of quality design, exhibiting a high level of architectural standards and shall be compatible with the surrounding area, sensitive to scale, proportion, and identity with a focus on place-making. Massing offsets, variation of roof lines, varied textures, openings, recesses, and design accents on all building elevations shall be provided to enhance the architectural design. The intent is not to select a historically specific or rigid architectural style for the project, but to create an active, mixed-use village.



Section 5.0, page 5.1-16, Mitigation Measure AES-1

AES-1 Prior to issuance of any grading and/or demolition permits, whichever occurs first, a ~~Construction Management Plan~~ engineering drawings and specifications shall be submitted for review and approval by the Orange County Sanitation District Director of Engineering. ~~The Construction Management Plan~~ These documents shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the project area by avoiding local residential streets, as feasible.

Section 5.0, page 5.1-17, Mitigation Measure AES-2

AES-2 Prior to construction of the new pump station facility, OCSO shall submit design plans of the proposed pump station to the City of Newport Beach ~~Director of Community Development~~ for review and approval by the City's Planning Commission or delegated authority for Site Development Review and to determine consistency with the Back Bay Landing PCDD design guidelines. ~~The Orange County Sanitation District Director of Engineering shall provide final review and approval of design plans, in consideration of comments received by the Director of Community Development.~~

Section 5.0, page 5.1-19, Mitigation Measure AES-3

AES-3 All construction-related lighting fixtures (including portable fixtures) shall be oriented downward and away from adjacent sensitive areas (including residential and biologically sensitive areas). Lighting shall consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Orange County Sanitation District ~~Director of Engineering~~ for review and approval prior to any nighttime construction activities.

Section 5.0, page 5.1-19, Mitigation Measure AES-4

AES-4 Prior to construction of the proposed pump station, ~~the contractor shall provide~~ lighting plans shall be provided to the Orange County Sanitation District ~~Director of Engineering~~ for review and approval, and to the City of Newport Beach for review and approval by the City's Planning Commission for Site Development Review. ~~The lighting plan shall illustrating~~ illustrate consistency with the Back Bay Landing PCDD regulations for lighting. Per these requirements, all outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to minimize impacts to adjacent sites and to not produce glare onto adjacent sites or roadways.



Section 5.0, pages 5.2-6 and 5.10-6, Tables 5.2-2 and 5.10-2, Sensitive Receptors

**Table 5.2-2
Sensitive Receptors**

Type	Name	Approximate Distance from Project Site (feet)	Orientation from Project Site	Location/Description
Residential	Residential Uses	25	North	Single Family Residences
		25	East	Single Family Residences
		25	South	Single Family Residences
		50	West	Single Family Residences
Hotels	Hyatt Regency Newport Beach	3,705	East	1107 Jamboree Road
	Balboa Inn	5,269	South	105 Main Street
Schools	Newport Harbor High School	1,925	Northwest	600 Irvine Avenue
	Horace Ensign Intermediate School	2,765	Northwest	2000 Cliff Drive
	Harper Elementary School	4,546	North	452 E 18th Street, Costa Mesa
	Mariners Elementary School	4,785	North	2100 Mariners Drive
	Newport Elementary School	4,850	Southwest	1327 West Balboa Boulevard
	Children's Center By the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Newport Heights Elementary	4,981	Northwest	300 E 15th Street
Places of Worship	Newport Harbor Lutheran Church	910	North	798 Dover Drive
	St. Andrew's Presbyterian Church	2,047	Northwest	600 St Andrews Road
	St. John Vianney Chapel	4,480	Southeast	314 Marine Avenue
	Christ Church by the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Our Lady of Mount Carmel Church	5,172	Southwest	1441 West Balboa Boulevard
Hospitals	Newport Bay Hospital	1,265	North	1501 East 16th Street
Libraries	Balboa Branch Library	4,277	South	100 East Balboa Boulevard
	Mariners Library	5,182	North	1300 Irvine Avenue
Recreation/Parks	Bob Henry Park	1,370	North	900 Dover Drive
	Back Bay View Park	2,904	Southeast	Jamboree Road and Pacific East Coast Highway
	Back Bay Golf & Fitness	3,724	Northeast	1107 Jamboree Road
	Genoa Park	3,791	West	232 Via Genoa
	Harper Park	4,546	North	452 E 18th Street, Costa Mesa
	Galaxie View Park	4,750	Northeast	1554 Galaxy Drive
	Pinkley Park	4,794	Northwest	360 Ogle Street, Costa Mesa
	Cliff Drive Park	4,840	Northwest	298 Riverside Avenue
Note: 1. Distances are measured from the exterior project boundary only and not from individual construction projects/areas within the interior of the project site.				
Source: Google Earth, 2017.				



