PUBLIC REVIEW DRAFT | JULY 2022

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Anita Street Wet Well and Coastal Accessway Improvement Project

LEAD AGENCY:

City of Laguna Beach
505 Forest Avenue
Laguna Beach, CA 92651
Contact: Hannah Broida
949.464.6615

PREPARED BY:

VCS Environmental
30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, California 92675
Contact: Dan Bott
949.489.2700

VCS Environmental
EXPERTS IN STRATEGIC SOLUTIONS

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July 2022

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1.0 ENVIRONMENTAL SUMMARY

1.1 Background

1. Project Title:

Anita Street Wet Well and Coastal Accessway Improvement Project

2. Lead Agency Name and Address:

City of Laguna Beach
505 Forest Avenue, Laguna Beach, California 92651

3. Contact Person and Phone Number:

Name: Hannah Broida, Senior Project Manager | Water Quality Department
Phone Number: (949) 464-6615

4. Project Location:

The Anita Street Wet Well and Coastal Accessway Improvement Project is located at the southwesterly terminus of Anita Street in the City of Laguna Beach, Orange County, California.

5. Project Sponsor's Name and Address:

City of Laguna Beach | Water Quality Department
505 Forest Avenue, Laguna Beach, California 92651

6. Description of Project:

The proposed project involves the removal of the Anita Street Lift Station and the construction of a wet well to increase reliability, robustness, and to improve the efficiency of operations and safety. Additionally, the project would rehabilitate the Anita Street Coastal Accessway to create a more visually appealing beach access to Anita Beach and install a permanent lifeguard tower to improve public safety.

7. Surrounding Land Uses and Setting:

The project site is currently developed as a beach access stairway and an above ground lift station with landscaping that borders both the stairway and lift station. The site sits just northeast and elevated from the Pacific Ocean. The project site slopes towards the ocean from the northeast portion of the site. The project site is bordered by residential development to the north and south, the ocean to the southwest, and Gaviota Drive to the northeast. Surrounding land uses are mostly residential with a mix of commercial properties to the northeast. Anita Street Beach is located southeast and adjacent to the project site.

1.2 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Less Than Significant Impact With Mitigation Incorporated," as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☒	Biological Resources	☒	Cultural Resources	☐	Energy
☒	Geology and Soils	☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials
☐	Hydrology and Water Quality	☐	Land Use and Planning	☐	Mineral Resources
☒	Noise	☐	Population and Housing	☐	Public Services
☐	Recreation	☐	Transportation	☒	Tribal Cultural Resources
☐	Utilities and Service Systems	☐	Wildfire	☒	Mandatory Findings of Significance

1.3 Lead Agency Determination

Based on the analysis conducted in this Initial Study, the City of Laguna Beach, as the Lead Agency, has made the following determination:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	☐
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	☒
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	☐
I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	☐
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	☐
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to the State CEQA Guidelines and the City's adopted Local CEQA Guidelines. The proposed project is a component of the whole action analyzed in the previously adopted/certified CEQA document.	☐
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to State and City CEQA Guidelines. Minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project which are documented in this addendum to the earlier CEQA document (CEQA Section 15164).	☐
I find that the proposed project has previously been analyzed as part of an earlier CEQA document (which either mitigated the project or adopted impacts pursuant to findings) adopted/certified pursuant to State and City CEQA Guidelines. However, there is important new information and/or substantial changes have occurred requiring the preparation of an additional CEQA document (ND or EIR) pursuant to CEQA Guidelines Sections 15162 through 15163.	☐

Hannah Broida
Signature

7/14/22
Date

Hannah Broida
Printed Name

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2.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. Pursuant to Section 15367 of the State CEQA Guidelines, the City of Laguna Beach is the Lead Agency and has the principal responsibility of approving the proposed project. As the Lead Agency, the City of Laguna Beach is required to ensure that the proposed project complies with CEQA and that the appropriate level of CEQA documentation is prepared. Through preparation of an Initial Study as the Lead Agency, the City of Laguna Beach would determine whether to prepare an Environmental Impact Report (EIR), Negative Declaration (ND) or Mitigated Negative Declaration (MND). Based on the conclusions of this Draft Initial Study, the City of Laguna Beach has recommended that the appropriate level of environmental documentation for the proposed project is an MND. This Initial Study/Mitigated Negative Declaration (IS/MND) analyzes the potential direct, indirect and cumulative effects associated with implementation of the proposed project.

2.1 Statutory Authority and Requirements

In accordance with CEQA (Public Resources Code Sections 21000-21177) and pursuant to Section 15063 of Title 14 of the California Code of Regulations (CCR), City of Laguna Beach as the Lead Agency, is required to undertake the preparation of an Initial Study to determine whether the proposed project would have a significant environmental impact. If the Lead Agency finds that there is no substantial evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall prepare a Negative Declaration (or Mitigated Negative Declaration) for that project. (Section 21080(c), Public Resources Code).

This Mitigated Negative Declaration, which may ultimately be adopted by the City of Laguna Beach in accordance with CEQA, is intended as an informational document undertaken to describe the potential environmental impacts of the project. However, the resulting documentation is not a policy document, and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits, and other discretionary approvals would be required.

2.2 Purpose

Section 15063 of the CEQA Guidelines identifies global disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study must include: (1) a description of the project, including the location of the project; (2) an identification of the environmental setting; (3) an identification of environmental effects by use of a checklist, matrix or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries; (4) a discussion of ways to mitigate significant effects identified, if any; (5) an examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and (6) the name of the person or persons who prepared or participated in the preparation of the IS.

2.3 Incorporation by Reference

The planning documents listed below were utilized during the preparation of this Initial Study. These documents are incorporated by reference and were utilized throughout this IS/MND as the fundamental planning documents that may apply to work on the project site. Background information and policy information as well as specific adopted rules and regulations pertaining to the City of Laguna Beach were also relied upon throughout this document. The documents are available for review at the City of Laguna Beach Planning Division, 505 Forest Avenue, Laguna Beach, California 90660.

- City of Laguna Beach General Plan Land Use Element
- City of Laguna Beach Open Space Conservation Element
- City of Laguna Beach Landscape and Scenic Highways Element
- City of Laguna Beach Local Coastal Program, adopted January 1993
- Coastal Hazards and Wave Runup Study, prepared by GeoSoils, Inc., December 2016

3.0 PROJECT DESCRIPTION

3.1 Proposed Project

The proposed project involves the removal of the Anita Street Lift Station and the construction of a wet well to increase reliability, robustness, and to improve the efficiency of operations and safety. Additionally, the project would rehabilitate the Anita Street Coastal Accessway to create a more visually appealing beach access to Anita Beach and install a permanent lifeguard tower to increase public safety.

3.2 Project Site

The Anita Street Wet Well and Coastal Accessway Improvement Project is located in the southwestern area of the City of Laguna Beach, at the Anita Street coastal access way; refer to Figure 3-1, *Regional Location*. The project site is currently developed as a beach access stairway and lift station with landscaping that borders the stairway and pump station. Vegetation within the project site consists of mainly ornamental vegetation with a mix of native shrubs and grasses intermittently present. The site sits just northeast and elevated from the Pacific Ocean. The project site slopes towards the ocean from the northeast portion of the site; refer to Figure 3-2, *Local Vicinity*. The project site is bordered by residential development to the north and south, the ocean to the southwest, and Gaviota Drive to the northeast. Surrounding land uses are mostly residential with a mix of commercial properties to the northeast. Anita Street Beach is located southeast and adjacent to the project site. Existing view of the project site and surrounding land uses is shown in Figures 3-3a thru 3-3c, *Existing Site Photographs*.

The Anita Street Sewer Lift Station collects wastewater from residential and commercial areas between St. Ann's Street and Calliope Street, up to Temple Terrace. The lift station also receives additional flow during the summer months from five urban water diversion units servicing an average daily flow of up to 70,000 - 80,000 gallons per day. The lift station is located along the public beach access stairs to the Anita Street Beach at the end of Anita Street.

This lift station was originally built in 1932 and replaced/relocated in 1950, which is its current location today. The location of the original lift station serves as the converging manhole/pit at the end of Anita Street for the incoming flows before it reaches the current lift station. Since the major lift station replacement in 1950, electrical and mechanical components were replaced, and an onsite generator was added to the station in the early 1990s. The generator and auxiliary panels were also recently replaced in 2018. The lift station force main was also replaced in mid 2000s with parallel force mains for bypassing capabilities in a valve vault located near the end of Anita Street. The lift station is at the end of its useful service life and in need of an upgrade to ensure ongoing reliable operation. Situated at the end of Anita Street, the existing lift station shares its site with existing public beach access stairs, leading down to Anita Street Beach. Currently, the narrow and steep corridor has limited use for public viewing, and portions of the concrete stairs are showing signs of significant deterioration.

3.3 Project Characteristics

The proposed project would replace the existing lift station with a wet well, enhance existing coastal access and install a new permanent lifeguard tower.

PROPOSED WET WELL

As shown in Figure 3-4, *Site Plan*, the proposed project would demolish the existing above ground lift station building, housing the station's electrical, control, and the standby generator will be demolished

and replaced with a below ground pump station wet well, valve vault, and generator vault. The wet well and valve vault (built into the pump station's wet well) will be approximately 20-25 feet deep, while the generator vault will be approximately 10 feet deep. The existing reinforced concrete building would be demolished, and the below ground wet well and dry pit will be back filled and abandoned in place. The former location of the wet well building would be replaced with new cast in place concrete viewing platforms along the stairs to serve as viewing platforms for the public. Viewing platforms will be constructed in separate phases starting from the bottom of the beach access stairs. Simulated views of the viewing platforms are shown in Figures 3-5a thru 3-5c, *Viewing Platforms*.

COASTAL ACCESSWAY IMPROVEMENTS

Proposed improvements include removal and replacement of existing handrails, trash cans, and curbs. A portion of the site will be re-graded to accommodate the proposed improvements for the beach access stairs. The existing non-native landscaping surrounding the beach access stairs will be removed along with any associated irrigation piping specified. The removed non-native landscaping would be replaced with California friendly native landscape vegetation. The project would require temporary closure of the Anita Street Coastal Accessway for approximately six months. During that period, detour signage would be provided to identify the next closest coastal accessway.

LIFEGUARD TOWER

As part of the proposed improvements, a permanent lifeguard tower would be constructed into the slope area located south of the existing stairway. The lifeguard tower would be designed based on the City of Laguna Beach's Standard Lifeguard Tower Design. The lifeguard tower would house a single lifeguard and would be completely enclosed with a roof. The lifeguard tower would be situated above ground on a concrete caisson to overlook the shoreline. Access to the tower would be from its own separate stairs that would be located near the coastal access stairway landing at the shoreline. View simulations of the proposed lifeguard tower are shown in Figures 3-6a and 3-6b, *Proposed Lifeguard Tower Simulation*.

The proposed lifeguard tower and proposed renovations to existing beach access stairs will increase public safety, make it ADA compliant and would enhance public viewing opportunities. The proposed improvements would meet the City's objectives of increasing wet well capacity, building and equipment replacement, facility aesthetics, and enhancing stairway access.

3.4 Construction Activities

The Anita Street Sewer Lift Station and Beach Access Stairs Improvement Project is anticipated to consist of the following construction phases over an approximate six- month construction period:

- Phase 1: Underground Utility Verification
- Phase 2: Bypassing
- Phase 3: Site Demolition
- Phase 4: Install Below Ground Pump Station Wet Well, Valve Vault, and Generator Vault
- Phase 5: Install Precast Vault Components and Sewer Force Mains
- Phase 6: Install Electrical and Control Improvements
- Phase 7: Install Site Civil Improvements
- Phase 8: Install Lifeguard Tower
- Phase 9: Install Landscaping Improvements
- Phase 10 Start-Up and Testing

Source: ESRI and USGS; February 2022.
- approximate Project Location

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Regional Location

VCS Environmental

Figure 3-1

Source: City of Laguna Beach, Aerial Photograph; 2008.

Photograph No. 1

Photograph No. 4

Photograph No. 2

Photograph No. 5

Photograph No. 3

Photograph No. 6

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Existing Site Photographs – Pump Station

Photograph No. 1

Photograph No. 2

Photograph No. 3

Photograph No. 4

ANITA STREET IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Existing Site Photographs – Public Access Stairs

Photograph No. 5

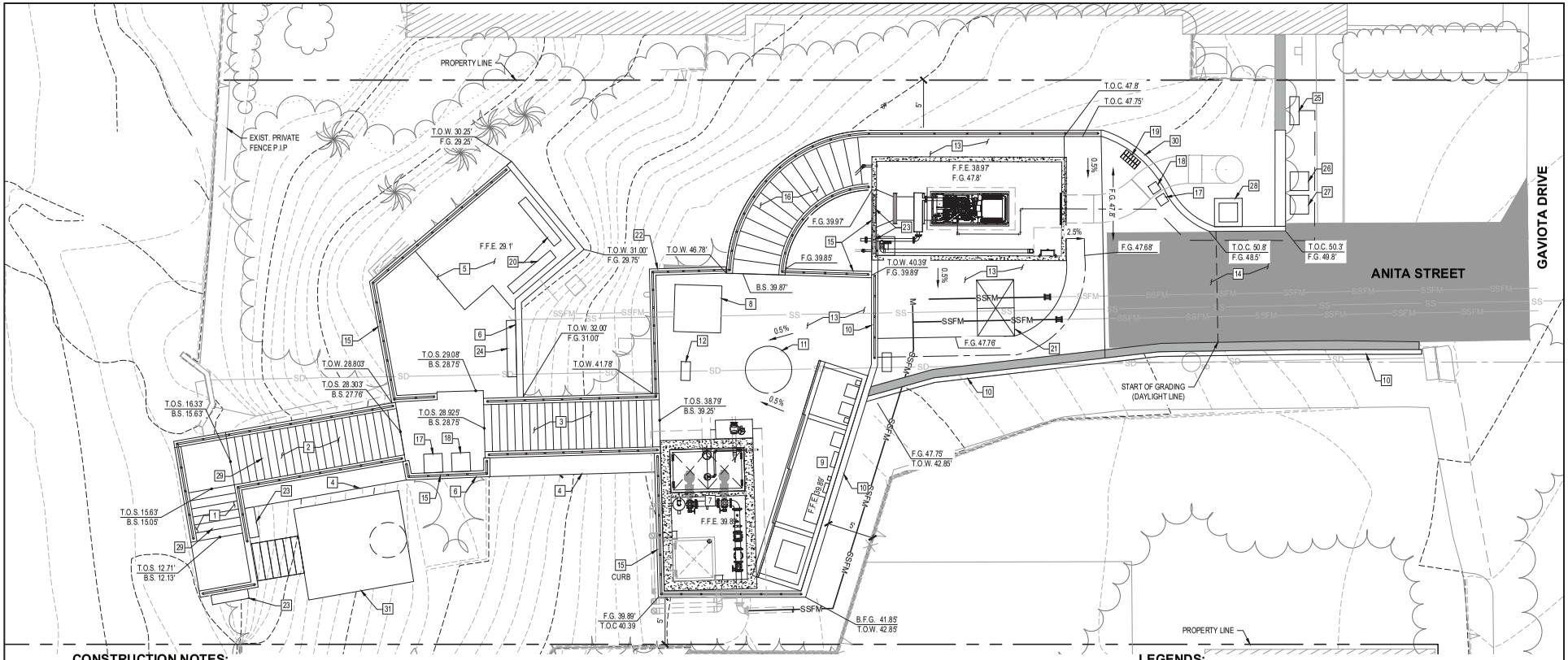
Photograph No. 6

Photograph No. 7

Photograph No. 8

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Existing Site Photographs – Public Access Stairs



CONSTRUCTION NOTES:

1. INSTALL NEW 7'(H) X 5'(W) X 10'(D) REINFORCED CONCRETE STAIRS PER SHEET S#.#.
2. MODIFY EXIST. 7'' (H) X 4'-6''(W) X 10'' (D) CONCRETE STAIRS TO BE 7''(H) X 5'(W) X 10''(D) PER SHEET S#.#.
3. MODIFY EXIST. 7''(H) X 4'-6''(W) X 10'' (D) CONCRETE STAIRS TO BE 7''(H) X 5'(W) X 10''(D) PER SHEET S#.#.
4. INSTALL 2'(W) RIBBON GUTTER PER DETAIL:
5. INSTALL LIFT STATION CONCRETE FLOOR REPAIRS PER SHEET S#.#
6. INSTALL REINFORCED CONCRETE RETAINING WALL PER DETAIL:
7. ANITA STREET SEWER LIFT STATION WET WELL AND VALVE VAULT. SEE SHEET M#.#.
8. EXIST. SS MANHOLE TO BE REFURBISHED PER DETAIL:
9. INSTALL ABOVE GROUND ELECTRICAL SHED PER SHEETS A#.#-A#.#.
10. INSTALL REINFORCED CONCRETE RETAINING WALL PER SHEETS S#.#-S#.#.
11. INSTALL 5'Ø HYDRODYNAMIC SEPARATOR (CONTECH CDS OR EQUAL).
12. INSTALL SHALLOW TYPE MANHOLE WITH 2'X1' GRATED COVER PER DETAIL:
13. INSTALL 6'' (T) CONCRETE PAVEMENT PER DETAIL:
14. INSTALL ASPHALT PAVEMENT PER DETAIL:
15. INSTALL 8''(W) X 6'' (H) CONCRETE CURB WITH HANDRAIL PER DETAIL:
16. INSTALL 6''(H) X 5'(W) X 10''(D) MIN REINFORCED CONCRETE STAIRS PER SHEET S#.#.
17. INSTALL TRASH CONTAINER WITH PITCH IN LID (MODEL #TF-1025) AND SNUFFER ATTACHMENT (MODEL #TF-2090) AS MANUFACTURED BY WASAU OR APPROVED EQUAL. MATERIALS SHALL BE TAN EXPOSED AGGREGATE WITH BROWN CONTAINER LID
18. INSTALL TRASH CONTAINER WITH PITCH IN LID (MODEL #TF-1025) AS MANUFACTURED BY WASAU OR APPROVED EQUAL. MATERIALS SHALL BE TAN EXPOSED AGGREGATE WITH BLUE CONTAINER LID. CONTAINER SHALL HAVE BLUE AND WHITE CAST EMBLEM FOR RECYCLE (#TF-1235) ABOVE BLUE AND WHITE CHASIN ARROWS (#TF-1235) ON 2 OPPOSITE SIDES OF EACH CAN.
19. INSTALL 5 LOOP BIKE RACK (LANDSCAPEFORMS 35 COLLECTION OR APPROVED EQUAL).
20. INSTALL 96'' LONG PRECAST CONCRETE BENCH WITH DOUGLAS FIR WOOD SLATS (QUICK CRETE Q4-LAG OR EQUAL)
21. INSTALL 4'X8' BYPASS SSFM VALVE VAULT PER DETAIL:
22. INSTALL 2' TALL REINFORCED CONCRETE WALL PER DETAIL.
23. INSTALL BEACH ACCESS SAFETY SIGNS PER DETAIL.
24. INSTALL 72'' LONG PRECAST CONCRETE BENCH WITH DOUGLAS FIR WOOD SLATS (QUICK CRETE Q4-LAG OR EQUAL)
25. INSTALL RELOCATED NATURAL GAS METER PER SOCAL GAS REQUIREMENTS
26. INSTALL MTS AND EMERGENCY GENERATOR SHUTOFF ENCLOSURE (WITH GENERATOR QUICK CONNECT) SEE ELECTRICAL PLANS.
27. INSTALL RELOCATED SCE SERVICE ENTRANCE ENCLOSURE PER SCE REQUIREMENTS.
28. EXIST. SCE 50KVA PAD MOUNTED TRANSFORMER P.I.P.
29. INSTALL ANITA STREET LOGO PER DETAIL:
30. INSTALL 6''(H) CURB PER DETAIL:
31. INSTALL SINGLE OCCUPANT STYLE CAISSON SUPPORTED LIFEGUARD TOWER. SEE STRUCTURAL PLANS FOR FOUNDATION DETAILS.

SITE PLAN

SCALE: 1'' = 5'-0''

10 5 0 10 20

LEGENDS:

- WM — WATER METER
- VALVE CAN
- 5' CONTOUR LINE
- 1' CONTOUR LINE
- SD — STORM DRAIN MANHOLE
- SSM — SANITARY SEWER MANHOLE
- SSFM — SEWAGE FORCE MAIN
- SD — STORM DRAIN
- SS — GRAVITY SEWER LINE
- FLOW PATH

30% - ISSUED FOR REVIEW

Source: PACE Engineering; April 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Site Plan

Source: PACE Engineering; May 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Viewing Platforms

Source: PACE Engineering; May 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Viewing Platforms

Source: PACE Engineering; May 2022.

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Source: PACE Engineering; May 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Proposed Lifeguard Tower Simulation

Source: PACE Engineering; May 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Proposed Lifeguard Tower Simulation

PHASE 1 – UNDERGROUND UTILITY VERIFICATION

Before installing the proposed improvements, potholing would be necessary to identify the depth and size of all existing underground utilities for the purposes of preventing damage or utility conflicts during construction. Using a minimal destructive method, such as a vacuum and remove method, a hole typically no larger than 1 inch in diameter would be temporarily created to have visual contact for measurement. Boring holes would be backfilled with native material and repaired with the temporary pavement.

PHASE 2 – BYPASSING

The construction of the proposed improvements must not interfere with the City's ability to provide uninterrupted sewer service for the collection area. The contractor would setup diesel fueled, sewer bypass pumps to divert sewage away from the existing pump station in order to allow the proposed improvements to be constructed. The sewer bypass pumps would remain in operation until the proposed improvements have been constructed, tested, and accepted by the City and the Engineer of Record.

PHASE 3 – SITE DEMOLITION

Removal of the Existing Sewer Lift Station Building

The existing above ground lift station building (housing the station's electrical, control, and standby generator) would be demolished to provide a beach viewing platform for the public. The existing reinforced concrete building would be demolished, and the below ground wet well and dry pit would be back filled and abandoned in place. All of the demolished infrastructure would be properly disposed of and the abandoned pipes or conduits would be cut and capped on both ends as applicable.

Removal of the Existing Landscaping

The existing non-native landscaping surrounding the beach access stairs will be removed along with any associated irrigation piping specified to be removed. Excavators and bobcats will be used to remove the specified landscaping and dump trucks, or light duty trucks would haul the landscaping for disposal offsite.

Demolition of the Existing Structural Components for the Beach Access Stairs

The existing beach access stairs would be renovated to increase public safety and provide a new City landmark for the public to enjoy. Specific items such as the existing handrails, trash cans, and curbs would be removed and or refurbished.

PHASE 4 – INSTALL BELOW GROUND PUMP STATION WET WELL, VALVE VAULT, AND GENERATOR VAULT

Excavation and Shoring

The proposed pump station and generator improvements would be constructed below ground with precast vaults to limit the physical and visual impacts to the surrounding community. The wet well and valve vault (built into the pump station's wet well) would be approximately 20 - 25 feet deep, while the generator vault would be approximately 10 feet deep. For both excavations, a boring auger would be used to drill multiple holes, to allow the temporary placement of W-beams in the vertical position.

The W-beams would be utilized as the primary supports of the shoring system allowing the excavation to reach the specified depths. All of the excavated material would either be re-purposed onsite or hauled away and disposed of.

INSTALL PRECAST WET WELL, VALVE VAULT, AND GENERATOR VAULT

When the excavation and shoring is complete, the subgrade would need to be prepared per the site geotechnical report. Then, the precast concrete vaults would be delivered to the site and lowered directly into the specified locations through a truck mounted crane.

PHASE 5 – INSTALL PRECAST VAULT COMPONENTS AND SEWER FORCE MAIN

Install Precast Vault Components (Generator, Pumps, Valves, etc.)

After the assembly of the precast vaults, the pumps, generator, and the ancillary equipment items (such as the pump station valves) would be delivered and lowered into the vaults for installation. The proposed pump station would be equipped with two new submersible pumps installed near the floor and provided with a removable guiderail to facilitate pump removal during the operation of the station. Epoxy lined and coated ductile iron pipe would be installed connecting the discharge of the pumps to the station's valve vault housing each pump check and isolation valves.

Install Sewer Force Mains

Two sewer force mains would be installed from the pump station's valve vault and would connect to the existing force mains under Anita Street. The force mains would be constructed out of PVC pipe and are intended to operate in a lead/standby configuration. The excavated trench depths would vary based on the topography of the site and to avoid existing underground utility conflicts. Each line would be required to be pressure tested to ensure proper installation prior to backfill.

PHASE 6 – INSTALL ELECTRICAL AND CONTROL IMPROVEMENTS

Install Electrical and Control Components

The generator vault would house the pump station's automatic transfer switch, control panel, and other electrical panels. Each panel is anticipated to be wall mounted inside of each vault with the appropriate NEC clearances.

Install Below Ground Electrical and Control Infrastructure

The design would call for the incorporation of the lift station to have a minimal physical and visual impact on the final beach access stairs improvements. Below ground conduits and conductors would be installed with at least 2 feet of cover connecting the different components of the station.

PHASE 7 – INSTALL SITE CIVIL IMPROVEMENTS

Install Civil Grading Work

The existing topography of the Anita Street beach access stairs would be improved to increase public safety and to provide more viewing platforms for the public to enjoy. A portion of the site would be re-graded to accommodate the proposed improvements for the beach access stairs. It is anticipated that excavators, dump trucks, and bobcats would be required to re-grade the site. Any excess soil would be hauled offsite and properly disposed of.

Install Civil Site Concrete Work

The proposed beach access design would call for the installation of new cast in place concrete viewing platforms along the stairs to serve as viewing platforms for the public. The viewing platforms would be constructed in separate phases starting from the bottom of the beach access stairs. Each platform would first require the installation of wooden forms and steel reinforcement to be laid prior to the pouring of concrete. The concrete would be allowed to cure for a minimum period of 28 days.

Install Remainder of the Beach Access Improvements (Handrails, Trash Cans, etc.)

After the majority of the major structural and civil improvements have been completed, several ancillary items related to the beach access improvements will be installed. These will include the installation of City standard bike racks, trash cans, and handrails.

