

**APPENDIX 11.1**  
**Initial Study/  
Notice of Preparation and Comment Letters**



# Bay Bridge Pump Station and Force Mains Rehabilitation Project

(Project No. SP-178)

## INITIAL STUDY/ENVIRONMENTAL CHECKLIST

PUBLIC REVIEW | NOVEMBER 2016



Prepared for:  
**Orange County Sanitation District**

Prepared by:  
**Michael Baker International**

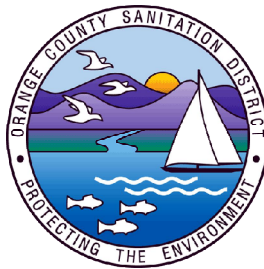


**PUBLIC REVIEW  
INITIAL STUDY/ENVIRONMENTAL CHECKLIST**

**Bay Bridge Pump Station and Force  
Mains Rehabilitation Project**

---

**Lead Agency:**



**ORANGE COUNTY SANITATION DISTRICT**  
10844 Ellis Avenue  
Fountain Valley, California 92708-7018  
**Contact: Mr. Kevin Hadden**  
**Principal Staff Analyst**  
**714.962.2411**

**Prepared by:**

**MICHAEL BAKER INTERNATIONAL**  
14725 Alton Parkway  
Irvine, California 92618-2027  
**Contact: Mr. Alan Ashimine**  
**949.472.3505**

**November 2016**

JN 143698

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



# TABLE OF CONTENTS

<b>1.0</b>	<b>Introduction.....</b>	<b>1-1</b>
1.1	Background .....	1-1
1.2	Purpose .....	1-1
1.3	Statutory Requirements and Authority.....	1-1
1.4	Permits and Approvals .....	1-1
1.5	Agency Consultation and Coordination .....	1-2
1.6	Incorporation by Reference .....	1-2
<b>2.0</b>	<b>Project Description.....</b>	<b>2-1</b>
2.1	Project Location.....	2-1
2.2	Environmental Setting .....	2-1
2.3	Existing General Plan and Zoning.....	2-4
2.4	Project Background .....	2-4
2.5	Project Characteristics.....	2-7
2.6	Permits and Approvals .....	2-14
<b>3.0</b>	<b>Environmental Checklist.....</b>	<b>3-1</b>
3.1	Project Description and Background .....	3-1
3.2	Determination .....	3-3
3.3	Evaluation of Environmental Impacts .....	3-4
3.4	CEQA Checklist.....	3-5
<b>4.0</b>	<b>Environmental Evaluation.....</b>	<b>4-1-1</b>
4.1	Aesthetics.....	4.1-1
4.2	Agriculture and Forest Resources .....	4.2-1
4.3	Air Quality.....	4.3-1
4.4	Biological Resources.....	4.4-1
4.5	Cultural Resources .....	4.5-1
4.6	Geology and Soils .....	4.6-1
4.7	Greenhouse Gases .....	4.7-1
4.8	Hazards and Hazardous Materials .....	4.8-1
4.9	Hydrology and Water Quality.....	4.9-1
4.10	Land Use and Planning .....	4.10-1
4.11	Mineral Resources.....	4.11-1
4.12	Noise .....	4.12-1
4.13	Population and Housing .....	4.13-1
4.14	Public Services.....	4.14-1
4.15	Recreation .....	4.15-1
4.16	Transportation/Traffic .....	4.16-1
4.17	Tribal Cultural Resources.....	4.17-1
4.18	Utilities and Service Systems .....	4.18-1
4.19	Mandatory Findings of Significance.....	4.19-1
<b>5.0</b>	<b>Preparers and Contributors .....</b>	<b>5-1</b>
<b>6.0</b>	<b>References .....</b>	<b>6-1</b>



## LIST OF EXHIBITS

Exhibit 2-1	Regional Vicinity .....	2-2
Exhibit 2-2	Site Vicinity .....	2-3
Exhibit 2-3	Existing Conditions .....	2-5
Exhibit 2-4	Conceptual Site Plan .....	2-8
Exhibit 2-5	Proposed Microtunneling Work Areas .....	2-12

## LIST OF TABLES

Table 1-1	Project Permits and Approvals .....	1-2
Table 2-1	Surrounding Land Uses .....	2-6





## **1.0 INTRODUCTION**

### **1.1 BACKGROUND**

The Bay Bridge Pump Station and Force Mains Rehabilitation Project (project) proposes to upgrade the existing Bay Bridge Pump Station and associated force mains located within the southern portion of Newport Beach, along East Pacific Coast Highway near the Newport Bay Channel. The project is discussed in detail in Section 2.0, *Project Description*. Following preliminary review, Orange County Sanitation District (OCSD) determined that the project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 - 21177). This Initial Study addresses the potential for direct, indirect, and cumulative environmental effects associated with the project, as proposed.

### **1.2 PURPOSE**

In accordance with Section 15367 of the California Code of Regulations, the OCSD is identified as the Lead Agency for the proposed project. Pursuant to Section 15063(a) of CEQA Guidelines, OCSD is required to undertake the preparation of an Initial Study to determine if the proposed action will have a significant effect on the environment. The purposes of this Initial Study are to: (1) identify potential environmental impacts, (2) provide the Lead Agency with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration, (3) enable the Lead Agency to modify the proposed project (through mitigation of adverse impacts), (4) facilitate assessment of potential environmental impacts early in the design of the proposed project, and (5) provide documentation for the potential finding that the proposed project will not have a significant effect on the environment or can be mitigated to a level of insignificance (CEQA Guidelines, Section 15063[c]). This Initial Study is also an informational document providing an environmental basis for subsequent discretionary actions that could be required from other Responsible Agencies.

### **1.3 STATUTORY REQUIREMENTS AND AUTHORITY**

In the State of California CEQA Guidelines, Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include: (1) a description of the proposed project, including the location of the project site; (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 some evidence exists to support the entries; (4) a discussion of ways to mitigate significant effects identified, if any; (5) an examination of whether the proposed project is compatible with existing zoning, plans, and other applicable land-use controls; and (6) the name(s) of the person or persons who prepared or participated in the preparation of the Initial Study (CEQA Guidelines, Section 15063[d]).

### **1.4 PERMITS AND APPROVALS**

Public agencies could use this Initial Study as the basis for their decisions to issue approvals and/or permits for the proposed project. Table 1-1, *Project Permits and Approvals*, provides a list of those entitlements and permits that could be required for the proposed project.



**Table 1-1  
Project Permits and Approvals**

Agency Name	Permit or Approval
Orange County Sanitation District	<ul style="list-style-type: none"> <li>• CEQA Clearance</li> </ul>
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> <li>• Clean Water Act Section 404 Permit</li> </ul>
California Coastal Commission	<ul style="list-style-type: none"> <li>• Coastal Development Permit</li> <li>• Exemptions/Waivers for potholes/test wells</li> </ul>
California Department of Transportation District 12	<ul style="list-style-type: none"> <li>• Encroachment Permit</li> <li>• Approval of Potholing Plan</li> <li>• Approval of Traffic Control Plan</li> </ul>
Santa Ana Regional Water Quality Control Board	<ul style="list-style-type: none"> <li>• Clean Water Act Section 401 Water Quality Certification</li> <li>• NPDES Construction General Permit</li> <li>• NPDES Dewatering Permit (if groundwater is treated for discharge to storm drain)</li> </ul>
South Coast Air Quality Management District	<ul style="list-style-type: none"> <li>• Permit to Construct</li> <li>• Operational Permits</li> </ul>
Orange County Environmental Health Division	<ul style="list-style-type: none"> <li>• Well Permits for construction/abandonment of any underground geological or hydrological test wells</li> </ul>
City of Newport Beach	<ul style="list-style-type: none"> <li>• Approval of Traffic Control Plan</li> </ul>

## **1.5 AGENCY CONSULTATION AND COORDINATION**

The agencies listed in Table 1-1 could require OCSD to obtain approvals for the proposed project. Coordination with other agencies may be required to determine the specific nature of any future permits or approvals. Agencies would be notified pursuant to the CEQA Guidelines, and any subsequent comments would be considered accordingly. In addition, this document is intended to provide agencies and the general public with an environmental basis under CEQA to facilitate the dissemination of information deemed necessary to the discretionary approvals process and the approval, or conditional approval, of any aspect of the proposed project within the jurisdiction of the agency.

## **1.6 INCORPORATION BY REFERENCE**

The following documents were utilized during preparation of this Initial Study, and are incorporated into this document by reference. These documents are available for review at OCSD located at 10844 Ellis Avenue, Fountain Valley, California, 92708.

- Bay Bridge Pump Station and Force Mains Rehabilitation Study Preliminary Alignment Study Report (Final Submittal May 2016). The purpose of the *Preliminary Alignment Study Report* (PASR) is to develop alignment alternatives for the upgrade of Bay Bridge Pump Station and its associated force mains based on existing conditions of the project area, utility research, predetermined evaluation criteria, and a preliminary cost analysis. This report was the basis of the preliminary design for the OCSD Bay Bridge Pump Station and Force Mains Rehabilitation Project. The PASR reviews the existing conditions in the project area including utilities and geophysical conditions, including a preliminary geotechnical study. It develops preliminary alignments for the upgraded Bay Bridge Pump Station and its associated force mains, establishes a set of



comprehensive criteria to be used to evaluate each alignment's value to OCSD, and evaluates each alignment based on the set of criteria established in the PASR. In addition, the PASR develops a preliminary opinion of probable cost for each alignment discussed, recommends an alignment for the upgraded Bay Bridge Pump Station and its associated force mains based on the evaluation, and investigates the permitting required for the completion of the project per CEQA.

- City of Newport Beach General Plan (adopted July 25, 2006). The *City of Newport Beach General Plan* (General Plan) provides a general, comprehensive, and long-range guide for community decision-making. The General Plan is organized into ten elements: Land Use; Harbor and Bay; Housing; Historical Resources; Circulation; Recreation; Arts and Cultural; Natural Resources; Safety; and Noise. Each General Plan element presents an overview of its scope, summary of conditions and planning issues, goals, and policies. Goals and policies of the General Plan are applicable to all lands within the City's jurisdiction. Consistent with state statutes, it also specifies policies for the adopted Sphere of Influence (SOI). The General Plan was utilized throughout this document as the fundamental planning document governing development at the project site. Background information and policy information from the General Plan is cited in several sections of this document.
- City of Newport Beach Final Environmental Impact Report General Plan 2006 Update (Certified July 25, 2006) SCH No. 2006011119. The *City of Newport Beach Final Environmental Impact Report General Plan 2006 Update* (General Plan EIR) reviews the City's and Planning Area's existing conditions, analyzes potential environmental impacts from implementation of the General Plan Update, identifies policies from the proposed General Plan Update that serve to reduce and minimize impacts, and identifies additional mitigation measures, to reduce potentially significant impacts of the General Plan Update. The EIR presents a worst-case scenario based upon the City's and adjacent areas' maximum potential development from 2002 through 2030. The EIR was prepared as a Program EIR (CEQA Guidelines Section 15168, *Program EIR*), and as such, was intended to serve as the environmental document for a series of actions contemplated by the General Plan, including amending the Zoning Ordinance to bring it into consistency with the General Plan.
- City of Newport Beach Local Coastal Program Coastal Land Use Plan (Adopted July 14, 2009). The *City of Newport Beach Local Coastal Program Coastal Land Use Plan* (CLUP) sets forth goals, objectives, and policies that govern the use of land and water in the coastal zone within the City of Newport Beach and SOI, with the exception of Newport Coast and Banning Ranch. The CLUP addresses public access, recreation, marine environment, land resources, development, and industrial development within three chapters: Land Use and Development; Public Access and Recreation; and Coastal Resource Protection. Each chapter is divided into sections and subsections. Each section or subsection begins with the identification of the Coastal Act sections that are relevant to Newport Beach, followed by a narrative of the local setting and policy direction adopted by the City to address the requirements of the Coastal Act and a listing of specific policies. The City reviews pending development projects for consistency with the CLUP before an applicant can file for a coastal development permit with the Coastal Commission.



- Newport Beach Municipal Code. The *Newport Beach Municipal Code* (Municipal Code) consists of regulatory, penal, and administrative ordinances of the City. It is the method the City uses to implement control of land uses, in accordance with General Plan goals and policies. The City Planning and Zoning Code, Title 20 of the Municipal Code, is to promote growth in Newport Beach in an orderly manner, while promoting public health, safety, peace, comfort, and general welfare. The Zoning Code also establishes zoning districts and regulations for the use of land and development for properties within the City.



## 2.0 PROJECT DESCRIPTION

### 2.1 PROJECT LOCATION

Regionally, the project site is located within the southwestern portion of the City of Newport Beach (City), within the County of Orange (County); refer to [Exhibit 2-1, \*Regional Vicinity\*](#). Locally, the project site is located at and adjacent to the Orange County Sanitation District's (OCSD) existing Bay Bridge Pump Station, located at 300 East Pacific Coast Highway (PCH) with the nearest cross street of Bayside Drive located approximately 300 feet to the east. The project also includes force main improvements that would extend to the west, across Pacific Coast Highway and the Newport Bay Channel; refer to [Exhibit 2-2, \*Site Vicinity\*](#).

### 2.2 ENVIRONMENTAL SETTING

The proposed project site is located within a fully developed and urbanized area. The existing Bay Bridge Pump Station facility is located immediately north of PCH. The facility is roughly square shaped with an area of approximately 4,800 square feet, occupied by a one-story pump station building. Access to the pump station site is provided via a driveway along the north side of PCH. The perimeter of the pump station building is surrounded by masonry walls on all sides with two entrance gates including one double swing gate and one single swing gate on the southern boundary. The existing pump station building is located within the southern portion of the parcel and is approximately 3,300 square feet in size. The pump station site is located to the north, east, and west by a recreational vehicle (RV) storage area on a parcel approximately 31.4 acres in size; refer to [Table 2-1, \*Surrounding Land Uses\*](#). This parcel is owned by Bayside Village Marina, LLC, who proposes the "Back Bay Landing Project", a mixed-use waterfront village comprised of recreational and marine-related uses on an approximately 7-acre portion of the 31.4-acre parcel.