**Table 5.10-2
Sensitive Receptors**

Type	Name	Approximate Distance from Project Site (feet)	Orientation from Project Site	Location/Description
Residential	Residential Uses	25	North	Single Family Residences
		25	East	Single Family Residences
		25	South	Single Family Residences
		50	West	Single Family Residences
Hotels	Hyatt Regency Newport Beach	3,705	East	1107 Jamboree Road
	Balboa Inn	5,269	South	105 Main Street
Schools	Newport Harbor High School	1,925	Northwest	600 Irvine Avenue
	Horace Ensign Intermediate School	2,765	Northwest	2000 Cliff Drive
	Harper Elementary School	4,546	North	452 E 18th Street, Costa Mesa
	Mariners Elementary School	4,785	North	2100 Mariners Drive
	Newport Elementary School	4,850	Southwest	1327 West Balboa Boulevard
	Children's Center By the Sea	4,910	Southwest	1400 West Balboa Boulevard
	Newport Heights Elementary	4,981	Northwest	300 E 15th Street
Places of Worship	Newport Harbor Lutheran Church	910	North	798 Dover Drive
	St. Andrew's Presbyterian Church	2,047	Northwest	600 St Andrews Road
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	Our Lady of Mount Carmel Church	5,172	Southwest	1441 West Balboa Boulevard
Hospitals	Newport Bay Hospital	1,265	North	1501 East 16th Street
Libraries	Balboa Branch Library	4,277	South	100 East Balboa Boulevard
	Mariners Library	5,182	North	1300 Irvine Avenue
Recreation/Parks	Bob Henry Park	1,370	North	900 Dover Drive
	Back Bay View Park	2,904	Southeast	Jamboree Road and Pacific East Coast Highway
	Back Bay Golf & Fitness	3,724	Northeast	1107 Jamboree Road
	Genoa Park	3,791	West	232 Via Genoa
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	Galaxie View Park	4,750	Northeast	1554 Galaxy Drive
	Pinkley Park	4,794	Northwest	360 Ogle Street, Costa Mesa
	Cliff Drive Park	4,840	Northwest	298 Riverside Avenue
Note: 1. Distances are measured from the exterior project boundary only and not from individual construction projects/areas within the interior of the project site. Source: Google Earth, 2017.				

Section 5.0, page 5.3-10, Mitigation Measure BIO-1

BIO-1 To the extent feasible, construction activities shall be scheduled outside of the nesting season (typically February 15 to August 15) to avoid potential impacts to nesting birds. However, if construction must occur during the nesting season, all suitable habitat surrounding the project site shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to commencement of site disturbance activities.



If an active avian nest is discovered in proximity to the project site during the nesting bird survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest in order to ensure that nesting behavior is not adversely affected by construction activities. The buffer area and limitations on construction may be reduced upon coordination with the California Department of Fish and Wildlife, provided the nesting behaviors are not disrupted by construction activities. Once the young have fledged, normal construction activities shall be allowed to occur.

Section 5.0, page 5.4-16, Mitigation Measure CUL-1

CUL-1 Prior to ground-disturbing activities, a qualified archaeologist shall provide an Archaeological Monitoring Protocol Plan for the project. The archaeologist shall provide training to a Contractor's Representative regarding the Archaeological Monitoring Protocol Plan and the identification of archaeological resources. The training shall be open to Native American tribal representative(s), to assist the Contractor's Representative in identifying potential tribal cultural resources. The plan shall identify procedures for the event that potential resources are discovered by the Construction Contractor.