PHASE 8 – INSTALL LIFEGUARD TOWER

A new concrete pile (caisson) type foundation will be installed to the southeast of the beach access stairs for the proposed lifeguard tower. Existing non-native plants would be removed with small electrical-powered hand tools for clearing and grubbing. The slope area would be prepared and contoured for the new lifeguard tower installation and integration into the stairs/landings. A tower support caisson would be constructed into the slope with an auger mounted on a bobcat with excavation occurring from above. Caisson reinforcement would be installed along with a sonotube above ground to shape the cylindrical appearance. The caisson is estimated to be 3 feet in diameter and 10 feet in depth to get to bedrock. Cast in concrete, the caisson would be poured from a boom truck from above to create the support. No construction activity, equipment stagging, or material laydown areas would occur on the shoreline.

PHASE 9 – INSTALL LANDSCAPING IMPROVEMENTS

The beach access's exposed surfaces would be installed with City approved landscaping matching other beach access stairs throughout the City. The approved landscaping would be delivered onsite by light-duty trucks and installed in the appropriate locations shown in the plans.

PHASE 10 – STARTUP AND TESTING

The new pump station's mechanical and electrical components would be required to be tested and inspected by the City Engineer of Record and the respective equipment manufacturer's, prior to the project's completion. The Contractor would demonstrate the proposed improvements that have been installed per the requirements of the bid documents through a series of onsite tests. Upon successful completion of the project, the sewer bypass equipment would be removed, and the City would assume full ownership and operation of the new improvements.

Construction Equipment Mix

The construction activities and mix of construction equipment for the proposed project are shown in Table 3-1, *Mix of Major Construction Equipment*. Equipment staging and lay down areas would be located offsite at a location determined by the City of Laguna Beach. Construction activities would comply with City of Laguna Beach Noise Ordinance occurring Monday through Friday between the hours of 7:30 AM and 6:00 PM.

Table 3-1
Mix of Major Construction Equipment

Construction Activity	Equipment	# of Days	Daily Hours of Operation	Horsepower
Phase 1 – Underground Utility Verification				
Potholing	Pothole vac-truck	1	Pothole vac-truck – 2 hrs.	250
Phase 2 – Bypassing				
Sewer bypassing	2 x 100 GPM, lead/standby, diesel fueled sewer bypass pumps	112	Sewer bypass pumps – 14.5 hrs.	25 each
Phase 3 – Site Demolition				
Removal of the existing sewer lift station building	Dump trucks, excavator, bobcat, light-duty trucks, boom truck	1	Dump Trucks – 2 hrs. Excavator – 8 hrs. Bobcat – 8 hrs. Light duty trucks – 2 hrs. Boom truck – 2 hrs.	1250
Demolition of the existing landscaping	Dump trucks, excavator, bobcat, light-duty trucks, boom truck	2	Dump Trucks – 2 hrs. Excavator – 8 hrs. Bobcat – 8 hrs. Light duty trucks – 2 hrs. Boom truck – 2 hrs.	1250
Demolition of specified beach access infrastructure (existing handrails, damaged stairs, etc.)	Dump trucks, excavator, bobcat, light-duty trucks, boom truck	2	Dump Trucks – 2 hrs. Excavator – 8 hrs. Bobcat – 8 hrs. Light duty trucks – 2 hrs. Boom truck – 2 hrs.	1250
Phase 4 – Install Below Ground Pump Station Wet Well, Valve Vault, and Generator Vault				
Excavation and shoring	Dump trucks, excavator, bobcat, light-duty trucks, boom truck, boring auger	5	Dump Trucks – 2 hrs. Excavator – 8 hrs. Bobcat – 8 hrs. Light duty trucks – 2 hrs. Boring Auger – 2 hrs. Boom Truck – 2hrs.	1500
Install precast wet well, valve vault, and generator vault	Dump trucks, excavator, boom truck, light-duty trucks, bobcat, crane	1	Dump trucks – 2 hrs. Excavator – 8 hrs. Boom truck – 8 hrs. Light-duty trucks – 8 hrs. Bobcat – 8 hrs. Crane – 4 hrs.	1500
Phase 5 – Install Precast Vault Components and Sewer Force Main				
Install precast vault components (Generator, pumps, valves etc.)	Light-duty trucks, boom truck, air compressor, crane	13	Light-duty trucks – 6 hrs. Boom truck – 8 hrs. Air compressor – 8 hrs. Crane – 4 hrs.	1000
Install sewer force mains	Dump trucks, excavator, boom truck, light-duty trucks, bobcat	3	Dump trucks – 2 hrs. Excavator – 8 hrs. Boom truck – 8 hrs. Light-duty trucks – 8 hrs. Bobcat – 8 hrs.	1250

Construction Activity	Equipment	# of Days	Daily Hours of Operation	Horsepower
Phase 6 – Install Electrical and Control Improvements				
Install electrical and control components	Light-duty trucks, boom truck, air compressor	10	Light-duty trucks – 6 hrs. Boom truck – 8 hrs. Air compressor – 8 hrs.	750
Install below ground electrical and control infrastructure	Dump trucks, excavator, boom truck, light-duty trucks, bobcat	5	Dump trucks – 2 hrs. Excavator – 8 hrs. Boom truck – 8 hrs. Light-duty trucks – 8 hrs. Bobcat – 8 hrs.	1250
Phase 7 – Install Site Civil Improvements				
Install civil grading work	Dump trucks, excavator, bobcat, light-duty trucks, boom truck	5	Dump Trucks – 2 hrs. Excavator – 8 hrs. Bobcat – 8 hrs. Light duty trucks – 2hrs. Boom truck – 2 hrs.	1250
Install civil site concrete work	Concrete truck, light-duty trucks	5	Concrete truck – 6 hrs. Trucks – 2 hrs.	500
Install remainder of the beach access improvements (handrails, trash cans, etc.)	Light-duty trucks, air compressor, boom truck	8	Light-duty trucks – 2 hrs. Air compressor – 8 hrs. Boom truck – 2 hrs.	750
Phase 8 – Install Lifeguard Tower				
Prepare and contour slope Construct tower support Excavate and install caisson Cast concrete	Bobcat, auger mounted bobcat, bobcat, boom truck	3	Bobcat – 4 hrs. Bobcat – 4 hrs. Bobcat – 2 hrs. Boom Truck – 1 hr.	500 500 500 750
Phase 9 – Install Landscaping Improvements				
Install landscaping improvements	Bobcat, light-duty trucks	3	Bobcat – 4 hrs. Light-duty trucks – 4 hrs.	500
Phase 10 – Startup and Testing				
Facility startup and testing	Compressor, light-duty trucks	2	Compressor – 8hrs. Light-duty trucks – 2 hrs.	500

3.5 Requested Project Approvals/Permitting

The City of Laguna Beach is the Lead Agency with approval authority over the project. Below is the listing of permits and approvals required for the project:

- Adoption Final Initial Study/Mitigated Negative Declaration

California Coastal Commission

- Coastal Development Permit

4.0 ENVIRONMENTAL ANALYSIS

A Mitigated Negative Declaration has been prepared for the proposed project because the Initial Study concluded that the proposed project would not result in significant unavoidable environmental impacts once mitigation measures are implemented. The following Sections 4.1 thru 4.21, provide a discussion of the potential project impacts as identified in the Initial Study/Mitigated Negative Declaration (IS/MND). Explanations are provided within each corresponding impact category in this analysis.

4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact: The project would not have a substantial adverse effect on a scenic vista. For purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public and is generally designated by public agencies to provide for their preservation. The City of Laguna Beach identifies the project as a local coastal access way to Anita Beach. Along with coastal access, the access way also provides coastal viewing opportunities for the public. The project proposes to enhance the project site by removing a degraded above ground sewer lift station building and replacing it with an underground wet well and utilizing the area to increase costal viewing opportunities for the public. During construction, coastal access would be temporary closed for public safety purposes. Existing coastal views would be replaced with construction equipment and construction activity. The construction period would be short-term and temporary impacts would be less than significant. The proposed improvements would increase public viewing opportunities and would not have a substantial adverse effect on a scenic vista.

Mitigation Measures: No mitigation measures are required.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact: The project would not substantially damage scenic resources within a state scenic highway. The State Scenic Highway Program was established by the California Department of Transportation (Caltrans) to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to state highways. Highways may be designated as scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

The project area is situated along a coastal bluff, which also can be described as a rock outcropping. There are no historic structures within the project area and the project would comply with the City of Laguna Beach Municipal Code tree protection and replacement policies. According to Caltrans, there are no designated or eligible state scenic highways within the viewshed of the proposed project. Therefore, no impacts to scenic resources including, but not limited to, trees, rock outcroppings, or historic buildings within a state scenic highway would occur.

Mitigation Measures: No mitigation measures are required.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

No Impact: The project would not conflict with applicable zoning and other regulations that govern scenic quality. The project site is situated within an urbanized area. The are no relevant design guidelines or standards that would be applicable to the design of the project. The proposed project would rehabilitate an existing coastal access way which would enhance the existing aesthetic appearance of the project site and would increase public coastal viewing opportunities. The project would not alter existing natural landforms and other aesthetic scenic resources. The proposed improvements to the Anita Street Lift Station/Coastal Access Way would be consistent with the following policies provided in the City of Laguna Beach General Plan. Additionally, the proposed improvements would be consistent with relevant policies from the City's Local Coastal Program as identified in Section 4.11. The project would not conflict with applicable regulations governing scenic quality. Accordingly, potential aesthetic impacts would be less than significant.

- Landscape and Scenic Highways Element Policy 1.3: Reinforce City policies to protect the City's landforms, including ridgelines, hillsides, rock outcroppings, canyons, watercourses, bluffs, shoreline rock formations, beaches and the marine environment, and cultural resources.
- Landscape and Scenic Highways Element GOAL: Maintain public and private views through balanced consideration of the functional and aesthetic benefits of properly chosen and located ornamental vegetation. Maintain Laguna Beach's landscape character.

- Landscape and Scenic Highways Element Policy 4.7: Encourage aesthetic and environmental design improvements (e.g., drainage and pervious surfaces) to existing City parking lots and parking lot landscape design criteria.
- Landscape and Scenic Highways Element Action 8.12.1: Review City pedestrian walkway and trails systems to identify improvement opportunities. Coordinate as applicable with scenic highways Corridor Protection Plans. (Implementation: Short-Term: 1-3 years)
- Open Space Conservation Element 3-A: Retain and improve existing public beach access ways in the City and protect and enhance the public rights to use the dry sands and beaches of the City when evaluating future improvements.
- Open Space Conservation Element 3-M: The provision and maintenance and enhancement of public non-vehicle access to the accessway shall be of primary importance both public and private.

Mitigation Measures: No mitigation measures are required.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact: The project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. The project area is currently developed with urbanized land uses that provide various levels of nighttime lighting. The operation of the proposed project would not introduce new sources of lighting into the project area. Additionally, the construction activities for the proposed project would occur during the day. Therefore, no temporary nighttime construction lighting impacts would occur. No adverse long-term operational or short-term construction related impacts would occur.

Mitigation Measures: No mitigation measures are required.

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4.2 Agricultural and Forestry Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact: The project would not Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. The State of California Farmland Mapping and Monitoring Program indicates that there is no Prime Farmland, Unique Farmland or Farmland of Statewide Importance on the project site or surrounding area. Therefore, no impacts to Prime Farmland, Unique Farmland or Farmland of Statewide Importance would occur.

Mitigation Measures: No mitigation measures are required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact: The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. The project site is zoned residential land uses and the development of the site would not conflict with any lands zoned for agriculture uses. Additionally, the project site is not under a Williamson Contract. Implementation of the proposed project would have no impact regarding potential conflicts with existing agriculture zoning or Williamson Act contracts on the property.

Mitigation Measures: No mitigation measures are required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact: The project would not conflict with existing zoning for or cause rezoning of forest land or timber land. The proposed project is currently zoned for residential land uses and would not cause a rezone of lands that are zoned for forest land or timberland. Therefore, no impacts to forest land, timberland or lands zoned for timberland would occur.

Mitigation Measures: No mitigation measures are required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact: The project would not result in the loss of forest land or conversion of forest land to non-forest use. There are no existing forest lands or timberland resources on the property and the project site is not zoned for timberland production. Implementation of the proposed project would not result in the loss of forest land.

Mitigation Measures: No mitigation measures are required.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact: The project would not involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. The project site and surrounding properties do not contain farmland or timberland resources. The construction and operation of the proposed project would be confined to the project site and would not cause any onsite or offsite conversion of farmland or forest land to non-agriculture uses or non-forest uses.

Mitigation Measures: No mitigation measures are required.

4.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

The following analysis is based on an air quality analysis contained in the *Air Quality/Greenhouse Gas and Energy Calculation Memorandum* prepared by Birdseye Planning Group on February 17, 2022. The Technical Memorandum evaluates air quality impacts associated with the Anita Street Lift Station Improvement and Coastal Access Improvement Project. The analysis is based on the mix of construction activities identified previously in Table 3-1. The Technical Memorandum is presented in its entirety in Appendix A.

Background

Air pollutants are generally classified as either criteria pollutants or non-criteria pollutants. Federal ambient air quality standards have been established for criteria pollutants, whereas no ambient standards have been established for non-criteria pollutants. For some criteria pollutants, separate standards have been set for different periods. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of nuisance conditions).

CRITERIA POLLUTANTS AND OZONE PRECURSORS

The criteria pollutants consist of ozone, NO_X, CO, SO_X, lead (Pb), and particulate matter (PM). The ozone precursors consist of NO_X and volatile organic compounds (VOC). These pollutants can harm human health and the environment, and cause property damage. The Environmental Protection Agency (EPA) calls these pollutants "criteria" air pollutants because it regulates them by developing human health based and/or environmentally based criteria for setting permissible levels. Table 4.3-1, *Criteria Pollutants*, provides descriptions of each of the criteria pollutants and ozone precursors.

Table 4.3-1
Criteria Pollutants

Criteria Pollutant	Description
Nitrogen Oxides	Nitrogen Oxides (NO_X) is the generic term for a group of highly reactive gases which contain nitrogen and oxygen. The primary manmade sources of NO_X are motor vehicles, electric utilities, and other industrial, commercial, and residential sources that burn fuel.
Ozone	Ozone (O_3) is not usually emitted directly into the air but in the vicinity of ground-level and is created by a chemical reaction between NO_X and volatile organic compounds (VOC) in the presence of sunlight. Motor vehicle exhaust, industrial emissions, gasoline vapors, chemical solvents as well as natural sources emit NO_X and VOC that help form ozone.
Carbon Monoxide	Carbon monoxide (CO) is a colorless, odorless gas that is formed when carbon in fuel is not burned completely. It is a component of motor vehicle exhaust, which contributes approximately 56 percent of all CO emissions nationwide.
Sulfur Oxides	Sulfur Oxide (SO_X) gases are formed when fuel containing sulfur, such as coal and oil is burned as well as from the refining of gasoline.
Lead	Lead (Pb) is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been vehicles and industrial sources.
Volatile Organic Compounds	Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements.
Particulate Matter	Particle matter (PM) is the term for a mixture of solid particles and liquid droplets found in the air. The size of particles is directly linked to their potential for causing health problems. Particles that are less than 10 micrometers in diameter (PM_{10}) that are also known as *Respirable Particulate Matter* are the particles that generally pass through the throat and nose and enter the lungs. Particles that are less than 2.5 micrometers in diameter ($PM_{2.5}$) that are also known as *Fine Particulate Matter* have been designated as a subset of PM_{10} due to their increased negative health impacts and its ability to remain suspended in the air longer and travel further.

OTHER POLLUTANTS OF CONCERN

Toxic Air Contaminants

In addition to the above-listed criteria pollutants, toxic air contaminants (TACs) are another group of pollutants of concern. TACs is a term that is defined under the California Clean Air Act and consists of the same substances that are defined as Hazardous Air Pollutants (HAPs) in the Federal Clean Air Act. There are over 700 hundred different types of TACs with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least 40 different toxic air contaminants. The most important of these TACs, in terms of health risk, are diesel particulates, benzene, formaldehyde, 1,3-butadiene, and acetaldehyde. Public exposure to TACs can result from emissions from normal operations as well as from accidental releases. Health effects of TACs include cancer.

Asbestos

Asbestos is listed as a TAC by the California Air Resources Board (CARB) and as a Hazardous Air Pollutant (HAP) by the United States Environmental Protection Agency (EPA). Asbestos occurs naturally in mineral formations and crushing or breaking these rocks, through construction or other means, can release asbestiform fibers into the air. Asbestos emissions can result from the sale or use of asbestos-containing materials, road surfacing with such materials, grading activities, and surface mining. The risk of disease is dependent upon the intensity and duration of exposure. When inhaled, asbestos fibers may remain in the lungs and with time, may be linked to such diseases as asbestosis, lung cancer, and mesothelioma.

REGULATORY FRAMEWORK

The project area is within the South Coast Air Basin (Basin). Air quality conditions in the Basin are under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not met, to develop strategies to meet the standards. SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. It has responded to this requirement by preparing a sequence of Air Quality Management Plans (AQMPs). The AQMPs are prepared in coordination with the Southern California Association of Government (SCAG) *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS), adopted April 2016, and the *2019 Federal Transportation Improvement Program* (FTIP), adopted September 2018, which addresses regional development and growth forecasts.

Regional Air Quality Impact Thresholds

SCAQMD has developed significance thresholds based on the volume of pollution emitted rather than on actual ambient air quality because the direct air quality impact of a project is not quantifiable on a regional scale. The SCAQMD CEQA Handbook states that any project in the Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For the purposes to this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in Table 4.3-2, *SCAQMD Regional Criteria Pollutant Emission Thresholds of Significance*.

Table 4.3-2
SCAQMD Regional Criteria Pollutant Emission Thresholds of Significance

Activity	Pollutant Emissions (pounds/day)						
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$	Lead
Construction	75	100	550	150	150	55	3
Operation	55	55	550	150	150	55	3

Localized Air Quality Impact Thresholds

In order to assess local air quality impacts, the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the project-related air emissions in the project vicinity. The LST Methodology primary emissions of concern are NO_2, CO, PM_{10} and $PM_{2.5}$. The LST Methodology provides Look-Up Tables with different thresholds based on the location and size of the project site and distance to the nearest sensitive receptors. The project site is located in Source Receptor Area 20 (SRA-20, Central Orange County Coastal). It is assumed that one acre would be disturbed on any given construction day. According to the SCAQMD's publication *Final Localized Significant (LST) Thresholds Methodology*, the use of LSTs is voluntary, to be implemented at the discretion of local agencies. LSTs for construction related emissions in the SRA 20 at varying distances between the source and receiving property are shown in Table 4.3-3, *SCAQMD LSTs for Construction*.

Table 4.3-3
SCAQMD LSTs for Construction

Pollutant	Allowable Emissions as a Function of Receptor Distance in Meters from a One-Acre Site (lbs/day)				
	25	50	100	200	500
Gradual conversion of NO_x to NO_2	92	93	108	140	219
CO	647	738	1,090	2,096	6,841
PM_{10}	4	13	27	54	135
$PM_{2.5}$	3	5	9	22	76

Source: Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum;* February 17, 2022.

South Coast Air Quality Management District Construction Rules

SCAQMD has adopted several rulings to reduce construction related air emissions. The following lists the SCAQMD rules that are applicable but not limited to residential development projects in the Air Basin.

Rule 402 Nuisance: Rule 402 prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which causes injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. Compliance with Rule 402 would reduce local air quality and odor impacts to nearby sensitive receptors.

Rule 403 Fugitive Dust: Rule 403 governs emissions of fugitive dust during construction activities and requires that no person shall cause or allow the emissions of fugitive dust such that dust remains visible in the atmosphere beyond the property line or the dust emission exceeds 20 percent opacity if the dust is from the operation of a motorized vehicle. Compliance with this rule is achieved through application of standard Best Available Control Measures, which includes but is not limited to the measures below. Compliance with these rules would reduce local air quality impacts to nearby sensitive receptors.

- Utilize either a pad of washed gravel 50 feet long, 100 feet of paved surface, a wheel shaker, or a wheel washing device to remove material from vehicle tires and undercarriages before leaving project site.
- Do not allow any track out of material to extend more than 25 feet onto a public roadway and remove all track out at the end of each workday.
- Water all exposed areas on active sites at least three times per day and pre-water all areas prior to clearing and soil moving activities.
- Apply nontoxic chemical stabilizers according to manufacturer specifications to all construction areas that would remain inactive for 10 days or longer.
- Pre-water all material to be exported prior to loading, and either cover all loads or maintain at least two feet of freeboard in accordance with the requirements of California Vehicle Code Section 23114.
- Replant all disturbed area as soon as practical.
- Suspend all grading activities when wind speeds (including wind gusts) exceed 25 miles per hour.
- Restrict traffic speeds on all unpaved roads to 15 miles per hour or less.

Rules 1108 and 1108.1 Cutback and Emulsified Asphalt: Rules 1108 and 1108.1 govern the sale, use, and manufacturing of asphalt and limits the VOC content in asphalt. This rule regulates the VOC contents of asphalt used during construction as well as any on-going maintenance during operations. Therefore, all asphalt used during construction and operation of the proposed project must comply with SCAQMD Rules 1108 and 1108.1.

Rule 1113 Architectural Coatings: Rule 1113 governs the sale, use, and manufacturing of architectural coatings and limits the VOC content in sealers, coatings, paints and solvents. This rule regulates the VOC contents of paints available during construction. Therefore, all paints and solvents used during construction and operation of the proposed project must comply with SCAQMD Rule 1113.

Rule 1143 Paint Thinners: Rule 1143 governs the sale, use, and manufacturing of paint thinners and multi-purpose solvents that are used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations. This rule regulates the VOC content of solvents used during construction. Solvents used during construction and operation of the proposed project must comply with SCAQMD Rule 1143.

PROJECT IMPACTS

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact: The project would not conflict with or obstruct implementation of the applicable air quality plan. A project may be inconsistent with the AQMP if it would generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP or if the project emissions exceed regional and localized air quality impact thresholds. The proposed project involves the removal of an existing sewer lift station and construction of a new lift station and rehabilitation of the existing coastal accessway. The proposed improvements would not

create any additional housing or long-term employment opportunities beyond what is projected in the City's General Plan. Regional and localized construction emissions for the project are shown in Table 4.3-4, *Maximum Mitigated Daily Construction Emissions*, and Table 4.3-5, *Localized Air Quality Impacts*.

Table 4.3-4
Maximum Mitigated Daily Construction Emissions

Construction Phase	Maximum Emissions (lbs/day)					
	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Maximum lbs/day	0.6	6.5	7.0	0.01	0.5	0.3
SCAQMD Regional Thresholds	75	100	550	150	150	55
Threshold Exceeded	**No**	**No**	**No**	**No**	**No**	**No**
Source: Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum;* February 17, 2022.						

Table 4.3-5
Localized Air Quality Impacts

Pollutant	Project Max Emission	Allowable Emissions as a Function of Receptor Distance in Meters from a One-Acre Site (lbs/day)				
		0-25	50	100	200	500
Gradual conversion of NO_x to NO_2	6.5	92	93	108	140	219
CO	7.0	647	738	1,090	2,096	6,841
PM_{10}	0.5	4	13	27	54	135
$PM_{2.5}$	0.3	3	5	9	22	76
Source: Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum;* February 17, 2022.						

As shown in Table 4.3-4, *Maximum Mitigated Daily Construction Emissions*, and Table 4.3-5, *Localized Air Quality Impacts*, the proposed project construction activities would not exceed SCAQMD regional air quality and local air quality thresholds. Project-related emissions would not exceed regional thresholds recommended by the SCAQMD. Therefore, the proposed project would be consistent with the AQMP and would not cause an adverse impact. Additionally, the construction work would occur within an urbanized area in the City of Laguna Beach. Residences are located within 25 meters of the construction corridor. To provide a conservative evaluation of construction emissions relative to LST thresholds, allowable emissions for 25 meters were used. As shown in Table 4.3-5, total emissions of NO_X, CO, PM_{10} and $PM_{2.5}$ would not exceed the LST thresholds for receivers located within 25 meters of the site. Based that the project would not generate population, housing, or employment growth exceeding forecasts used in the development of the AQMP and the project emissions would not exceed regional and localized air quality impact thresholds. The proposed project will not result in an inconsistency with the SCAQMD AQMP. Therefore, a less than significant impact will occur in relation to implementation of the AQMP.

Mitigation Measures: No mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact: Implementation of the project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. The project would not have operational air quality impacts. Therefore, the project would not contribute considerably to cumulative operation air quality impacts. The construction activities for the proposed project would generate temporary air pollutant emissions. These impacts would be associated with fugitive dust (PM_{10} and $PM_{2.5}$) and exhaust emissions from heavy construction vehicles and work crew vehicle trips. For the proposed project, construction would generally consist of demolition and removal of the existing lift station and concrete pavement. Construction emissions modeling for site preparation, grading and installation of new infrastructure and paving is based on the overall scope of the proposed development and construction phasing. It was assumed for modeling purposes, that the total area disturbed daily would be no greater than one acre and the site would be watered twice daily in accordance with Fugitive Dust Rule 403. Table 4.3-4 summarizes the estimated maximum daily emissions with implementation of Fugitive Dust Rule 403, as well as the estimated maximum daily emissions of pollutants. As shown in Table 4.3-4, construction of the proposed project would not exceed the SCAQMD regional thresholds. With compliance with Fugitive Dust Rule 403, the proposed project would not exceed SCAQMD regional thresholds and construction emissions would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact: Implementation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing, and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to air pollutants. The construction work would occur within an urbanized area in Laguna Beach. Sensitive receptors are located within 25 meters of the construction corridor. To provide a conservative evaluation of construction emissions relative to LST thresholds, allowable emissions for 0 to 25 meters were used. As shown in Table 4.3-5, receivers located within 0 to 25 meters of the site would not exceed LST thresholds and potential localized air quality impacts would be less than significant.

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". The California Office of Environmental Health Hazard Assessment (OEHHA) health risk guidance states that a residential receptor should be evaluated based on a 30-year exposure period. "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 70-year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the short-term construction schedule, the proposed project would not result in a long-term (i.e., 30 or 70 year) exposure to a substantial source of toxic air contaminant emissions, and thus, would not be exposed to the related individual cancer risk. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project.