In addition to pump station improvements, the project would also include the replacement of dual force mains originating from the pump station and terminating at or near the existing OCSD valve vault located on the west side of the Newport Bay Channel. The existing force mains consist of dual 24-inch mains approximately 1,250 feet in length, originating from the existing pump station, which route across PCH, across the existing Balboa Marina property, then to the existing valve vault located on the west side of the Newport Bay Channel. The mains were originally constructed as mortar lined and coated steel. The lines were sliplined in 1981 with 20-inch high density polyethylene (HDPE). The proposed new dual force mains would first cross under PCH in a tunnel. Within the vicinity of the project site, PCH is designated an "Eight Lane Road (Divided)" that bridges across the southern portion of the Newport Bay Channel.<sup>1</sup> Adjacent to the pump station site, it includes a raised median, sidewalks, curb/gutter, Class II (striped) bicycle lanes, and street lighting. PCH is also known as State Route (SR) 1, and is under the jurisdiction of the California Department of Transportation (Caltrans).

---

<sup>1</sup> City of Newport Beach and Urban Crossroads, *City of Newport Beach General Plan Figure CE1 Master Plan of Streets and Highways*, September 21, 2006.





Source: Google Earth, 2015.

NOT TO SCALE

**Michael Baker**  
INTERNATIONAL



11/16 • JN 143698

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT

## Site Vicinity

Exhibit 2-2



Once the dual force mains cross PCH, they would traverse under a parking lot associated with the Balboa Marina, which includes recreational and restaurant uses. The existing parking lot is paved, landscaped, and equipped with nighttime security lighting. This property is under the ownership of the Irvine Company, who proposes the “Balboa Marina West” project, which would include construction of a new public boat dock and to improve and expand the existing area. A reconfigured parking lot and a marine commercial building for future restaurant and office uses are proposed.

West of the Balboa Marina, the dual force mains would cross under the Newport Bay Channel, approximately 475 feet in width within the project area. The Newport Bay Channel is within the Lower Newport Bay. The Lower Newport Bay is comprised of developed channels, beaches, and hardscape areas with a wide range of recreational activities such as sport fishing, kayaking, diving, wind surfing, sailboat racing, excursion, and entertainment boat activities, as well as visitor serving commercial and recreational uses and waterfront residences. The Newport Bay Channel ranges from -10.7 to -14 feet mean lower low water (MLLW) depth.<sup>2</sup> The force main crossing would occur immediately south of the PCH bridge over the Channel (i.e., the Bay Bridge); refer to [Exhibit 2-3, \*Existing Conditions\*](#). The dual force mains would terminate at or near an existing OCSD valve vault immediately west of the Newport Bay Channel, approximately 0.26 miles west of the existing pump station site. The valve vault is located immediately north of the Bayshore Apartments.

## **SURROUNDING USES**

Surrounding uses in proximity to the project site include residential, commercial, and commercial recreational marine uses, refer to [Exhibit 2-3, \*Table 2-1, Surrounding Land Uses\*](#), describes the surrounding land uses and associated land use and zoning designations.

## **2.3 EXISTING GENERAL PLAN AND ZONING**

The pump station site and PCH force main improvements area are designated “Recreational and Marine Commercial” by the *City of Newport Beach General Plan Overview Map* and zoned “Bayside Village Boat Launch and Storage” by the *City of Newport Beach Zoning Map*. The Newport Beach Channel Crossing force main improvements and microtunneling staging areas have a land use designation of “Mixed Use – Water 2” and zoning designation of “Multi-Unit Residential” with a minimum site area of 2,178 square feet.

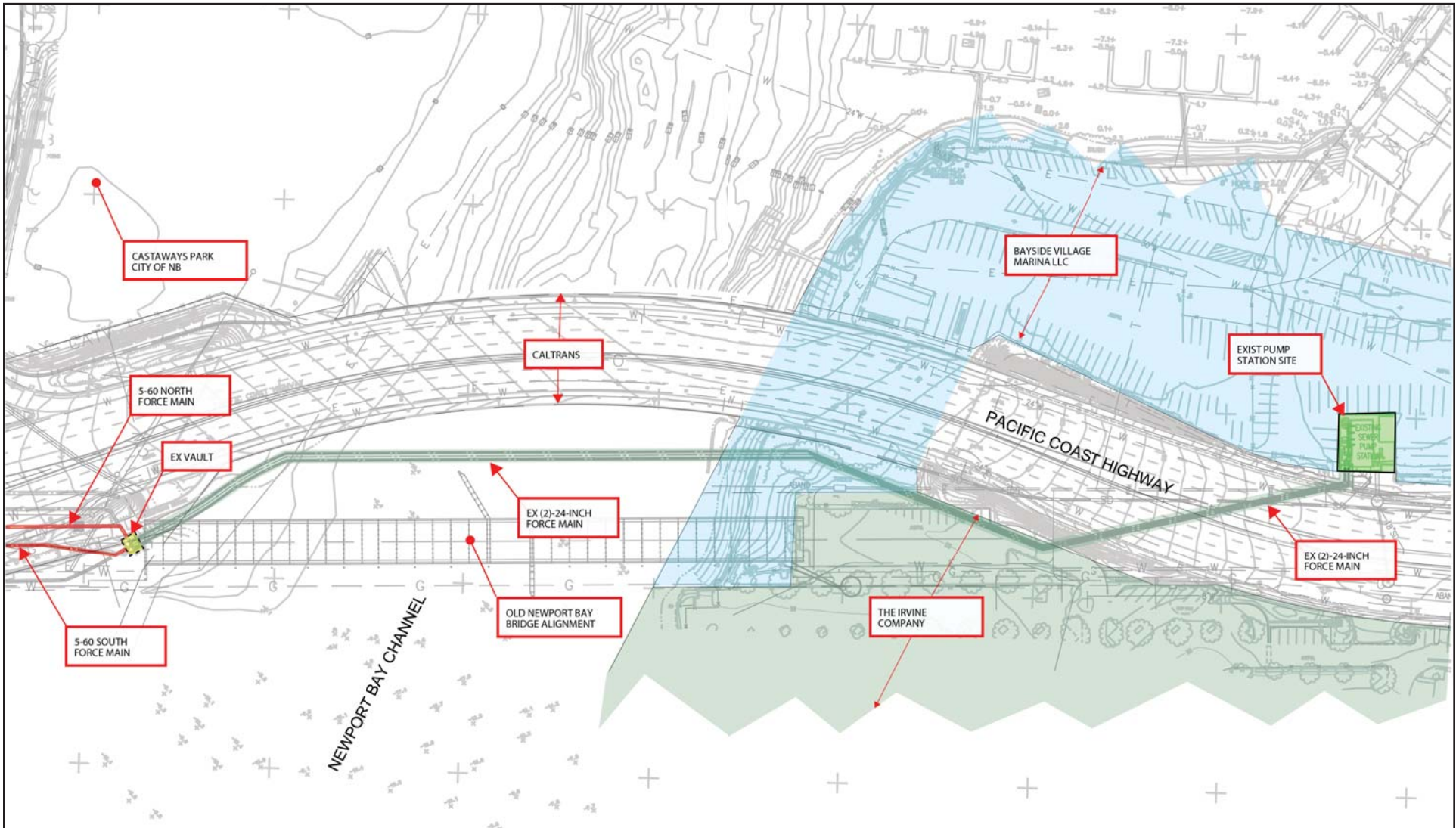
## **2.4 PROJECT BACKGROUND**

OCSD proposes to upgrade the existing Bay Bridge Pump Station and associated force mains. OCSD owns, operates, and maintains the existing Bay Bridge Pump Station and the Newport force mains, which convey wastewater from Newport Beach to the Plant No. 2 wastewater treatment facility in Huntington Beach. The existing Bay Bridge Pump Station is located adjacent to PCH to the south and is the furthest upstream pump station as part of the Newport force main network.

---

<sup>2</sup> Army Corps of Engineers, *2015 Bathymetry Survey*, October 13, 2015.





Source: Michael Baker International, Bay Bridge Pump Station and Force Mains Rehabilitation Study Preliminary Alignment Study Report, May 2016.

NOT TO SCALE



11/16 • JN 143698

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
 BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Existing Conditions**



**Table 2-1  
Surrounding Land Uses**

Direction	General Plan Designation <sup>1</sup>	Zoning <sup>2</sup>	Existing Land Use
North	Multiple Unit Residential (RM)	Bayside Village Mobile Home Park with Mobile Home Park Overlay - UP 463 (PC-1 – MHP)	An RV storage area is currently located to the north of the pump station site. The property owner proposes the Back Bay Landing project, a mixed-use waterfront village on an approximately 7-acre portion of the 31.4 acre parcel. The proposed project would involve land use amendments to provide the legislative framework for the future development of the site. The requested approvals would provide a mix of uses including recreational and marine commercial retail, marine office, marine services, enclosed dry stack boat storage, and a limited mix of freestanding multi-family residential and mixed-use structures with residential uses above the ground floor. <sup>3</sup>
Northwest	General Commercial (CG)	Commercial General (CG)	Commercial shops including a jewelry store and coffee shop are located to the northwest of the Newport Bay Channel Crossing force main improvements and microtunneling staging areas.
West	Single-Unit Residential Detached (RS-D)	Single-Unit Residential (R-1)	Single-family residential uses are located to the west of the Newport Bay Channel Crossing force main improvements and microtunneling staging areas.
East	Multiple Unit Residential (RM)	Bayside Village Mobile Home Park with Mobile Home Park Overlay - UP 463 (PC-1 – MHP)	A mobile home park is located to the east of the pump station site.
South	Recreational and Marine Commercial (CM)	Commercial Recreational and Marine (CM 0.3)	Balboa Marina recreational uses and restaurant uses are located to the south of the pump station site, along the southern side of PCH. The Balboa Marina West project proposes the construction of a new public boat dock and to improve and expand the existing area. A reconfigured parking lot and a marine commercial building for future restaurant and office uses are proposed. <sup>4</sup>
South	Multiple Unit Residential (RM)	Multi-Unit Residential (RM [2178])	The Bayshore Apartments and Newport Marina development are located south of the Newport Bay Channel Crossing force main improvements and microtunneling staging areas.

Sources:

1. City of Newport Beach, *City of Newport Beach General Plan Overview Map*, March 12, 2014.
2. City of Newport Beach, *City of Newport Beach Zoning Map*, October 26, 2010.
3. City of Newport Beach, *Back Bay Landing*, <http://www.newportbeachca.gov/trending/projects-issues/other-important-issues/back-bay-landing>, Accessed August 24, 2016.
4. City of Newport Beach, *City of Newport Beach Notice of Public Hearing – Balboa Marina West MND*, October 2, 2014.



The Bay Bridge Pump Station is critical to OCSD operations as it conveys approximately 50 to 60 percent of the total flow through the Newport force mains. Because the Bay Bridge Pump Station and associated force mains are critical elements to OCSD's collection backbone, it is imperative the facility be rehabilitated to ensure continuous service to the community and avoid spills for the next design lifespan (an additional 50 years). This would be accomplished through an upgrade to the existing pump station/force main infrastructure. The facilities would be upgraded for the following reasons:

- To accommodate anticipated growth in the region and wet weather flows by increasing peak wet weather flow conveyance capacity from 16 million gallons a day (MGD) to 18.5 MGD;
- Increase reliability since the existing Bay Bridge Pump Station is outdated and no longer meets structural or maintenance standards; and
- Increase safety for OCSD Operations & Maintenance personnel where safe entry and exit can be made and maintenance crews and drivers can easily access the site. The existing pump station is accessed directly from PCH, where adjacent traffic creates safety hazards for OCSD vehicles. Maintenance trucks accessing the site require that they back into oncoming traffic.