If evidence of potential subsurface archaeological resources is found during site disturbance/excavation activities, these activities shall cease within 50 feet of that area and the construction contractor shall contact the Orange County Sanitation District ~~Resident Engineer~~ ~~Engineer~~. Construction activities shall be allowed to continue in other areas of the site. The Resident Engineer shall then retain a qualified archaeologist to evaluate the discovery prior to resuming grading/construction activities in the immediate vicinity of the find. If warranted, the archaeologist shall collect the resource, and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussion of the significance (depth, nature, condition, and extent of the resource), final mitigation recommendations, and cost estimates.

If the archaeologist determines that the find is prehistoric or includes Native American materials, affiliated Native American groups shall be invited to contribute to the assessment and recovery of the resource, as applicable. The archaeologist and any applicable Native American contacts shall collect the resource and prepare a test-level 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.

Salvage operation requirements pursuant to Section 15064.5 of the *CEQA Guidelines* shall be followed. Work within the area of discovery shall resume only after the resource has been appropriately inventoried, documented, and recovered, as applicable.

Section 5.0, page 5.7-15, Mitigation Measure HAZ-1

HAZ-1 Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of



asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Contractors performing ACM removal shall provide evidence of abatement activities to the Orange County Sanitation District ~~Director of Engineering~~.

Section 5.0, page 5.7-16, Mitigation Measure HAZ-2

HAZ-2 If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Orange County Sanitation District ~~Director of Engineering~~.

Section 5.0, page 5.7-16, Mitigation Measure HAZ-4

HAZ-4 If unknown wastes are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor shall comply with the following:

- Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area;
- Notify the Orange County Sanitation District ~~Director of Engineering~~;
- Secure the area as directed by the Orange County Sanitation District ~~Director of Engineering~~; and
- Notify the Orange County Health Care Agency's Hazardous Materials Division's Hazardous Waste/Materials Coordinator (or other appropriate agency specified by the Director of Engineering). The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.

Section 5.0, page 5.9-8, 2nd paragraph

The City's LCP and associated Coastal Land Use Plan (CLUP) were ~~approved~~ certified by the CCC on ~~September 8, 2016~~ January 13, 2017, and ~~are expected to become~~ became effective ~~in~~ on January 31, 2017. The CLUP sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City of Newport Beach and its sphere of influence consistent with the General Plan. The City's CLUP identifies the Coastal Act coastal resources planning and management policies that are relevant to Newport Beach. The CLUP addresses Coastal Act policies within three chapters: Land Use and Development; Public Access and Recreation; and Coastal Resource Protection. Each section or subsection begins with the identification of the Coastal Act sections that are relevant to Newport Beach, followed by a narrative of the local setting and policy direction adopted by the City to address the requirements of the Coastal Act and a listing of specific policies.



Section 5.0, page 5.10-16, Mitigation Measure NOI-1

NOI-1 Prior to the initiation of construction, the Orange County Sanitation District shall confirm that the Grading Plan, Building Plans, and specifications stipulate that:

- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices.
- The ~~Contractor~~ Orange County Sanitation District shall provide a qualified “Noise Disturbance Coordinator.” The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall ~~notify the Town within 24 hours of the complaint and~~ determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement ~~reasonable~~ measures to resolve the complaint, ~~as deemed acceptable by the Public Works Director, or designee and~~ comply with the City Noise Ordinance. The ~~contact name and the construction hotline~~ telephone number ~~for the Disturbance Coordinator~~ shall be clearly posted on-site.
- When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.).
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Typical construction activities that produce noise shall not take place outside of the allowable hours specified by the City of Newport Beach Municipal Code Section 10.28.040 (7:00 a.m. and 6:30 p.m. on weekdays, 8:00 a.m. and 6:00 p.m. on Saturdays; construction is prohibited on Sundays and/or federal holidays). Alternate work hours may be designated by the City to reduce other impacts, such as traffic.

Section 5.0, page 5.10-16, Mitigation Measure NOI-2

NOI-2 Prior to initiation of construction of the Newport Bay Channel force main crossing, the Orange County Sanitation District shall verify that all construction plans and specifications include temporary barriers (noise attenuating panels) around the horizontal directional drilling (HDD)/microtunneling equipment (launch and receiving sites) with at least the following specifications: Alternate specifications and/or materials may be utilized provided they demonstrate an equivalent level of noise attenuation.