Mitigation Measures: No mitigation measures are required.

d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Less Than Significant Impact: Implementation of the project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. The SCAQMD CEQA Handbook states that an odor impact would occur if the proposed project would create an odor nuisance pursuant to SCAQMD Rule 402, which states:

> *"A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. If the proposed project results in a violation of Rule 402 with regards to odor impacts, then the proposed project would create a significant odor impact."*

The operation of the proposed project would not generate adverse odor impacts. No significant odors would be created from the on-going operation of the proposed project. Potential sources that may emit odors during construction activities include the application of coatings such as, paints, and solvents and from emissions from diesel equipment. There are four single-family homes within 100 feet of the project site. Therefore, considerable amounts of people would not be subject to potential odors and would not conflict with Rule 403. Additionally, the construction activities on the project site would be limited from 8:00 AM to 4:00 PM which limits the hours of potential exposure to construction odor impacts. The project would also have to comply with SCAQMD Rule 1108 that limits VOC content in asphalt and Rule 1113 that limits the VOC content in paints and solvents which would minimize odor impacts from construction. Potential objectionable odors that may be produced during the construction process would be temporary, short-term, and intermittent in nature and would not result in persistent impacts that would affect substantial numbers of people and would not conflict with Rule 403 and would not be noticeable for extended periods of time beyond the project site's boundary. Through compliance with the applicable regulations that reduce odors and due to the transitory nature of construction odors, a less than significant odor impact would occur, and no mitigation would be required.

Mitigation Measures: No mitigation measures are required.

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

The following analysis is based on the *Biological Technical Report* prepared by VCS Environmental, in June 2022. The report is presented in its entirety in Appendix B.

Existing Setting

The project site is located at the southwesterly terminus of Anita Street in the City of Laguna Beach, Orange County, California. The project site sits just northeast and elevated from the Pacific Ocean and slopes towards the ocean from the northeast portion of the site. The project site is bordered by residential development to the north and south, the ocean to the southwest, and Gaviota Drive to the northeast.

The project site is surrounded by a highly urbanized environment; however, despite the highly urbanized setting, areas of important biological significance are nearby. These areas include Laguna Canyon, approximately one mile north of the project site, and the Laguna Beach State Marine Reserve and the State Marine Conservation Area which are located within the ocean southeast of the project site. Laguna Beach itself sits between sea level and steep coastal hills that rise over 1,000 feet in elevation within as little as two miles from the coastline.

The project site is approximately 0.2 acres; however, only approximately 0.09 acres are planned to be impacted by the project. The majority of the project site is located between approximately 12 and 70 feet (4-21 meters) above mean sea level (MSL). The project site is currently developed as a beach access stairway and sewer lift station with landscaping that borders the stairway and lift station. Vegetation within the project site consists of ornamental vegetation with a mix of native shrubs and grasses intermittently present. Surrounding land uses are mostly residential with a mix of commercial properties to the northeast. Anita Street Beach is located southeast and adjacent to the project site and is used as a recreational area.

VEGETATION COMMUNITIES

The majority of the project site consists of ornamental landscaping and disturbed/developed vegetation/land covers. The project site is bisected by a concrete beach access stairway. Ornamental landscaping surrounds the stairway and appears to be regularly maintained. Trees are present throughout project site with the majority concentrated on the southeastern portion. The native vegetation cover within the project site and the adjacent shoreline is low and undergoes heavy disturbance from human activity. Vegetation/land cover mapping and acreages for each vegetation community and land type within the project site can be found in Table 4.4-1, *Vegetation Communities/Land Cover Observed*, and the area depicted on Figure 4.4-1, *Vegetation/Land Cover*.

Table 4.4-1
Vegetation Communities/Land Cover Observed

Vegetation Community/Land Cover Type	Project Site (acres)
Disturbed/Developed	0.09
Ornamental Landscaping	0.11
Total	**0.20**

Disturbed/Developed

Approximately 0.09 acres of disturbed/developed land cover was mapped within the project site. This land cover includes all the paved surfaces and the building footprints that currently exist on the project site, including the beach access stairway and the existing lift station that will be removed during project activities. This area lacks vegetation and is heavily used by pedestrians.

Ornamental Landscaping

Approximately 0.11 acres of ornamental landscaping was mapped within the project site. This area is highly disturbed through landscaping and maintenance yet hosts a wide variety of species. While most of the species present within this land cover are non-native, some native species are also present at a low cover. Non-native species occurring within this land cover include American century plant (*Agave*

americana), spineless yucca (*Yucca gigantea*), hottentot fig (*Carpobrotus edulis*), coppery mesembryanthemum (*Malephora crocea*), natal plum (*Carissa macrocarpa*), oleander (*Nerium oleander)*, African asparagus fern (*Asparagus asparagoides*), candelabra aloe (*Aloe arborescens*), sow thistle (*Sonchus asper* ssp. *asper*), pride of Madeira (*Echium candicans*), mission cactus (*Opuntia ficus-indica*), Italian cypress (*Cupressus sempervirens*), sand heath (*Ceratiola ericoides*), cheeseweed mallow (*Malva parviflora*), blue gum (*Eucalyptus globulus*), pink melaleuca (*Melaleuca nesophila*), sweet pittosporum (*Pittosporum undulatum*), ngaio (*Myoporum laetum*), and black nightshade (*Solanum nigrum*). Native species observed intermixed with the other non-native species include mulefat (*Baccharis salicifolia*), senita cactus (*Loophocereus schottii*), prickly pear (*Opuntia littoralis*), saltgrass (*Distichlis spicata*), and toyon (*Heteromeles arbutifolia*).

Sensitive Vegetation Communities

The site does not support any sensitive vegetation communities. As shown in Figure 4.4-2, *California Natural Diversity Database (CNDDB) Plant Occurrences*, Southern Coast Live Oak Riparian Forests are reported in the CNDDB approximately two miles northeast of the project site, within Laguna Canyon. However, the habitat within the project site is not suitable for Southern Coast Live Oak Riparian Forest and this community was not detected during the general biological survey.

Sensitive Plants

Sensitive plant species include federally, or state listed threatened or endangered species and those species listed on CNPS's rare and endangered plant inventory. A total of 24 plant species were observed within the project site during the general biological survey and are listed in the *Biological Technical Report, Appendix B, Plant and Wildlife Species Observed Within the Project Site*. An assessment of sensitive plant species and their potential to occur, as well as their federal/ state/local classifications, are listed in the *Biological Technical Report, Appendix C*. All special status plant species considered for occurrence within the project site are either absent from the site or have a low potential to occur.

Protected Trees

Laguna Beach Municipal Code Chapter 12.06 details the Tree Removal Permit Process for the City of Laguna Beach. This code states that privately maintained trees in the public right-of-way require a Category III tree removal permit from the City of Laguna Beach. Five trees on the project site have the potential to qualify as Protected Trees under Chapter 12.06 and are shown in Table 4.4-2, *Tree Inventory*.

Table 4.4-2
Tree Inventory

Tree ID Number	Species	Approximate DBH (inches)
1	Blue Gum	30
2	Ngaio	7
3	Ngaio	10
4	Ngaio	6
5	Italian Cypress	7

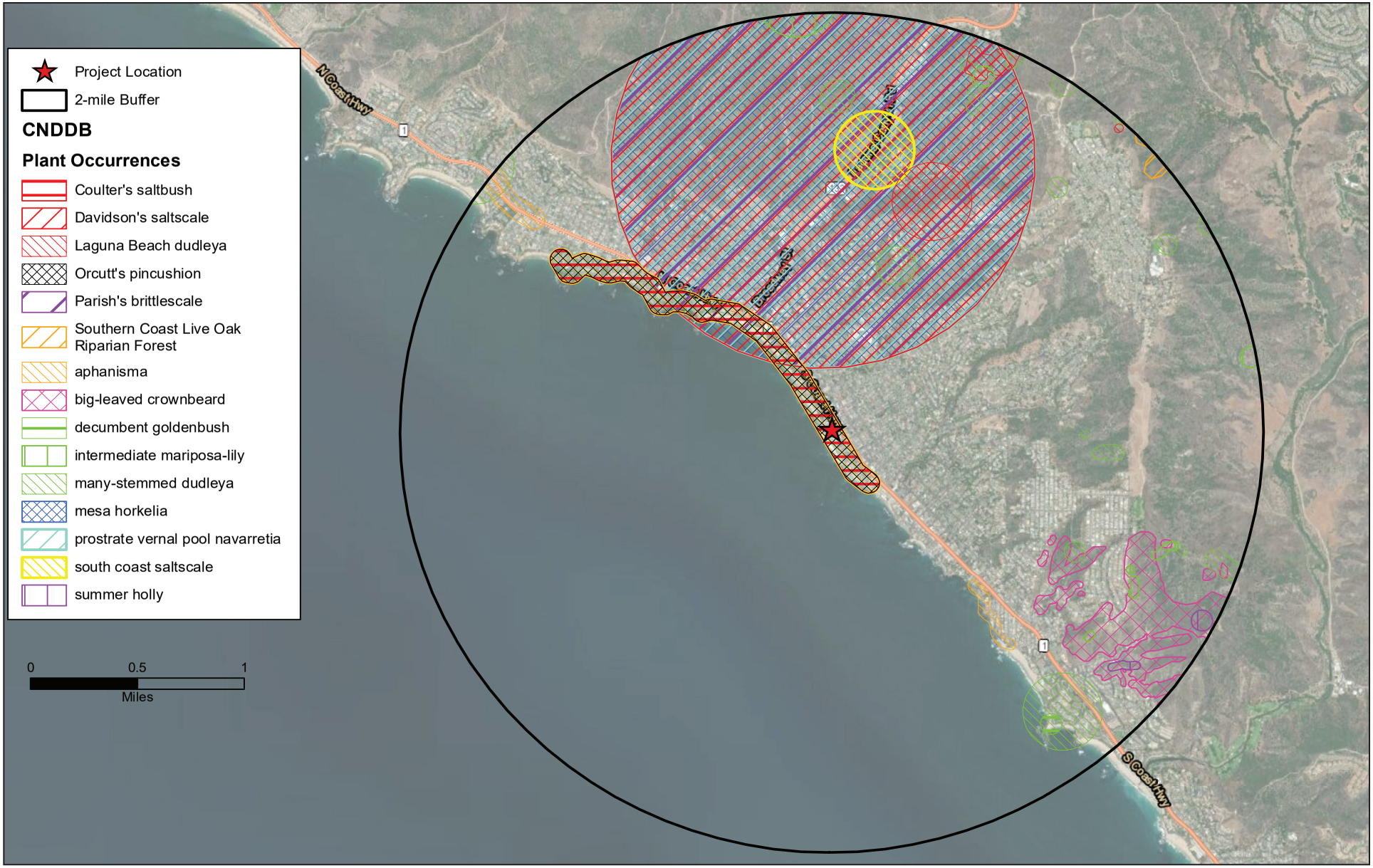
Source: ESRI, Google Earth and NOAA; June 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Vegetation/Land Cover

VCS Environmental

Figure 4.4-1



Source: ESRI, CDFW and USFWS; February 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

California Natural Diversity Database (CNDDB) Plant Occurrences

VCS Environmental

Figure 4.4-2

SENSITIVE WILDLIFE

Species of wildlife are afforded "special status" by federal agencies, state agencies, and/or non-governmental organizations because of their recognized rarity, potential vulnerability to extinction, and local importance. These species typically have a limited geographic range and/or limited habitat and are referred to collectively as "special status" species.

Figure 4.4-3, *California Natural Diversity Database (CNDDB) Animal Occurrences*, shows the occurrence of sensitive wildlife species within the vicinity of the project site. No special status animal species were observed within the project site during the 2022 survey. Two special status species were considered to have at least a moderate potential to occur within the project site but not observed during the general biological survey include:

- Cooper's hawk (*Accipiter cooperii*), a CDFW Watch List species
- Osprey (*Pandion haliaetus*), a CDFW Watch List species

A complete list of sensitive wildlife species analyzed with potential to occur within the Project site are included in the *Biological Technical Report, Appendix C*. The two sensitive species noted above with at least moderate potential to occur are described in further detail below.

Coopers Hawk

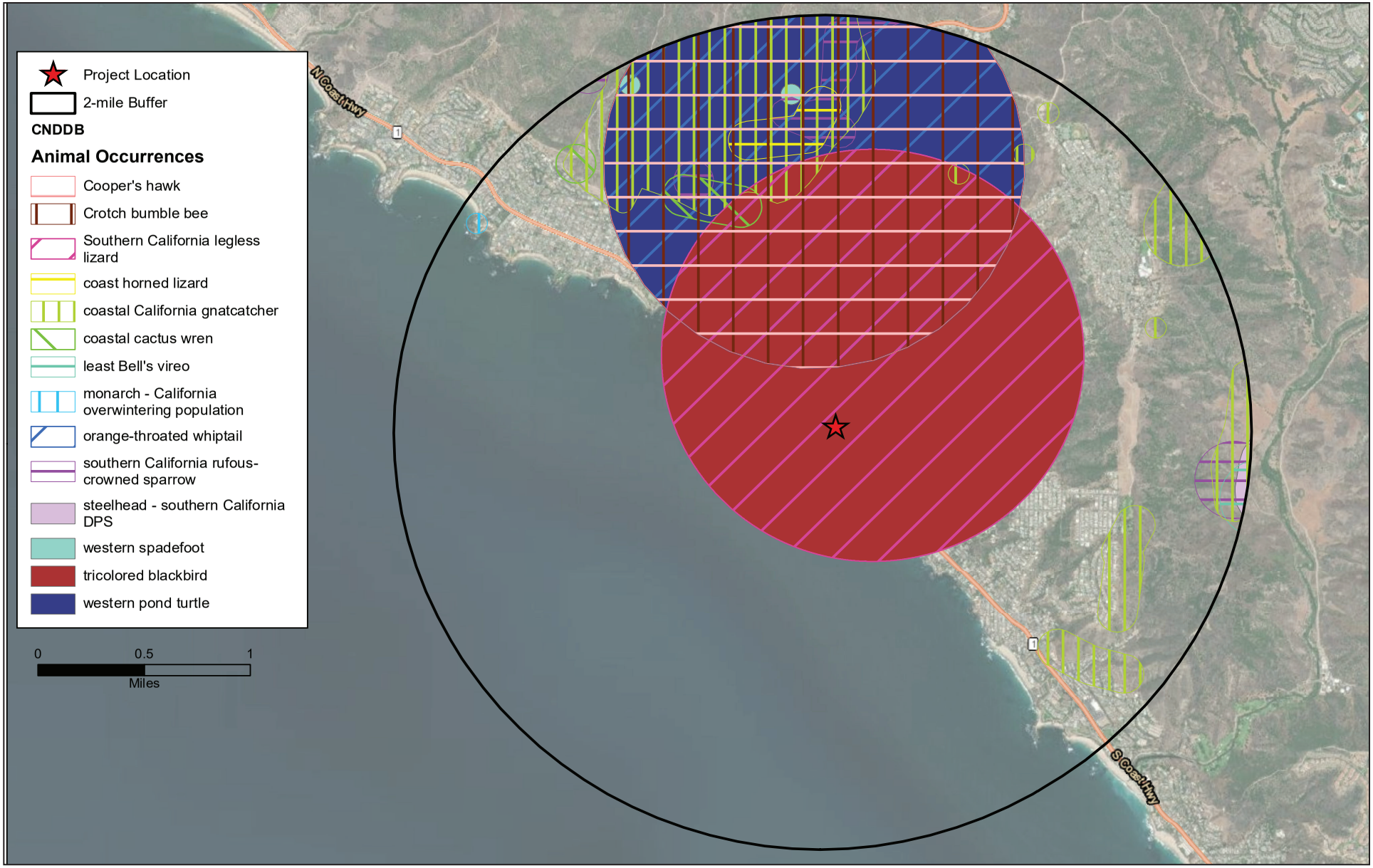
Coopers hawk is a Watch List species by CDFW meaning it was previously designated a "Species of Special Concern" but no longer qualifies as such. The Watch List status, in reference to this species, specifically applies to nesting Cooper's hawk and their associated habitat. This species typically inhabits woodlands and other forested areas but is commonly found in urban environments, especially when larger trees surround the area. Cooper's hawk typically nests near water and in deciduous trees or conifers, usually 10-80 feet above the ground. The project site offers marginally suitable foraging habitat for the species. Cooper's hawk has a moderate potential to occur on the project site.

Osprey

Osprey is a CDFW Watch List species. Similar to that of the Cooper's hawk, the Watch List status given to the Osprey specifically applies to nesting Osprey and their associated habitat. This species feeds primarily on live fish, and therefore is usually found near water sources supporting populations of their prey. This species typically nests within large dead trees or atop manmade structures and platforms. Osprey nests are typically used year after year. Osprey has a moderate potential to occur within the project site, most likely for foraging activities. However, no osprey nests were observed within the project site and there would be low potential for Osprey to nest within the project site. The surrounding residential buildings adjacent to the project site have some potential to support nesting habitat for the species.

Critical Habitat

The USFWS's online service for information regarding Threatened and Endangered Species Final Critical Habitat designation within California was reviewed to determine if the project site occurs within any species designated Critical Habitat. There is no USFWS designated Critical Habitat within two miles of the project site.



Source: ESRI, CDFW and USFWS; January 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

California Natural Diversity Database (CNDDB) Animal Occurrences

VCS Environmental

Figure 4.4-3

Wildlife Movement

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat. Corridors effectively act as links between different populations of a species. An increase in a population's genetic variability is generally associated with an increase in a population's health.

Corridors mitigate the effects of habitat fragmentation by:

- Allowing wildlife to move between remaining habitats, which allows depleted populations to be replenished and promotes genetic diversity;
- Providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fires or disease) will result in population or local species extinction; and
- Serving as travel routes for individual wildlife species as they move within their home ranges in search of food, water, mates, and other needs (Fahrig and Merriam 1985, Simberloff and Cox 1987, Harris and Gallagher 1989).

Wildlife movement activities usually fall into one of three movement categories:

- Dispersal (e.g., juvenile animals from natal areas, individuals extending range distributions);
- Seasonal migration; and
- Movements related to home range activities (foraging for food or water, defending territories, searching for mates, breeding areas, or cover).

The project site is surrounded by urban development and likely does not support significant wildlife movement corridors. It is possible that the project site may serve as a minor corridor for common urban wildlife species traveling from the beach into the urban areas to the east, however, it is unlikely that any significant movement occurs through the area.

Avian Nesting and Bat Roosts

The project site and the adjacent habitat urban areas have the potential to support various avian species and nests due to the presence of shrubs and trees in addition to building rooftops. Additionally, some avian species nest upon the ground and there is potential for ground nesting birds to use the project site and the adjacent shoreline habitat. Biologists did not observe signs of nests, nesting activity or bat roosting within the Project site during the general biological survey.

STATE/FEDERAL JURISDICTIONAL DRAINAGES

The project site does not contain any drainages. Therefore, no state or federal jurisdictional drainages occur on site. Further, no wetlands or vernal pools are present on the site.

FEDERAL/STATE/JURISDICTIONAL WATERS

The following sources were reviewed to determine the potential presence or absence of jurisdictional streams/drainages, wetlands, lakes, and their location within the watersheds associated with the

project site, and other features that might contribute to federal or state jurisdictional authority located within watersheds associated with the project site:

- National Wetlands Inventory (NWI) maps (Figure 4.4-4, *National Wetland Inventory (NWI) Map*; USFWS 2022c). The NWI database indicates potential wetland areas based on changes in vegetation patterns as observed from satellite imagery. This database is used as a preliminary indicator of wetland habitats because the satellite data are not precise.
- USGS National Hydrography Dataset. Provides the locations of "blue-line" streams as mapped on 7.5-Minute Topographic Map coverage.
- Aerial Imagery.
- USGS 7.5-Minute Topographic Maps.
- Natural Resource Conservation Service (NRCS) Soil Survey.
- National Oceanic and Atmospheric Administration (NOAA) Tide Datums.

No Jurisdictional waters are present within the project site. However, the Pacific Ocean is located west and adjacent to the project site, which would be considered Jurisdictional Waters. A pipe is located within the project site that conveys runoff from Gaviota Drive to the base of the bluff and empties out on the western portion of the project site, onto the beach. This feature was determined non-jurisdictional as underground storm drain structures that convey a low volume of urban runoff have not historically been considered Waters of the State; this feature would not be considered Waters of the United States.

The United States Army Corps of Engineers (USACE) takes jurisdiction over tidal waterways. The extent of USACE jurisdiction within these areas extends to the mean high-water mark. The National Oceanic and Atmospheric Administration (NOAA) maintains a Continually Updated Shoreline Product (CUSP). The CUSP references mean high-water to provide an estimate of the shoreline to assist with environmental studies, which can be seen in Figure 4.4-5, *Continually Updated Shoreline Product*. The mean high-water mark near the project is located west and outside of the project site. Photos documenting a tide equivalent to the mean high water were taken, which is reported as 4.68 feet relative to the mean lower low water at the nearest National Oceanic and Atmospheric Administration (NOAA) station, located at the Newport Bay Entrance.

EDGE EFFECTS

Edge effects are anthropogenic disturbances that occur to open space areas located adjacent to urban boundaries which cause negative impacts to the natural resources within the open space areas. Common edge effects include impacts from the introduction of invasive species, habitat fragmentation, pollution, erosion, and increased human activity. Additionally, increased human activity often includes higher frequencies of interactions between pets and wildlife.

Currently, the project site experiences high volumes of human activity in the form of recreation. Anita Street Beach is a popular destination for beachgoers and the redevelopment of the project site will likely not cause an increase to the amount of human activity in the area. However, construction activities will be occurring near the beach and Pacific Ocean and without implementation of proper Best Management Practices, may result in indirect impacts to these sensitive habitats.

Source: ESRI, USACE and City of Laguna Beach; February 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

National Wetland Inventory (NWI)

VCS Environmental

Figure 4.4-4

Source: ESRI, Google Earth and NOAA; February 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

Continually Updated Shoreline Product

VCS Environmental

Figure 4.4-5

PROJECT IMPACTS

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact With Mitigation Incorporated: The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The following evaluates potential impacts to Special Status plants, wildlife, and critical habitat areas.

SPECIAL STATUS PLANT SPECIES

Development of the project site would result in the direct removal of non-native and native plant species. The majority of the project site has previously been disturbed and is regularly maintained. The majority of plant species present on the project site are ornamental non-native species. The project site is generally not suitable for sensitive plant species that occur in the general vicinity of the project. No sensitive species were observed during the January 18, 2022 general biological survey. Additionally, all sensitive plant species analyzed in the *Biological Technical Report,* are either absent from the project site or have a low potential to occur within the project site. No direct or indirect impacts to sensitive vegetation are expected to occur from project activities.

SPECIAL STATUS WILDLIFE

No special status wildlife species were observed within the project site during the general biological survey. Additionally, no USFWS designated critical habitat is present on or near the project site. However, two special status wildlife species have a moderate potential to occur within the project site including Cooper's hawk and Osprey. Although, it is likely that these species will only be using the project site for foraging, there is the potential that either of these two species could nest within the project site and be directly impacted by construction activities which would be a significant adverse impact. Additionally, the nesting patterns of close by nesting birds could be indirectly disrupted by construction noise impacts, which also would be a significant adverse impact. To avoid direct and indirect impacts to nesting birds that could have potential to occur on or near the project site, Mitigation Measure BIO-1 is recommended which limits construction activity outside of the nesting season or requires pre-construction surveys if construction occurs during the nesting season. With implementation of Mitigation Measure BIO-1, potential impacts would be less than significant.

Mitigation Measures:

BIO-1*:* Vegetation removal activities shall be conducted outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds. Any construction activities that occur during the season will require that all suitable habitats be thoroughly surveyed for the presence of nesting birds by a qualified biologist within three days prior to the commencement of vegetation clearing/ground disturbance activities depending on which season work falls within. If any active nests are detected, a buffer of 500 feet of an active threatened or endangered species or raptor nest, 300 feet of other sensitive species (non-listed), and 100 feet of most

common species will be delineated, flagged, and avoided until the nesting cycle is complete. Established buffer sizes shall be increased or decreased based on the discretion of the qualified biologist to ensure that nesting activities are not disturbed. Active nests shall be periodically monitored by the qualified biologist until nesting activities have concluded.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Less Than Significant Impact With Mitigation Incorporated: The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Potential impacts to vegetation communities/land cover due to implementation of the proposed project includes the direct permanent impact of approximately 0.09 acres of land within the Project Impact Area, as shown previously on Figure 4.4-1, *Vegetation/Land Cover*, and described in Table 4.4-3, *Potential Impacts to Vegetation Communities*.

Table 4.4-3
Potential Impacts to Vegetation Communities

Vegetation Community/Land Cover Type	Project Impact Area (acres)
Disturbed / Developed	0.04
Ornamental Landscaping	0.04
Total	**0.08**

The impacts to disturbed/developed and ornamental landscaping would be considered less than significant, as these land covers do not represent the CNDDB or CDFW sensitive plant communities. Additionally, no riparian habitats are present on the project site, and therefore no riparian vegetation will be impacted by project activities. Non-native vegetation removed from the project site would be replaced with native vegetation and identified on the project landscape improvement plans.

Both the Anita Beach shoreline and Pacific Ocean contain coastal resources that are considered sensitive resources. The project site is currently functioning as a beach accessway and will continue to function as such after redevelopment. Therefore, human activity within the project site is expected to remain the same and would not result in direct impacts to coastal resources at both the Anita Beach shoreline and Pacific Ocean. No direct impacts from increased human activity are anticipated from project implementation. There could be the potential that construction activities associated with the project could indirectly result in impacts to coastal resources. To avoid potential indirect construction impacts to coastal resources, the project would be required to implement Mitigation Measure BIO-3 which requires Best Management Practices to be incorporated into the construction activities. With implementation of Mitigation Measures BIO-2 and BIO-3, potential impacts to sensitive vegetation communities would be less than significant.

Mitigation Measures:

BIO-2: The landscape plan for the project will include native species to southern California, such as those found on the project site (mulefat, senita cactus, prickly pear, saltgrass, and/or toyon).