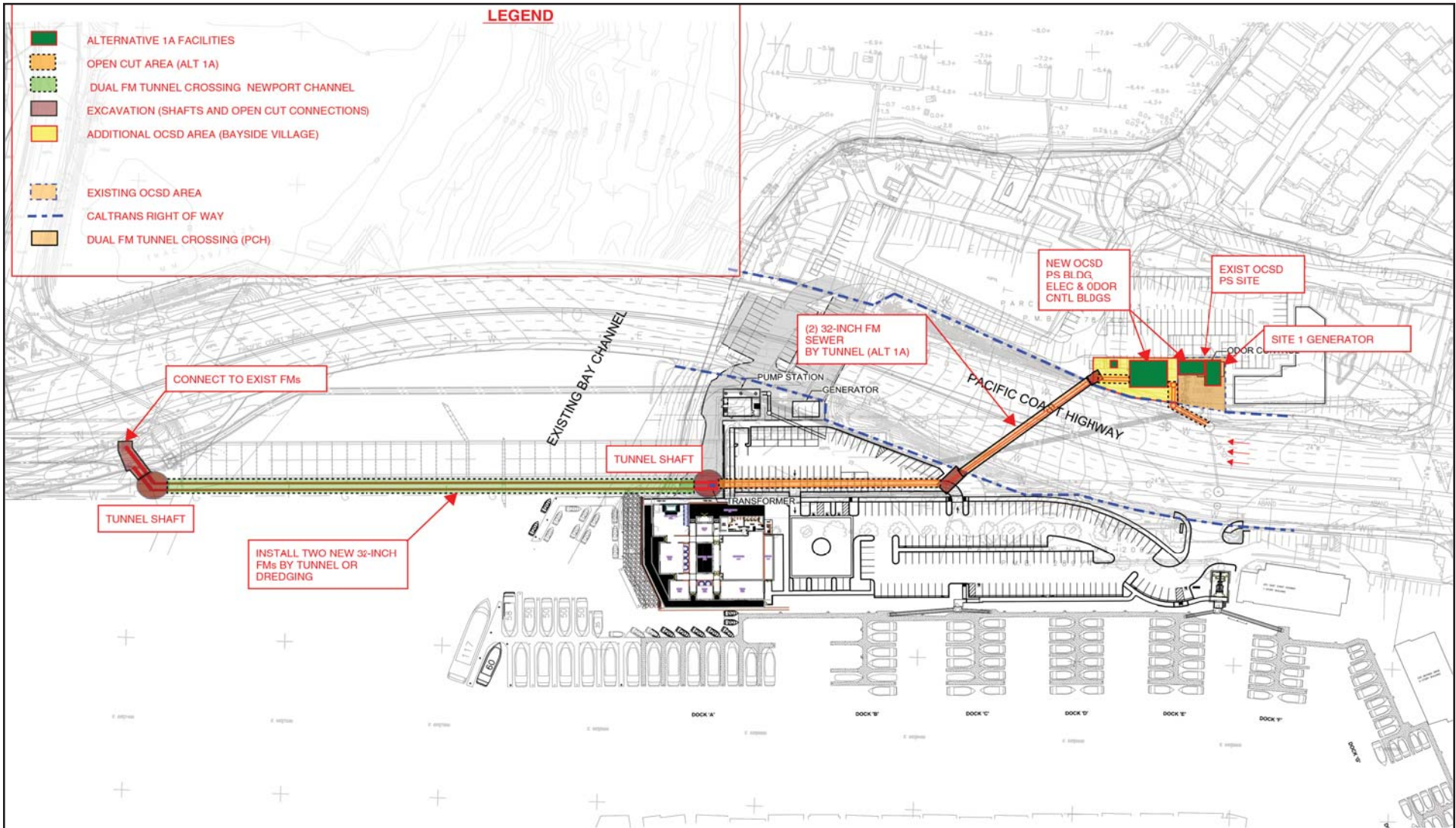
## 2.5 PROJECT CHARACTERISTICS

The proposed project would upgrade the Bay Bridge Pump Station and associated force mains as shown on [Exhibit 2-4, Conceptual Site Plan](#). The proposed project would bring the pump station facility and force mains to current design and reliability standards to ensure continuous service for the OCSD service area. The primary project components are described in detail below, and consist of: 1) pump station improvements; 2) PCH force main facilities, and 3) Newport Bay Channel crossing force main improvements.

### PUMP STATION IMPROVEMENTS

The proposed project would include construction of a new pump station at and adjacent to the existing Bay Bridge Pump Station. The new pump station would be constructed at the existing pump station site, in addition to a portion of the existing RV storage area that surrounds the pump station to the north, east and west. The existing pump station would remain in service and fully operational while the new pump station is being constructed adjacent to the existing pump station building. Once the new pump station is placed in service, the existing pump station would be taken out of service, demolished, and redeveloped with upgraded pump station facilities. The pump station would be expanded from approximately 4,800 square feet under existing conditions to 9,500 square feet (an increase of 4,700 square feet). Primary access to the proposed pump station would be provided via a driveway to the RV storage facility along the west side of Bayside Drive, with secondary access provided via a driveway along the northern side of PCH.

OCSD currently operates the pump station with two large and two smaller duty variable frequency drive (VFD) pumps. Currently, two large VFD pumps (sized at 250 horsepower [HP] each) convey full peak wet weather flows and the two smaller duty VFD pumps are 50 HP each and convey low flows. OCSD recently added a large standby pump to the existing Bay Bridge Pump Station for desired contingency during peak wet weather flow should one of their large duty pumps become disabled. Therefore, it is required that the new pump station be sized to house all pumps and provide the desired contingency and redundancy to maintain uninterrupted service. All the facilities would be placed within a new pump station building, electrical building, generator building, and odor control facility at the pump station site.



Source: Michael Baker International, Bay Bridge Pump Station and Force Mains Rehabilitation Study Preliminary Alignment Study Report, May 2016.

NOT TO SCALE



11/16 • JN 143698

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
 BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Conceptual Site Plan**

**Exhibit 2-4**



## **Pump Station Mechanical Room and Wet Well**

The proposed pump station building would be constructed with a below-grade dry-pit, which would house the pumps, motors, and other mechanical equipment, and an abovegrade building that would house the electrical instrumentation, control equipment, and restroom. An underground wet well would be constructed adjacent to the mechanical room in an orientation similar to the existing pump station. A total of five pumps would be installed to meet future peak flow of 18.5 MGD and provide required contingency/redundancy.

## **Pump Station Generator Facility**

A 620 square-foot backup generator facility would be built adjacent to the proposed pump station, where the existing pump station currently stands. A 750kw Caterpillar diesel generator would be provided to handle the power requirement of the new pump station running at full capacity. The backup generator would be paired with a 66 gallon fuel tank, which would allow the pump station to run on backup power for approximately 11 hours for operational redundancy.

The new generator building would be located in the same location as the existing pump station. It would not be built until the new pump station is commissioned and the existing pump station demolished. Existing utility feeds would continue to be utilized for the proposed pump station facility. The new transformer for the proposed pump station would be located alongside the electrical room.

## **Pump Station Odor Control**

A new 620 square-foot odor control facility would be built adjacent to the new pump station and connected to the generator building, where the existing pump station currently stands. It would hold a multi-stage odor control scrubber system, which would remove odorous chemicals from the incoming waste stream.

## **PCH FORCE MAIN IMPROVEMENTS**

The proposed PCH dual force mains would be constructed out of HDPE materials with a minimum inner diameter of 30 inches and an outer diameter of 32 inches. The PCH force main improvements would convey the new peak flows as well as provide the system with redundancy. The dual force mains would extend approximately 250 feet from the proposed pump station facility, and then southwest to the Balboa Marina parking lot. Each of the force mains would be installed together in a single 90- to 96-inch casing, which would be installed via microtunneling beneath PCH. The invert of the new force main crossing would be approximately 25 to 30 feet below ground.

## **NEWPORT BAY CHANNEL CROSSING FORCE MAIN IMPROVEMENTS**

The Newport Bay Channel crossing force mains would consist of an approximately 725-foot-long segment of dual force mains. This segment of the force mains would extend west from the terminus of the PCH force main improvements (described above), ultimately terminating at or near an existing valve vault immediately west of the Newport Bay Channel, approximately 0.26 miles west of the existing pump station site. The valve vault is located immediately north of the Bayshore Apartments. The force mains would cross the Newport Bay Channel via either microtunneling or a dredged trench, both of which are described in additional detail below. It should be noted that immediately south of the proposed alignment for the



Newport Bay Channel force main crossing is the original (abandoned) alignment of the Bay Bridge, of which portions still remain (such as existing piles and abutments that were cut at the bottom of the channel). The existing piles of the old Newport Bridge are 20 to 30 feet beneath the channel's bottom.

### **2.5.1 CONSTRUCTION**

The proposed project would involve construction of the new Bay Bridge Pump Station and associated force mains, which is expected to take between 24 to 30 months for completion. The construction methodology to be utilized for each of these project components is discussed below.

#### **PUMP STATION IMPROVEMENTS**

Prior to initiation of construction, OCSD would be required to purchase land rights for the expanded pump station site from the owner of the existing RV storage facility, Bayside Village Marina, LLC. As noted above, the existing pump station would remain in service until the new facilities have been constructed and commissioned. Once the new pump station is placed in service, the existing pump station would be taken out of service, demolished, and redeveloped with a new odor control building and generator building. Construction access would be provided via the existing driveway to the RV storage facility along the west side of Bayside Drive.

If the construction of the new pump station begins before the Back Bay Landing Project proposed by Bayside Village Marina, LLC, the areas surrounding the pump station site could be used as storage and staging area, which would also minimize traffic impacts. However, if construction of the proposed pump station begins after the Back Bay Landing Project, the contractor would have to coordinate storage and staging areas at a vacant, disturbed area owned by the City of Newport Beach, immediately south of Castaways Park. This potential staging area would not affect any existing vegetation, nor interfere with existing recreational opportunities at Castaways Park.

The construction footprint of the new pump station, not including construction vehicle access or OCSD-owned land is approximately 18,500 square feet, while the total construction footprint is approximately 35,200 square feet.

#### **FORCE MAIN IMPROVEMENTS**

##### **PCH Force Main Improvements**

The proposed dual 30-inch (32-inch outer diameter) HDPE force mains would extend from the pump station and beneath PCH in a tunnel. Use of tunneling techniques would allow for construction to occur without trenching across the PCH roadway surface, and would avoid traffic disruptions. A short segment of vitrified-clay pipe (VCP) would be constructed to connect the gravity-fed sewer system (i.e., 30-inch HDPE force mains) to the new pump station wet well.

Microtunneling is a remotely-controlled, guided, pipejacking process that provides continuous positive control of earth and groundwater pressures at the face of the excavation. The microtunneling machine and jacking pipes are pushed into the ground from a jacking shaft to a reception shaft on opposite sides of the crossing. Via microtunneling, the PCH crossing could be jacked from either side of PCH. The jacking shaft



would need to be approximately 15 to 20 feet wide and approximately 30 to 35 feet long, while the reception shaft would need to be approximately 15 to 20 feet square. The jacking shaft work area would need to occupy approximately 20,000 square feet, and the reception shaft work area would occupy approximately 10,000 square feet. Construction of the jacking and reception shaft is estimated to take four to five weeks, and three to four weeks, respectively. The microtunneling operations, including installation of the carrier pipes inside the casing is estimated to take approximately six weeks. Exhibit 2-5, *Proposed Microtunneling Work Areas*, shows the potential work areas required on each side of the crossing.

### **Newport Bay Channel Crossing Force Main Improvements**

The proposed project would require force main improvements across the Newport Bay Channel. This segment of force main would connect the PCH force main improvements (described above) to an existing valve vault located on the west side of the Channel. Two potential construction methods have been identified for the proposed crossing, either 1) microtunneling or 2) dredging. Both methodologies are further discussed below.

#### ***Microtunneling***

A microtunnelled crossing on the south side of the existing Bay Bridge would consist of an approximately 725-foot long drive of 90 to 96-inch steel casing, with the two force mains installed inside. The shafts for this crossing would be located approximately 80 feet beneath the channel and must be watertight due to the high groundwater associated with the Newport Bay Channel and the permeable sandy soils. Secant piles or cutter soil mixing (CSM) shafts are the most likely alternatives for large-diameter, deep shafts that must be watertight and penetrate through both soil and rock. A series of overlapping piles are created by removing the soil by auger and replacing it with structural concrete. CSM shafts are constructed by mixing the native soil with bentonite to create a slurry and then mixing in cement to create panels of strengthened soil-cement. In both cases the initial phase of construction involves installing primary piles/panels leaving a gap in between. Once the primary piles/panels have cured, secondary piles/panels are installed which cut into the edges of the primary piles/panels creating a continuous shaft wall. The jacking shaft needs to have an internal diameter of approximately 32 to 35 feet to accommodate 20-foot joints of 96-inch casing pipe, as well as the thrust block, jacking frame, and launch seal. The reception shaft needs to be approximately 20 to 25 feet in diameter to allow for retrieval of the microtunneling machine and the installation of a reception seal. It may be necessary for the reception shaft to be larger than 25 feet in diameter to allow for construction of the fittings and risers of the force mains. Timing of the construction of the shaft on the east end of the crossing is recommended to be completed prior to the development of the Balboa Marina West project. If the crossing cannot be completed prior to the Balboa Marina West project, then pushing the alignment further north would need to be investigated. This would place the crossing more or less, directly under the original Bay Bridge, where existing piles are constructed 20-30 feet below the existing channel bottom. Both potential microtunneling options will be further analyzed as part of the CEQA process.

The work area required for construction of each of the shafts using secant pile/CSM methods would require a large drill rig and support equipment. Approximately 20,000 square feet is needed at each shaft location to allow for efficient construction of the shafts; refer to Exhibit 2-5. The work area on the west side of the crossing would occupy approximately two of the existing eastbound lanes of PCH, the Coast-Bayshore Orange County Transportation Authority (OCTA) bus stop, and all of the existing landscaped area located between PCH and the Bayshore Apartments and Newport Marina development. The work area would also



Newport Bay Channel Crossing Work Areas



PCH Crossing Work Areas

Source: Michael Baker International, Bay Bridge Pump Station and Force Mains Rehabilitation Study Preliminary Alignment Study Report, May 2016.

NOT TO SCALE

**Michael Baker**  
INTERNATIONAL



11/16 • JN 143698

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Proposed Microtunneling Work Areas**

**Exhibit 2-5**





block access to the bike/pedestrian path that crosses beneath PCH. The work area on the east side would need to occupy approximately 20,000 square feet in the Balboa Marina parking lots. The microtunneling operations that take place at the jacking shaft would occupy a similar square footage to the shaft construction (approximately 20,000 square feet). Once construction of the reception shaft is complete, no active trenchless operations need to take place at this location and the work area could be reduced substantially until the tunneling is complete.

The anticipated duration of shaft construction is approximately 36 to 48 weeks for the jacking shaft, and 24 to 36 weeks for the smaller reception shaft. Portions of the reception shaft construction can be completed concurrently with the jacking shaft construction. The microtunneling operations are expected to take approximately two to three months, including installation of the carrier pipe in the casing. Additional time would be required to construct risers in the shafts, make connections to the open cut portions of the work, and to backfill the excavations.