- Noise-producing equipment shall be shielded from nearby areas of human occupancy by erecting sound barriers of at least 24-feet in height which completely surround the work site and break the line-of-sight between the noise source and the receptors. Equipment shall be located in positions that direct the greatest noise emissions away from sensitive areas.



- The frame of the barrier shall be located around the HDD/microtunneling equipment ~~entire perimeter of the construction area~~ and consist of 3-inch by 3-inch by 0.065-inch thick steel tubing with welded joints. Alternatively, the frame can be constructed from lumber, but must be of sufficient strength to be structurally stable.
- The temporary construction noise barrier shall consist of four layers of material attached to the frame with metal screws:
 - 18 ounce tarp;
 - 2-inch thick fiberglass blanket R-7.5;
 - ½-inch thick weatherwood asphalt sheathing; and
 - 7/16-inch sturdy board siding.
- The temporary construction noise barrier shall have a surface density of 4.84 pounds per square foot.

Section 5.0, pages 5.11-6 – 5.11-8, Mitigation Measure TRA-1

TRA-1 Prior to initiation of construction activities, ~~a Construction Management Plan~~ engineering drawings and specifications shall be submitted for review and approval by the Orange County Sanitation District ~~Director of Engineering, California Department of Transportation, and the City Public Works Department.~~ The Construction Management Plan ~~These documents~~ shall, at a minimum, address the following:

- Traffic control for any lane closure, detour, or other disruption to traffic circulation including bicycle and pedestrian trails. Bicycle and pedestrian trails shall remain open during construction or re-routed to ensure continued connectivity.
- ~~OCTA~~-Bus stop access impacts shall be ~~maintained~~ coordinated with OCTA.
- At least three business days before any construction activities that would affect travel on nearby roadways, the construction contractor shall notify the ~~Newport Beach Fire Department, Newport Beach Police Department, and City of Newport Beach Public Works Department,~~ of construction activities that could impede movement (such as lane closures) along roadways, to allow for uninterrupted emergency access. Surrounding property owners shall also be notified of project activities through advanced mailings.
- Identify construction vehicle haul routes for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to the site; necessary traffic controls and detours; and a construction phasing plan for the project.
- Identify any off-site construction staging or material storage sites.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.



- Require the Contractor to keep all haul routes clean and free of debris, including but not limited to, gravel and dirt resulting from its operations. The Contractor shall clean adjacent streets, as directed by the Orange County Sanitation District ~~Director of Engineering (or representative of the Director)~~, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday. No hauling or transport shall be allowed during nighttime hours, weekends, or Federal holidays. Any oversized loads utilizing Coast Highway shall obtain a Caltrans permit for such activities.
- Use of local streets shall be prohibited, except what is required to provide direct access to the project site.
- Haul trucks entering or exiting public streets shall yield to public traffic at all times.
- If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the contractor shall be fully responsible for repairs. The repairs shall restore the damaged property to its original condition.
- All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site or within other off-street areas.
- Construction-related lane closures ~~will~~ would only occur between the hours of ~~9:00~~ 8:30 a.m. and ~~3:00~~ 3:30 p.m., Monday through Friday. More or less restrictive closure hours may be prescribed by the City.
- Use of a construction flagperson to assist in maintaining efficient vehicle travel in both directions, particularly during peak travel hours, and use of construction signage and safe detour routes for pedestrians and bicyclists when travel lanes and sidewalks along Coast Highway, Dover Drive, and Bayside Drive are affected.
- ~~This Construction Management Plan~~ The engineering drawings and specifications shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD).

Section 10.0, page 10-2

City of Newport Beach, *Back Bay Landing Planned Community Development Plan (PC-9)*, Adopted February 25, 2014 and Amended April 26, 2016.