BIO-3: The project shall incorporate Best Management Practices (BMPs) to prevent impacts to water quality during project construction. Some recommended BMPs include:

- Water pollution and erosion control measures in accordance with Regional Water Quality Control Board requirements.
- Sandy portions of the beach will be protected and maintained during construction activities.
- Construction equipment will be stored offsite, away from sensitive coastal resources.
- Vehicles and equipment will be in proper working condition and will be checked regularly for leaks prior to use to ensure that there is no potential for fugitive emissions of motor oil, fuel, antifreeze, hydraulic fluid, grease, or other hazardous materials.
- Equipment storage, fueling and staging areas will be located within upland areas with minimal risk of direct drainage onto the beach.
- Dust control measures, such as watering the project area during construction to reduce the impact of fugitive dust on the adjacent beach habitat.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Less Than Significant Impact With Mitigation Incorporated: The project would not have a substantial adverse effect on state or federally protected wetlands. The project site does not contain any federally protected wetlands or other jurisdictional WOUS that would be subject to the conditions of Section 404 of the Clean Water Act; therefore, no direct impacts are expected. The Anita Beach tidal zone is considered a Jurisdictional Water. There is potential for indirect impacts to occur to the tidal zone from project construction activities. To avoid potential indirect construction impacts, the project would be required to implement Mitigation Measure BIO-2 which requires Best Management Practices be incorporated into the construction activities. With implementation of Mitigation Measure BIO-2, potential indirect impacts would be less than significant.

Mitigation Measures: Mitigation Measure BIO-2 is required.

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

No Impact: The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors

or impede the use of native wildlife nursery sites. The project site could serve as a minor function in local wildlife dispersal and foraging; however, due to surrounding development, and relatively small size of the project site, it is unlikely that the project supports any significant wildlife movement. Additionally, no native wildlife nursery sites were observed within the project site. No impact to the movement of any native resident or migratory fish or wildlife species is anticipated.

Mitigation Measures: No mitigation measures are required.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact With Mitigation Incorporated: The project would not conflict with any local policy or ordinances protecting biological resources. Chapter 12.06 of the Laguna Beach Municipal Code establishes protection of trees within the City. The ordinance requires a permit for any trees that fall into one of the three categories listed below:

- Category 1: Trees listed on the City Heritage Tree List.
- Category 2: Trees on a landscape plan approved through the Design Review process.
- Category 3: Trees privately maintained in the public right-of-way.

An existing large eucalyptus tree is located at the entrance of the coastal accessway. The tree is located outside of the work area and will be identified to be protected in place on construction improvement plans. An adequate buffer would be provided to avoid any potential construction impacts to the tree. The project site contains five trees that have the potential to require tree removal permits under Chapter 12.06 of the City's Municipal Code. Details regarding the species and size of the trees within the project site can be seen in Table 4.4-2, *Tree Inventory*, above. With the implementation of Mitigation Measure BIO-4, the project would not conflict with any local policies or ordinances protecting biological resources.

Mitigation Measures:

BIO-4: Any tree planned to be removed during project activities that falls within the public right-of-way and has a diameter at breast height (DBH) of greater than 6 inches may be required to obtain tree removal permits prior to their removal. If any trees are planned to be removed during construction activities, coordination with the City will be required and Tree Removal Permits may be obtained for the removal of any trees that meet the categories listed in Chapter 12.06 of the City of Laguna Beach Municipal Code.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact: The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project does not lie within the boundaries of any adopted habitat conservation plans, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, and therefore would not conflict with any of the before mentioned plans.

Mitigation Measures: No mitigation measures are required.

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4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

ENVIRONMENTAL ANALYSIS

The following analysis is based on a Cultural Resources Record Search coordinated by VCS Environmental in February 2022. The record search is presented in its entirety in Appendix C.

Background

Cultural resources include prehistoric archaeological sites, historic archaeological sites, historic structures, and artifacts made by people in the past. Prehistoric archaeological sites are places that contain the material remains of activities carried out by the native population of the area (Native Americans) prior to the arrival of Europeans in southern California. Artifacts found in prehistoric sites include flaked stone tools such as projectile points, knives, scrapers, and drills; ground stone tools such as manos, metates, mortars, and pestles for grinding seeds and nuts; and bone tools. Historic archaeological sites are places that contain the material remains of activities carried out by people during the period when written records were produced after the arrival of Europeans. Historic archaeological material usually consists of refuse, such as bottles, cans and food waste, deposited near structure foundations. Historic structures include houses, commercial structures, industrial facilities, and other structures and facilities more than 50 years old.

Regulatory Setting

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CEQA requires a lead agency to determine whether a project would have a significant effect on one or more historical resources. A "historical resource" is defined as a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR) (*California Public Resources Code* [PRC], Section 21084.1); a resource included in a local register of historical resources (14 *California Code of Regulations* [CCR], Section 15064.5[a][2]); or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (14 CCR 15064.5[a][3]).

HUMAN REMAINS

Section 7050.5 of the *California Health and Safety Code* provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains. Section 5097.98 of the PRC states that, if remains are determined by the Coroner to be of Native American origin, the Coroner must notify the Native American Heritage Commission within 24 hours which, in turn, must identify the person or persons it believes to be the most likely descendant from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

CULTURAL CONTEXT

Prehistoric Setting

The date of arrival of people in the southern California region is unknown. Radiocarbon dating obtained from a deeply buried archaeological site in southern Orange County, only 5.5 kilometers (3.4 miles) from the coast, indicate occupation occurred approximately as early as 11,000 BP (SWCA unpublished). The earliest accepted dates are from two of the Northern Channel Islands, located off the coast from Santa Barbara, between 10,000 BP and 13,000 BP (Erlandson 1991:105).

During the Late Prehistoric period and into the present day, the Orange County coastal area was occupied by the Native American society commonly known as the Juaneño (Kroeber 1925:636). Many contemporary Juaneños, who identified themselves as descendants of an indigenous society living in the local San Juan and San Mateo Creek drainage areas, have adopted the indigenous term Acjachemen to refer to themselves. Acjachemen villages and territories extended from Las Pulgas Creek in northern San Diego County up into the San Joaquin Hills of Orange County's central coast, and from the Pacific Ocean into the Santa Ana Mountains. The core of their population occupied the drainages of two large creeks, San Juan Creek (and its major tributary, the Trabuco), and San Mateo Creek (combined with the San Onofre, which emptied into the ocean at the same point). The highest concentration of villages was along the lower San Juan Creek where the Mission San Juan Capistrano was situated (O'Neil 2002:68–78).

By 1873, a government report (Ames 1873) recorded about 40 Juaneño associated with Mission San Juan Capistrano. Many people and families with mixed Spanish/Mexican and Juaneño heritage were not recorded, however, and several Native American villages still existed in the interior valleys (Wheeler 1879). During this same era, the priests at Mission San Juan Capistrano served a circuit-riding ministry to these interior villages to the south and on the other side of the Palomar Mountains. A wave of migration by Juaneño out of San Juan Capistrano occurred in 1880–1900 as towns in northern Orange County started to form and needed laborers. As late as the 1930s, some 300 Mission-descended Native Americans were known to be living in the Orange County area (Yorba 1936). Today a few Native Americans whose ancestors were associated with Mission San Juan Capistrano still reside in the local area. Acjachemen interest in their own history has increased in recent decades, and a considerable body of evidence tracing that history has been amassed. There is currently a petition for federal recognition filed by the Juaneño Band of Mission Indians Acjachemen Nation.

Local Settlements and Features

The coast of Orange County is known to have been heavily populated during the Late Prehistoric and Contact Period by Native American settlements. In the vicinity of Laguna Beach, a few of these settlements are known by name, while others are represented by large archaeological sites that have yet to be associated with place names. There are large prehistoric archaeological sites containing artifacts diagnostic of the Late Prehistoric Period, such as small projectile points, ceramics, and European trade beads, along this part of the coast that likely represent Contact Period settlements. Research with historic records, early anthropological fieldwork notes, and the sacramental registers of Mission San Juan Capistrano has revealed some village names in this region. Ahunx was possibly a village, along upper Los Alisos Creek, 8 to 9 miles northeast of Laguna Canyon (O'Neil 1988:112). Tom-ok' is a place name associated with Laguna, possibly in reference to the lakes that give the canyon and town of Laguna their name, or a feature within the canyon (O'Neil and Evans 1980). Nawíl is a place name associated with two locations in the area: where the modern San Diego Freeway crosses Los Alisos Creek, and "Niger" Canyon (Emerald Canyon) between Abalone Point and Laguna Beach (about 2 miles northwest) (O'Neil 1988:112).

Historic Overview

The first Europeans to see what would become Orange County were members of the 1542 expedition of Juan Rodriguez Cabrillo. Cabrillo sailed along the coast but did not explore inland. Europeans did not return to the Orange County area until the summer of A.D. 1769 when Lt. Colonel Gaspar de Portolá led an overland expedition from San Diego to San Francisco. The first permanent Euro-American settlement in Orange County was established when a spot along the El Camino Real, where it crossed San Juan Creek, was selected as the site for a Franciscan religious mission in the spring of 1775. The new San Juan Capistrano Mission did not become operational until November 1776 and was relocated 3.5 miles southwest of its present site in 1778. Large tracts of land fell under Mission San Juan Capistrano's authority under Spanish law as the Acjachemen from the region were concentrated through baptism under the Mission's authority. The process of secularization of Mission lands began shortly after the declaration of Mexican independence in 1821, and in 1825 the Mexican government freed the Native Americans from Mission control. Beginning in the late 1830s, the Mexican government was inundated with requests for rancho land from Mission San Juan Capistrano's administrative districts. John (Juan) Forster, an English immigrant who became a naturalized Mexican citizen, became one of the largest local landowners. Forster helped develop the pueblo San Juan Capistrano. The new community handled the new trade and travelers along the route from San Diego to Los Angeles brought about by the acquisition of California by the United States in 1846 (Hallan 1975:30–34).

Laguna Beach was never a part of Mexican or Spanish land grants, thus making the land available for homesteading. Through the Timber-Culture Act of 1871, migration to the Golden West was encouraged. Families began to arrive and stake out their 160-acre claims and plant the required ten acres of trees - in Laguna's case always the Australian eucalyptus.

The Brooks brothers, William and Nathaniel, arrived and settled in 1876. Both are referred to as the "father of Laguna" depending on which source is cited. They were Laguna Beach's first homesteaders - the first pioneers to stay longer than one summer in a tent. William H. Brooks came from Downey on a hunting trip to Laguna, following an old Native American trail though the Canyon. Later he filed on the 169.24 acres at Arch Beach (now Diamond St.) and laid out a subdivision. He was also Laguna's first

stagecoach driver. Nathaniel Brooks brought water from Bluebird Canyon through a series of pipes and tunnels to Arch Beach. They temporarily sold out to another pioneer, Hubbard Goff (remembered in Goff St. and Goff Island). In 1886, he opened the first hostelry in Laguna, the Arch Beach Hotel.

In 1878, John Damron acquired 528 acres near the mouth of Laguna Canyon, including Temple Hills and the "flats" above Arch Beach. The property was later purchased by George Rogers for $1,000 and was subdivided into lots. Always a tourist town, Laguna Beach opened its second hotel in 1889. It was built by Henry Goff and purchased by Joseph Yoch for $600. Yoch also bought the defunct Arch Beach Hotel. He had it cut into three sections, moved it into town, and joined it to his hotel, creating a massive establishment of thirty bedrooms and two bathrooms. This hotel was condemned in 1928, and the present Hotel Laguna opened the following year on the same site.

As news of the picturesque village spread, the artists came in droves. They included Frank Cuprien, Gardner Symonds, William Wendt, William Daniell, Anna Hills, and William Alexander Griffith. Some artists banded together in 1913 and rented a small wooden building that had been a church, dance hall and meeting place. Under the leadership of Edgar A. Payne (who painted the mural in the movie theater), the artists refurbished the building and held their first exhibition in August 1918. Three hundred people attended the first day and 2000 the first month. They seemed to be onto something big. This showing was the beginning of the Laguna Beach Art Association and the Museum of Art. Today, Laguna continues to be an artistic focal point of Orange County - a major center for arts and crafts.

Cultural Resources Records Search

The South-Central Coastal Information Center (SCCIC) is the designated branch of the California Historical Resources Information System (CHRIS) and houses records concerning archaeological and historic resources in San Bernardino, Orange, Los Angeles, and Ventura Counties. A literature review was conducted of documents on file at the SCCIC at California State University, Fullerton to evaluate the project area for any cultural resource sites recorded, or cultural resources studies conducted on the parcel and within a one-half mile radius. The SCCIC lists 14 cultural resources studies conducted within a one-half mile radius of the project site. None are within the project site; refer to Table 4.5-1, *Cultural Resources Studies Within One-Half Mile of the Project Site*.

Table 4.5-1
Cultural Resources Studies Within One-Half Mile of the Project Site

Report Number	Author(s) (Year)	Type/Size/Resources
OR-00240	Magalousis (1978)	Excavation/1 resource
OR-00293	Magalousis (1978)	Excavation/1 resource
OR-00512	Romero (1935)	Field Study/31 resources
OR-00612	Magalousis (1981)	Field Study/1 resource
OR-01926	Ezell, Carrico (1977)	Field Study/15 resources
OR-02815	Shepard (2002)	Field Study/1 resource
OR-02959	Wlodarski (2005)	Field Study/0 resources
OR-03441	Bonner, Crawford	Field Study/7 resources
OR-03569	Tang, Hogan (2008)	Architectural/Historical/1 resource

Report Number	Author(s) (Year)	Type/Size/Resources
OR-03884	McKenna (2009)	Field Study/1 resource
OR-03937	Daly, Maxon	Field Study/17 resources
OR-04082	Pierson, Shiner, Slater (1987)	Field Study/0 resources
OR-04179	Unknown (2008)	Architectural/Historical/1 resource
OR-04558	Supernowicz	Architectural/Historical/0 resources

The SCCIC lists three cultural resources within a half-mile of the project site; refer to Table 4.5-2, *Cultural Resources Sites Within One-Half Mile of the Project Site*.

Table 4.5-2
Cultural Resources Sites Within One-Half Mile of the Project Site

Resource Number (P-30-)	Recorder(s) (most recent) (Year)	Type
OR-02815	Shepard (2002)	Historic Property Survey
OR-04082	Pierson, Shiner, Slater (1987)	California Outer Continental Shelf Archaeological Resource Study, Morro Bay to Mexican Border
OR-04179	Unknown (2008)	Laguna Beach Historic Resources Inventory
*On the project site.		

Sacred Lands File Search

A Sacred Lands File (SLF) Search was conducted by the Native American Heritage Commission (NAHC) on March 4, 2022 to determine the potential for sacred lands buried on the project site. The Sacred Land Search was positive, indicating that a recorded Native American Sacred Site was recorded within the vicinity of the project site and that the Lead Agency should coordinate with the Juaneño Band of Mission Indians Acjachemen Nation for further information to confirm if the Sacred Site is located on the project site.

PROJECT IMPACTS

a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?

Less Than Significant Impact With Mitigation Incorporated: Implementation of the proposed project would not cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5. A records search prepared for the project site did not identify any recorded historic era built-environment resources on the project site. Implementation of the project would not result in direct impacts to any known historic resources. The project involves excavation of up to 25 feet to construct the wet well, 10 feet to construct the underground generator vault and up to 10 feet to construct the caisson for the lifeguard tower. Considering the location and topography of the project site, it would be unlikely that historic resources would be encountered. However, because historical resources have been known to occur within the region and the Sacred Land Search was

positive, indicating that a recorded Native American Sacred Site was recorded within the vicinity of the project site, there is some potential that cultural resources could be encountered.

To avoid adverse impacts to unknown historical resources that could be encountered during construction, onsite monitoring is recommended during the earth disturbing phases of the project. With implementation of Mitigation Measures CUL-1 through CUL-6, potential impacts to unknown historical resources would be less than significant.

Mitigation Measures:

An onsite archaeologist and the Consulting Tribe monitoring shall be required during Phase 3, Phase 4 and Phase 8 construction activities. A Mitigation Monitoring Reporting Plan (MMRP) to mitigate potential impacts to undiscovered buried cultural resources within the project shall be implemented to the satisfaction of the Lead Agency. This program shall include, but not be limited to, the following actions:

CUL-1: Prior to issuance of a grading permit, the Applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the Lead Agency.

CUL-2: The project Applicant shall provide Native American monitoring during grading if the Lead Agency determines it is necessary pending results of the AB 52 Consultation process. If applicable, the Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The Lead Agency shall coordinate with the consulting Tribe(s) to facilitate communications with the project Developer/Applicant so that all parties can develop a mutually-acceptable Tribal Monitoring and Treatment Agreement which includes the scope of monitoring, scheduling of monitors from individual consulting Tribe(s), and the course of action for inadvertent discoveries.

CUL-3: The project archaeologist and the consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols.

CUL-4: The protocols and stipulations that the contractor, City, consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

- During the original cutting of previously undisturbed deposits, the archaeological and Tribal monitors (if applicable) shall be onsite, as determined by the consulting archaeologist, to monitor excavations. The frequency of inspections will depend

upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.

- Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.
- In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Lead Agency at the time of discovery. The archaeologist, in consultation with the Lead Agency, shall determine the significance of the discovered resources. The Lead Agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be implemented by the consulting archaeologist and approved by the Lead Agency before being carried out using professional archaeological methods. If any human remains are discovered, the County Coroner and Lead Agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (as identified by the NAHC) shall be contacted in order to determine proper treatment and disposition of the remains.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist in consultation with the consulting Tribe(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

CUL-5: One or more of the following treatments, in order of preference, shall be used in the event of a cultural resources discovery:

- Preservation-in-Place. Avoidance, or preservation-in-place, involves leaving a resource where it was found with no development affecting its integrity. Pursuant to Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and cultural resources.
- Reburial on the project site in an area not subject to future disturbance. Reburial of a resource shall include provisions to protect the selected reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloging and basic recording have been completed, with the exception of sacred items, burial goods and Native American human remains. Any reburial process shall be culturally appropriate. The listing of contents and the location of the reburial shall be included in a confidential Phase IV monitoring report.
- If Preservation-in-Place or reburial is not feasible, all cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards in an Orange County curation

facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources (OHP 1993). The collections and associated records shall be transferred, including title and accompanied by payment of the fees necessary for permanent curation.

CUL-6: A Phase IV Monitoring Report, documenting the field and analysis results and interpreting the artifact and research data within the research context, shall be completed and submitted to the satisfaction of the Lead Agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms. The Phase IV report shall be filed with the City under a confidential cover and not subject to Tribe(s).

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less Than Significant Impact With Mitigation Incorporated: Implementation of the proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. A records search conducted in the project area identified that there were no known archaeological resource sites on the project site. Therefore, no direct impacts to archaeological resources would occur. Because historical resources have been known to occur within the region, there is some potential that historical resources could be encountered. To avoid adverse impacts to unknown historical resources that could be encountered during construction, a halt condition is recommended which requires if unknown cultural resources are encountered during earth disturbing activities, all earth disturbing activities at the location of the finding shall cease and a qualified archaeologist will review the finding to determine its cultural resource significance. With implementation of Mitigation Measures CUL-1 to CUL-6, potential impacts to unknown historical resources would be less than significant.

Mitigation Measures: Mitigation Measures CUL-1 to CUL-6 are required.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact With Mitigation Incorporated: Implementation of the project would not disturb any human remains, including those interred outside of dedicated cemeteries. The project site was previously disturbed and developed with residential land uses. No human remains or cemeteries are known to exist within or near the project site. However, according to the NAHC, the regional area is known to contain sacred burial lands and there would be the potential that subsurface construction activities associated with the proposed project could encounter and potentially damage or destroy previously undiscovered human remains. Accordingly, this is considered a potentially significant impact. In the event of an accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and Section 5097.98 must be followed. With the implementation of Mitigation Measure CUL-7, potential impacts to human remains would be less than significant.

Mitigation Measures:

CUL-7: Project related earth disturbance has the potential to unearth previously undiscovered human remains, resulting in a potentially significant impact. Pursuant to Section 7050.5 of the *California Health and Safety Code*, if human remains are encountered during excavation activities, all work shall halt, and the County Coroner shall be notified. The Coroner would determine within two working days whether a cause of death investigation is necessary. If the Coroner determines that the remains are Native American, he/she would contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would then, pursuant to *California Public Resources Code,* §5097.98, immediately identify the most likely descendant (MLD), who may inspect the remains and site of discovery and make recommendations for the treatment and/or disposition of the remains. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed, if feasible, and may include scientific removal and non-destructive analysis of the human, preservation in place, and deeding the remains to the MLD for treatment. If no MLD is identified, the MLD fails to make a recommendation, or the landowner rejects the recommendation, the landowner shall rebury the remains with appropriate dignity on the property in a location that would not be subject to further subsurface disturbance.

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4.6 Energy

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

The following analysis is based on the *Air Quality, Energy, and Greenhouse Gas Emissions impact Analysis Technical Memorandum* prepared by Birdseye Planning Group, February 17, 2022. The report is presented in its entirety in Appendix A.

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact: Implementation of the proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Implementation of the proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The proposed project would replace an existing lift station and a new wet well which would improve the operational energy efficiency and would result in less long-term commitments of energy. During construction, energy supplies would mostly be fuels to operate heavy equipment to construct the proposed project. The energy consumption impacts would occur at different levels throughout the construction phases.

The proposed project would consume energy resources during construction. The primary energy source would be petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, as well as delivery and haul truck trips (e.g., hauling of material to disposal facilities). Petroleum-based fuels currently account for a majority of the California's transportation energy sources and primarily consist of diesel and gasoline types of fuels. However, the state has been working on developing strategies to reduce petroleum use. Over the last decade California has implemented several policies, rules, and regulations to improve vehicle efficiency, increase the development and use of alternative fuels, reduce air pollutants and GHG emissions from the transportation sector, and reduce vehicle miles traveled (VMT). Accordingly,

petroleum-based fuel consumption in California has declined. In 2017, 1,382 million gallons of gasoline and 61 million gallons of diesel was sold in Orange County.[1]

Fuel calculations for the proposed project are based on the total Carbon Dioxide Equivalent (CO_2e) value calculated for construction phase and vehicle miles traveled (VMT) using the California Emission Estimator Model. Data are reported in annual metric tons of CO_2e for the duration of each construction phase. Metric tons are converted to kilogram CO_2e and then divided by a conversion factor used by the U.S. Environmental Protection Agency to estimate gallons of gasoline (8.87) and diesel fuel (10.18) consumed based on carbon emissions.

Table 4.6-1, *Construction Worker Gasoline Demand*, shows the gasoline demand for construction haul, vendor and workers. Table 4.6-2, *Construction Equipment Diesel Demand*, shows the diesel fuel demand for equipment operation. Gasoline demand was estimated assuming all vehicles would be gasoline fueled. Diesel fuel demand estimates assumed that all vehicles would be heavy-duty diesel-fueled equipment. Fuel demand estimates are conservative as the calculations were based on the daily use of equipment during heaviest construction phase.

Table 4.6-1
Construction Worker Gasoline Demand

Type	CO_2E MT	Total Duration (179 days)	Kg CO_2e	Gallons
Haul	0.16	30.4	30,400	3,427
Vendor	0.04	7.6	7,600	857
Worker	0.04	7.6	7,600	857
Total				**5,141**

Source: Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum;* February 17, 2022.

Table 4.6-2
Construction Equipment Diesel Demand

Type	CO_2E MT	Total Duration (179 days)	Kg CO_2e	Gallons
Infrastructure Installation	0.5	95	95,000	9,332
Total				**9,332**

Source: Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum;* February 17, 2022.

It is estimated that Orange County consumes 2231,047,000 gallons of gasoline and 87,920,000 gallons of diesel fuel annually. The construction of the proposed project would consume 5,141 gallons of gasoline and 9,332 gallons of diesel fuel, petroleum fuel per year from vehicle travel. This equates to 0.000021 percent of the gasoline and 0.0001 diesel consumed annually in Orange County. As such, the operations-related petroleum use would be nominal, when compared to current county-wide

[1] Obtained from: https://ww2.energy.ca.gov/almanac/transportation_data/gasoline/.

petroleum usage rates. Thus, impacts with regard transportation energy supply would be less than significant and no mitigation measures would be required.

Mitigation Measures: No mitigation measures are required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact: The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The proposed project would be required to comply with the California Air Resources Board emission requirements for construction equipment, which includes measures to reduce fuel consumption, such as imposing limits on idling and requiring older engines and equipment to be repowered or replaced, which helps reduce energy commitments during construction. The proposed project would also be required to adhere to the provisions of Title 24 building energy efficiency standards and the 2013 California Green Building Standards Code, which establishes planning and design standards, energy efficiency (in excess of the California Energy Code requirements), water conservation, and material conservation.

The project would be consistent with City of Laguna Beach Climate Protection Plan Goal 2.5, which states the City should participate in understanding, developing, and implementing state-of-the-art practices for energy efficiency and sustainable building practices. As part of its efforts, the City should incorporate currently available green building practices into its construction codes and approval processes, and the City should consider adopting requirements that go beyond the current Title 24 standard for all new projects. Finally, once the State of California has completed its proposed new Green Building Codes, the City should move to adopt them.

With compliance with California's efficiency requirements and the City of Laguna Beach Climate Protection Plan, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Mitigation Measures: No mitigation measures are required.

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4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
2) Strong seismic ground shaking?	☐	☐	☒	☐
3) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
4) Landslides?	☐	☒	☐	☐
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

ENVIRONMENTAL ANALYSIS

The following analysis is based on the *Geotechnical Investigation Report* prepared for the project by Geofirm on April 30, 2018 (Appendix D1) and the *Paleontological Records Search* on January 27, 2022 (Appendix D2).

Setting

The project site is underlain by bedrock strata of the Topanga Formation, and overlying terrace deposits, beach deposits, slope wash, and artificial fill. The Topanga Formation bedrock generally consists of tan, coarse, sandstone, with interbedded gray siltstone. The un-weathered bedrock in the

Topanga Formation is considered to be a suitable bearing material for the support of foundations. The surface veneer of the bedrock was observed to be weathered and friable, but moderately hard to hard layers were encountered in the borings conducted on the project site. Heavy equipment may be necessary to excavate bedrock. Indications of slope instability were not observed during the geotechnical investigation.

Beach deposits are present at the base of the bluff along the shoreline. Beach deposits consist of loose, medium- to coarse-grained sand with scattered shell fragments. Minor pockets of beach sand are deposited on the lower outcrops a few feet above the current beach level, indicating seasonally strong wave action. Beach deposits are not considered to be suitable as a bearing material. Outcrops of slope wash deposits are scattered on the slope. Slope wash deposits primarily consist of variably fractured, broken, and disturbed sandstone debris derived from bedrock. The debris varies from friable sand to locally cemented sandstone blocks. Slope wash deposits are not considered to be suitable as a bearing material. Artificial fill materials are present in areas of existing walkways, in existing utility trenches, and likely also in other areas of the site. The existing fill is not considered to be suitable as a bearing material.