### ***Dredging***

In order to install the proposed force mains, dredging would involve the pipe being installed beneath the channel by excavation of the channel bottom, sinking the pipe, and covering the pipe with dredged or other soils material (including crushed rock). With dredging, the dual 30-inch (32-inch OD) HDPE force mains would be installed in several stages. First, the pipe would be fused into four separate 350-foot lengths that are flanged on each end. The blind flanges would have valves that allows each section to be flooded with water during installation. Concrete anchors would then be attached to each segment at 10-foot intervals. The anchors help the pipe resist countercurrent and resist the buoyancy of the HDPE pipe material. Once the pipe is fused and all appurtenances are installed, two segments would be moved into position and each end would be connected at the shoreline. After shore connections are in place, the remainder of the pipe would be pulled into the channel, flooded, and sunk into position. Following the installation of the first pipe, its corresponding section would be moved into position via air bags or barge, sunk, and connected to the first pipe's flange connection. Once all segments are in position they would be secured at the opposite shoreline to a permanent vault. The pipe would not be visible. After both mains are installed and secured, divers would be used to operate a large jet pump to sink the pipe the remaining six feet needed to provide adequate cover. The divers would work along the pipe, jetting it into place while insuring the pipe is not stressed beyond its maximum bending radius. Construction of the force mains utilizing dredging is anticipated to last approximately 28 days.

## **2.5.2 ACCESS AND EASEMENTS**

In order to allow for construction of the proposed project to occur, it is anticipated that temporary easements from Bayside Village Marina, LLC (owner of the existing RV storage facility surrounding the existing Bay Bridge Pump Station) and the Irvine Company (owner of the Balboa Marina along the south side of PCH) would be required. Permanent easements from both of these property owners would also be required to establish access rights for OCSD to provide service and maintenance for the newly installed force mains and appurtenances.

## **2.5.3 LAND ACQUISITION**

OCSD would be required to purchase approximately 4,700 square feet from Bayside Village Marina, LLC (owner of the existing RV storage facility surrounding the pump station site) to accommodate the improvements of the proposed project.



## 2.6 PERMITS AND APPROVALS

The applicable agency approvals required for development of the project may include the following, among others:

- CEQA Clearance – OCSD;
- Encroachment Permit(s) – City of Newport Beach and Caltrans;
- Traffic Control Plan Approval – City of Newport Beach and Caltrans;
- Clean Water Act Section 404 Nationwide Permit – U.S. Army Corps of Engineers;<sup>3</sup>
- Clean Water Act Section 401 Water Quality Certification – Santa Ana Regional Water Quality Control Board;<sup>4</sup> and
- Coastal Development Permit - California Coastal Commission.

---

<sup>3</sup> Required for trenching impacts within Newport Bay Channel for force main crossing. If microtunneling method is utilized, it is not anticipated that this permit/approval would be required.

<sup>4</sup> Ibid.



## **3.0 ENVIRONMENTAL CHECKLIST**

### **3.1 PROJECT DESCRIPTION AND BACKGROUND**

**1. Project Title:**

Bay Bridge Pump Station and Force Mains Rehabilitation Project

**2. Lead Agency Name and Address:**

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

**3. Contact Person and Phone Number:**

Kevin Hadden, 714.962.2411

**4. Project Location:**

The Bay Bridge Pump Station and Force Mains Rehabilitation Project (project) occurs at and surrounding the existing Bay Bridge Pump Station located at 300 East Pacific Coast Highway (PCH), within the southern portion of the City of Newport Beach.

**5. Project Sponsor's Name and Address:**

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

**6. General Plan Designation:**

The project site is designated "Recreational and Marine Commercial" and "Mixed Use – Water 2" by the *City of Newport Beach General Plan Overview Map*.

**7. Zoning:**

The project site is zoned "Bayside Village Boat Launch and Storage" and "Multi-Unit Residential" by the *City of Newport Beach Zoning Map*.

**8. Description of Project:**

The Orange County Sanitation District (OCSD) proposes to upgrade the existing Bay Bridge Pump Station and associated force mains. OCSD owns, operates, and maintains the existing Bay Bridge Pump Station and the Newport force mains, which convey wastewater from Newport Beach to the Plant No. 2 wastewater treatment facility in Huntington Beach. The project is proposed in order to increase service reliability due to the age of the existing pump station/force mains, improve safety for OCSD Operations and Maintenance staff by providing an alternate point of ingress/egress to the pump station, and accommodate planned growth and projected wet weather flows within the OCSD service area.

The proposed project would include construction of a new pump station at and adjacent to the existing Bay Bridge Pump Station. The new pump station would be constructed at the existing pump station site, in addition to a portion of the existing RV storage area that surrounds the pump station to the north, east and west. The existing pump station would remain in service and fully operational while the new pump station is being constructed adjacent to the existing pump station building. Once the new pump station is placed in service, the existing pump station would be taken out of service, demolished, and redeveloped with upgraded pump station facilities.



In addition to the pump station improvements, the project would also include force main facilities for conveyance of wastewater. New dual force mains would extend from the proposed pump station in a southwesterly direction, via microtunneling beneath PCH. The force mains would cross the Balboa Marina parking lot, and then head west across the Newport Bay Channel. This channel crossing would be constructed via microtunneling or a dredged trench, and the dual force mains would terminate at or near an existing valve vault immediately west of the channel. Both microtunneling and dredging for the Newport Bay Channel Crossing will be further analyzed as part of the CEQA process.

**9. Surrounding Land Uses and Setting:**

Surrounding uses in proximity to the project site include residential, commercial, and commercial recreational marine uses; refer to Table 2-1.

**10. Other public agencies whose approval is required:**

Other public agency approvals may include the following, among others:

- Encroachment Permit(s) – City of Newport Beach and Caltrans;
- Traffic Control Plan Approval – City of Newport Beach and Caltrans;
- Clean Water Act Section 404 Nationwide Permit – U.S. Army Corps of Engineers;<sup>1</sup>
- Clean Water Act Section 401 Water Quality Certification – Santa Ana Regional Water Quality Control Board;<sup>2</sup> and
- Coastal Development Permit - California Coastal Commission.

**11. Environmental Factors Potentially Affected:**

The environmental factors checked below potentially would be affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages. Please see the Environmental Checklist for additional information.

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

<sup>1</sup> Required for trenching impacts within Newport Bay Channel for force main crossing. If microtunneling method is utilized, it is not anticipated that this permit/approval would be required.

<sup>2</sup> Ibid.





### 3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less Than Significant with Mitigation,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.



7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

### 3.4 CEQA CHECKLIST

	Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>I.</b>	<b>AESTHETICS:</b> Would the project:				
a)	Have a substantial adverse effect on a scenic vista?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>II.</b>	<b>AGRICULTURE AND FOREST RESOURCES:</b> 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 Dept. 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>d)</b> Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>III.</b>	<b>AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:			
<b>a)</b> Conflict with or obstruct implementation of the applicable air quality plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Expose sensitive receptors to substantial pollutant concentrations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Create objectionable odors affecting a substantial number of people?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>IV.</b>	<b>BIOLOGICAL RESOURCES:</b> Would the project:			
<b>a)</b> Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</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 US Fish and Wildlife Service?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>f)</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>V. CULTURAL RESOURCES:</b> Would the project:				
<b>a)</b> Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>VI. GEOLOGY AND SOILS:</b> Would the project:				
<b>a)</b> Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
<b>i)</b> Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii)</b> Strong seismic ground shaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii)</b> Seismic-related ground failure, including liquefaction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv)</b> Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Result in substantial soil erosion or the loss of topsoil?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Be located on expansive soil (Table 18-1-B of the Uniform Building Code), creating substantial risks to life or property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>VII. GREENHOUSE GAS EMISSIONS:</b> Would the project:				
<b>a)</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>b)</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>VIII. HAZARDS AND HAZARDOUS MATERIALS:</b> Would the project:				
<b>a)</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d)</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f)</b> For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g)</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>h)</b> Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IX. HYDROLOGY AND WATER QUALITY:</b> Would the project:				
<b>a)</b> Violate any water quality standards or waste discharge requirements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



**Initial Study/Environmental Checklist  
Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>c)</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f)</b> Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>g)</b> Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>h)</b> Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i)</b> Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>j)</b> Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>X.</b>	<b>LAND USE AND PLANNING:</b> Would the project:			
<b>a)</b> Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XI.</b>	<b>MINERAL RESOURCES:</b> Would the project:			
<b>a)</b> Result in the loss of availability of a known mineral resource of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b)</b> Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XII.</b>	<b>NOISE:</b> Would the project result in:			
<b>a)</b> Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>b)</b> Generation of excessive groundborne vibration or groundborne noise levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f)</b> For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XIII.</b>	<b>POPULATION AND HOUSING:</b> Would the project:			
<b>a)</b> Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c)</b> Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XIV.</b>	<b>PUBLIC SERVICES:</b>			
<b>a)</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XV.</b>	<b>RECREATION:</b>			
<b>a)</b> Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>b)</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XVI. TRANSPORTATION/TRAFFIC:</b> Would the project:				
<b>a)</b> Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance a circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d)</b> Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Result in inadequate emergency access?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>f)</b> Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XVII TRIBAL CULTURAL RESOURCES:</b>				
<b>a)</b> 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:				
<b>i)</b> 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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
ii) 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>XVIII. UTILITIES AND SERVICE SYSTEMS: Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Initial Study/Environmental Checklist**  
**Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Description	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
<b>b)</b> Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



This page intentionally left blank.





## 4.0 ENVIRONMENTAL EVALUATION

The following evaluation provides responses to the questions in the Environmental Checklist. A brief explanation for each question in the Environmental Checklist is provided to adequately support each impact determination. All responses consider the whole of the action involved including construction and operational impacts as well as direct and indirect impacts. Environmental factors potentially affected by the proposed project are presented below and organized according to the format of the Checklist.

### 4.1 AESTHETICS

Would the project:

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

Potentially Significant Impact. According to the City of Newport Beach General Plan Update EIR, hills, canyons, bluffs, and water features are considered visual resources within the City. Figure 4.1-3, *Costal Views Map* (City of Newport Beach General Plan Update EIR, 2006), illustrates the Pacific Coast Highway (PCH)/Newport Bay Bridge, which transverses the project site, as a coastal view road.

Implementation of the proposed project would involve the rehabilitation of the Bay Bridge Pump Station and associated force mains. The project may result in short-term construction effects, when construction equipment, vehicles, grading, and trenching are visible. In addition, the project would result in the construction of new and expanded pump station buildings at and surrounding the existing Bay Bridge Pump Station site. As such, short-term construction activities and the development of new buildings could potentially affect scenic vistas associated with the PCH/Newport Bay Bridge and Newport Channel. Further analysis will be conducted as part of the EIR to determine potential impacts in this regard.

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

Potentially Significant Impact. Based on the California Scenic Highway Mapping System, PCH is not officially designated as a scenic highway, but is designated as “eligible” for listing.<sup>1</sup> As discussed in Response 4.1.a), implementation of the proposed project would involve the rehabilitation of the Bay Bridge Pump Station and associated force mains. Therefore, further analysis will be conducted as part of the EIR to determine the project’s potential impacts in this regard.

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

Potentially Significant Impact. The project site is located along the Newport Bay Channel and PCH. As discussed in Response 4.1.a), implementation of the proposed project may result in

---

<sup>1</sup> California Department of Transportation, *California Scenic Highway Mapping System*, [http://dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm), accessed on June 2, 2016.



localized temporary disturbance activities during construction as well as pump station improvements within a coastal area. Thus, further analysis will be conducted as part of the EIR to determine the project's potential impacts in this regard.

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

Potentially Significant Impact. There are two primary sources of light: light emanating from building interiors that pass through windows and light from exterior sources (i.e., street lighting, parking lot lighting, building illumination, security lighting, and landscape lighting). Light introduction can be a nuisance to adjacent uses, and diminish the view of the night sky. Currently, light and glare in the project vicinity is produced by vehicle headlights, street lighting, and lighting from commercial and residential uses within and adjacent to the project area.

Implementation of the proposed project would present the need to utilize mechanical equipment during the construction process. Additionally, the proposed project could create a new source of light or glare during long-term operations since the project would include improvements at the existing pump station site (e.g., new or updated nighttime security lighting). Therefore, further analysis will be conducted as part of the EIR to determine potential impacts in this regard.



## 4.2 AGRICULTURE 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 the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

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

No Impact. Per the California Department of Conservation, the project area is situated within urban and built-up land. No agricultural resources exist within or adjacent to the project site. Therefore, construction activities would not result in any impacts to agricultural operations and would not convert any farmland to non-agricultural use. Thus, no impacts would result in this regard.

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

No Impact. The proposed project site and the surrounding area is zoned as Commercial Recreational and Marine, Planned Community, and Multi-Unit Residential. Thus, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impacts would occur in this regard.

- 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. As discussed in 4.2.b), the project site and the surrounding area is zoned as Commercial Recreational and Marine, Planned Community, and Multi-Unit Residential. Project implementation would not affect any existing lands zoned for forest land, timberland, or timberland production nor cause rezoning. No impacts would result in this regard.

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

No Impact. Refer to Response 4.2.c).



- 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. Refer to response 4.2.a) and 4.2.c).



### 4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

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

Potentially Significant Impact. The project site is located within the South Coast Air Basin (Basin), which is governed by the South Coast Air Quality Management District (SCAQMD). The United States Environmental Protection Agency (EPA) has classified the SCAB as a non-attainment area for Federal and State air quality standards. The SCAQMD CEQA Air Quality Handbook specifies the main criteria that must be addressed, in order to determine consistency with the SCAQMD 2012 Air Quality Management Plan (AQMP). Because project implementation (temporary construction-related and long-term operational impacts) could result in potentially significant impacts involving conflicts or obstruction of implementation of the AQMP, further analysis will be conducted as part of the EIR.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Impact.

#### **Short-Term (Construction) Emissions**

The project involves pump station improvements and replacement of associated force mains extending from the pump station to the west side of the Newport Bay Channel. Construction activities associated with the project would generate pollutant emissions from grading/excavation, operation of construction equipment, and construction vehicle activities. The construction activities could violate air quality standards or contribute substantially to an existing or projected air quality violation. An analysis of the project's impacts from construction-related activities will be conducted as part of the EIR, in order to determine whether the project's total construction-related emissions would exceed SCAQMD thresholds.