4.0 MITIGATION MONITORING AND REPORTING PROGRAM

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4.0 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 Bay Bridge Pump Station and Force Mains Replacement Project. This *Mitigation Monitoring and Reporting Program* is intended to provide verification that all mitigation measures identified in the Environmental Impact Report prepared for the project 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 Orange County Sanitation District (OCSD) 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:

- OCSD distributes reporting forms to the appropriate entities for verification of compliance.
- Departments/agencies with reporting responsibilities will review the Environmental Impact Report, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance will be addressed to OCSD as appropriate.
- Periodic meetings may be held during project implementation to report on compliance of mitigation measures.
- Responsible parties provide OCSD 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.
- OCSD 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 OCSD. 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* fails 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	Prior to issuance of any grading and/or demolition permits, whichever occurs first, engineering drawings and specifications shall be submitted for review and approval by the Orange County Sanitation District. These documents shall, at a minimum, indicate the equipment and vehicle staging areas, stockpiling of materials, fencing (i.e., temporary fencing with opaque material), and haul route(s). Staging areas shall be sited and/or screened in order to minimize public views to the maximum extent practicable. Construction haul routes shall minimize impacts to sensitive uses in the project area by avoiding local residential streets, as feasible.	Review and Approval of Construction Management Plan	Prior to Issuance of Grading/ Demolition Permits	Orange County Sanitation District			
AES-2	Prior to construction of the new pump station facility, OCSD shall submit design plans of the proposed pump station to the City of Newport Beach for review and approval by the City's Planning Commission or delegated authority for Site Development Review and to determine consistency with the Back Bay Landing PCDP design guidelines.	Site Development Review; Final Review and Approval of Design Plans	Prior to Construction of Pump Station Facility	Orange County Sanitation District			
AES-3	All construction-related lighting fixtures (including portable fixtures) shall be oriented downward and away from adjacent sensitive areas (including residential and biologically sensitive areas). Lighting shall consist of the minimal wattage necessary to provide safety at the construction site. A construction safety lighting plan shall be submitted to the Orange County Sanitation District for review and approval prior to any nighttime construction activities.	Review and Approval of Construction Safety Lighting Plan	Prior to Nighttime Construction Activities	Orange County Sanitation District			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AES-4	Prior to construction of the proposed pump station, lighting plans shall be provided to the Orange County Sanitation District for review and approval, and to the City of Newport Beach for review and approval by the City's Planning Commission for Site Development Review. The lighting plan shall illustrate consistency with the Back Bay Landing PCDP regulations for lighting. Per these requirements, all outdoor lighting fixtures shall be designed, shielded, aimed, located, and maintained to minimize impacts to adjacent sites and to not produce glare onto adjacent sites or roadways.	Review and Approval of Outdoor Lighting Plan	Prior to Construction of the Pump Station	Orange County Sanitation District			
AIR QUALITY							
AQ-1	<p>Prior to ground disturbance associated with the project, the Orange County Sanitation District shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust prevention measures, as specified in the SCAQMD's Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures would reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> All active portions of the construction site shall be watered every three hours during daily construction activities when dust is observed migrating from the project site to prevent excessive amounts of dust; Apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging 	Review of Project Plans and Specifications; Construction Inspections	Prior to Issuance of any Grading Permit; During Construction	Orange County Sanitation District			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>areas to reduce the need for watering after dust is observed to be migrating from the site. More frequent watering shall occur if dust is observed migrating from the site during site disturbance;</p> <ul style="list-style-type: none"> • Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or non-toxic soil binders shall be applied; • All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour; • Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area; • Track-out devices such as gravel bed track-out aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt trackout from unpaved truck exit routes. Alternatively, a wheel washer shall be used at truck exit routes; • On-site vehicle speed shall be limited to 15 miles per hour; • All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust prior to departing the job site; and 						