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact: Implementation of the proposed project would not be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault. The Alquist-Priolo Earthquake Fault Zoning Act (Act) regulates development near active faults in order to mitigate the hazards of surface fault rupture. An active fault is one that has experienced earthquake activity in the past 11,000 years. Under the Act, the State Geologist is required to delineate special study zones along known active faults, known as Alquist-Priolo Earthquake Fault Zones. The Act also requires that prior to approval of a project, a geologic study be prepared to define and delineate any hazards from surface rupture and that a building setback be established from any known trace hazard. According to the California Geologic Survey Seismic Hazard Map for the Laguna Beach Quadrangle, there is no Alquist-Priolo Earthquake Fault Zones on the project site or in the nearby area. Therefore, the proposed project would not directly or indirectly be exposed to ground rupture impacts. Therefore, no ground rupture impacts would occur.

Mitigation Measures: No mitigation measures are required.

2) Strong seismic ground shaking?

Less Than Significant Impact: The project site would be subject to strong seismic ground shaking. The project site is situated within a seismically active region that could be subject to ground shaking impacts and earthquake. The Laguna Beach Local Hazards Mitigation Plan identifies a 1% to 25% probability of a magnitude 6.7 or greater event to occur along numerous faults within southern California in the next 30 years. The highest probability (25%) is projected

for the San Andreas fault, located approximately 52 miles from the City. While the closest fault (Newport Inglewood) is approximately two miles from the City and estimated to have a 1% probability of generating a 6.7M earthquake or greater. The risk for seismic shaking impacts at the project site would be similar to other areas in the southern California region. The proposed project does not involve the construction of any habitat structures that would increase the risk of injury or loss of property from seismic shaking impacts. The proposed project improvements would be designed to meet the most recent seismic standards of the California Building Code to accommodate seismic loading requirements and withstand anticipated ground shaking caused by an earthquake within an acceptable level of risk. Compliance with the City's construction standards and the California Uniform Building Code Seismic Safety Standards would minimize risks related to seismic shaking impacts. Therefore, the proposed project would not expose people or structures to potential adverse effects of ground shaking. Potential impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

3) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact: The project site would not be subject to seismic-related ground failure. Liquefaction is the phenomenon in which loosely deposited soils located below the water table undergo rapid loss of shear strength due to excess pore pressure generation when subject to strong earthquake induced ground shaking. Liquefaction is known generally to occur in saturated or near-saturated cohesionless soils at depths shallower than 50-feet below the ground surface. As shown in the *Laguna Beach Safety Element Figure S-4 - Liquefaction Prone Area,* the shoreline near the project site is prone to liquefaction hazards. However, the majority of the project would be constructed above the shoreline outside of areas that are prone to liquefaction. The project would involve the rehabilitation of existing steps near the shoreline. The proposed improvement to the existing steps would comply with the City's construction standards and the California Uniform Building Code Seismic Safety Standards, would minimize liquefaction risks, and reduce potential impacts to less than significant.

Mitigation Measures: No mitigation measures are required.

4) Landslides?

Less Than Significant Impact With Mitigation Incorporated: The project site would not be subject to seismic induced landslides. The areas that are most susceptible to earthquake-induced landslides are steep slopes in poorly cemented or highly fractured rocks, areas underlain by loose, weak soils and areas on or adjacent to existing landslide deposits. According to the City of *Laguna Beach Safety Element Figure S-5 - Land Slide Prone Area*, the project site is not within an Earthquake Induced Landslide Zone and would not be subject to landslide risks.

As part of the geotechnical investigation, generalized engineering stability analyses were performed to estimate the gross stability of the slope underlying the project area. The results indicate the site is adequately stable for the proposed project; however, some surficial instability, consisting of erosion and intermittent loss of non-bedrock earth materials underlying the project area could, during intense ground shaking, heavy rainfall, or during wave run-up due to high storm surge. Surficial instability and erosion are not anticipated to

negatively affect the proposed beach access stairway, if new foundations are designed and constructed in accordance with the geotechnical design recommendations presented in the Geotechnical Investigation prepared by Geofirm in April 2018. With implementation of Mitigation Measure GEO-1, potential bluff stability impacts would be less than significant.

Mitigation Measures:

GEO-1: The final design of the project shall consider, and where feasible, design and construction recommendations provided in the Geotechnical Investigation prepared by Geofirm in April 2018. The recommendations include, Site Preparation and Grading, Structural Design of Foundations, Structural Design of retaining Walls, Hardscape Design and Construction, Concreate, Finish Grade and Surface Drainage, Foundation Plan Formulation and Review and Observation and Testing.

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

Less Than Significant Impact: The construction of the project would not result in substantial soil erosion. The construction activities for the project would uncover soil, which could be subject to erosion impacts caused by water and wind. Additionally, construction equipment and vehicles could indirectly transport sediment to offsite locations. According to the State Water Resources Control Board (SWRCB) Order 2009-009-DWQ, construction projects which disturb one or more acres of soil would be required to obtain coverage under a General Construction Permit by the SWRCB. The earthwork activities for the proposed project would not disturb more than one acre and would not be required to obtain a General Construction Permit. The project would be required to comply with the City of Laguna Beach Grading Code Construction Project Erosion and Sediment Control Maintenance Requirements which would require Construction Best Management Practices be incorporated into the project to minimize onsite erosion and offsite sediment transport. Such measures could include, sandbagging, straw waddle, silt fencing, rumble racks and wheel washers or other measures that reduce surface water runoff and sediment transport. With compliance with local Grading Code Erosion and Sediment Control Maintenance Requirements, potential erosion impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact With Mitigation Incorporated: The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse.

GEOLOGIC CONSTRAINTS

The project Geotechnical Investigation Report prepared by Geofirm in April 2018 identified the following geologic constraints on the project site.

Based upon review of regional geologic mapping and onsite geologic reconnaissance, the project area is underlain by bedrock strata of the Topanga Formation, and overlying terrace deposits, beach deposits, slope wash, and artificial fill. Bedding planes in the Topanga Formation bedrock in the vicinity

of the site generally strike to the northwest and dip moderately to the south-southwest. The geometric relationship between orientations of the bedding planes and the existing slope generally results in an overall neutral condition for slope stability. Signs of slope instability were not observed during our investigation.

Terrace deposits unconformably overlie the gently inclined bedrock contact in the vicinity of the site. In general, terrace deposits consist of orange to light brown, moderately to well consolidated, fine to coarse sand. Undisturbed, competent terrace deposits are considered to be a suitable bearing material for the support of foundations.

Beach deposits are present at the base of the bluff along the shoreline. Beach deposits consist of loose, medium- to coarse-grained sand with scattered shell fragments. It was noted during the study that minor pockets of beach sand are deposited on the lower outcrops a few feet above the current beach level, indicating seasonally strong wave action. Beach deposits are not considered to be suitable as a bearing material.

Outcrops of slopewash deposits are scattered on the slope. Slopewash deposits primarily consist of variably fractured, broken, and disturbed sandstone debris derived from bedrock. The debris varies from friable sand to locally cemented sandstone blocks. Slopewash deposits are not considered to be suitable as a bearing material.

Artificial fill materials are present in areas of existing walkways, in existing utility trenches, and likely also in other areas of the site. The existing fill is not considered to be suitable as a bearing material.

COASTAL HAZARD CONSTRAINTS

The City of Laguna Beach General Plan Land Use Element Policy 7.3.11 requires all coastal development permit applications for new development on an oceanfront or on an oceanfront bluff property subject to wave action to assess the potential for flooding or damage from waves, storm surge, or seiches, through a wave uprush and impact report prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are a seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100-year event or a storm that compares to the 1982/83 El Nino event.

The following evaluation is based on the Coastal Hazards and Wave Runup Study prepared by GeoSoils in December 2016. The study is consistent with the requirements provided in Land Use Policy 7.3.11 and was prepared for a property located at 1061 Gaviota Drive, Laguna Beach, approximately 200 feet south of where the proposed project improvements would be implemented. Onsite coastal conditions and coastal hazard constraints would be relative to the proposed project site. The Coastal Hazards and Wave Runup Study evaluates potential coastal hazards over a 75-year timeframe period.

BACKGROUND

The project site is fronted by Anita Beach and lies within the Laguna Beach Mini Littoral Cells, one of the eight coastal segments defined and studied in the U.S. Army Corps of Engineers (USACE) CCSTWS South Coast Region Orange County (USACE, 2002). A littoral cell is a coastal compartment that contains a complete cycle of littoral sedimentation including sources, transport pathways, and sediment sinks.

The Laguna Beach Mini Littoral Cells extend from the east jetty of Newport Harbor to the Dana Headlands, a distance of about 14.1 miles. This shoreline is characterized by a series of conservative pocket beaches. The pocket beaches are characteristically narrow and backed by sea cliffs composed of erosion resistant bedrock below more erosive formations. The pocket beach size varies with wave conditions and shoreline orientation, but the mean beach widths have been relatively stable (USACE, 2002). The pocket beaches are bounded by either rock noses extending into the surf zone, or natural headland reefs. The Gaviota Drive site is in Reach 11 of the USACE report, which extends from Laguna Canyon Road to Goff Island. Central Coast Beach is a long pocket beach that is backed by sea cliffs. The beach is subject to seasonal erosion and accretion but is, in general, described by the USACE as stable. The Central Coast Beach segment can be characterized as a stable shoreline with little or no retreat over the last 80 years.

Extreme wave conditions in shallow water have been calculated using historical wave data. The California Department of Boating and Waterways in partnership with the USACE maintain wave recording buoys throughout southern California. The record of historical waves for this region, both from direct observation or recording and from hindcast analysis, is very extensive (USACE 1988). Waves as high as 20 feet were recorded on January 17, 1988, and 14- to 16-foot high waves with periods in excess of 20 seconds were recorded during the 1982-83 El Nino winter. The National Oceanographic and Atmospheric Administration (NOAA) National Ocean Survey (NOAA, 2012) tidal data station closest to Central Coast Beach is located at Newport Beach (Station 9410580). The tidal datum elevations are as follows:

- Mean Higher High (MHHW) 5.25
- Mean High Water (MHW) = 4.49
- Mean Tide Level (MTL) = 2.62
- Mean Sea Level (MSL) = 2.59
- Mean Low Water (MLW) = 0.74
- Mean Lower Low Water (MLLW) = -0.18

COASTAL HAZARDS

There are three potential oceanographic hazards that could occur at the project site; shoreline erosion, coastal flooding, and wave runup that could affect the proposed project, in particular the proposed lifeguard tower.

Coastal Erosion

In an effort to determine typical changes in the shoreline position, aerial photographs from the early 1970s to 2010 were reviewed by GeoSoils. A visual comparison of the photographs shows little or no change in the shoreline position over the last five decades. According to the GeoSoils Report, future shoreline changes over the next 75 years can be assumed to be the same as in the previous few decades.

Sea level rise alone would not change the erosion rate of the shoreline. The beach at the project site extends for considerable distances in either direction, consisting of a veneer of sand over erosion resistant bedrock. The nearshore rock reefs are important to the erosion resistance of the shoreline because they remove energy from the waves. Rather than being inundated by sea level rise, the beach and the nearshore will readjust to the new sea level over time such that waves and tides would remain with the same profile that exists today with little or no change in the shoreline position. Therefore, the

proposed project would not create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area.

Coastal Flood Hazard

Potential flooding hazards result from water level changes in the ocean. Flooding due to waters other than from the ocean would be mitigated through the site drainage plan designed by the project civil engineer. The primary hazard due to flooding from ocean waters would be due to a super-elevation of the ocean. The NOAA Ocean Survey tidal data station closest to the site is located at the Newport Bay Entrance station. The estimated elevations allow for a 4.5-foot rise in sea level over the next 75 years, with a mean higher high water at +9.75 feet. The highest observed water elevation was on January 28, 1983 during the severe El Nino winter. This elevation was +7.5 feet NAVD88; if a sea level rise of 4.5 feet was added to this elevation, it would be about +12.0 feet. The proposed lifeguard tower would be supported on a 3-foot wide concrete caisson that would be able to withstand coastal water flood flow impacts. Additionally, the proposed lifeguard tower house would be situated above 12 feet and would be designed to be easily replaced if unexpected damage occurs.

Wave Runup

Wave runup will reach the back beach at an elevation of +13 feet over the next 75 years. As identified previously, the proposed lifeguard tower would be supported on a 3-foot wide concrete caisson that would be able to withstand coastal wave runup impacts. The erosion resistant bedrock at the project site would become a natural shore protection and prevent further movement of the shoreline landward even under the highest sea level rise estimates over the next 75 years.

Tsunamis are waves generated by submarine earthquakes, landslides, or volcanic action. The maximum tsunami runup in the Central Coast Beach coastal area is less than 2 meters in height. Any wave, including a tsunami, that approaches the site will be refracted, modified, and possibly reduced in height. The proposed lifeguard tower would be 13 feet in height. Because of the infrequent nature and the relatively low 500-year recurrence interval tsunami wave height and the elevation of the improvements, the site is reasonably safe from tsunami hazards.

GEOLOGIC/COASTAL HAZARD CONSTRAINTS

The project Geotechnical Investigation Report prepared by Geofirm in April 2018 identified the construction of the proposed improvements at the project site would be considered geotechnically feasible provided the recommendations presented in the geotechnical report are incorporated into the design, construction, and long-term maintenance of the property. The project would comply with the City's construction standards and the California Uniform Building Code Seismic Safety Standards and would be designed and constructed in accordance with the recommendations presented in the Geotechnical Investigation Report prepared by Geofirm in April 2018, which would reduce potential geologic constraint impacts to less than significant. With implementation of Mitigation Measure GEO-1, potential geologic impacts would be less than significant.

The Coastal Hazards and Wave Runup Study prepared by GeoSoils identifies the shoreline fronting the site would be stable over the long-term. However, the beach would be subject to temporary but measurable wave runup and beach erosion. During the coincidence of an eroded beach, high tides, and high waves, the back beach area fronting the site may be subject to wave runup. The proposed wet well would be above the height where potential wave runup and coastal flooding has been estimated to occur. The coastal access stair improvement and the caisson support for the lifeguard

tower would be concrete and would be able to withstand potential wave runup and coastal flooding. Additionally, there are bedrock outcroppings in the surf zone near this project site and adjacent properties that act as a breakwater to incoming waves. There are no recommendations necessary to mitigate potential coastal hazards. New shore protection would not be required to protect the proposed improvements over the next 75 years. The proposed improvements would not create nor contribute significantly to erosion, geologic instability, or destruction of the site or adjacent area.

Mitigation Measures: Mitigation Measure GEO-1 is required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact With Mitigation Incorporated: The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. Expansive soils are defined as fine grained silts and clays which are subject to swelling and contracting. The amount of swelling and contracting would be subject to the amount of fine-grained clay materials present in the soils and the amount of moisture either introduced or extracted from the soils. The geotechnical report did not identify expansive soils as a geologic constraint to construct the project. The geotechnical investigation concluded that the proposed project is geotechnically feasible provided the recommendations presented in the Geotechnical Technical Investigation prepared by the Kreuzer Consulting Group in January 2021. With implementation of Mitigation Measure GEO-1, potential impacts associated with expansive soils would be less than significant.

Mitigation Measures: Mitigation Measure GEO-1 is required.

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

No Impact: The proposed project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impacts would occur regarding septic tanks or alternative wastewater disposal systems.

Mitigation Measures: No mitigation measures are required.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact With Mitigation Incorporated: Implementation of the project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Paleontological resources are the fossilized remains, imprints, or traces of past life preserved in the geologic record. This can include bones, teeth, soft tissues, shells, plant material, microscopic organisms, footprints, trackways, and burrows. Fossils are the only record of the natural history of life on this planet. Despite the frequency of sedimentary rock in the geologic record, and the number of organisms that have lived throughout the planet's history, only a very small number of remains have been preserved in the fossil record. Fossils are important scientific resources, allowing the study of:

- The evolutionary history of extinct organisms, including their lifestyle, interrelationships, distribution, speciation, extinction, and relation to modern groups.

- The taphonomic agents responsible for fossil preservation, including biases in the fossil record.
- Ancient environments, in which these organisms lived, and the distribution and change in these environments and their organisms through time.
- The temporal relationships of rock deposits from one area to another, and the timing of geologic events.

The project area is underlain by bedrock strata of the Topanga Formation with overlying terrace deposits, beach deposits, slope wash, and artificial fill. A records search conducted on January 27, 2022 by the Natural History Museum of Los Angeles County (NHMLAC) determined that no fossil localities lie directly within the proposed project site. However, fossil localities have been identified in nearby areas from the same sedimentary deposits that occur in the project area, either at the surface or at depth. Table 4.7-1, *Paleontology Records Check*, shows fossil localities identified in the local and regional area.

Table 4.7-1
Paleontology Records Check

Locality Number	Location	Formation	Taxa	Depth
LACM IP 24374	Sea Cliffs near Cheney's Point	Topanga Formation	Unspecified vertebrates	Unknown
LACM IP 2951	Near Laguna Beach	Unknown Formation	Unspecified vertebrates	Unknown
LACM VP 4007	In head of Rim Rock Canyon South of Temple Hill Drive & West of the Top of the World on Temple Hill	Topanga Formation	Marine mammal	Unknown
LACM VP 3222	Two miles north of South Laguna, west of the drainage of Aliso Creek, southeast of Temple Hill	Topanga Formation	Marine mammal	Surface
LACM VP 1115	Near Salt Creek Trail in Salt Creek Corridor Regional park, San Joaquin Hills	Pleistocene terrace deposit	Mammoth	Unknown
LACM IP 12651	Crystal Cove State Park	Pleistocene terrace deposit	Unspecified vertebrates	Unknown

The project would require excavations of up to 25 feet to construct the proposed wet well. Deeper excavations that extend down into the paleontologically sensitive Topanga Formation could uncover significant fossil vertebrate remains. Any substantial excavations in the Topanga Formation on the project site should be monitored closely to recover any fossil remains quickly and professionally so as not to impede development. Also, sediment samples should be collected and processed to determine the small fossil potential in the proposed project area. Any significant fossils recovered during mitigation monitoring should be deposited in an accredited and permanent scientific institution for

the benefit of current and future generations. With implementation of Mitigation Measures PALEO-1 and PALEO-2, potential impacts to paleontological resources onsite or unique geologic features would be less than significant.

Mitigation Measures:

PALEO-1: Prior to the issuance of any grading permit, the project Applicant shall provide written evidence to the City of Laguna Beach, that the Applicant has retained a qualified paleontologist to observe grading activities and salvage and catalogue fossils, as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the Applicant and City, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the Applicant, which ensures proper exploration and/or salvage.

PALEO-2: If paleontological resources are uncovered and after completion of the project, the Applicant shall submit the paleontologist's follow-up report for approval by the City of Laguna Beach. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. The Applicant shall prepare the excavated material to the point of identification. The Applicant shall offer excavated finds for curatorial purposes to the City of Laguna Beach or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the City of Laguna Beach. Applicant shall pay curatorial fees for the storage of these resources in perpetuity.

4.8 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

The following analysis is based on the greenhouse analysis contained in the Air Quality/Greenhouse Gas and Energy Calculation Memorandum prepared by Birdseye Planning Group on February 17, 2022. The Technical Memorandum is presented in its entirety in Appendix A.

Background

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Manmade GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and sulfur hexafluoride (SF_6).

Regulatory Framework

The adopted CEQA Guidelines provide general regulatory guidance on the analysis and mitigation of GHG emissions in CEQA documents but contain no suggested thresholds of significance for GHG emissions. Instead, lead agencies are given the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHGs and climate change impacts. The SCAQMD threshold, which was adopted in December 2008, considers emissions of over 10,000 metric tons CO_2E/year to be significant. However, the SCAQMD's threshold applies only to stationary sources and is expressly intended to apply only when the SCAQMD is the CEQA lead agency. Although not formally adopted, the SCAQMD has developed a draft quantitative threshold for all land use types of 3,000 metric tons CO_2E /year (SCAQMD, September 2010). Note that lead agencies retain the responsibility to determine significance on a case-by-case basis for each specific project. The City of Laguna Beach adopted a Climate Protection Action Plan (CPAP) in April 2009. No project specific annual GHG emission threshold was identified nor were measures related to reducing construction emissions included in the CAP. Thus, for the purpose of determining the significance of GHG impacts, a threshold of 3,000 metric tons of annual emissions is the threshold used herein.

PROJECT IMPACTS

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact: Implementation of the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

Construction of the proposed project would generate temporary GHG emissions primarily associated with the operation of construction equipment and truck and worker trips. Daily GHG emissions (0.7 tons) were multiplied by 179, the estimated number of days required for construction of the project. Air districts such as the SCAQMD have recommended amortizing construction-related emissions over a 30-year period to calculate annual emissions. Construction would generate approximately 133 metric tons of CO_2E over the 190-day construction cycle. Amortized over 30 years, annual GHG emissions would be 4.4 metric tons. Estimated GHG emissions would not exceed the SCAQMD 3,000 MT annual recommended threshold and potential greenhouse house emission impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact: Implementation of the proposed project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The purpose of the Laguna Beach City Climate Protection Action Plan (CPAP) is to provide a blueprint to implement the key provisions of the U.S. Mayors' Climate Protection Agreement, which the City Council adopted on February 6, 2007. The broad goal is to reduce manmade greenhouse gas (GHG) emissions 7 percent below 1990 levels no later than 2012, which would mean a reduction in Laguna Beach of 10 percent from present levels. The Climate Protection Action Plan sets clear goals and objectives for climate protection, identifies benchmarks and milestones to measure success, and identifies and recommends specific greenhouse gas reduction measures from various activities, including buildings, transportation, land use, government operations, commercial operations, water management and public outreach. The project would be consistent with Policy 5.3.12, which requires the City to evaluate major city projects on the basis of their potential positive or negative effects on GHG emissions.

The City of Laguna Beach adopted Climate Protection Action Plan does not identify annual GHG emission threshold to reducing construction emissions included in the CAP. Thus, for the purpose of determining the significance of GHG impacts, a threshold of 3,000 metric tons of annual emissions was the threshold to evaluate the proposed project. The project's annual GHG emissions would be 4.2 metric tons and would not exceed the SCAQMD 3,000 MT annual threshold. Therefore, the proposed project is consistent with the Laguna Beach Climate Protection Action Plan and would not conflict with the applicable plan adopted for the purpose of reducing the emissions of greenhouse gases. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact: Implementation of the proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Title 22 of the California Code of Regulations (CCR), Division 4.5, Chapter 11, Article 3, classifies hazardous materials into the following four categories based on their properties:

- Toxic (causes human health effects),
- Ignitable (has the ability to burn),

- Corrosive (causes severe burns or damage to materials), and
- Reactive (causes explosions or generates toxic gases).

Hazardous wastes are hazardous materials that no longer have a practical use, such as substances that have been discarded, discharged, spilled, contaminated, or are being stored prior to proper disposal. The health impacts of hazardous materials exposure are based on the frequency of exposure, the exposure pathway, and individual susceptibility.

The long-term operation of the proposed project would not involve the routine transport, use or disposal of hazardous materials or hazardous waste that would pose a hazard to public health and safety or the environment. The construction operations associated with the proposed project would involve the handling of small amounts of hazardous substances, such as solvents, fuels and oil. The quantities of hazardous substances would be relatively small and would have minimal exposure risks to the environment. The project would comply with local, state, and federal laws and regulations regarding the handling and storage of hazardous materials. With compliance with local, state and federal laws and regulations regarding the handling and storage of hazardous materials, the potential for the project to create a significant hazard to the public or the environment would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact: Implementation of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The construction operations associated with the proposed project would involve the handling of small amounts of hazardous substances, such as solvents, fuels and oil. The level of risk associated with the accidental release of hazardous substances would not be considered significant due to the small volume and low concentration of hazardous materials that would be utilized during construction. The project would comply with local, state, and federal laws and regulations regarding the handling and storage of hazardous materials. Additionally, the project would implement Best Management Practices that would require the construction contractor to use construction controls and safety procedures associated with material delivery and storage, materials use, and spill prevention and control, which would avoid or minimize the potential for accidental release of hazardous substances into the environment. With compliance with local, state and federal laws and regulations regarding the handling and storage of hazardous materials and implementation of Beast Management Practices, potential hazardous impacts involving the accidental release of hazardous materials into the environment would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact: Implementation of the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing

or proposed school. The project site is not located within one-quarter mile of a school. The nearest school to the project site would be Laguna Beach High School (625 Park Avenue) located approximately 0.42 miles to the south of the project site. Therefore, implementation of the proposed project would not emit hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within a 0.25-mile of an existing or proposed school. No impact would occur.

Mitigation Measures: No mitigation measures are required.