#### **Long-Term (Operational) Emissions**

Long-term air quality impacts typically consist of mobile source emissions generated from project-related traffic and from stationary source emissions from combustion to produce space heating, water heating, other miscellaneous heating, or air conditioning, consumer products, and landscaping. Here, the project would include pump station and pipeline improvements. The project would generate a nominal number of traffic trips (up to 15 trips per week for periodic maintenance/inspection by OCSD staff), as the project proposes to install wastewater infrastructure and would not result in any permanent or long-term air emissions. All pumps/generators associated with the project would be electrically-powered, and would not directly emit air pollutants.



However, the proposed project would also include the use of an emergency diesel generator for redundancy. The backup generator would be paired with a 66 gallon fuel tank, which would allow the pump station to run on backup power for approximately 11 hours for operational redundancy. Unless a power outage occurs, these generators would be operated only for routine testing and maintenance purposes. Since the proposed diesel generator would have the capacity to result in the emission of pollutants during short-term maintenance, testing, and emergency situations, impacts in this regard will be further analyzed within the EIR.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

Potentially Significant Impact. Refer to Responses 4.3.a and 4.3.b.

- d) Expose sensitive receptors to substantial pollutant concentrations?

Potentially Significant Impact. Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers. The California Air Resources Board (CARB) has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.

Project-related grading and excavation operations could result in air quality impacts to sensitive receptors. Construction of the project would also increase short-term construction vehicle trips on area roadways and result in associated air pollutants. Construction-related air quality impacts to sensitive receptors will be analyzed utilizing the SCAQMD's Localized Significance Thresholds (LST) methodology. These impacts require emissions quantification and additional analysis in the EIR to assess their level of significance.

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

Potentially Significant Impact. According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. According to OCSD, there are no odor complaints associated with the existing Bay Bridge Pump Station. The proposed project would include similar wastewater infrastructure, and the project includes an odor control facility. Impacts in this regard will be further analyzed within the EIR.



## 4.4 BIOLOGICAL RESOURCES

Would the project:

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

Potentially Significant Impact. The proposed project site is located within a developed, urbanized area. The majority of improvements associated with the project would not have the capacity to affect sensitive biological resources given the amount of previous development that has occurred in the vicinity.

However, the project includes the development of a new force main that would cross the Newport Bay Channel. Construction of this force main would occur through one of two methods, either via microtunneling beneath the channel, or via dredging across the channel bottom. Should dredging occur, impacts to sensitive biological resources within the Newport Bay Channel may occur. According to Figure 4.3-1 of the City of Newport Beach General Plan EIR, eelgrass beds are known to occur within the vicinity of the force main crossing, and according to Figure 4.3-2, the Castaways Environmental Study Area is located northwest of the project site.

The EIR will include a Biological Resources Assessment that will further analyze impacts in this regard.

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

Potentially Significant Impact. Refer to Response 4.4(a), above. The EIR will include a Biological Resources Analysis that will analyze impacts to sensitive natural communities.

- c) Have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Potentially Significant Impact. As noted in Response 4.4(a), above, the proposed force main crossing of the Newport Bay Channel may occur via dredging. As such, these improvements may result in impacts to Federally-protected wetlands. The EIR will include preparation of Jurisdictional Delineation to further analyze impacts in this regard.

- 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?

Potentially Significant Impact. Refer to Response 4.4(a), above. The EIR will include a Biological Resources Assessment that will analyze impacts to wildlife movement and corridors.



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

Potentially Significant Impact. Refer to Response 4.4(a), above. The EIR will include a Biological Resources Assessment that will analyze project consistency with policies and ordinances protecting biological resources, including applicable tree preservation policies.

- 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 site is located within the Coastal Subarea of the Orange County Central-Coastal Natural Communities Conservation Plan (NCCP). However, the site is designated as "Developed" in the NCCP, and is not within an area designated as Reserve, Conservation Easement, Non-Reserve Open Space, or Special Linkage. The project site is not located within the plan areas of any habitat conservation plans other than the NCCP. As such, no impact would occur in this regard.





## 4.5 CULTURAL RESOURCES

Would the project:

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

Potentially Significant Impact. The proposed project involves the construction of a new pump station and associated force mains to ensure reliability of local wastewater service to the community. The proposed project area is urbanized and fully developed with roadway, recreational, restaurant, residential, and infrastructure uses. Based on the City of Newport Beach General Plan EIR, the City of Newport Beach has a variety of historic resources, including Federal, State, and local resources. 11 properties in the City have been listed or designated eligible for listing on the National Register of Historic Places or California Register of Historical Resources, or otherwise listed as historic or potentially historic in the California Historic Resources Information System (CHRIS) maintained by the Office of Historic Preservation. Based on Figure 4.4-1 of the General Plan EIR, Historic Resources, the project would not affect any of these 11 identified properties. However, the project would involve the demolition of the existing Bay Bridge Pump Station building, which was constructed in 1956. In addition, construction activities would occur within and adjacent to a range of uses of potential historical significance (e.g., the Bay Bridge, PCH, etc.). Impacts in this regard will be further analyzed in the EIR.

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

Potentially Significant Impact. According to the City's General Plan EIR, the City of Newport Beach has a long cultural history and is known to have been home to Native American groups prior to settlement by Euro-Americans. Archaeological materials associated with occupation of the City and surrounding areas are known to exist and have the potential to provide important scientific information regarding history and prehistory. The project would require grading, excavation, and tunneling for construction of the proposed pump station and force mains. Although the project area is developed and urbanized, archaeological resources could potentially be affected during ground-disturbing activities. Thus, impacts related to archaeological resources will be further analyzed in the EIR. For potential impacts related to tribal cultural resources, refer to Section, 4.17, Tribal Cultural Resources.

- c) Directly or indirectly destroy a unique paleontological resource on site or unique geologic feature?

Potentially Significant Impact. Based on the City's General Plan EIR, paleontological resources may be present in fossil-bearing soils and rock formations below the ground surface within the City. A number of localities in the City have a variety of known significant paleontological resources, including portions of the Vaqueros formation that underlie the Newport Coast, the Newport Banning Ranch, the Topanga and Monterey Formations, and Fossil Canyon in the North Bluffs area of the City. As noted above in Response 4.5(b), the project would require grading, excavation, and tunneling activities. These ground-disturbing activities could potentially affect paleontological



resources in underlying geological formations. Thus, impacts related to paleontological resources will be further analyzed in the EIR.

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

Less Than Significant Impact. No conditions exist that suggest human remains are likely to be found on the project site. Due to the level of past disturbance on-site, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. If human remains are found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission and consultation with the individual identified by the Native American Heritage Commission to be the “most likely descendant.” If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with existing State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be considered less than significant.



## 4.6 GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

No Impact. The project site is located in southern California, a known seismically active region. Active and potentially active faults within southern California are capable of producing seismic shaking at the project site, and it is likely that the proposed project would periodically experience ground acceleration as a result of exposure to moderate to large magnitude earthquakes. Seismic ground shaking on one of the nearby regional faults may cause damage to development. For the purposes of the Alquist-Priolo Earthquake Fault Zoning Map Act, the State of California defines active faults as those that have historically produced earthquakes or shown evidence of movement within the past 11,000 years (during the Holocene Epoch) (City of Newport Beach, 2006).

Figure 4.5-1, *Regional Faults*, of the City of Newport Beach General Plan Update EIR illustrates the major regional faults in the City's vicinity. According to Figure 4.5-1 and the California Department of Conservation Fault Activity Map of California (2010), the project site is not within an identified Alquist-Priolo Earthquake Fault Zone. Thus, no impact would result in this regard.

- ii. Strong seismic ground shaking?

Potentially Significant Impact. Seismic activity poses two types of potential hazards for residents and structures, categorized either as primary or secondary hazards. Primary hazards include ground rupture, ground shaking, ground displacement, subsidence, and uplift from earth movement. Primary hazards can also induce secondary hazards such as ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, water waves (seiches), and movement on nearby faults (sympathetic fault movement), dam failure, and fires. Given the location of the project site in seismically active region, impacts in this regard will be further analyzed in the EIR.

- iii. Seismic-related ground failure, including liquefaction?

Potentially Significant Impact. The potential for seismic-related ground failure is associated with the probability of severe ground shaking as a result of a nearby active fault. Liquefaction is the phenomenon that occurs when saturated granular soils develop high pore water pressures during seismic shaking and behave like a heavy fluid. This phenomenon generally occurs in areas of high seismicity where groundwater is shallow and loose granular soils or hydraulic fill soils subject to liquefaction are present. For liquefaction to develop, loose



granular sediments below the groundwater table must be present; and shaking of sufficient magnitude and duration must occur.

According to the City of Newport Beach General Plan Update EIR, areas of Newport susceptible to liquefaction and related ground failure (i.e. seismically induced settlement) include areas along the coastline that includes Balboa Peninsula, in and around the Newport Bay and Upper Newport Bay, in the lower reaches of major streams in Newport Beach, and in the floodplain of the Santa Ana River (Figure 4.5-2, *Seismic Hazards*). The proposed project is located in an area along the coastline of Newport Bay making the proposed project susceptible to liquefaction. Therefore, further analysis will be conducted as part of the EIR in order to verify potential impacts in this regard.

iv. Landslides?

Less Than Significant Impact. Seismically induced landslides can overrun structures, people or property, sever utility lines, and block roads. However, the project site and surrounding areas are generally flat, and void of topographical features capable of producing a landslide. According to the City of Newport Beach General Plan Update EIR, the project site is not located within an identified “Area of Landslide Potential”. Therefore, less than significant impact would result in this regard.

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

Potentially Significant Impact. The proposed project would include grading/excavation, tunneling, and potentially dredging through the Newport Bay Channel. Therefore, implementation of the proposed project would expose soils that may become susceptible to erosion. Thus, further analysis will be conducted as part of the EIR in order to verify potential impacts in this regard.

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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Potentially Significant Impact. Evaluation of liquefaction and landslides is provided in responses 4.6.a.iii and iv, above. Further analysis will be conducted as part of the EIR in order to verify potential impacts in this regard.

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

Potentially Significant Impact. Expansive soils are found associated with soils, alluvium, and bedrock formations that contain clay minerals susceptible to expansion under wetting conditions and contraction under drying conditions. Depending upon the type and amount of clay present in a geologic deposit, these volume changes (shrink and swell) can cause severe damage to slabs, foundations, and concrete flatwork. Collapsible soils undergo a volume reduction when the pore spaces become saturated causing loss of grain-to-grain contact and possibly dissolving of interstitial cement holding the grains apart. The weight of overlying structures can cause uniform



or differential settlements and damage to foundations and walls. Therefore, further analysis will be conducted as part of the EIR in order to verify potential impacts in this regard.

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

No Impact. The proposed project includes the rehabilitation of the existing Bay Bridge Pump Station and associated force mains. The project would not involve the use of septic tanks or alternative wastewater systems, and no impacts would occur in this regard.



This page intentionally left blank.



## 4.7 GREENHOUSE GAS EMISSIONS

Would the project:

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

Potentially Significant Impact. Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation from the sun. The main GHGs that are found in the earth's atmosphere are water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), hydrofluorocarbons (HCFs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Because the proposed project could generate greenhouse gas emissions that may have a significant impact on the environment, project-related GHG emissions will be quantified and analyzed in the EIR, in order to determine the significance of potential impacts.

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

Potentially Significant Impact. Refer to Response 4.7(a), above. Since the project could potentially result in impacts related to GHGs, further analysis will be provided in the EIR related to conflicts with plans, policies, or regulations reducing the emissions of GHGs.



This page intentionally left blank.





## 4.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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

Potentially Significant Impact. Exposure of the public or the environment to hazardous materials could occur through improper handling or use of hazardous materials or hazardous wastes particularly by untrained personnel, a transportation accident, environmentally unsound disposal methods, or fire, explosion, or other emergency. The severity of potential hazards would vary with the activity conducted, the concentration and type of hazardous material or waste present, and the proximity to sensitive receptors. Various State hazardous waste laws regulate the transport, use, and handling of hazardous materials such as California's Hazardous Waste Control Act, Accidental Release Prevention Law, California Code of Regulations Title 26, and California Division of Occupational Safety and Health (Cal/OSHA) workplace safety standards. These regulations establish safe handling procedures (i.e., packaging, marking, labeling, and routing), response plans for hazardous materials transportation emergencies, and assuring worker safety in the handling and use of hazardous materials. Further analysis will be conducted in the EIR to determine the potential for the project to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during both construction and long-term operations.

- 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?

Potentially Significant Impact. During short-term construction, there is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. In addition, long-term operation of the project would require installation of a 660-gallon diesel fuel tank associated with the emergency backup generator. As stated above, the use, handling and transport of hazardous materials are regulated by various State hazardous waste laws and associated regulations. Further analysis will be conducted in the EIR to determine the potential for impacts related to upset or accident conditions involving hazardous materials.

- 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. There are no existing or proposed schools located within 0.25-miles of the project site. The nearest schools are Ensign Intermediate School, approximately 0.43-mile to the northwest and Newport Harbor High School, approximately 0.46-mile to the northwest. No impacts would occur in this regard.

- 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?



Potentially Significant Impact. According to the California Department of Toxic Substances Control Hazardous Waste and Substances List (Cortese List), the project site is not included on a list of hazardous materials site pursuant to Government Code Section 65962.5. However, two known Cortese sites are located in the surrounding area. Further analysis will be conducted as part of the EIR, in order to verify these preliminary findings and determine potential impacts in this regard.

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

No Impact. The nearest airport, John Wayne Airport, is located approximately 3.65 miles to the northwest of the project. The project area is located outside of the John Wayne Airport Influence Area and is not located within any airport land use plan or within two miles of a public airport.<sup>1</sup> No impacts would occur in this regard.

- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. No private airstrips are located within the project area. No impacts would occur in this regard.

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

Potentially Significant Impact. The project is not anticipated to result in any long-term operational impacts related to emergency response or evacuation, since no proposed improvements would affect roadway facilities and the project would generate negligible vehicle trips for periodic maintenance and inspections. However, the project may result in impacts to PCH over the short-term construction process to allow for staging and access for pump station construction. Therefore, further analysis will be conducted as part of the EIR in order to determine whether project implementation would physically interfere with an adopted emergency response plan or emergency evacuation plan.