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 associated with soil-hauling activities shall avoid residential streets and utilize City-designated truck routes to the extent feasible. 						
AQ-2	<p>Prior to the initiation of construction, the Orange County Sanitation District shall ensure that all trucks that are to haul excavated or graded material on-site shall comply with State Vehicle Code Section 23114 (Spilling Loads on Highways), with special attention to Sections 23114(b)(F) and (e)(4) as amended, regarding the prevention of such material spilling onto public streets and roads. This requirement shall be indicated on plans and specifications for the proposed project.</p>	<p>Review of Project Plans and Specifications; Construction Inspections</p>	<p>Prior to Construction; During Construction</p>	<p>Orange County Sanitation District</p>			
BIOLOGICAL RESOURCES							
BIO-1	<p>To the extent feasible, construction activities shall be scheduled outside of the nesting season (typically February 15 to August 15) to avoid potential impacts to nesting birds. However, if construction must occur during the nesting season, all suitable habitat surrounding the project site shall be thoroughly surveyed for the presence of nesting birds by a qualified biologist prior to commencement of site disturbance activities.</p> <p>If an active avian nest is discovered in proximity to the project site during the nesting bird survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest in order to ensure that nesting behavior is not adversely affected by construction activities. The buffer area and limitations on construction may be reduced upon coordination with the California</p>	<p>Completion of Pre-Construction Clearance Survey for Nesting Birds</p>	<p>Within 3 Days Prior to Initiation of Ground Disturbing Activities</p>	<p>Orange County Sanitation District; Project Biologist</p>			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	Department of Fish and Wildlife, provided the nesting behaviors are not disrupted by construction activities. Once the young have fledged, normal construction activities shall be allowed to occur.						
CULTURAL RESOURCES							
CUL-1	<p>Prior to ground-disturbing activities, a qualified archaeologist shall provide an Archaeological Monitoring Protocol Plan for the project. The archaeologist shall provide training to a Contractor's Representative regarding the Archaeological Monitoring Protocol Plan and the identification of archaeological resources. The training shall be open to Native American tribal representative(s) to assist the Contractor's Representative in identifying potential tribal cultural resources. The plan shall identify procedures for the event that potential resources are discovered by the Construction Contractor.</p> <p>If evidence of potential subsurface archaeological resources is found during site disturbance/excavation activities, these activities shall cease within 50 feet of that area and the construction contractor shall contact the Orange County Sanitation District. Construction activities shall be allowed to continue in other areas of the site. The Resident Engineer shall then retain a qualified archaeologist to evaluate the discovery prior to resuming grading/construction activities in the immediate vicinity of the find. If warranted, the archaeologist shall collect the resource, and prepare a test-level report describing the results of the investigation. The test-level report shall evaluate the site including discussion of the significance (depth, nature, condition, and extent of the resource), final mitigation recommendations, and cost estimates.</p>	Review of and Training Regarding Archaeological Monitoring Protocol Plan; During Construction	Prior to Issuance of any Grading Permit; During Construction	Orange County Sanitation District; Project Archaeologist; Construction Contractor			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>If the archaeologist determines that the find is prehistoric or includes Native American materials, affiliated Native American groups shall be invited to contribute to the assessment and recovery of the resource, as applicable. The archaeologist and any applicable Native American contacts shall collect the resource and prepare a test-level 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.</p> <p>Salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. Work within the area of discovery shall resume only after the resource has been appropriately inventoried, documented, and recovered, as applicable.</p>						
CUL-2	<p>Prior to ground-disturbing activities, a qualified paleontologist shall provide a Monitoring Protocol Plan for the project. The plan shall identify procedures for the event that potential recoverable fossils are discovered by the Construction Contractor. The qualified paleontologist shall have a B.S. or B.A. in geology and/or paleontology with demonstrated competence in research, fieldwork, reporting, and curation. The paleontologist shall provide training to a Contractor's Representative regarding the Monitoring Protocol Plan and the identification of paleontological resources. If during initial ground-disturbing activities, the Contractor's Representative determines that sediments encountered are unlikely to contain recoverable fossils, no further monitoring shall be required.</p>	<p>Review of and Training Regarding Monitoring Protocol Plan; During Construction</p>	<p>Prior to Issuance of any Grading Permit; During Construction</p>	<p>Orange County Sanitation District; Project Paleontologist; Construction Contractor</p>			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>However, if a fossil or suspected fossil is encountered during ground disturbing activities, the following steps shall be taken:</p> <ul style="list-style-type: none"> • The fossil site shall not be touched, moved, or disturbed in any way. • Work shall stop in the immediate area, and a minimum 50-foot buffer shall be marked with brightly colored flagging. No further disturbance in the flagged area shall occur until the Contractor has cleared the area. • The Contractor's Representative, construction foreman or supervisor shall be immediately notified. • The Contractor's Representative shall quickly examine the find and make a determination of significance. If the find is not significant, the foreman shall be informed when it is acceptable to resume work in the area. • If the Contractor's Representative is unable to make a recommendation regarding the find, the qualified paleontologist shall be notified to assess the find. As necessary, the qualified paleontologist shall develop a plan of mitigation which would likely include salvage excavation and removal of the find, removal of sediment from around the specimen, research to identify and categorize the find, curation of the find in a local qualified repository, and preparation of a report summarizing the find. 						