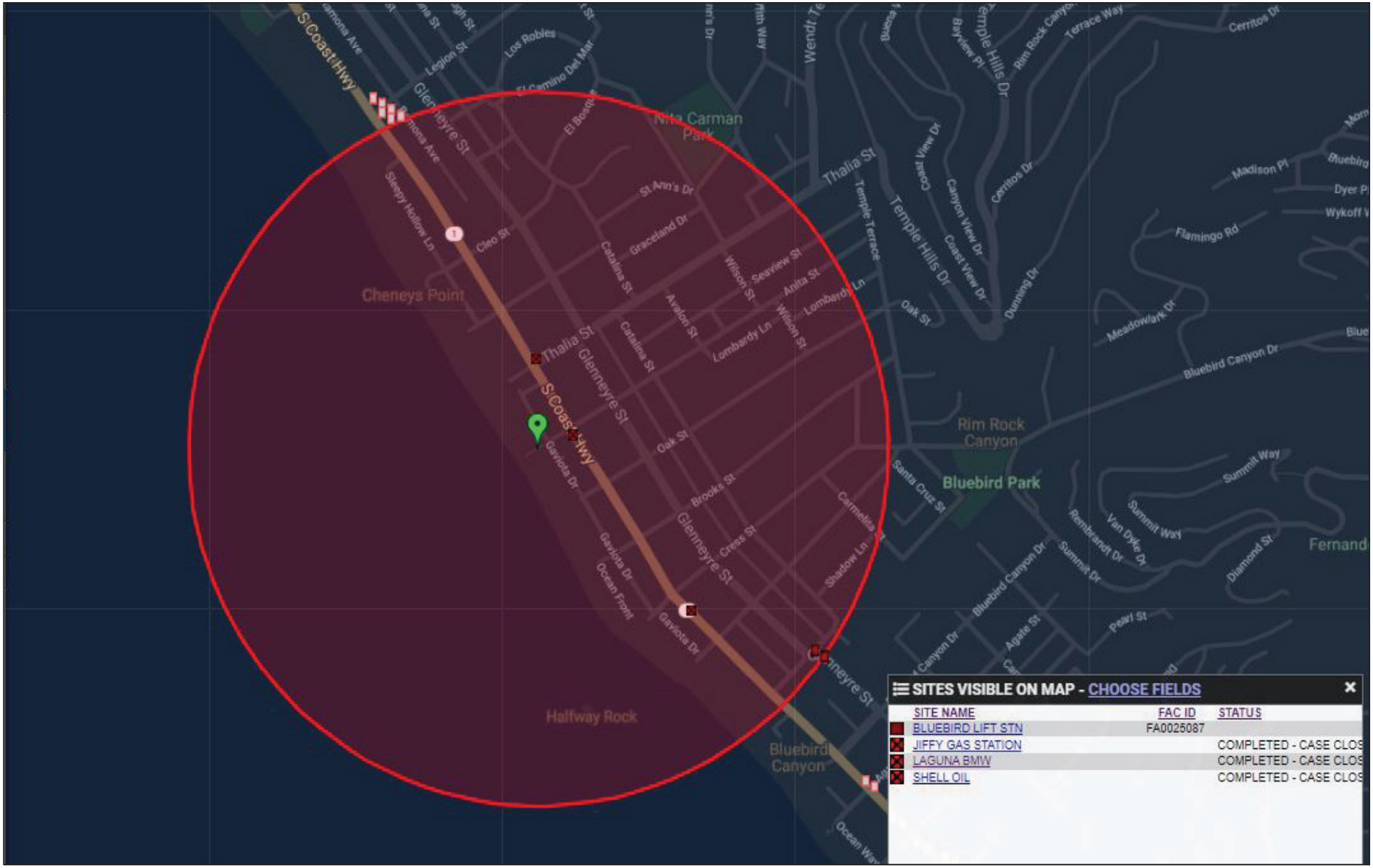
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact: The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. A State Water Resources Control Board GeoTracker search was conducted to identify any Recognized Environmental Conditions (RECs) within the vicinity of the project site; refer to Figure 4.9-1, *GeoTracker 2,000 Feet Radius Search*. GeoTracker maintains files related to Underground Storage Tank (UST) facilities, Leaking Underground Storage Tanks (LUSTs), site clean-ups, disposal sites, wells, and information related to hazardous materials and/or waste. Based on the output of the GeoTracker database, there are no hazardous cleanup sites within the project area. Three Leaking Underground Storage Tank (LUST) cleanup sites are located within 2,000 feet of the project site including Jiffy Gas Station (T0605902361), Laguna BMW (T0605902413), and Shell Oil (T0605963567). All three of these LUST sites are considered completed and have a case closed status. Additionally, one permitted underground storage tank (UST), the Bluebird Lift Station (FA0025087), is located approximately 1,950 feet southeast of the project site; refer to Table 4.9-1, *LUST Clean Up Sites and UST's*. Since there are no ongoing cleanup activities occurring within the project area that would pose a hazardous risk, and the Bluebird Lift Station is distant enough to not pose a risk, the construction and operation of the proposed project would not create a significant hazard to the public, or the environment and potential impacts would be less than significant.

Table 4.9-1
LUST Clean Up Sites and UST's

Site Name	Global ID	Site Type	Status	Potential Contaminant of Concern
Jiffy Gas Station	T0605902361	Gas Station	Completed – Case Closed as of 7/3/2012	Gasoline
Laguna BMW	T0605902413	Dealership	Completed – Case Closed as of 5/7/2004	Gasoline
Shell Oil	T0605963567	Gas Station	Completed – Case Closed as of 7/8/2005	Gasoline
Bluebird Lift Station	FAC ID: FA0025087	Lift Station	Permitted	Raw Sewage
Source: 2022 State of California Department of Toxic Substance Control.				

Mitigation Measures: No mitigation measures are required.



Source: State of California, State Water Resources Control Board GeoTracker; January 31, 2022.

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

GeoTracker 2,000 Feet Radius Search

VCS Environmental

Figure 4.9-1

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

No Impact: The project would not be within two miles of a public airport or public use airport, that would result in a safety hazard or excessive noise for people residing or working in the project area. The project site is not located within an airport land use plan and there are no public airports within two miles of the project site. The nearest airport would be John Wayne Airport, located approximately 11 miles from the project site. Therefore, no impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact: Implementation of the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The City of Laguna Beach Local Hazard Mitigation Plan provides the framework for responding to major emergencies or disasters. This Plan provides a comprehensive assessment of the threats that Laguna Beach faces from natural and manmade hazard events and a coordinated strategy to reduce these threats. It identifies resources and information that can help community members, City staff, and local officials understand local threats and make informed decisions. The Local Hazard Mitigation Plan encourages increased coordination and collaboration between the City, other public agencies, local employers, service providers, community members, and other key stakeholders. These actions would help to protect the safety and well-being of residents and visitors, critical facilities and facilities of concern, other buildings and structures, key services, the local economy, and other important community assets. To guide response activities, the City will rely on implementing the Emergency Operations Plan and work closely with volunteer organizations such as the Community Emergency Response Team (CERT), which helps orchestrate internal and external communications, logistics, and assistance during large-scale emergencies. During an emergency, the City would implement the Emergency Plan and, if needed, would identify an emergency evacuation plan. With implementation of the City's Emergency Plan, the public would be coordinated with to ensure they are notified early, and any evacuation is done in an orderly fashion to avoid potential conflicts.

The proposed project would not increase the population in the City and the amounts of residents to be potentially evacuated in the event of an emergency. The construction activities for the proposed project would not involve any activities that would physically impair or interfere with emergency response plans for the project area. Implementation of the project would not have any long-term conflicts with emergency response plans. During construction, there could be the potential for temporary lane closures to allow for utility connections. The temporary lane closures would be for a short period of time and would not interfere with emergency response plans. Additionally, the construction activities for the project would be coordinated with the City, which would identify if traffic controls are needed to maintain emergency response plans. With compliance with the City traffic control requirements, potential construction impacts with emergency response plans would be less than significant.

Mitigation Measures: No mitigation measures are required.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Less Than Significant Impact: Implementation of the proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. A wildland fire is a non-structural fire that occurs in vegetative fuels. Wildland fires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. The potential for wildland fires represents a hazard where development is adjacent to open space or within proximity to wildland fuels or designated Fire Hazard Safety Zones. According to the California Department of Forest and Fire Protection, the project site is not in a high wildfire risk area. However, almost all of the inland area of the City of Laguna Beach is designated a wildland fire hazard area. Implementation of the project would not increase the risk for wildland fire on the project site or within inland areas of the City.

Mitigation Measures: No mitigation measures are required.

4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
1) Result in substantial erosion or siltation on- or offsite?	☐	☐	☒	☐
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	☐	☐	☒	☐
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
4) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

Existing Setting

REGIONAL WATERSHED

Laguna Beach contains three watersheds within its City limits: Laguna Coastal Streams Watershed, Dana Point Coastal Streams Watershed and Aliso Creek Watershed. The project site is located within the Laguna Coastal Streams Watershed. The 11-square mile Laguna Coastal Streams Watershed consists of the Laguna Canyon Creek watershed and several smaller coastal-draining watersheds adjacent to it including Rim Rock Canyon, which is upstream of the project site. At the project site is an existing storm drain, which discharges surface water runoff from upstream locations to the Anita Beach shoreline.

SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD BASIN PLAN

The City of Laguna Beach and associated watersheds are located within the jurisdiction of the San Diego Regional Water Quality Control Board. The San Diego Region Basin Plan designates beneficial uses for Laguna Beach Local Coastal Waters that are required to be protected. Additionally, the Basin Plan identifies impaired water bodies and environmental sensitive areas within the region that afford additional protection.

Beneficial Uses

Table 4.10-1, *Laguna Beach Coastal Water Beneficial Uses*, shows beneficial uses established by the San Diego Regional Water Quality Control Board for Laguna Beach Coastal waters.

Table 4.10-1
Laguna Beach Coastal Water Beneficial Uses

Beneficial Uses			
Industrial Service Supply	Navigation	Water Contact Recreation	Shellfish Harvesting
Noncontact Water Recreation	Commercial and Sport Fishing	Preservation of Biological Habitats of Special Significance	Marine Ecosystem
Estuarine Habitat	Wildlife Habitat	Preservation of Rare and Endangered Species	Aquaculture
Fish Migration	Fish Spawning	Warm Freshwater Habitat	Industrial Process Supply

Environmentally Sensitive Areas. The San Diego Regional Water Quality Control Board defines Environmentally Sensitive Areas (ESAs) as those areas that include, but are not limited to:

- All Clean Water Act (CWA) Section 303(d) impaired waters (see below).
- Areas designated as Areas of Special Biological Significance by the SWRCB in the Water Quality Control Plan for the San Diego Region (a.k.a. the Basin Plan).
- State Water Quality Protected Areas.
- Water bodies designated with the RARE Beneficial Use category by the SWRCB in the Basin Plan (RARE).
- Areas designated as preserves or their equivalent under the Natural Communities Conservation Planning Program (NCCP).
- Any other ESAs identified by the City.

ESAs in Laguna Beach are concentrated along the Pacific Ocean shoreline within 200 feet of the mean high tide line, which includes the Anita Beach shoreline.

Section 303 (d) Water Bodies. Under Section 303 (d) of the Clean Water Act, the State Water Resources Control Board is required to develop a list of impaired water bodies. Each of the individual RWQCBs are responsible for establishing priority rankings and developing action plans, referred to as total maximum daily loads (TMDLs) to improve water quality of water bodies included in the 303(d) list. The Basin Plan identifies Laguna Beach Shoreline impaired by Enterococcus, Fecal Coliform, Total Coliform.

Stormwater Management. Section 402 of the Clean Water Act established the National Pollutant Discharge Elimination System permit system to control water pollution by regulating non-point sources that discharge pollutants into Waters of the United States. In the State of California, the EPA has authorized the State Water Resources Control Board (SWRCB) to be the permitting authority to implement the NPDES Program. The SWRCB issues two baseline general permits, one for industrial discharges and one for construction activities (General Construction Permit). Additionally, the NPDES Program includes the long-term regulation of storm water discharges from medium and large cities through the Municipal Separate Storm Sewer System (MS4) Permit. The City of Laguna Beach is a co-permittee to the County of Orange NPDES MS4 Permit and would be responsible for the implementation of the permit requirements.

PROJECT IMPACTS

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact: The proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. During construction, there would be the potential that degraded surface water runoff could be generated from the construction site. The construction activities for the project would be required to comply with City of Laguna Beach Municipal Code Title 16 Water Quality Control Ordinance which would require implementation of BMPs to minimize degraded surface water runoff impacts from being conveyed offsite to coastal waters. Such measures could include sandbagging, straw waddle, silt fencing, rumble racks and wheel washers or other measures that reduce surface water runoff and sediment transport. With compliance with the City of Laguna Beach Water Quality Control Ordinance, potential adverse water quality impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact: Implementation of the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. The project site does not overlie a managed groundwater basin that provides groundwater supplies. The proposed project would have no activities that would extract groundwater. Therefore, the project would not substantially decrease groundwater supplies.

Mitigation Measures: No mitigation measures are required.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

1) Result in substantial erosion or siltation on- or offsite?

Less Than Significant Impact: Implementation of the proposed project would result in substantial erosion or siltation on or offsite. The project would not substantially alter the existing drainage pattern of the site or area. During earthwork activities, there would be the potential that uncovered soils on the project site could be exposed to water erosion and/or wind erosion impacts. Additionally, there would be the potential that construction vehicles and construction equipment could transport sediment onto local streets and into local drainage systems. The project would be required to comply with City of Laguna Beach Municipal Code Title 16 Water Quality Control Ordinance which would require implementation of BMPs to minimize onsite erosion and offsite sediment transport. With compliance with the City of Laguna Beach Water Quality Control Ordinance, potential adverse onsite erosion and offsite sediment transport impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Less Than Significant Impact: Implementation of the proposed project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite. The construction of the proposed project would not substantially increase the amount of impervious area over the current condition and would not cause onsite or offsite flooding. Additionally, the project would not change onsite drainage patterns and would not contribute additional stormwater flows to existing drainage facilities within the project area.

Mitigation Measures: No mitigation measures are required.

3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact: The City of Laguna Beach maintains a system of 25 stormwater diversion units designed to screen and divert dry weather stormwater flows to the City's sewer system. In 2001, the City installed a 3 cubic feet per second (CFS) hydrodynamic separator and a diversion valve vault on the existing 24-inch reinforced concrete pipe (RCP) to divert the surrounding areas dry weather stormwater to the station's influent manhole. To divert stormwater, the City manually opens and leaves the diversion valves open during the designated dry weather months (May-September). During the wet weather months, the stormwater diversion valves are closed and the 24-inch line discharges at the bottom of the beach access stairs through the existing outfall. The existing outfall headwall and connecting manhole are showing concrete deterioration as evident through surface cracking and the

exposure of the structure's reinforcement. The proposed improvements will call for the concrete repair of these existing structures through the installation of quick-setting structural repair concrete.

With the construction of the proposed sewer lift station, the existing stormwater diversion infrastructure will also be relocated and reconnected to the existing stormwater pipe and outfall. The system will continue to use an inline, 5-foot diameter hydrodynamic separator, installed to continue to treat all of the stormwater conveyed through the existing 24-inch RCP line. During the dry weather months, the City will be able to continue to divert the stormwater to the wet well of the sewer lift station through the installation of a 4-inch PVC line and manual plug valve. Any stormwater flow exceeding the treatment capacity of the hydrodynamic separator will overflow through the built in bypass weir and continue on through the existing 24-inch RCP line.

Implementation of the proposed project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Mitigation Measures: No mitigation measures are required.

4) Impede or redirect flood flows?

No Impact: Implementation of the proposed project would not impede or redirect flood flows. As shown on Figure 4.10-1, *National Flood Hazard Map* (FEMA FIRM 06059C0417K effective December 3, 2009), the project site upstream of the shoreline is within Flood Zone X Areas of Minimal Flooding and the shoreline is within a Special Flood Hazard Zone. Implementation of the project would not, increase rates of surface water, change existing drainages, or impede or redirect flood flows.

Mitigation Measures: No mitigation measures are required.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact: The project would not be in a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation. Tsunamis are waves generated by submarine earthquakes, landslides, or volcanic action. The City of Laguna Beach General Plan Safety Element identifies the Anita Beach area is within a tsunami inundation area. While there is no record of large or moderate tsunamis in the Laguna Beach area, the potential for tsunami damage exists, as it does in most coastal California communities. In the event of a tsunami the City would implement the Emergency Plan and, if needed, would identify an emergency evacuation plan. With implementation of the City's Emergency Plan, the public would be coordinated with to ensure they are notified early, and any evacuation is done in an orderly fashion to avoid potential conflicts. The project would not generate or store large quantities of water quality pollutants. Implementation of the project would not increase the risk for a tsunami or the release of pollutants. With implementation of the City's Emergency Plan, potential flood risks from a tsunami would be less than significant.

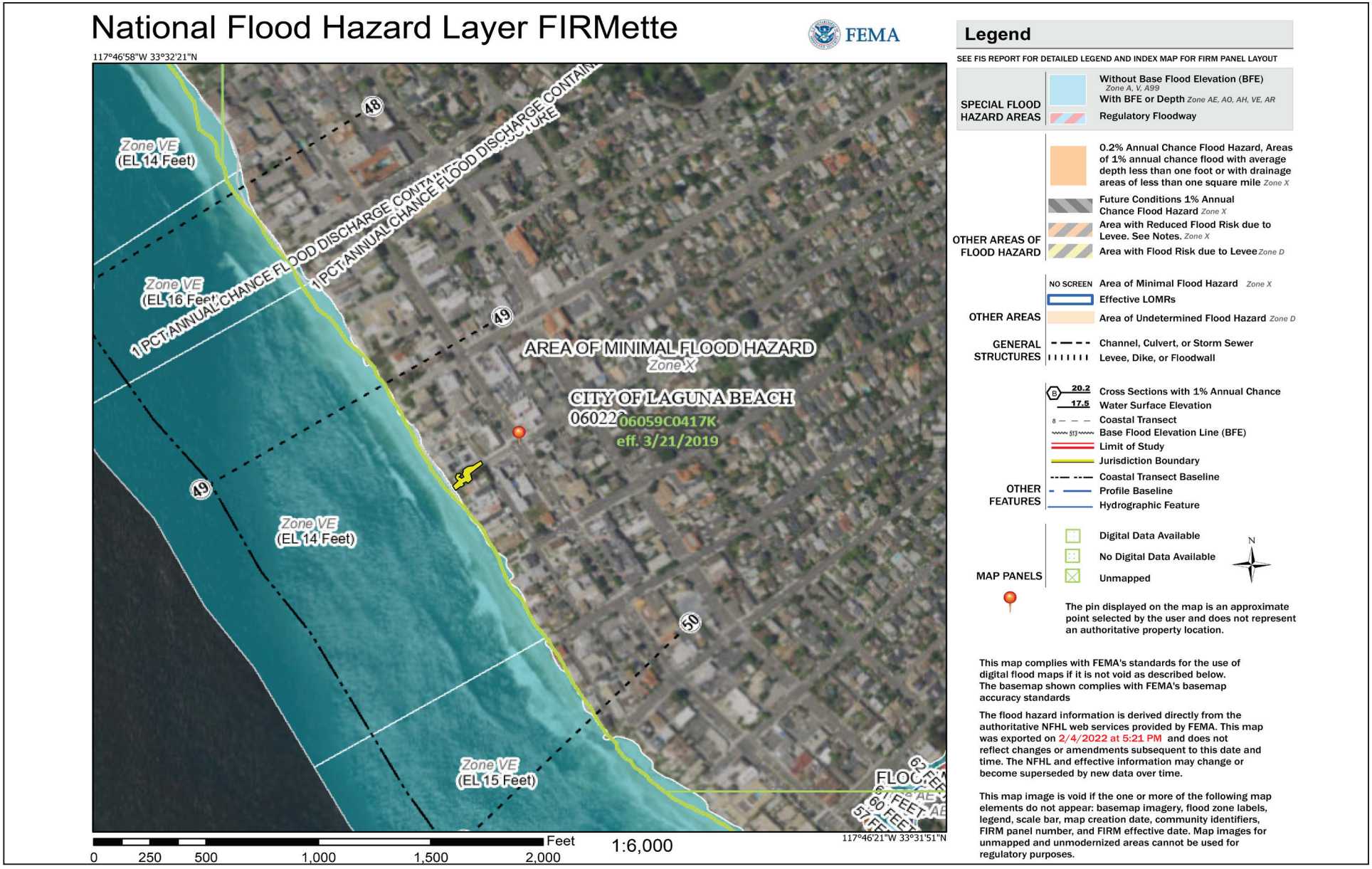
Mitigation Measures: No mitigation measures are required.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact: Implementation of the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The proposed project would not conflict with beneficial uses established for receiving water bodies for the project, would not conflict with water quality objectives or further impair existing impaired water bodies. The proposed project would implement WQMP BMPs to protect beneficial uses for surface waters identified in the San Diego Water Quality Control Board Basin.

The California Sustainable Groundwater Management Act (SGMA) was passed in 2014. The law provides increased authority for local agencies to manage groundwater and requires that most groundwater basins be under sustainable management within 20 years in a manner that would be maintained without causing undesirable results. The project would not involve the extraction of groundwater supplies or involve construction that would impede groundwater recharge. Therefore, implementation of the proposed project would not conflict or obstruct implementation of a sustainable groundwater management plan.

Mitigation Measures: No mitigation measures are required.



Source: Federal Emergency Management Agency (FEMA); February 4, 2022.

- approximate Project Site

ANITA STREET WET WELL AND COASTAL ACCESSWAY IMPROVEMENT PROJECT
Initial Study/Mitigated Negative Declaration

National Flood Hazard Map

VCS Environmental

Figure 4.10-1

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4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Physically divide an established community?

No Impact: Implementation of the proposed project would not physically divide an established community. The proposed project would replace an existing sewer lift station with a wet well and rehabilitate and enhance a coastal accessway. The project would not construct any structures or barriers that impede access of surrounding land uses or redirect traffic through existing residential neighborhoods. The project would not require permanent or temporary acquisition of private or public property that would divide existing land uses. Therefore, no impacts would occur in regard to physically dividing an established community.

Mitigation Measures: No mitigation measures are required.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact: Implementation of the proposed project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The relevant planning program for the project would be the City of Laguna Beach Local Coastal Plan. Table 4.11-1, *City of Laguna Beach Local Coastal Program Coastal Act Consistency*, provides a consistency analysis of the project with relevant policies from the City of Laguna Beach Local Coastal Program.

Table 4.11-1
City of Laguna Beach Local Coastal Program Coastal Act Consistency

Policy	Consistency
Local Coastal Program Policies	
Recreation and Visitor Serving Facilities	
Section 30212.5: Wherever Appropriate and feasible, public facilities shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise of overcrowding or overuse by the public of any single area.	Consistent: The proposed project would rehabilitate an existing coastal accessway and increase coastal viewing opportunities for the public, which would relieve pressure on other existing facilities.

Policy	Consistency
Section 30213: Lower cost visitor and recreational facilities shall be protected, encouraged and where feasible provided. Developments which provide public recreational opportunities are preferred.	Consistent: The proposed project would protect existing coastal accessway and enhance coastal viewing for the public.
Coastal Access and Recreation	
Section 30210: In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.	Consistent: The proposed project would rehabilitate an existing coastal accessway and increase coastal viewing opportunities for the public, which would lengthen the life of the coastal accessway.
Watercourse and Natural Habitat Protection	
Section 30236: Environmental sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses dependent on such resources shall be allowed within such area.	Consistent: The Biological Survey conducted on the project site did not identify any sensitive habitat within the project construction area of impact. The proposed improvements would not impact any sensitive habitat.
Section 30107.5: Environmentally Sensitive Area. "Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.	Consistent: The Biological Survey conducted on the project site did not identify any special status plants or wildlife on the project site. The proposed improvements would not impact any sensitive plant or wildlife species.
Tide Pools and Marine Habitats	
Section 30230: Marine resources shall be maintained, enhanced and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.	Consistent: The Biological Survey conducted on the project site did not identify special tide pools or marine habitats within the project limits of grading. The proposed improvements to the project site would not impact any special tide pools or marine habitats.
Section 30231: The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, sand lakes appropriate to maintain optimum populations of marine organisms for the protection of human health shall be maintained and where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface waterflow encouraging wastewater reclamation, maintaining natural vegetation buffer areas that protect riparian habitats and minimizing alteration of natural streams.	Consistent: During construction Best Management Practices would be implemented to minimize construction water quality impacts, such as erosion control, minimizing sediment transport, delineating construction areas, and avoiding construction activities during the nesting season.

Policy	Consistency
Archaeology and Paleontology	
Section 30244: Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation officer, reasonable mitigation measures shall be required.	Consistent: Cultural and Paleontological record searches were prepared for the project. Both searches did not identify any recorded archaeological or paleontological resources on the project site. Because archaeological and paleontological resources are known to occur in the region, halt conditions have been incorporated into the project to avoid impacts to unknown archaeological and paleontological resources.
Coastal Bluffs	
Section 30251: The scenic and visual qualities of coastal areas shall be protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas and where feasible to restore and enhance visual quality in visually degraded areas.	Consistent: The proposed project would protect existing coastal accessing and coastal viewing opportunities by providing improvements that would extend the life of the coastal access way and would ensure safe public access to the coast for future generations. The project would protect the natural form of the bluff face by having the lifeguard tower supported on a caisson and avoiding the grading or modifying the existing coastal bluff face. The construction and use of the caisson would have no adverse impacts on the stability of the coastal bluff. The proposed lifeguard tower would be similar and compatible to other lifeguard towers in the City. Landscape treatment would be provided after construction to enhance visual quality.
Section 30253(1): New development shall minimize risks to life and property in areas of high geologic, flood and fire hazard.	Consistent: The project site does not contain geologic hazards or is within a high fire risk area that provide risks to life or property. The project site could be subject to coastal flooding from sea level rising. The estimated elevations allow for a 4.5-foot rise in sea level over the next 75 years. The highest observed water elevation was on January 28, 1983, during the severe El Nino winter. This elevation was +7.5 feet NAVD88; conservatively if a sea level rise of 4.5 feet was added to this elevation, it would be about +12.0 feet. The proposed lifeguard tower would be supported on a 3-foot wide concrete caisson that would be able to withstand coastal water flood flow impacts. Additionally, the proposed lifeguard tower house would be situated above 12 feet and would be designed to be easily replaced if unexpected damage occurs.
Section 30253(2): New development shall assure stability and structural integrity and neither create or contribute significantly to erosion, geologic stability, or destruction of the site or surrounding area or substantially alter natural landforms along bluffs and cliffs.	Consistent: The geotechnical investigation prepared for the project site, identified that the site is adequately stable for the proposed project with the incorporation of geotechnical design recommendations included in the project geotechnical investigation report.