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

No Impact. The project site consists of, and is surrounded by, urban/developed land and the Newport Bay Channel. Castaways Park is the nearest undeveloped area of land capable of producing a wildland fire. However, Castaways Park is located over 1,000 feet northwest of the project site, and according to the Newport Beach Very High Fire Hazard Severity Zone (VHFHSZ) Map, the project site is not within the VHFHSZ.<sup>2</sup> Therefore, project implementation would not expose people or structures to a significant risk involving wildland fires, and no impacts would occur in this regard.

---

<sup>1</sup> County of Orange Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, Amended April 17, 2008.

<sup>2</sup> CalFire, *Newport Beach Very High Fire Hazard Severity Map*, October 2011.



## 4.9 HYDROLOGY AND WATER QUALITY

Would the project:

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

Potentially Significant Impact. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the National Pollutant Discharge Elimination System (NPDES) program to control direct storm water discharges. In California, the State Water Regional Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The project site is within the jurisdiction of the Santa Ana RWQCB.

### Short-Term Construction

Construction of the project would include activities with the potential to contribute to water quality degradation. Soils disturbed during the project's earthwork and construction phase are susceptible to high rates of erosion from wind and rain. The potential for erosion, siltation, and sedimentation, which affect water quality, would be the greatest during this phase. The delivery, handling, and storage of construction materials and wastes, as well as the use of construction equipment, could also introduce a risk for storm water contamination. Other pollutants attached to sediment and transported to downstream locations could cause or contribute to water quality degradation. Therefore, because construction-related activities associated with the proposed project could violate water quality standards or waste discharge requirements, further analysis will be conducted as part of the EIR, in order to determine potential impacts in this regard.

### Long-Term Operations

On a long-term operational basis, all force main improvements would be located underground and would not have the capacity to affect water quality. The proposed pump station improvements would occur at and surrounding the existing Bay Bridge Pump Station, which is fully developed, paved, and impervious. The project would not result in the development of new impervious surfaces, as project components would occur within previous paved/developed areas. As a pump station facility, the project would not result in the generation of any wastewater or effluent requiring disposal, but rather would convey wastewater to OCSD Plant No. 2 in Huntington Beach. Since the project would not generate wastewater or result in an increase in impervious area, long-term operational impacts would be less than significant.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?



Less Than Significant Impact. The rehabilitation of the existing pump station and associated force mains would not require the direct extraction or use of groundwater. All force main improvements would be located underground and would not have the capacity to affect groundwater supplies or recharge. The project occurs within a highly developed and urbanized portion of Newport Beach, and no designated groundwater recharge basins or infrastructure occur in the project area. The project would not result in any increase in impervious area, since the expansion of the proposed pump station building and associated facilities would utilize existing developed and paved areas.<sup>1</sup> Therefore, the project would not have the capacity to interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or lowering of the groundwater table level. Impacts in this regard would be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Potentially Significant Impact. Refer to response 4.9(a). Although the project would not alter topography or result in long-term operational conditions that would result in substantial erosion or siltation on- or off-site, the project could result in such impacts during the construction process (when soils are exposed during earthwork). As such, impacts in this regard will be further analyzed within the EIR.

- d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?

Less Than Significant Impact. The proposed project would not substantially alter drainage conditions in the project area. Generally, topography within the project area is relatively flat and the pump station and force main improvements would not result in substantial alterations to site conditions. The proposed pump station improvements would occur at and immediately surrounding the existing Bay Bridge Pump Station, and substantial alterations to the site's existing flat grade would not be required. Force main improvements would be entirely underground, and would not have the capacity to change existing drainage conditions. In addition, the proposed pump station improvements would not result in an increase in impervious area because the proposed pump station building and associated facilities would utilize existing developed and paved areas.<sup>2</sup> Impacts in this regard would be less than significant.

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

Potentially Significant Impact. Refer to responses 4.9.a) and 4.9.d). Further analysis will be required in the EIR to address short-term construction impacts related to the project.

---

<sup>1</sup> Hushmand Associates, Inc., *Geological, Geotechnical, and Seismic Technical Background Report Bay Bridge Pump Station and Force Mains Rehabilitation Study*, April 2015.

<sup>2</sup> Ibid.



- f) Otherwise substantially degrade water quality?

Less Than Significant Impact. The proposed project is not anticipated to result in water quality impacts other than the potential impacts identified within this Section. The primary water quality concern related to the project pertains to the potential for erosion during the short-term construction process, which will be further analyzed in the EIR. Moreover, the project would not result in an increase in impervious areas (as discussed above), and would not involve a use that would result in any direct discharge (such as water or wastewater treatment facility). All force main improvements would be situated underground, and would not have the capacity to affect water quality in the project area. Thus, impacts in this regard would be less than significant.

- g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. No housing is proposed as part of the project. Thus, no impact would result in this regard.

- h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. The only structures associated with the project are the proposed pump station facilities on the northern side of PCH. The pump station site is located within Zone X, outside of the 100-year flood hazard area.<sup>3</sup> Thus, no impacts would occur in this regard.

- i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. According to the City of Newport Beach Emergency Operation Plan, Dam Failure Inundation Map, the project site is not located within a dam failure inundation area.<sup>4</sup> Additionally, the project does not propose to construct, remove, or alter any levee or dam. As such, the project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. No impact would occur and no mitigation is required.

- j) Inundation by seiche, tsunami, or mudflow?

Less Than Significant Impact. As indicated in the existing conditions section above, based on FEMA flood maps, the project site has been designated as Zone X, meaning that it is outside of 100-year and 500-year flood zones. However, the site is located within an area that could be subject to flooding as a result of tsunami inundation or a seiche within Newport Bay.

As discussed in the Safety Element of the City's General Plan, Newport Beach is generally protected from most distantly generated tsunamis by the Channel Islands and Point Arguello, except for those generated in the Aleutian Islands, off the coast of Chile, and possibly off the coast

---

<sup>3</sup> Federal Emergency Management Agency, Flood Insurance Rate Map, Map # 06059C0382J, Revised December 3, 2009.

<sup>4</sup> Newport Beach Fire Department, *City of Newport Beach Emergency Operations Plan*, September 27, 2011.



of Central America. Nevertheless, since the early 1800s, more than thirty tsunamis have been recorded in Southern California, and at least six of these caused damage in the area. Tsunamis generated in the Alaskan region take approximately six hours to arrive in the Southern California area, while tsunamis generated off the Chilean coast take 12 to 15 hours. Given those timeframes, coastal communities in Southern California can receive adequate warning, allowing them to implement evacuation and required preparation procedures. The pump station site would have the same level of tsunami risk with or without implementation of the proposed project.

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. While there is a potential for seiche to occur within portions of the Newport Bay, the proposed project would not result in any increase in potential related to inundation by seiche, since the project would not introduce substantial changes in topography (i.e., lowering of the project site). The pump station site would have the same level of seiche risk with or without implementation of the proposed project.

In addition, the project site and surrounding areas are generally flat, and void of topographical features capable of producing mudflow. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity, which can result from landslides. According to the City of Newport Beach General Plan Update EIR, the project site is not located within an identified "Area of Landslide Potential". Therefore, less than significant impact would result in this regard.



## 4.10 LAND USE AND PLANNING

Would the project:

- a) Physically divide an established community?

Less Than Significant Impact. The project involves construction of a new pump station and replacement of associated force mains. The proposed pump station building would be located at and surrounding the existing Bay Bridge Pump Station site, and is surrounded by an existing RV storage facility. The pump station would be situated adjacent to PCH, which serves as a major transportation corridor within the project area. The pump station expansion involves an increase of 4,700 square feet beyond existing conditions and would occur at and surrounding the existing pump station site. In addition, all force main improvements would be located underground. The nearest residential uses to the project site include a mobile home park north of PCH at Bayside Drive, and to the west of the Newport Bay Channel. Given the existing features that currently act as linear features separating various uses in the community (e.g., PCH and the Newport Bay Channel), the project would not have the capacity to physically divide an established community, and impacts would be less than significant in this regard.

- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Potentially Significant Impact. The *City of Newport Beach General Plan Overview Map* designates the pump station site and PCH force main improvements area as “Recreational and Marine Commercial”. The *City of Newport Beach Zoning Map* zones the pump station site and PCH force main improvements area as “Bayside Village Boat Launch and Storage”. The Newport Bay Channel crossing force main improvements and microtunneling staging areas have a land use designation of “Mixed Use – Water 2” and zoning designation of “Multi-Unit Residential” with a minimum site area of 2,178 square feet. The proposed project would result in an expansion of the existing Bay Bridge Pump Station onto land that is currently occupied by an existing RV storage facility. In addition, the project site is situated with the Coastal Zone, and would be subject to provisions within the California Coastal Act and would require a Coastal Development Permit. As such, impacts in this regard will be further analyzed in the EIR.

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

No Impact. The project site is located within the Coastal Subarea of the Orange County Central-Coastal Natural Communities Conservation Plan (NCCP). However, the site is designated as “Developed” in the NCCP, and is not within an area designated as Reserve, Conservation Easement, Non-Reserve Open Space, or Special Linkage. The project site is not located within the plan areas of any habitat conservation plans other than the NCCP. As such, no impact would occur in this regard.



This page intentionally left blank.





## 4.11 MINERAL RESOURCES

Would the project:

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

No Impact. According to the City of Newport Beach General Plan EIR Figure 4.5-4, Mineral Resource Areas, the project site is not known to contain mines, mineral deposits, or other mineral resources. The project area is within State Mineral Resource Zone 1 (MRZ) indicating “Areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that there is little likelihood for their presence”.<sup>1</sup> No mineral resource recovery activities occur at the project site or in the surrounding vicinity. Thus, no impacts would result in this regard.

- 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. Refer to Response 4.11(a).

---

<sup>1</sup> California Department of Conservation, *Guidelines for Classification and Designation of Mineral Lands*.



This page intentionally left blank.



## 4.12 NOISE

Would the project:

- a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Potentially Significant Impact. Noise from project-related construction activities would be generated by two primary sources: 1) the transport of workers and equipment to and from the construction site; and 2) the noise related to active construction equipment and operations. These noise sources could result in impacts to nearby sensitive receptors.

The project would also generate long-term operational noise through new stationary noise sources associated with the proposed pump station (e.g., pumps and generators). Given the negligible number of vehicle trips required for periodic maintenance and inspections associated with operation of the project (i.e., a maximum of 15 vehicle trips per week), any long-term operational mobile source noise is anticipated to be nominal. However, noise impacts related to construction and pump station operation will be further analyzed within the EIR.

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

Potentially Significant Impact. The groundborne noise and vibration generated during project construction and operational activities could impact nearby sensitive receptors. Additional analysis will be conducted as part of the EIR in order to determine potential impacts in this regard.

- c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. Refer to Response 4.12(a). Additional analysis will be conducted as part of the EIR in order to determine potential impacts in this regard.

- d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. Refer to Response 4.12(a). Additional analysis will be conducted as part of the EIR in order to determine potential impacts in this regard.

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

No Impact. The nearest airport, John Wayne Airport, is located approximately 3.65 miles to the northwest of the project. The project area is located outside of the John Wayne Airport Influence



Area and is not located within any airport land use plan or within two miles of a public airport.<sup>1</sup> As such, no impacts would occur in this regard.

- f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed project would not be located within the vicinity of a private airstrip. Therefore, no impacts would occur in this regard.

---

<sup>1</sup> County of Orange Airport Land Use Commission, *Airport Environs Land Use Plan for John Wayne Airport*, Amended April 17, 2008.



## 4.13 POPULATION AND HOUSING

Would the project:

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

Less Than Significant Impact. The proposed project would involve construction of a new pump station and improvements to associated force mains. The project would not result in the construction of new residential or business uses or significant changes which would induce population growth. Although the project would result in an increase in flow conveyance capacity from 16 million gallons a day MGD to 18.5 MGD, this increase is intended to accommodate long-range, planned regional growth within the OCSD service area based on regional growth forecasts. Moreover, the project is intended to improve reliability since the existing Bay Bridge Pump Station is outdated and no longer meets structural or maintenance standards. Thus, impacts in this regard would be less than significant.

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

No Impact. There is no existing housing associated with the proposed project site. No impact would result in this regard.

- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed project would have no impact associated with displacing people. No impact would result in this regard.



This page intentionally left blank.



#### 4.14 PUBLIC SERVICES

Would the project:

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

- Fire protection?
- Police protection?
- Schools?
- Parks?
- Other public facilities?

No Impact. As a wastewater infrastructure facility, the proposed pump station and associated force mains would not introduce new population growth generating a need for additional public services, and no habitable structures would be included as part of the project. All force main facilities would be located below ground, and the proposed pump station building would not include any uses that would generate an increased need for fire protection and/or police protection. Therefore, impacts related to fire protection, police protection, schools, parks, or other public facilities would not occur.



This page intentionally left blank.





## 4.15 RECREATION

Would the project:

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

No Impact. As stated in Section 4.14, project implementation would not increase population on-site or in the area, such that demand for recreational facilities would increase. Although the project may include construction storage and staging activities within a graded and disturbed area immediately south of Castaways Park, it would not interfere with park recreational activities and no impacts would occur in this regard.

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

No Impact. Refer to Response 4.15(a).



This page intentionally left blank.



## 4.16 TRANSPORTATION/TRAFFIC

Would the project:

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Potentially Significant Impact. The project would result in less than significant impacts in regards to long-term operational traffic, since the project would generate negligible vehicle trips for OCSD staff to perform periodic maintenance and/or inspections of facilities and equipment. OCSD estimates that the proposed project would require a maximum of 15 vehicle trips per week during operations. These nominal number of vehicle trips would not have a significant impact on the effectiveness of local roadway facilities.