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
HAZARDS AND HAZARDOUS MATERIALS							
HAZ-1	Prior to demolition activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403. Contractors performing ACM removal shall provide evidence of abatement activities to the Orange County Sanitation District.	Asbestos Survey; Asbestos Abatement (if necessary)	Prior to Demolition of Existing Pump Station	Orange County Sanitation District			
HAZ-2	If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified Lead Specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the Orange County Sanitation District.	Review of Paint Waste Evaluation	Prior to any Demolition Activities; During Demolition	Orange County Sanitation District			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
HAZ-3	The construction contractor shall retain a Phase II/Site Characterization Specialist to conduct sampling of spoils associated with horizontal directional drilling/ microtunneling activities for force main construction prior to proper disposal of soil materials off-site. The sampling shall determine whether the spoils contain hazardous wastes, and if so, the spoils shall be disposed of in accordance with Federal and State requirements.	Spoils Sampling During Construction	During Construction	Orange County Sanitation District; Phase II/Site Characterization Specialist; Construction Contractor			
HAZ-4	<p>If unknown wastes are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor shall comply with the following:</p> <ul style="list-style-type: none"> • Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area; • Notify the Orange County Sanitation District; • Secure the area as directed by the Orange County Sanitation District; and • Notify the Orange County Health Care Agency's Hazardous Materials Division's Hazardous Waste/ Materials Coordinator (or other appropriate agency specified by the Director of Engineering). The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required. 	Observation During Construction	During Construction	Construction Contractor; Orange County Sanitation District; Hazardous Waste/Materials Coordinator			



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
HYDROLOGY AND WATER QUALITY							
HWQ-1	Prior to site disturbance activities and as part of the project's compliance with the NPDES requirements, a Notice of Intent (NOI) shall be prepared and submitted to the State Water Resources Quality Control Board (SWRCB), providing notification and intent to comply with the State of California Construction General Permit.	Preparation and submittal of a Notice of Intent (NOI)	Prior to Construction; Construction General Permit	Orange County Sanitation District; Construction Contractor			
HWQ-2	The proposed project shall conform to the requirements of an approved Storm Water Pollution Prevention Plan (SWPPP) (to be applied for prior to site disturbance) and the NPDES Permit for General Construction Activities No. CAS000002, Order No. 2009-0009-DWQ (as amended by 2010-014-DWQ and 2012-006-DWQ), including implementation of all recommended Best Management Practices (BMPs), as approved by the State Water Resources Quality Control Board (SWRCB).	Review and Compliance with Approved SWPPP and NPDES Permit; Construction Inspections	During Construction	Orange County Sanitation District; Construction Contractor			
HWQ-3	Upon completion of project construction, the Orange County Sanitation District shall submit a Notice of Termination (NOT) to the State Water Resources Quality Control Board (SWRCB) to indicate that construction is completed.	Notice of Termination (NOT)	Following Completion of Construction	Orange County Sanitation District			
NOISE							
NOI-1	<p>Prior to the initiation of construction, the Orange County Sanitation District shall confirm that the Grading Plan, Building Plans, and specifications stipulate that:</p> <ul style="list-style-type: none"> All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other State required noise attenuation devices. 	Review of Grading Plan, Building Plans, and Specifications; Construction Inspections	Prior to Initiation of Construction; During Construction	Orange County Sanitation District			



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"> The Orange County Sanitation District shall provide a "Noise Disturbance Coordinator." The Disturbance Coordinator shall be responsible for responding to any local complaints about construction noise. When a complaint is received, the Disturbance Coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall implement measures to resolve the complaint and comply with the City Noise Ordinance. The construction hotline telephone number shall be clearly posted on-site. When feasible, construction haul routes shall be designed to avoid noise sensitive uses (e.g., residences, schools, hospitals, etc.). During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers. Typical construction activities that produce noise shall not take place outside of the allowable hours specified by the City of Newport Beach Municipal Code Section 10.28.040 (7:00 a.m. and 6:30 p.m. on weekdays, 8:00 a.m. and 6:00 p.m. on Saturdays; construction is prohibited on Sundays and/or federal holidays). Alternative work hours may be designated by the City to reduce other impacts, such as traffic. 						