Policy	Consistency
Scenic and Visual Resources	
Section 30251: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views along the ocean and scenic coastal areas, to minimize the alternation of natural landforms to be visually compatible with the character of surrounding areas, and where feasible to restore and enhance visual quality and visually degraded areas. New development in highly scenic areas shall be subordinate to the character of its setting.	Consistent: The proposed improvements would not alter existing natural landforms. The existing above ground, degraded lift station on the project site would be removed and replaced with an underground wet well which would visually enhance the site. Additionally, the proposed improvements would enhance coastal viewing opportunities for the public.
General Plan Policies	
Land Use Element	
Policy 4.3: Maintain and enhance access to coastal resource areas, particularly the designated public beaches, by ensuring that access points are safe, attractive, and pedestrian-friendly.	Consistent: The proposed lifeguard tower and renovations to the existing beach access stairs will increase public safety, make it ADA compliant and would enhance public viewing opportunities. The proposed improvements would meet the City's objectives of increasing wet well capacity, building and equipment replacement, facility aesthetics, and enhancing stairway access.
Action 7.3.11: Require all coastal development permit applications for new development on an oceanfront or on an oceanfront bluff property subject to wave action to assess the potential for flooding or damage from waves, storm surge, or seiches, through a wave uprush and impact report prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are: seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100-year event or a storm that compares to the 1982/83 El Niño event.	Consistent: A Coastal Hazards and Wave Runup Study prepared for a property located at 1061 Gaviota Drive, Laguna Beach, approximately 200 feet south of where the proposed project improvements will be located, were utilized to evaluate onsite coastal conditions and coastal hazard constraints would be relative to the proposed project site. The Coastal Hazard Report evaluates potential coastal hazards over a 75-year timeframe period and concluded that the project would not be significantly impacted by coastal erosion, coastal flood or wave runup impacts.
Action 7.3.12: Site and design new structures to avoid the need for shoreline and/or oceanfront bluff protective devices during the economic life of the structure (75 years). (Ongoing implementation.)	Consistent: A Coastal Hazards and Wave Runup Study used to evaluate coastal hazards identified that no shoreline protective devices would be required.
Open Space Conservation Element	
Policy 3-A: Retain and improve existing public beach accessways in the City and protect and enhance the public rights to use the dry sand beaches of the City.	Consistent: The proposed project would rehabilitate an existing coastal accessway and increase coastal viewing opportunities for the public, which would lengthen the life of the coastal accessway. Aerial photographs from the early 1970s to 2010 were reviewed to determine typical changes in the shoreline position. A visual comparison of the photographs shows little or no change in the shoreline position over the last five decades. According to the project geotechnical report, future shoreline changes over the next 75 years can be assumed to be the same as in the previous few decades

Policy	Consistency
	with little change shoreline. Additionally, the beach at the project site extends for considerable distances in either direction, consisting of a veneer of sand over erosion resistant bedrock. The nearshore rock reefs are important to the erosion resistance of the shoreline because they remove energy from the waves. Rather than being inundated by sea level rise, the beach and the nearshore will readjust to the new sea level over time such that waves and tides would remain with the same profile that exists today with little or no change in the shoreline position.
Policy 7-D: Promote development of scenic vista points (such as view platforms and view turn outs) in conjunction with approval of new subdivisions.	Consistent: The proposed project incorporated viewing platforms into the design to maximize coastal views.

LOCAL COASTAL LAND USE PLAN/GENERAL PLAN CONSISTENCY DETERMINATION

The proposed project has been evaluated for consistency with the City of Laguna Beach Local Coastal Program policies and General Plan policies that are relevant to the project. Additionally, the project has prepared an Initial Study with supporting technical studies and with the incorporation of mitigation measures, has demonstrated that the project would not result in significant impacts to the environment. Therefore, the project would not cause a significant impact due to any conflict with any land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, and potential land use planning impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact: Implementation of the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. According to the City's General Plan Natural Resource Element, there are no known mineral resources of value to the region on the project site. The project site is not planned for mineral resource extraction and has not historically been associated with mineral resources. The proposed project would not involve any activities that would involve mineral extraction. Implementation of the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state.

Mitigation Measures: No mitigation measures are required.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact: Implementation of the proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. As discussed above, no known valuable mineral resources exist within or near the project site, and no mineral resource extraction activities would occur on the site. According to the City's General Plan, there is no managed production of mineral resources in the City. The project site is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site.

Mitigation Measures: No mitigation measures are required.

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4.13 Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

The following analysis is based on a Noise Memorandum prepared by Birdseye Planning Group on February 17, 2022. The memorandum is presented in its entirety in Appendix F.

Regulatory Framework

Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). Quiet suburban areas typically have noise levels in the range of 40-50 dBA, while arterial streets are in the 50-60+ dBA range. In general, a three dBA change in community noise levels is noticeable, while a one to two dBA change is generally not perceived.

Noise levels typically attenuate (or drop off) at a rate of 6 dBA per doubling of distance from the point sources (i.e., industrial machinery). Additionally, noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by approximately 7 dBA. The manner in which older homes in California were constructed (approximately 30 years old or older) generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units and office buildings constructed to California Energy Code standards is generally 30 dBA or more (Harris, Miller, Miller and Hanson, 2006).

CITY OF LAGUNA BEACH NOISE STANDARDS

Noise standards are provided in Chapter 7.25 of the City of Laguna Beach Municipal Code. Per Section 7.25.040 (A), exterior noise limits for single-family residential properties (Noise Zone I) are 50 A-weighted decibels (dBA) between 10:00 PM and 7:00 AM and 60 dBA between 7:00 AM and 10:00 PM. The exterior noise standard may not be exceeded for more than 15 minutes. Construction noise is

addressed in Section 7.25.080 and is exempt from the noise ordinance provisions provided it occurs only between 7:30 AM and 6:00 PM on weekdays. No construction is allowed on weekend days or holidays unless exempted per Section 7.25.080 (D) (1) through (4).

The City of Laguna Beach does not have a maximum noise threshold for temporary construction noise impacts. The Federal Transit Agency (FTA) is commonly used to provide guidance for construction noise. The FTA recommends developing construction noise criteria on a project-specific basis that utilizes local noise ordinances if possible. However, local noise ordinances usually relate to nuisance and hours of allowed activity and sometimes specify limits in terms of maximum levels but are generally not practical for assessing the noise impacts of a construction project. The FTA standards are based on extensive studies by the FTA and other governmental agencies on the human effects and reaction to noise. A summary of the FTA findings for a general construction noise assessment are provided in Table 4.13-1, *FTA General Assessment Construction Noise Criteria*.

Table 4.13-1
FTA General Assessment Construction Noise Criteria

Land Use	Day (dBA $Leq_{(1\text{-hour})}$)	Night (dBA $Leq_{(1\text{-hour})}$)
Residential	90	80
Commercial	100	100
Industrial	100	100
Source: Federal Transit Administration, 2018.		

PROJECT IMPACTS

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact With Mitigation Incorporated: Implementation of the proposed project would not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The main sources of noise during construction activities would include heavy machinery used during demolition of the existing lift station, site preparation (i.e., removing existing pavement, concrete and subgrade), as well as equipment used for placing shoring structures, excavating the new wet well, valve vault and generator vault and installing the new equipment. It is assumed the proposed improvements would require the use of heavy equipment. Equipment would also be required to deliver materials to the project site and work areas.

Table 4.13-2, *Typical Construction Equipment Noise Levels*, shows the typical noise levels associated with heavy construction equipment. As shown in Table 4.13-2, average noise levels associated with the use of heavy equipment at construction sites can range from about 81 to 95 dBA at 25 feet from the source, depending upon the types of equipment in operation at any given time and phase of construction. Noise-sensitive uses near the project corridors are primarily single-family residences located approximately 25 feet from the project site.

Table 4.13-2
Typical Construction Equipment Noise Levels

Equipment Onsite	Typical Level (dBA) 25 Feet from the Source	Typical Level (dBA) 50 Feet from the Source	Typical Level (dBA) 100 Feet from the Source
Air Compressor	84	78	72
Backhoe	84	78	72
Bobcat Tractor	84	78	72
Concrete Mixer	85	79	73
Bulldozer	88	82	76
Jack Hammer	95	89	83
Pavement Roller	86	80	74
Street Sweeper	88	82	76
Man Lift	81	75	69
Dump Truck	82	76	70
Compactor	88	82	76
Grader	91	85	79
Paver	95	89	83
Loader	91	85	79
Scarifier	89	83	77
Source: Birdseye Planning Group, Noise Memorandum; February 17, 2022.			

Based on EPA noise emissions, empirical data and the amount of equipment needed for construction of the proposed project, worst-case noise levels from the construction equipment occur during site preparation/grading and related activities. The anticipated equipment used would include trucks, a bobcat tractor, an excavator and other common types of equipment. For the purpose of estimating noise levels, if during construction, a backhoe (78 dBA) and a dump truck (76 dBA) were working simultaneously in one area over an 8-hour workday, the 8-hour Leq would be approximately 80 dBA at 50 feet. Cumulative noise levels at 25 feet would be approximately 86.1 dBA.

Under Section 7.25.080 of the City of Laguna Beach Noise Ordinance, construction noise is exempt from the noise ordinance provisions provided it occurs only between 7:30 AM and 6:00 PM on weekdays. Even if the construction noise is exempt, construction noise would be audible at residences located adjacent to the construction area throughout the workday; however, it would vary throughout the workday. As shown previously in Table 4.13-1, *FTA General Assessment Construction Noise Criteria*, the cumulative construction noise would not exceed FTA 90 dBA threshold during the day and the project does not propose any nighttime construction. At the City's discretion to minimize or reduce construction noise levels at neighboring residences, implementation of Mitigation Measures N-1, N-2 and N-3 would reduce construction noise impacts to a less than significant level.

Mitigation Measures:

N-1: Construction Equipment. Electrical power shall be used to run air compressors and similar power tools. Internal combustion engines should be equipped with a muffler of a type recommended by the manufacturer and in good repair. All diesel equipment should be operated with closed engine doors and should be equipped with factory-recommended

mufflers. Stationary noise-generating equipment, such as generators and compressors, should be located as far as practically possible from the nearest residential property lines.

N-2: Limit Operations Adjacent to Receivers. Limit the number of large pieces of equipment (i.e., excavator or dump trucks) operating adjacent to receivers to one at any given time.

N-3: Neighbor Notification. Provide notification to residential occupants nearest to the project site at least 24 hours prior to initiation of construction activities that could result in substantial noise levels at outdoor or indoor living areas. This notification should include the anticipated hours and duration of construction and a description of noise reduction measures being implemented at the project site. The notification should include a telephone number for local residents to call to submit complaints associated with construction noise and be easily viewed from adjacent public areas.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact: The project would not result in the generation of excessive groundborne vibration or groundborne noise level. Title 14 of the California Administrative Code Section 15000 requires that all state and local agencies implement the California Environmental Quality Act (CEQA) Guidelines, which requires the analysis of exposure of persons to excessive groundborne vibration. However, no statute has been adopted by the state that quantifies the level at which excessive groundborne vibration occurs. Additionally, the City of Laguna Beach has no local threshold that quantifies the level at which excessive groundborne vibration occurs.

There are several different methods that are used to quantify vibration amplitude such as the maximum instantaneous peak in the vibrations velocity, which is known as the peak particle velocity (PPV). The California Department of Transportation (Caltrans) issued the *Transportation- and Construction-Induced Vibration Guidance Manual* in 2004. Thresholds are established for vibration, which found that the human response becomes distinctly perceptible at 0.25 inch per second PPV. The manual identifies that potential damage could occur at the 1.0 inch per second PPV threshold to residential structures and the 2.0 inch per second PPV threshold for potential damage to industrial and commercial structures. Construction activities can result in varying degrees of ground vibration, depending on the equipment used on the site. Table 4.13-3, *Vibration Source Levels for Construction Equipment*, gives approximate vibration levels for different types of pieces of construction equipment.

Table 4.13-3
Vibration Source Levels for Construction Equipment

Equipment	Peak Particle Velocity (inches/second) at 25 feet
Grader	0.089
Large bulldozer	0.089
Drill Rig	0.089
Loaded trucks	0.076
Jackhammer	0.035
Small bulldozer	0.003
Source: Federal Transit Authority.	

A small dozer and loaded truck were assumed as a worst-case pieces of equipment that would be utilized during construction. The closest sensitive receptors are approximately 25 feet from the project site. As shown in Table 4.13-2, the vibration level for small dozer would be .003 inch per second PPV and loaded truck would be .076 inch per second PPV at 25 feet, which both would be below the 0.25 inch per second PPV threshold and below the human perception threshold and well below the threshold for structural damage. Therefore, a less than significant ground-borne vibration impact would occur from project construction activities.

Mitigation Measures: No mitigation measures are required.

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

No Impact: The project would not be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.

Mitigation Measures: No mitigation measures are required.

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4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact: The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly. The proposed project would remove an existing lift station and replace it with a wet well. The proposed improvements would support existing population levels and planned population growth in the City. The project would not extend infrastructure into any undeveloped areas that would facilitate growth beyond the level of growth projected in the City of Laguna Beach General Plan. The project would not generate any permanent employment opportunities that would generate additional housing demands. The construction of the proposed project would generate short-term construction employment opportunities within the project area that would most likely be filled from the local area and would not generate the need for new housing, public services, or commercial commerce. Therefore, no adverse population impacts would occur.

Mitigation Measures: No mitigation measures are required.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact: Implementation of the project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. The existing project site does not contain residential land uses and the project does not require the removal of existing residential land uses. Therefore, implementation of the proposed project would not displace any existing housing or require replacement housing.

Mitigation Measures: No mitigation measures are required.

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4.15 Public Services

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?	☐	☐	☐	☒
2) Police protection?	☐	☐	☐	☒
3) Schools?	☐	☐	☐	☒
4) Parks?	☐	☐	☐	☒
5) Other public facilities?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

No Impact: The proposed project would be operated and maintained by the City of Laguna Beach and would not increase the demand for fire protection, police protection, school services, parks, or other public facilities over the current level of demand and would not require the construction of any new governmental facilities.

Mitigation Measures: No mitigation measures are required.

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4.16 Recreation

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact: Implementation of the project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The proposed project does not propose any new residential uses that would increase the use of existing parks or recreational facilities. The proposed project would rehabilitate and enhance an existing coastal accessway and increase coastal viewing for the public, which would lengthen the life and enhance recreation opportunities for the public. Therefore, no adverse impacts to existing recreation facilities and parks would be associated with implementation of the proposed project.

Mitigation Measures: No mitigation measures are required.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact: The proposed project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The proposed project proposes the rehabilitation of an existing coastal accessway. Potential impacts associated with the coastal accessway have been evaluated as part of the overall impacts associated with the proposed project. As set forth throughout this document, with adherence to City codes and regulations, and the incorporation of project mitigation measures, potential impacts associated with the project, including the proposed coastal accessway improvements, would be less than significant.

Mitigation Measures: No mitigation measures are required.

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4.17 Transportation

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☐	☒
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact: The operation of the proposed project would not generate any long-term traffic trips. Therefore, no long-term adverse traffic impacts would occur that would conflict with programs, ordinances or policies evaluating circulation systems within the City. The construction operations for the proposed project would involve the mobilization and demobilization of construction equipment which, if occurred during peak traffic periods, could result in short-term adverse traffic congestion impacts along some roadway segments and intersections and cause potential safety conflicts with bicycles and pedestrians. The City of Laguna Beach is responsible for traffic control plan reviews. As part of the construction coordination for the project, the City of Laguna Beach would determine the need for Traffic Control Measures to avoid traffic congestion impacts, potential safety conflicts with bicycles and pedestrians. With compliance with the City of Laguna Beach Traffic Control requirements, potential vehicle and pedestrian conflicts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

No Impact: Section 15064.3 of the CEQA Guidelines describes specific considerations for evaluating a project's transportation impacts. Lead Agencies are required to adopt Vehicle Miles Traveled (VMT) as a replacement for automobile delay-based level of service (LOS) as the new measure for identifying transportation impacts for land use projects. The proposed project involves the removal of the existing Anita Lift Station and construction of a new wet well and rehabilitation of the existing coastal access stairs. The proposed improvements would not induce additional VMT within the project area. Because there would be no substantial or measurable increase in VMT over the current condition, the proposed project would not conflict with Section 15064.3 of the CEQA Guidelines.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact: Implementation of the proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). The proposed project would not involve construction of any new roadways or involve any improvements to existing intersections. The proposed project involves the removal of the existing Anita Lift Station and construction of a new wet well and rehabilitation of the existing coastal accessway. Long-term operation of the proposed project would not increase hazards for motorists. The construction activities for the proposed project would require the mobilization and demobilization of construction equipment and the operation of heavy construction equipment within the study area, which could require lane closures. The City of Laguna Beach is responsible for traffic control plan reviews. As part of the construction coordination for the project, the City of Laguna Beach would determine the need for Traffic Control Measures. With compliance with the City of Laguna Beach Traffic Control requirements, potential traffic hazard impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

d) Result in inadequate emergency access?

Less Than Significant Impact: Implementation of the proposed project would not result in inadequate emergency access. The project would not be constructed with any barriers or community gates that would affect emergency access to the project area. As part of the City's Traffic Control requirements, adequate emergency access would be required to be maintained at all times.

Mitigation Measures: No mitigation measures are required.

4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	☒
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

ENVIRONMENTAL ANALYSIS

Because this project is subject to CEQA, it requires an offer of tribal consultation under Assembly Bill 52 (Public Resources Code Section 21080.3.1).

AB 52 Tribal Consultations

California Assembly Bill 52 (AB 52) established a formal consultation process for California tribes within the CEQA process. AB 52 specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project" and that requests consultation. Section 21074 of the Public Resources Code also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the California Register of Historical Resources or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource. Tribes have 30 days from the date on which they receive notification to request consultation unless a shorter timeframe has been agreed to by the tribe.

Sacred Lands Record Search

A Sacred Lands File (SLF) Search was conducted by the Native American Heritage Commission (NAHC) on March 4, 2022 to determine the potential for sacred lands buried on the project site. The Sacred Land Search was positive, indicating that a recorded Native American Sacred Site was recorded within the vicinity of the project site and that the Lead Agency should coordinate with the Juaneño Band of Mission Indians Acjachemen Nation for further information to confirm if the Sacred Site is located on the project site.

AB 52 Consultation Letters were sent out by Hannah Broida, Senior Project Manager, at the City of Laguna Beach Water Quality Department on June 16, 2022 by certified mail as well as email to the following Native American Tribes:

- Gabrieleño Band of Mission Indians – Kizh Nation; Andrew Salas, Chairperson
- San Gabriel Band of Mission Indians; Chief Anthony Morales
- Soboba Band of Luiseño Indians; Joseph Ontiveros, Cultural Resource Director
- Juaneño Band of Mission Indians Acjachemen Nation – Belardes; Joyce Stanfield Perry, Tribal Manager
- Gabrielino-Tongva Tribe; Linda Candelaria
- California Cultural Resource Preservation Alliance, Inc.; Patricia Martz, Ph.D.

PROJECT IMPACTS

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

No Impact: Implementation of the proposed project would not cause a substantial adverse change to a listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). The proposed project is not listed nor eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

Mitigation Measures: No mitigation measures are required.

2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant Impact With Mitigation Incorporated: Implementation of the proposed project would not cause a substantial adverse change to a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. A cultural resources records search was conducted at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on February 22, 2022. The review consisted of an examination of the U.S. Geological Survey's (USGS') Laguna Beach 7.5-minute quadrangle map to evaluate the project site for any cultural resources sites that are recorded or cultural resources studies that have been prepared for properties within and near the project site. The SCCIC identified that there were no known tribal cultural resources on the project site. However, the Sacred Land Search conducted by the NAHC was positive indicating that a recorded Native American Sacred Site was recorded within the vicinity of the project site. Because historical resources have been known to occur within the region, there is some potential that historical resources could be encountered. To avoid adverse impacts to unknown historical resources that could be encountered during construction, a halt condition is recommended which requires if unknown cultural resources are encountered during earth disturbing activities, all earth disturbing activities at the location of the finding shall cease and a qualified archaeologist will review the finding to determine its cultural resource significance. With implementation of Mitigation Measure CUL-1 to CUL-7, potential impacts to unknown historical resources would be less than significant.

Mitigation Measures:

An onsite archaeologist and the Consulting Tribe monitoring shall be required during Phase 3, Phase 4 and Phase 8 construction activities. A Mitigation Monitoring Reporting Plan (MMRP) to mitigate potential impacts to undiscovered buried cultural resources within the project shall be implemented to the satisfaction of the Lead Agency. This program shall include, but not be limited to, the following actions:

CUL-1: Prior to issuance of a grading permit, the Applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the Lead Agency.

CUL-2: The project Applicant shall provide Native American monitoring during grading if the Lead Agency determines it is necessary pending results of the AB 52 Consultation process. If applicable, the Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The Lead Agency shall coordinate with the consulting Tribe(s) to facilitate communications with the project Developer/Applicant so that all parties can develop a mutually-acceptable Tribal Monitoring and Treatment Agreement which includes the scope of monitoring, scheduling of monitors from individual consulting Tribe(s), and the course of action for inadvertent discoveries.

CUL-3: The project archaeologist and the consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will

conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols.

CUL-4: The protocols and stipulations that the contractor, City, consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

- During the original cutting of previously undisturbed deposits, the archaeological and Tribal monitors (if applicable) shall be onsite, as determined by the consulting archaeologist, to monitor excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.
- Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.
- In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Lead Agency at the time of discovery. The archaeologist, in consultation with the Lead Agency, shall determine the significance of the discovered resources. The Lead Agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be implemented by the consulting archaeologist and approved by the Lead Agency before being carried out using professional archaeological methods. If any human remains are discovered, the County Coroner and Lead Agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (as identified by the NAHC) shall be contacted in order to determine proper treatment and disposition of the remains.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist in consultation with the consulting Tribe(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

CUL-5: One or more of the following treatments, in order of preference, shall be used in the event of a cultural resources discovery:

- Preservation-in-Place. Avoidance, or preservation-in-place, involves leaving a resource where it was found with no development affecting its integrity. Pursuant to Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and cultural resources.
- Reburial on the project site in an area not subject to future disturbance. Reburial of a resource shall include provisions to protect the selected reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloging and basic recording have been completed, with the exception of sacred items, burial goods and Native American human remains. Any reburial process shall be culturally appropriate. The listing of contents and the location of the reburial shall be included in a confidential Phase IV monitoring report.
- If Preservation-in-Place or reburial is not feasible, all cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards in an Orange County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources (OHP 1993). The collections and associated records shall be transferred, including title and accompanied by payment of the fees necessary for permanent curation.

CUL-6: A Phase IV Monitoring Report, documenting the field and analysis results and interpreting the artifact and research data within the research context, shall be completed and submitted to the satisfaction of the Lead Agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms. The Phase IV report shall be filed with the City under a confidential cover and not subject to Tribe(s).

CUL-7: Project related earth disturbance has the potential to unearth previously undiscovered human remains, resulting in a potentially significant impact. Pursuant to Section 7050.5 of the *California Health and Safety Code*, if human remains are encountered during excavation activities, all work shall halt, and the County Coroner shall be notified. The Coroner would determine within two working days whether a cause of death investigation is necessary. If the Coroner determines that the remains are Native American, he/she would contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would then, pursuant to *California Public Resources Code,* §5097.98, immediately identify the most likely descendant (MLD), who may inspect the remains and site of discovery and make recommendations for the treatment and/or disposition of the remains. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed, if feasible, and may include scientific removal and non-destructive analysis of the human,

preservation in place, and deeding the remains to the MLD for treatment. If no MLD is identified, the MLD fails to make a recommendation, or the landowner rejects the recommendation, the landowner shall rebury the remains with appropriate dignity on the property in a location that would not be subject to further subsurface disturbance.

4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

a) Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact: The proposed project involves the removal of the existing sewer lift station and the construction of a wet well, as identified in this Initial Study/Mitigated Negative Declaration, with compliance of City ordinances, standards and regulations and mitigation measures. Potential significant impacts to the environment associated with the construction and operation of the project would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact: Implementation of the proposed project would not increase water demands above the current level of demand or result in any changes to approved land uses that effect long-term water projections and associated water demands.

Mitigation Measures: No mitigation measures are required.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact: The proposed project would not result in a determination by the wastewater treatment provider which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. The proposed project involves the replacement of the existing lift station with a wet well to increase operational efficiency and reliability to meet existing and projected demands for wastewater service. Implementation of the proposed project would not increase the demand for treatment capacity. Therefore, the proposed project would not have an adverse impact on the capacity of existing wastewater treatment systems.

Mitigation Measures: No mitigation measures are required.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact: The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The operation of the proposed project would not increase the demand for solid waste disposal, and therefore would not have any long-term impacts on the carrying capacities of landfills that would serve the project area. The construction operations for the proposed project would generate some debris as well as some construction worker trash that would require solid waste disposal. In comparison to other construction projects, the amount of construction debris is anticipated to be minimal and should be able to be accommodated from existing solid waste disposal facilities. Additionally, some construction materials generated from the proposed project are anticipated to be recycled or reused to reduce solid waste generation. Therefore, the proposed project's contribution to solid waste would be considered less than significant.

Mitigation Measures: No mitigation measures are required.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

No Impact: The City of Laguna Beach would be required to comply with state and local statutes and regulations related to solid waste. Applicable regulations include California's Integrated Waste Management Act of 1989 (AB 939) which required cities and counties throughout the state to divert 50 percent of all solid waste from landfills through source reduction, recycling, and composting; the 2008 modifications of AB 939 to reflect a per-capita requirement rather than tonnage; AB 341 which

increased the statewide goal for waste diversion to 75 percent by 2020; and the California Solid Waste Reuse and Recycling Access Act (AB 1327) which requires local agencies to adopt an ordinance to set aside areas for collecting and loading recyclable materials in development projects (CalRecycle). The proposed project would produce solid waste associated with the proposed construction activities. During all stages of the construction site, the proposed project would be required to implement solid waste reduction measures to reduce the amount of waste generated, encourage reuse and/or recycling of materials to the greatest extent feasible and utilize materials made of post-consumer materials where possible. With implementation of the Best Management Practices and compliance with the California Department of Resources Recycling and Recovery disposal requirements, potential solid waste disposal impacts would be less than significant. Implementation of the proposed project would not conflict with the ability to comply with these regulations and potential impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

ENVIRONMENTAL ANALYSIS

A wildland fire is a non-structural fire that occurs in vegetative fuels. Wildland fires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. The potential for wildland fires represents a hazard where development is adjacent to open space or within proximity to wildland fuels or designated Fire Hazard Safety Zones. According to the California Department of Forestry and Fire Protection, the project site is not within a High Fire Hazard Area or State Responsibility Area.