The project may result in temporary short-term traffic impacts during the construction process, particularly along PCH. Impacts to travel along westbound PCH (adjacent to the pump station site) may occur as a result of construction operations, staging, and equipment/vehicle access to allow for construction of the pump station facility. Impacts relating to short-term construction traffic operations will be further analyzed in the EIR.

- b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. Based on the Orange County Transportation Authority's (OCTA) Congestion Management Program (CMP), the nearest CMP intersection is located at the intersection of PCH and Newport Boulevard to the northwest, approximately 1.4 miles from the project site, and PCH and MacArthur Boulevard to the southeast, approximately 1.8 miles from the project site.<sup>1</sup> Although the proposed project would generate traffic during the short-term construction process (e.g., construction worker trips, delivery of materials, hauling, etc.), this traffic generation would be temporary in nature, and many of the construction-related trips would occur outside of peak hours, when traffic generally is heaviest. In addition, as noted above, the project would generate a negligible amount of long-term operational vehicle trips (a maximum of 15 vehicle trips per week) associated with periodic maintenance/inspection of the proposed wastewater facilities. This traffic would not have the capacity to substantially affect the identified CMP intersections, and impacts in this regard would be less than significant.

---

<sup>1</sup> Orange County Transportation Authority, *Draft 2015 Orange County Congestion Management Program*, September 2015.



- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. The nearest airport, John Wayne Airport, is located approximately 3.65 miles to the northwest of the project. Given the scope and nature of the proposed project (pump station and force main rehabilitation), project implementation would not increase the traffic levels or alter air traffic patterns. No impacts would occur in this regard.

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

Potentially Significant Impact. Refer to Response 4.16(a). The project could potentially result in temporary traffic hazards since pump station construction may require staging and access within PCH, adjacent to the pump station site. Impacts in this regard will be further analyzed within the EIR.

- e) Result in inadequate emergency access?

Potentially Significant Impact. The project is not anticipated to result in any long-term operational impacts related to emergency response or evacuation, since no proposed improvements would affect roadway facilities and the project would generate negligible vehicle trips for periodic maintenance and inspections (a maximum of 15 trips per week). However, the project may result in impacts to PCH over the short-term construction process to allow for construction activities, staging and access for pump station construction. Therefore, further analysis will be conducted as part of the EIR in order to determine whether project implementation would result in inadequate emergency access.

- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

Potentially Significant Impact. The proposed project would not result in any conflicts with adopted policies, plans, or programs related to alternative modes of transportation during long-term operations. All force main improvements would be underground, and the pump station facility would not generate substantial vehicle traffic or affect public transit, bicycle, or pedestrian travel.

However, as noted above, the project may result in impacts to PCH over the short-term construction process to allow for construction activities, staging and access for pump station construction. These activities may affect the OCTA Coast-Bayshore bus stop in addition to a striped bicycle lane and sidewalk on the northern side of PCH. Thus, construction could have potentially significant impacts related to conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. Further analysis will be conducted as part of the EIR.



## 4.17 TRIBAL CULTURAL RESOURCES

As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expanded CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project 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 traditional and culturally affiliated with the geographic area of the proposed project.” Section 21074 of AB 52 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.

In compliance with AB 52, OCSD distributed letters to numerous Native American tribes notifying each tribe of the opportunity to consult with the OCSD regarding the proposed project. The tribes were identified based on a list provided by the Native American Heritage Commission (NAHC), or were tribes that had previously requested to be notified of future projects proposed by OCSD. OCSD received two tribal responses, and coordination and potential consultation between the tribes and OCSD will continue as required under AB 52. Potential impacts related to tribal cultural resources will be further analyzed within the EIR.

On February 19, 2016, the California Natural Resources Agency proposed to adopt and amend regulations as part of AB 52 implementing Title 14, Division 6, Chapter 3 of the California Code of Regulations, CEQA Guidelines, to include consideration of impacts to tribal cultural resources pursuant to Government Code Section 11346.6. On September 27, 2016, the California Office of Administrative Law approved the amendments to Appendix G of the CEQA Guidelines, and these amendments are addressed within this Initial Study.

- 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:
  - i) 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

Potentially Significant Impact. The project would require grading, excavation, and tunneling for construction of the proposed pump station and force mains. Although the project area is developed and urbanized, tribal cultural resources could potentially be affected during ground-disturbing activities. As noted above, in compliance with AB 52, OCSD distributed letters to potentially affected tribes for consultation regarding the proposed project. In addition, the EIR will include further analysis of resources in the project area that are either listed or eligible for listing on the California Register of Historical Resources or a local register. Thus, impacts related to historical resources will be further analyzed in the EIR.

- ii) 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.

Potentially Significant Impact. As stated above in Response 4.17(a), the project would require grading, excavation, and tunneling. Although the project area is developed and urbanized, tribal cultural resources could potentially be affected during ground-disturbing activities. As noted above, in compliance with AB 52, OCSD distributed letters to potentially affected tribes for consultation regarding the proposed project. The EIR will include further analysis related to resources potentially affected by the project that may be subject to criteria set forth in Public Resources Code Section 5024.1(c). Thus, potential impacts related to tribal cultural resources will be further analyzed in the EIR.



## 4.18 UTILITIES AND SERVICE SYSTEMS

Would the project:

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

No Impact. The proposed project would not result in the generation of any wastewater. Rather, the project consists of wastewater pump station/force main improvements that would assist in conveying wastewater flows from the vicinity of the project site to the OCSD's Plant No. 2 in Huntington Beach for treatment and disposal. OCSD's operations at Plant No. 2 are fully permitted by the Regional Water Quality Control Board, and the proposed project would not result in the exceedance of any wastewater treatment requirements. No impacts would occur in this regard.

- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact. The project would not include the construction of any water facilities. The project would include wastewater pump station and force main improvements, the effects of which are analyzed within this Initial Study/Environmental Checklist. No impacts beyond those identified within this document would occur.

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

No Impact. Implementation of the proposed project would rehabilitate an existing pump station facility and force mains. No new stormwater drainage facilities or expansion of existing facilities would be required as a result of the proposed project. No impact would result in this regard.

- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. The proposed project would not result in a direct or indirect population increase increasing demand for water. In addition, the proposed pump station facility would not result in the use of substantial amounts of water during long-term operations since the proposed pump station building and associated facilities would not utilize water except for a restroom. The restroom would be utilized by OCSD maintenance staff during periodic project maintenance operations, resulting in a minimal use of water. Although the project would result in an increase in flow conveyance capacity from 16 million gallons a day MGD to 18.5 MGD, it is intended to accommodate long-range, planned regional growth within the OCSD service area based on regional growth forecasts. Thus, the proposed project would not require the provision of new water supplies or generate population growth resulting in the need for new water supplies, and impacts would be less than significant in this regard.



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

No Impact. Refer to Response 4.18(a), above.

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

Less Than Significant Impact. The proposed project would result in pump station and force main improvements. The project would not include any habitable structures, and would not have the capability to produce solid waste during long-term operations. Although the project may require the disposal of construction/demolition debris during the construction process (soil, asphalt, demolished materials, etc.), the generation of these materials would be short-term in nature and would not have the capability to substantially affect the capacity of regional landfills. The City disposes solid waste at the Frank R. Bowerman landfill in Irvine, a 725-acre facility that is operating at a maximum daily permitting capacity of 11,500 tons per day. The landfill has a remaining capacity of 205,000,000 cubic yards and is expected to remain open until 2053.<sup>1</sup> The increase in solid waste from the project's construction activities would not have a significant impact upon the existing and projected landfill capacity of the Frank R. Bowerman landfill. Thus, impacts in this regard would be less than significant.

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

No Impact. The proposed project would comply with all Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act and City requirements for solid waste generated during the construction process. No impacts would occur in this regard.

---

<sup>1</sup> CalRecycle, *Facility/Site Summary Details: Frank R. Bowerman Sanitary LF (30-AB-0360)*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/30-AB-0360/Detail/>, accessed September 26, 2016.





## 4.19 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

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

Potentially Significant Impact. As concluded in Section 4.4, Biological Resources, the project has the potential to result in impacts to sensitive plant and animal species. In addition, as noted in Section 4.5, Cultural Resources and Section 4.17, Tribal Cultural Resources, the project may result in impacts to historical, archaeological, paleontological, and tribal cultural resources. Therefore, further analysis will be conducted as part of the EIR, in order to determine whether the proposed project would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

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

Potentially Significant Impact. A significant impact may occur if a proposed project, in conjunction with related projects, would result in impacts that are less than significant when viewed separately, but would be significant when viewed together. Further analysis will be conducted as part of the EIR in order to determine whether the project would have impacts that are individually limited, but cumulatively considerable.

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

Potentially Significant Impact. As concluded within this Initial Study, project implementation would result in potentially significant environmental impacts that may have adverse effects on human beings. Therefore, further analysis will be conducted as part of the EIR in this regard.



This page intentionally left blank.



## **5.0 PREPARERS AND CONTRIBUTORS**

### **ORANGE COUNTY SANITATION DISTRICT**

10844 Ellis Avenue  
Fountain Valley, California 92708

*Kevin Hadden, Principal Staff Analyst*  
*Cindy Murra, Associate Engineer*  
*Vicki Francis, Senior Engineer*  
*Adam Nazaroff, Project Manager*

### **MICHAEL BAKER INTERNATIONAL**

14725 Alton Parkway  
Irvine, California 92618

*Mirko Maher, Project Manager*  
*Steven Conner, Senior Engineer*  
*Alan Ashimine, Environmental Task Manager*  
*Richard Beck, Regulatory Services Manager*  
*Eddie Torres, INCE, Technical Studies Manager*  
*Achilles Malisos, Air/Noise Technical Manager*  
*Alesia Hsiao, Environmental Analyst*  
*Jessica Ditto, Environmental Analyst*



This page intentionally left blank.



## 6.0 REFERENCES

CalFire, *Newport Beach Very High Fire Hazard Severity Map*, October 2011.

CalRecycle, *Facility/Site Summary Details: Frank R. Bowerman Sanitary LF (30-AB-0360)*, <http://www.calrecycle.ca.gov/SWFacilities/Directory/30-AB-0360/Detail/>, accessed September 26, 2016.

California Department of Conservation, Division of Mines and Geology, *Special Publication 42, Fault-Rupture Hazard Zones in California*, 2007, <http://www.quake.ca.gov/gmaps/WH/regulatorymaps.htm>, accessed June 13, 2016.

California Department of Conservation, *Guidelines for Classification and Designation of Mineral Lands*.

California Department of Transportation, *California Scenic Highway Mapping System*, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/scenic_highways/), accessed on June 2, 2016.

California Environmental Protection Agency, *Cortese List Data Resources*, <http://www.calepa.ca.gov/sitecleanup/corteselist/>, accessed on September 2, 2016.

City of Newport Beach, *Back Bay Landing Project Draft Environmental Impact Report*, October 2013.

City of Newport Beach, *Balboa Marina West Initial Study/Mitigated Negative Declaration*, August 18, 2014.

City of Newport Beach, *City of Newport Beach General Plan*, adopted July 26, 2006.

City of Newport Beach, *City of Newport Beach General Plan 2006 Update Environmental Impact Report*, April 2006.

City of Newport Beach, *City of Newport Beach Zoning Code*, effective November 25, 2010.

County of Orange, *Natural Community Conservation Plan and Habitat Conservation Plan, Central & Coastal Subregion*, July 17, 1996.

Department of Conservation, *Farmland Mapping and Monitoring Program*. Available at: <http://maps.conservation.ca.gov/ciff/ciff.html>, accessed September 10, 2015.

Federal Emergency Management Agency, *FEMA Flood Map Service Center*, <https://msc.fema.gov/portal>, accessed June 13, 2016.

Hushmand Associates, Inc., *Geological, Geotechnical, and Seismic Technical Background Report Bay Bridge Pump Station and Force Mains Rehabilitation Study*, April 2015.

Newport Beach Fire Department, *City of Newport Beach Emergency Operations Plan*, September 27, 2011.



Orange County Sanitation District, *Collection System Improvement Plan Program Environmental Impact Report*, March 2007.

Orange County Transportation Authority, *2015 Orange County Congestion Management Program*, November 2015.

South Coast Air Quality Management District, *2012 Air Quality Management Plan*, 2012.

South Coast Air Quality Management District, *CEQA Air Quality Handbook*, November 1993.



## **NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

**TO:** Agencies and Interested Parties

**DATE:** November 10, 2016

**SUBJECT:** Notice of Preparation of a Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project

**PROPONENT:** Orange County Sanitation District

**LEAD AGENCY:** Orange County Sanitation District  
Kevin Hadden, Principal Staff Analyst  
Phone (714) 962-2411, Email: khadden@ocsd.com

The Orange County Sanitation District (OCSD) is commencing preparation of a Draft Environmental Impact Report (DEIR) for the Bay Bridge Pump Station and Force Mains Rehabilitation Project and has released this Notice of Preparation (NOP) per the requirements of the California Environmental Quality Act (CEQA). OCSD wants to know your views and your specific concerns related to the potential environmental effects of the project. Information gathered during the NOP comment period will be used to shape and focus future analysis of environmental impacts. If you are a public agency, OCSD is interested in the views of your agency as to the scope and content of the environmental information germane to your agency's statutory responsibilities. As a responsible or trustee agency, your agency may need to use the DEIR prepared by OCSD when considering issuance of a permit or other approval for the project.

### **NOP COMMENT PERIOD:**

OCSD invites you to submit written comments describing your specific environmental concerns, and if representing a public agency, please identify your specific areas of statutory responsibility. Written comments are desired at the earliest possible date, but due to the time limits mandated by State law, your response must be sent no later than 30 days after receipt of this notice. **The NOP public comment period begins on November 10, 2016 and ends on December 9, 2016.** Please send your written comments to the OCSD staff contact identified above, and please include your name, address, and contact information in your correspondence.