Mitigation Number	Mitigation Measure	Monitoring and Reporting Process	Monitoring Milestones	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
NOI-2	<p>Prior to issuance of Demolition or Building Permits, the Orange County Sanitation District shall verify that all construction plans and specifications include temporary barriers (noise attenuating panels) around the horizontal directional drilling (HDD)/microtunneling equipment (launch and receiving sites) with at least the following specifications. Alternate specifications and/or materials may be utilized provided they demonstrate an equivalent level of noise attenuation.</p> <ul style="list-style-type: none"> • Noise-producing equipment shall be shielded from nearby areas of human occupancy by erecting sound barriers of at least 24-feet height which completely surround the work site and break the line-of-sight between the noise source and the receptors. Equipment shall be located in positions that direct the greatest noise emissions away from sensitive areas. • The frame of the barrier shall be located around the HDD/microtunneling equipment and consist of 3-inch by 3-inch by 0.065-inch thick steel tubing with welded joints. Alternatively, the frame can be constructed from lumber, but must be of sufficient strength to be structurally stable. • The temporary construction noise barrier shall consist of four layers of material attached to the frame with metal screws: <ul style="list-style-type: none"> – 18 ounce tarp; – 2-inch thick fiberglass blanket R-7.5; 	Review of Plans and Specifications	Prior to Issuance of Demolition or Building Permits; During Construction	Orange County Sanitation District			



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"> - ½-inch thick weatherwood asphalt sheathing; and - 7/16-inch sturdy board siding. • The temporary construction noise barrier shall have a surface density of 4.84 pounds per square foot. 						
TRANSPORTATION/TRAFFIC							
TRA-1	<p>Prior to initiation of construction activities, engineering drawings and specifications shall be submitted for review and approval by the Orange County Sanitation District, California Department of Transportation, and the City Public Works Department. These documents shall, at a minimum, address the following:</p> <ul style="list-style-type: none"> • Traffic control for any lane closure, detour, or other disruption to traffic circulation including bicycle and pedestrian trails. Bicycle and pedestrian trails shall remain open during construction or re-routed to ensure continued connectivity. • Bus stop access impacts shall be coordinated with OCTA. • At least three business days before any construction activities that would affect travel on nearby roadways, the construction contractor shall notify the City of Newport Beach Public Works Department, of construction activities that could impede movement (such as lane closures) along roadways, to allow for uninterrupted emergency access. Surrounding property owners shall also be notified of project activities through advanced mailings. 	Review and Approval of the Construction Management Plan	Prior to Construction	Orange County Sanitation District; Caltrans; City of Newport Beach Public Works Department			



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"> • Identify construction vehicle haul routes for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to the site; necessary traffic controls and detours; and a construction phasing plan for the project. • Identify any off-site construction staging or material storage sites. • Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets. • Require the Contractor to keep all haul routes clean and free of debris, including but not limited to, gravel and dirt resulting from its operations. The Contractor shall clean adjacent streets, as directed by the Orange County Sanitation District, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. • Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday. No hauling or transport shall be allowed during nighttime hours, weekends, or Federal holidays. Any oversized loads utilizing Coast Highway shall obtain a Caltrans permit for such activities. • Use of local streets shall be prohibited, except what is required to provide direct access to the project site. 						



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"> • Haul trucks entering or exiting public streets shall yield to public traffic at all times. • If hauling operations cause any damage to existing pavement, streets, curbs, and/or gutters along the haul route, the contractor shall be fully responsible for repairs. The repairs shall restore the damaged property to its original condition. • All constructed-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site or within other off-street areas. • Construction-related lane closures would only occur between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday. More or less restrictive closure hours may be prescribed by the City. • Use of a construction flagperson to assist in maintaining efficient vehicle travel in both directions, particularly during peak travel hours, and use of construction signage and safe detour routes for pedestrians and bicyclists when travel lanes and sidewalks along Coast Highway, Dover Drive, and Bayside Drive are affected. • The engineering drawings and specifications shall meet standards established in the current California Manual on Uniform Traffic Control Device (MUTCD). 						



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