PROJECT IMPACTS

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact: Implementation of the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. According to the California Department of Forestry and Fire Protection, the project site is not identified as a High Fire Hazard Area or near a State Responsibility Area. The City of Laguna Beach Police Department would be in charge of evacuating neighborhoods in the event of a fire that threatens homes. These evacuations would be decided within the Incident Command structure in consultation with the fire department, law enforcement, public works, and local government liaisons in order to establish when and where they would occur. In the event of an emergency, residents would be directed to specific evacuation routes to avoid conflicts with emergency response plans. Therefore, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Mitigation Measures: No mitigation measures are required.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact: The proposed project would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Topography influences the movement of air and the direction of a fire course. Additionally, wind events magnify the risks of wildfire and would have the potential to expose inhabitants to elevated pollutant concentrations. According to the California Department of Forestry and Fire Protection, the project site is not identified as a High Fire Hazard Area or near a State Responsibility Area. Additionally, the project site is not contiguous to wildland slope areas that could act as a conduit for wildland fire. Additionally, the proposed project would have surrounding roadways and driveways which would also act as fire breaks. Therefore, the proposed project would not exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Mitigation Measures: No mitigation measures are required.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact: The proposed project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. According to the California Department of Forestry and Fire Protection, the project site is not identified as a High Fire Hazard Area or near a State Responsibility Area. The proposed project would not require the construction of any infrastructure that would increase fire risk. The project includes the construction of a water infrastructure and other utility improvements that would aid in fire suppression. The proposed project does not include any changes to existing roadways that would exacerbate fire risk. The proposed project would not require the installation or maintenance of associated infrastructure that would exacerbate fire risk or result in temporary or ongoing impacts to the environment and potential impacts would be less than significant. Therefore, the proposed project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Mitigation Measures: No mitigation measures are required.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact: Implementation of the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Landslides, including mud flows and debris flows can be triggered by erosion and downslope runoff caused by rain following a fire. According to the California

Department of Forestry and Fire Protection, the project site is not identified as a High Fire Hazard Area or near a State Responsibility Area. The proposed project would not increase the risk for wildland fire impacts that expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes in or near state responsibility areas or lands classified as very high fire hazard severity zones.

Mitigation Measures: No mitigation measures are required.

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4.21 Mandatory Findings of Significance

Would the project:	Potentially Significant Impact	Less Than Significant Impact With Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐
d. Have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐

ENVIRONMENTAL ANALYSIS

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

Less Than Significant Impact With Mitigation Incorporated: The proposed project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

A biological evaluation prepared for the project site identified that no Special Status Wildlife Species, Special Status Plant Species or critical habitat was present on the project site. However, there is the potential that nesting birds could occur onsite or near the project site and construction activities for

the proposed project could impact shrubs and trees that could be used for nesting. Because of the potential for onsite bird nesting, project construction could result in impacts to nesting birds that would be in violation of the Federal Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. To avoid direct and indirect construction impacts to nesting birds, the project would implement Mitigation Measure BIO-1, which limits construction activities to outside of the nesting season or required pre-construction bird surveys to confirm the absence of nesting birds if construction activities occur during the nesting season. With implementation of Mitigation Measure BIO-1, potential impacts to nesting birds would be less than significant. With implementation of Mitigation Measure BIO-2, potential impacts to native species would be less than significant. Additionally, the project site does not contain or would impact any wetlands or other jurisdictional waters. The project site is near the Anita Beach tidal zone which is considered a sensitive coastal resource. To avoid indirect construction impacts to coastal resources, the project would implement Mitigation Measure BIO-3, which requires Best Management Practices be incorporated into the construction operations. With implementation of Mitigation Measures BIO-3, potential indirect impacts to coastal resources would be less than significant. The project would also implement Mitigation Measure BIO-4, which requires issuance of a tree permit, in the event the project removes any trees that are protected under the City of Laguna Beach Municipal Code. With implementation of Mitigation Measures BOI-1, BIO-2, BIO-3 and BIO-4, implementation of the project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, nor substantially reduce the number or restrict the range of a rare or endangered plant or animal species.

A cultural resource record search prepared for the project identified that no recorded cultural resources were recorded on the project site. However, the record search did identify that known cultural resources have occurred in the vicinity of the project site. There could be the potential that unknown cultural resources could be encountered during excavation activities. To avoid impacts to unknown cultural resources that could be present on the project site, the proposed project would be required to comply with Mitigation Measures CUL-1 to CUL-7, which requires a halt condition be incorporated into the project which would temporarily suspend excavation activities if unknown cultural resources are encountered. With implementation of Mitigation Measures CUL-1 to CUL-7, potential impacts to unknown cultural resources would be less than significant. Additionally, a paleontological record search was prepared for the project which identified that no recorded paleontological resources were recorded on the project site. However, the record search did identify that sensitive Topanga Formation underlies the project site and that there would be potential for unknown paleontological resources to occur on the project site. To avoid impacts to unknown paleontological resources, the project would be required to implement Mitigation Measures PALEO-1 and PALEO-2, which requires any substantial excavations in the Topanga Formation on the project site to be monitored closely to recover any fossil remains quickly and professionally so as not to impede development. Also, sediment samples are required to be collected and processed to determine the small fossil potential. With implementation of Mitigation Measures PALEO-1 and PALEO-2, potential impacts to unknown paleontological resources would be less than significant. Implementation of Mitigation Measures CUL-1 to CUL-7, PALEO-1 and PALEO-2 would ensure that important examples of the major periods of California history or prehistory are not eliminated.

b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact With Mitigation Incorporated: The project would not have impacts that are individually limited, but cumulatively considerable. A cumulative impact may be significant if a project's incremental effect, though individually limited, is cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects. Cumulative impacts can occur as a result of the interactions of environmental change from multiple projects that could affect the environment, such as traffic, noise, and air quality. The City of Laguna Beach has ongoing development projects and capital improvement projects occurring in the City. There would be the potential that ongoing construction projects and capital improvement projects could be occurring concurrently in the vicinity of the proposed project when the project is under construction. The following analysis evaluates the potential for the proposed project to contribute considerably to significant cumulative impacts.

Implementation of the proposed project would have no impact or a less than significant impact on aesthetic resources, agriculture resources, air quality, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, mineral resources, housing and population, public services, recreation, transportation, utility service systems, and wildfire. Because either no potential impacts would occur or less than significant impacts would occur, the proposed project contribution to cumulative impacts to these issue areas would not be considered considerable. And potential cumulative impacts would be less than significant.

AIR QUALITY

Operational Impacts

For operational air quality emissions, any project that does not exceed or can be mitigated to less than the daily regional threshold values would not be considered by SCAQMD to be a substantial source of air pollution and would not add significantly to a cumulative impact.

Operation of the proposed project would not result in emissions excess of the SCAQMD regional emissions thresholds. Therefore, the operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant. Additionally, operational source emissions for the proposed project would not exceed the applicable LSTs with implementation. Thus, the proposed project's operational localized emissions impacts would not be cumulatively considerable toward exposing sensitive receptors to substantial pollutant concentrations. The proposed project's operational emissions would not exceed SCAQMD regional thresholds and would be consistent with the 2016 AQMP. Therefore, the proposed project would not be significantly cumulatively considerable.

Construction Impacts

The context for assessing cumulative air impacts from short-term construction activities includes quantifying emissions and comparing the emissions to the applicable SCAQMD screening thresholds.

As discussed in Section 4.2, *Air Quality*, the proposed project's construction emissions would be below SCAQMD thresholds. Therefore, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant. Cumulative related development projects and construction activities in the City would be required to reduce their emissions per SCAQMD rules and mandates. Cumulative construction emissions would not contribute to an exceedance of air quality standards, and therefore would comply with the goals of the 2016 AQMP. Thus, it can be reasonably inferred that the project-related construction activities, in combination with those from other projects in the area, would not deteriorate the local air quality and would not result in cumulative considerable construction-related impacts. Construction source emissions for the proposed project would not exceed the applicable LSTs with implementation. Additionally, source emissions for the proposed project would not exceed the applicable LSTs with implementation. Thus, the proposed project's construction localized emissions impacts would not be cumulatively considerable toward exposing sensitive receptors to substantial pollutant concentrations.

BIOLOGICAL RESOURCES

Construction activities for the project would have the potential to adversely impact coastal resources and to impact nesting birds directly and indirectly. The project would implement Mitigation Measures BIO-1, BIO-2 and BIO-3, which would reduce construction impacts to coastal resources and nesting birds to a less than significant level. Cumulative development projects in the City would be required to comply with state and federal laws that provide for the protection of biological resources and where needed, would need to implement measures to minimize impacts to biological resources. Compliance with local, state, and federal laws would reduce the potential impacts to less than significant. Therefore, the proposed project, considered with the related projects, would not contribute considerably to cumulative impacts and potential cumulative impacts to biological resources would be less than significant.

CULTURAL RESOURCES

The context for assessing cumulative impacts to local archaeological and paleontological resources is to determine whether the project would result in a loss of these resources that could diminish or eliminate important information relevant to the history of the project area. The proposed project would be required to comply with Mitigation Measures CUL-1 to CUL-6, PALEO-1 and PALEO-2, which would eliminate any potential loss of important archaeological or paleontological information that may be buried under the project site. With regard to the potential discovery of human remains during construction, the project would be required to comply with Mitigation Measure CUL-7, which requires grading and construction activities to cease pursuant to State Health and Safety Code Section 7050.5 until the County Coroner has made the necessary findings as to the origin and disposition pursuant to Section 5097.98 of the California Public Resources Code. Therefore, the proposed project would not contribute considerably to a cumulative loss of important archaeological or paleontological resources, and/or disturbed human remains. Related cumulative projects in the City would be evaluated for potential impacts to cultural resources and would be required to implement measures to reduce impacts to cultural resources. Therefore, the proposed project, considered with the related cumulative projects, would not result in significant cumulative impacts to cultural resources.

GEOLOGY

The proposed project would be required to implement the geotechnical design measures recommended in the project geotechnical report to ensure the stability of the project. Additionally,

the project would be required to comply with the California Building Code and implement erosion control measures. With compliance of the geotechnical report design measures, California Building Code requirements and erosion control measures, potential geologic impacts would be less than significant. Therefore, the proposed project would not contribute considerably to geologic impacts. Related cumulative projects in the City would be required to comply with the California Building Code requirements to minimize potential geologic impacts and would be required to implement erosion control plans to minimize potential erosion and sedimentation impacts. Therefore, the proposed project, considered with the related projects, would not result in significant cumulative geologic impacts.

NOISE

The proposed project's long-term operational noise impacts were determined to be less than significant. The proposed project would result in a temporary increase in noise levels during construction activities. The construction noise impacts would be below the FTA threshold of 90 dBA and would be less than significant. To further reduce construction noise impacts, the project would implement Mitigation Measures N-1, N-2 and N-3. Additionally, groundborne vibration generated at the site during construction would not be in exceedance of the FTA threshold of 0.12 inch/second PPV, and the long-term vibration impacts from operations at the site would be less than significant. Therefore, the project would not contribute considerably to cumulative noise and vibration impacts and potential cumulative impacts would be less than significant. Related cumulative projects would be required to comply with applicable noise and vibration standards, and regulations to minimize noise and vibration impacts where needed, would be required to incorporate mitigation measures to minimize noise and vibration impacts. Therefore, the proposed project, considered with the related cumulative projects, would not result in significant cumulative noise impacts.

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant Impact With Mitigation Incorporated: The proposed project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. Potential impacts that could cause substantial adverse effects on human beings were analyzed in this IS/MND include, but are not limited to; air quality, greenhouse gas emissions, geology hazards, hazardous materials, seismic hazards, hydrology/water quality, noise and wildfire. Each issue area found that there would be either no impacts, impacts that would be less than significant, or impacts that would be less than significant with mitigation incorporated. The proposed project would comply with local and regional planning programs, applicable codes, and ordinances, federal and state laws and regulations, and mitigation measures to ensure that long-term operation activities and short-term construction activities associated with the proposed project would not result in direct, or indirect adverse impacts to human beings.

d) Have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Less Than Significant Impact: The proposed project would not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. If the proposed project is approved and constructed, a variety of short- and long-term impacts would occur. During construction, surrounding land uses could be temporarily impacted by dust and noise. There could also

be an increase in vehicle pollutant emissions caused by grading and construction activities and potential generation of degraded surface water. However, these short-term effects would be temporary and would be avoided or lessened to a large degree through the implementation of mitigation measures, Best Management Practices and compliance with regulatory requirements. The long-term operation of the project would not change the physical appearance of the project site and implementation of the project would not result in long-term adverse impacts to the environment. Therefore, the project would not achieve short-term environmental goals that would result in the disadvantage of long-term environmental goals.

4.22 References

The following references were utilized during preparation of this Initial Study/Mitigated Negative Declaration. These documents are available for review at the City of Laguna Beach, Water Quality Department, 505 Forest Avenue, Laguna Beach, California 92651.

Birdseye Planning Group, *Air Quality/Greenhouse Gas and Energy Calculation Memorandum for the Anita Street Sewer Lift Station Rehabilitation*. February 17, 2022.

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Federal Emergency Management Agency (FEMA), *National Flood Hazard Map*. February 4, 2022.

Geofirm, *Geotechnical Investigation for Beach Access Rehabilitation*. April 30, 2018.

GeoSoils Inc., *Coastal Hazards and Wave Runup Study*. December 1, 2016.

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Kreuzer Consulting Group, *Anita Street Access Stairway Site Improvement Plan*. February 11, 2019.

Natural History Museum of Los Angeles County, *Paleontological Resources for the Anita Street Project*. January 27, 2022.

PACE Engineering, *Site Plan*. April 2022.

South Central Coastal Information Center at California State University, Fullerton, Department of Anthropology MH-426, *Records Search Results for the Anita Street Lift Station Project*. February 22, 2022.

State of California, *State Water Resources Control Board GeoTracker*. January 2022.

VCS Environmental, *Biological Technical Report for the Anita Street Improvement Project*. February 2022.

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5.0 INVENTORY OF MITIGATION MEASURES

BIOLOGICAL RESOURCES

BIO-1*:* Vegetation removal activities shall be conducted outside the nesting season (September 1 to February 14 for songbirds; September 1 to January 14 for raptors) to avoid potential impacts to nesting birds. Any construction activities that occur during the season will require that all suitable habitats be thoroughly surveyed for the presence of nesting birds by a qualified biologist within three days prior to the commencement of vegetation clearing/ground disturbance activities depending on which season work falls within. If any active nests are detected, a buffer of 500 feet of an active threatened or endangered species or raptor nest, 300 feet of other sensitive species (non-listed), and 100 feet of most common species will be delineated, flagged, and avoided until the nesting cycle is complete. Established buffer sizes shall be increased or decreased based on the discretion of the qualified biologist to ensure that nesting activities are not disturbed. Active nests shall be periodically monitored by the qualified biologist until nesting activities have concluded.

BIO-2: The landscape plan for the project will include native species to southern California, such as those found on the project site (mulefat, senita cactus, prickly pear, saltgrass, and/or toyon).

BIO-3: The project shall incorporate Best Management Practices (BMPs) to prevent impacts to water quality during project construction. Some recommended BMPs include:

- Water pollution and erosion control measures in accordance with Regional Water Quality Control Board requirements.
- Sandy portions of the beach will be protected and maintained during construction activities.
- Construction equipment will be stored offsite, away from sensitive coastal resources.
- Vehicles and equipment will be in proper working condition and will be checked regularly for leaks prior to use to ensure that there is no potential for fugitive emissions of motor oil, fuel, antifreeze, hydraulic fluid, grease, or other hazardous materials.
- Equipment storage, fueling and staging areas will be located within upland areas with minimal risk of direct drainage onto the beach.
- Dust control measures, such as watering the project area during construction to reduce the impact of fugitive dust on the adjacent beach habitat.

BIO-4: Any tree planned to be removed during project activities that falls within the public right-of-way and has a diameter at breast height (DBH) of greater than 6 inches may be required to obtain tree removal permits prior to their removal. If any trees are planned to be removed during construction activities, coordination with the City will be required and

Tree Removal Permits may be obtained for the removal of any trees that meet the categories listed in Chapter 12.06 of the City of Laguna Beach Municipal Code.

CULTURAL RESOURCES

An onsite archaeologist and the Consulting Tribe monitoring shall be required during Phase 3, Phase 4 and Phase 8 construction activities. A Mitigation Monitoring Reporting Plan (MMRP) to mitigate potential impacts to undiscovered buried cultural resources within the project shall be implemented to the satisfaction of the Lead Agency. This program shall include, but not be limited to, the following actions:

CUL-1: Prior to issuance of a grading permit, the Applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the Lead Agency.

CUL-2: The project Applicant shall provide Native American monitoring during grading if the Lead Agency determines it is necessary pending results of the AB 52 Consultation process. If applicable, the Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The Lead Agency shall coordinate with the consulting Tribe(s) to facilitate communications with the project Developer/Applicant so that all parties can develop a mutually-acceptable Tribal Monitoring and Treatment Agreement which includes the scope of monitoring, scheduling of monitors from individual consulting Tribe(s), and the course of action for inadvertent discoveries.

CUL-3: The project archaeologist and the consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols.

CUL-4: The protocols and stipulations that the contractor, City, consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

- During the original cutting of previously undisturbed deposits, the archaeological and Tribal monitors (if applicable) shall be onsite, as determined by the consulting archaeologist, to monitor excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.

- Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.
- In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Lead Agency at the time of discovery. The archaeologist, in consultation with the Lead Agency, shall determine the significance of the discovered resources. The Lead Agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be implemented by the consulting archaeologist and approved by the Lead Agency before being carried out using professional archaeological methods. If any human remains are discovered, the County Coroner and Lead Agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (as identified by the NAHC) shall be contacted in order to determine proper treatment and disposition of the remains.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist in consultation with the consulting Tribe(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

CUL-5: One or more of the following treatments, in order of preference, shall be used in the event of a cultural resources discovery:

- Preservation-in-Place. Avoidance, or preservation-in-place, involves leaving a resource where it was found with no development affecting its integrity. Pursuant to Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and cultural resources.
- Reburial on the project site in an area not subject to future disturbance. Reburial of a resource shall include provisions to protect the selected reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloging and basic recording have been completed, with the exception of sacred items, burial goods and Native American human remains. Any reburial process shall be culturally appropriate. The listing of contents and the location of the reburial shall be included in a confidential Phase IV monitoring report.
- If Preservation-in-Place or reburial is not feasible, all cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards in an Orange County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources (OHP 1993). The collections and associated records shall be transferred, including title and accompanied by payment of the fees necessary for permanent curation.

CUL-6: A Phase IV Monitoring Report, documenting the field and analysis results and interpreting the artifact and research data within the research context, shall be completed and submitted to the satisfaction of the Lead Agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms. The Phase IV report shall be filed with the City under a confidential cover and not subject to Tribe(s).

CUL-7: Project related earth disturbance has the potential to unearth previously undiscovered human remains, resulting in a potentially significant impact. Pursuant to Section 7050.5 of the *California Health and Safety Code*, if human remains are encountered during excavation activities, all work shall halt, and the County Coroner shall be notified. The Coroner would determine within two working days whether a cause of death investigation is necessary. If the Coroner determines that the remains are Native American, he/she would contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would then, pursuant to *California Public Resources Code,* §5097.98, immediately identify the most likely descendant (MLD), who may inspect the remains and site of discovery and make recommendations for the treatment and/or disposition of the remains. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed, if feasible, and may include scientific removal and non-destructive analysis of the human, preservation in place, and deeding the remains to the MLD for treatment. If no MLD is identified, the MLD fails to make a recommendation, or the landowner rejects the recommendation, the landowner shall rebury the remains with appropriate dignity on the property in a location that would not be subject to further subsurface disturbance.

GEOLOGY AND SOILS

GEO-1: The final design of the project shall consider, and where feasible, design and construction recommendations provided in the Geotechnical Investigation prepared by Geofirm in April 2018. The recommendations include, Site Preparation and Grading, Structural Design of Foundations, Structural Design of retaining Walls, Hardscape Design and Construction, Concreate, Finish Grade and Surface Drainage, Foundation Plan Formulation and Review and Observation and Testing.

PALEO-1: Prior to the issuance of any grading permit, the project Applicant shall provide written evidence to the City of Laguna Beach, that the Applicant has retained a qualified paleontologist to observe grading activities and salvage and catalogue fossils, as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontological resource surveillance, and shall establish, in cooperation with the Applicant and City, procedures for temporarily halting or redirecting work to permit sampling, identification, and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the Applicant, which ensures proper exploration and/or salvage.

PALEO-2: If paleontological resources are uncovered and after completion of the project, the Applicant shall submit the paleontologist's follow-up report for approval by the City of Laguna Beach. The report shall include the period of inspection, a catalogue and analysis of the fossils found, and the present repository of the fossils. The Applicant shall prepare the excavated material to the point of identification. The Applicant shall offer excavated

finds for curatorial purposes to the City of Laguna Beach or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources, shall be subject to approval by the City of Laguna Beach. Applicant shall pay curatorial fees for the storage of these resources in perpetuity.

NOISE

N-1: Construction Equipment. Electrical power shall be used to run air compressors and similar power tools. Internal combustion engines should be equipped with a muffler of a type recommended by the manufacturer and in good repair. All diesel equipment should be operated with closed engine doors and should be equipped with factory-recommended mufflers. Stationary noise-generating equipment, such as generators and compressors, should be located as far as practically possible from the nearest residential property lines.

N-2: Limit Operations Adjacent to Receivers. Limit the number of large pieces of equipment (i.e., excavator or dump trucks) operating adjacent to receivers to one at any given time.

N-3: Neighbor Notification. Provide notification to residential occupants nearest to the project site at least 24 hours prior to initiation of construction activities that could result in substantial noise levels at outdoor or indoor living areas. This notification should include the anticipated hours and duration of construction and a description of noise reduction measures being implemented at the project site. The notification should include a telephone number for local residents to call to submit complaints associated with construction noise and be easily viewed from adjacent public areas.

TRIBAL CULTURAL RESOURCES

An onsite archaeologist and the Consulting Tribe monitoring shall be required during Phase 3, Phase 4 and Phase 8 construction activities. A Mitigation Monitoring Reporting Plan (MMRP) to mitigate potential impacts to undiscovered buried cultural resources within the project shall be implemented to the satisfaction of the Lead Agency. This program shall include, but not be limited to, the following actions:

CUL-1: Prior to issuance of a grading permit, the Applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the Lead Agency.

CUL-2: The project Applicant shall provide Native American monitoring during grading if the Lead Agency determines it is necessary pending results of the AB 52 Consultation process. If applicable, the Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. The Lead Agency shall coordinate with the consulting Tribe(s) to facilitate communications with the project Developer/Applicant so that all parties can develop a mutually-acceptable Tribal Monitoring and Treatment Agreement which includes the scope of monitoring, scheduling of monitors from individual consulting Tribe(s), and the course of action for inadvertent discoveries.

CUL-3: The project archaeologist and the consulting Tribes(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The training will include a brief review of the cultural sensitivity of the project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols.

CUL-4: The protocols and stipulations that the contractor, City, consulting Tribe(s) and project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

- During the original cutting of previously undisturbed deposits, the archaeological and Tribal monitors (if applicable) shall be onsite, as determined by the consulting archaeologist, to monitor excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated.
- Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed.
- In the event that previously unidentified cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow for the evaluation of potentially significant cultural resources. The archaeologist shall contact the Lead Agency at the time of discovery. The archaeologist, in consultation with the Lead Agency, shall determine the significance of the discovered resources. The Lead Agency must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be implemented by the consulting archaeologist and approved by the Lead Agency before being carried out using professional archaeological methods. If any human remains are discovered, the County Coroner and Lead Agency shall be contacted. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant (as identified by the NAHC) shall be contacted in order to determine proper treatment and disposition of the remains.
- Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist in consultation with the consulting Tribe(s) shall determine the amount of material to be recovered for an adequate artifact sample for analysis.

CUL-5: One or more of the following treatments, in order of preference, shall be used in the event of a cultural resources discovery:

- Preservation-in-Place. Avoidance, or preservation-in-place, involves leaving a resource where it was found with no development affecting its integrity. Pursuant to Public Resources Code Section 21083.2(b) avoidance is the preferred method of preservation for archaeological and cultural resources.
- Reburial on the project site in an area not subject to future disturbance. Reburial of a resource shall include provisions to protect the selected reburial area from any future impacts in perpetuity. Reburial shall not occur until all required cataloging and basic recording have been completed, with the exception of sacred items, burial goods and Native American human remains. Any reburial process shall be culturally appropriate. The listing of contents and the location of the reburial shall be included in a confidential Phase IV monitoring report.
- If Preservation-in-Place or reburial is not feasible, all cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards in an Orange County curation facility that meets State Resources Department Office of Historic Preservation Guidelines for the Curation of Archaeological Resources (OHP 1993). The collections and associated records shall be transferred, including title and accompanied by payment of the fees necessary for permanent curation.

CUL-6: A Phase IV Monitoring Report, documenting the field and analysis results and interpreting the artifact and research data within the research context, shall be completed and submitted to the satisfaction of the Lead Agency prior to the issuance of any building permits. The report will include DPR Primary and Archaeological Site Forms. The Phase IV report shall be filed with the City under a confidential cover and not subject to Tribe(s).

CUL-7: Project related earth disturbance has the potential to unearth previously undiscovered human remains, resulting in a potentially significant impact. Pursuant to Section 7050.5 of the *California Health and Safety Code*, if human remains are encountered during excavation activities, all work shall halt, and the County Coroner shall be notified. The Coroner would determine within two working days whether a cause of death investigation is necessary. If the Coroner determines that the remains are Native American, he/she would contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would then, pursuant to *California Public Resources Code,* §5097.98, immediately identify the most likely descendant (MLD), who may inspect the remains and site of discovery and make recommendations for the treatment and/or disposition of the remains. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed, if feasible, and may include scientific removal and non-destructive analysis of the human, preservation in place, and deeding the remains to the MLD for treatment. If no MLD is identified, the MLD fails to make a recommendation, or the landowner rejects the recommendation, the landowner shall rebury the remains with appropriate dignity on the property in a location that would not be subject to further subsurface disturbance.

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6.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City prepare a Mitigated Negative Declaration for the Anita Street Wet Well and Coastal Accessway Improvement Project. We find that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City's determination (see Section 1.3, *Lead Agency Determination*).

July 15, 2022
Date

Dan Bott, Environmental Project Manager
VCS Environmental

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