### **DOCUMENT AVAILABILITY:**

The project description, location, and potential environmental effects are described herein. Copies of the NOP have been transmitted to the California State Clearinghouse and to applicable responsible and trustee agencies. Copies of this NOP, the Initial Study, and future environmental documents prepared in conjunction with the project will be available for public review on OCSD's website at [www.ocsd.com](http://www.ocsd.com), and at the following locations. You will be notified when the DEIR is available for public review.

- Orange County Sanitation District, 10844 Ellis Avenue, Fountain Valley, CA 92708
- Newport Beach Library – Central Library, 1000 Avocado Avenue, Newport Beach, CA 92660
- Newport Beach Library – Balboa Branch, 100 East Balboa Boulevard, Balboa, CA 92661

### **PROJECT LOCATION:**

Regionally, the project site is located within the southwestern portion of the City of Newport Beach (City), within the County of Orange (County). Locally, the project site is located at and adjacent to the OCSD existing Bay Bridge Pump Station, located at 300 East Pacific Coast Highway (PCH) with the nearest cross street of Bayside Drive located approximately 300 feet to the east. The project also includes force main improvements that would extend to the west of the existing pump station, across PCH and the Newport Bay Channel.

### **PROJECT SUMMARY:**

The proposed project would upgrade the existing Bay Bridge Pump Station and associated force mains. The proposed project would bring the pump station facility and force mains to current design and reliability standards to ensure continuous service for the OCSD service area. The primary project components are described in detail below, and consist of: 1) pump station improvements; 2) PCH force main facilities, and 3) Newport Bay Channel crossing force main improvements.

- **Pump Station Improvements:** The proposed project would include construction of a new pump station at and adjacent to the existing Bay Bridge Pump Station. The new pump station would be constructed at the existing pump station site, in addition to a portion of the existing RV storage area that surrounds the pump station to the north, east and west. The pump station would be expanded from approximately 4,800 square feet under existing conditions to 9,500 square feet (an increase of 4,700 square feet). Primary access to the proposed pump station would be provided via a driveway to the RV storage facility along the west side of Bayside Drive, with secondary access provided via a driveway along the northern side of PCH. The new pump station would be sized to house all pumps and provide the desired contingency and redundancy to maintain uninterrupted service. All the facilities would be placed within a new pump station building, electrical building, generator building, and odor control facility at the pump station site.
- **PCH Force Main Improvements:** The proposed PCH dual force mains would be constructed out of high density polyethylene (HDPE) materials with a minimum inner diameter of 30 inches and an outer diameter of 32 inches. The PCH force main improvements would convey the new peak flows as well as provide the system with redundancy. The dual force mains would extend approximately 250 feet from the proposed pump station facility, and then southwest to the Balboa Marina parking lot. The force mains would be installed via microtunneling beneath PCH. The invert of the new force main crossing would be approximately 25 to 30 feet below ground.
- **Newport Bay Channel Crossing Force Main Improvements:** The Newport Bay Channel crossing force mains would consist of an approximately 725-foot-long segment of dual force mains. This segment of the force mains would extend west from the terminus of the PCH force main improvements (described above), ultimately terminating at or near an existing valve vault immediately west of the Newport Bay Channel, approximately 0.26 miles west of the existing pump station site. The valve vault is located immediately north of the Bayshore Apartments. The force mains would cross the Newport Bay Channel via either microtunneling or a dredged trench.

### **PROBABLE ENVIRONMENTAL EFFECTS:**

Through preparation of an Initial Study, OCSD has determined that the project could result in impacts relating to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation/traffic, and mandatory findings of significance. A DEIR will be prepared to evaluate the significance of these potential impacts.

### **PUBLIC SCOPING MEETING:**

To provide for an additional opportunity for input, OCSD will be conducting a Scoping Meeting. The Scoping Meeting will include a brief overview of the proposed project and discussion of potential environmental issues. The meeting will be held on the following date:

**Date:** Wednesday, November 30, 2016

**Time:** 6:00 PM

**Location:** Newport Beach Public Central Library  
Friends Meeting Room  
1000 Avocado Avenue  
Newport Beach, CA 92660



Carla Dillon  
Orange County Sanitation District  
Engineering Supervisor





South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 ♦ [www.aqmd.gov](http://www.aqmd.gov)

November 15, 2016

[khadden@ocsd.com](mailto:khadden@ocsd.com)

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

**Notice of Preparation of a CEQA Document for the  
Bay Bridge Pump Station and Force Mains Rehabilitation Project**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft EIR. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

**Air Quality Analysis**

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the lead agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a Draft EIR document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment (“*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*”) can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board’s *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB’s Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Finally, should the proposed project include equipment that generates or controls air contaminants, a permit may be required and the SCAQMD should be listed as a responsible agency and consulted. The assumptions in the submitted Draft EIR would also be the basis for permit conditions and limits. Permit questions can be directed to the SCAQMD Permit Services staff at (909) 396-3385, who can provide further assistance.

### **Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Mitigation Measure resources are available on the SCAQMD CEQA Air Quality Handbook website: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD’s Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD’s webpage (<http://www.aqmd.gov>).

The SCAQMD staff is available to work with the lead agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact Gordon Mize, Air Quality Specialist by e-mail at [gmize@aqmd.gov](mailto:gmize@aqmd.gov) or by phone at (909) 396-3302.

Sincerely,

*Jillian Wong*

Jillian Wong, Ph.D.  
Planning and Rules Manager  
Planning, Rule Development & Area Sources

JW:GM

ORC161110-08  
Control Number

## NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710  
Fax (916) 373-5471  
Email: [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
Website: <http://www.nahc.ca.gov>  
Twitter: @CA\_NAHC



November 16, 2016

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

sent via e-mail:  
[khadden@ocsd.com](mailto:khadden@ocsd.com)

RE: SCH# 2016111031; Bay Bridge Pump Station and Force Mains Rehabilitation Project, Notice of Preparation for Draft Environmental Impact Report, Orange County, California

Dear Mr. Hadden:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

**CEQA was amended significantly in 2014.** Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

#### AB 52

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

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).

- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
    - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
  3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
    - a. Alternatives to the project.
    - b. Recommended mitigation measures.
    - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
  4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
    - a. Type of environmental review necessary.
    - b. Significance of the tribal cultural resources.
    - c. Significance of the project's impacts on tribal cultural resources.
    - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
  5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
  6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
    - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
    - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
  7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
    - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
    - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
  8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
  9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
  10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

- a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). *This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason,

we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

#### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov).

Sincerely,



Gayle Totton, M.A., PhD.  
Associate Governmental Program Analyst

cc: State Clearinghouse



December 8, 2016

Orange County Sanitation District  
Attn: Kevin Hadden, Principal Staff Analyst  
10844 Ellis Avenue  
Fountain Valley, CA 92708-7018

Subject: Bay Bridge Pump Station and Force Mains Rehabilitation Project  
Initial Study/Environmental Checklist

Dear Mr. Hadden:

This letter is in response to the Initial Study/Notice of Preparation (IS/NOP) of a Draft Environmental Impact Report (DEIR) for the Bay Bridge Pump Station project proposed by Orange County Sanitation District (OCS D). We have reviewed the Initial Study (IS) released for public review on November 10, 2016, and offer the following comments.

As you are aware, Irvine Company has received approval from the City of Newport Beach for the Balboa Marina West Expansion project, which is located across East Coast Highway (Coast Highway), south of the existing pump station. As we have already discussed, the Balboa Marina project, as described in the IS/NOP is inaccurate and should be corrected going forward. The Balboa Marina West project proposes a 14,252-square-foot restaurant building, a public dock with 12 transient boat slips, the addition of 26 boat slips to the existing private Balboa Marina, a 664-square-foot restroom building for Balboa Marina patrons and a reconfigured 294-space parking lot. The City approved a site plan for the Balboa Marina project was previously provided to OCS D for review and information purposes, and we would appreciate the use of the correct project description and site plan for all future analysis.

***Project Description - Work Areas***

The Project Description in the IS details the addition of new dual force mains that will cross under Coast Highway, then beneath the Balboa Marina parking lot. Exhibit 2-5 in the IS depicts large anticipated work areas in the Balboa Marina parking lot that would be required for two segments of the proposed project. The construction area for the reception shaft would occupy approximately 10,000 square feet in the parking lot, and the work area for the channel crossing microtunneling would occupy approximately 20,000 square feet in the parking lot. These work areas seem inadequate for the massive amount of earth moving required to construct tunnels to accommodate the size of the pipes. No details are included within the IS regarding how and where debris and dirt would be stockpiled during the tunnel construction. The amount of earth

material that will be removed from a 35-foot-diameter tunnel, 80 feet deep, is extraordinary, and it is unlikely that such material could be accommodated within the 20,000-square-foot area depicted on the site plan. As shown on Exhibit 2-5 of the IS, both OCSD work areas within the Balboa Marina parking lot would have a significant impact on the parking availability for Irvine Company's existing uses on the site and would preclude planned operation of the reconfigured parking lot.

### ***Conflict in Construction Schedules***

The Balboa Marina West Coastal Development Permit (CDP) application is anticipated to be approved at the January 2017 meeting of the California Coastal Commission (CCC). Once the CDP is secured, it is anticipated that project construction could begin as early as the second quarter of 2017. While the IS does not appear to identify an anticipated date related to the start of construction, given the status of the environmental review process and the number of regulatory permits that will be required, project construction is likely several years in the future. As such, it is anticipated that the Balboa Marina West improvements could be constructed and fully operational prior to OCSD's receiving the requisite approvals required from the CCC, the Army Corps of Engineers, the Regional Water Quality Control Board, Caltrans, the South Coast Air Quality Management District, and the City of Newport Beach. Once initiated, the anticipated 24- to 30-month construction schedule required for the OCSD project would result in a substantial conflict between Balboa Marina West and the OCSD project schedules.

In addition to the likelihood that Balboa Marina West will be constructed and operational prior to OCSD's securing approvals for the project, Irvine Company has concerns related to the land area that would be required for the construction tunnels and also the significant size of the tunnel required to go under the Newport Bay channel. Construction of the tunnels within and adjacent to the Balboa Marina site will present a conflict with the operation of the existing and expanded marina as well as the planned restaurant. Construction activity would have a direct impact on site access, parking, vehicular traffic, and pedestrian access across the site and could result in impacts to the planned restaurant structure. Based on the site plan within the IS, the tunnel appears to be located at the property line, which could be within 10 feet of the restaurant. The DEIR must analyze the structural stability of the planned restaurant and identify appropriate construction monitoring techniques to ensure that the planned restaurant is not impacted by the tunnel.

It should be noted that the western side of the Balboa Marina West project site will have the greatest volume of pedestrian and vehicular traffic on the entire site. As a reminder, the tunnel would be located immediately adjacent to the gangway for the City's new public dock, the entry into the restaurant, the valet parking station, and a future pedestrian connection point with the Back Bay Landing site. The construction of a 35-foot-wide and 80-foot-deep tunnel in the location depicted on the Conceptual Site Plan, Exhibit 2-4, is incompatible with the Balboa



Marina West project, and the DEIR must analyze this significant conflict related to public safety and operational considerations.

In addition to concerns related to the 24- to 30-month construction, which could not be accommodated within the existing Balboa Marina parking lot, Irvine Company has concerns related to above-ground structures planned immediately north of the Balboa Marina property. The Conceptual Site Plan (Exhibit 2-4) in the IS shows a pump station and a generator located between Coast Highway and Irvine Company property immediately south of the Coast Highway bridge. In meetings with OCSD, Irvine Company has expressed concern related to the construction of any above-ground facilities in this location, which is in direct proximity to the planned Balboa Marina West restaurant and abuts the upper parking area. We request that the DEIR include substantially more information related to size, height, finished grade elevation, architectural style, and screening associated with these proposed buildings. The Balboa Marina West project is a high-end development project, and a compatible architectural theme and complementary building materials should be used to avoid aesthetics and land use concerns.

We note that the IS recognizes potential timing conflicts between the OCSD project and the Balboa Marina West project, and presents a possible alternative if such conflicts occur. The alternative would realign the force main shaft tunnels along the north side of Coast Highway, thus avoiding construction activity on the Balboa Marina site. The northern alignment was considered in the Technical Memorandum No. 1 - Alternative 3 Evaluation dated November 22, 2016, and the alignment was discussed in great detail during meetings between Irvine Company, the City of Newport Beach, Back Bay Landing, and OCSD.

In consideration of the fact that construction for Balboa Marina West could start as early as the second quarter of 2017 and be fully operational prior to OCSD's gaining project approvals, Irvine Company strongly encourages OCSD to consider the northern alignment as the primary project to be analyzed in the DEIR rather than as an alternative to the proposed project. Based on the information provided in the IS related to the amount of disruption that would occur within the Balboa Marina parking lot and the conflict between the construction schedules of Balboa Marina West and the OCSD project, the proposed project presented in the IS appears to be infeasible.

### ***Easement***

Based on a preliminary review of existing easements on the Balboa Marina property, there does not appear to be an easement which provides for the full extent of the proposed project both in terms of temporary construction and also the permanent force main location. The IS identifies that a temporary easement would be required from Irvine Company for the project construction, and a permanent easement would be required to establish access rights for OCSD to provide service and maintenance for the force mains and appurtenances. Please provide an as-built of the existing force main that traverses the Balboa Marina site. The DEIR should include comparison of the existing easement area and that which is proposed.

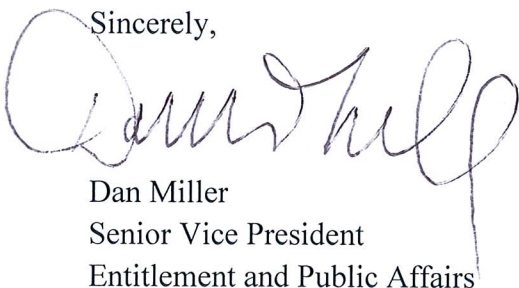
***Additional EIR Analysis***

We request that the EIR provide in-depth analysis in the following topical areas:

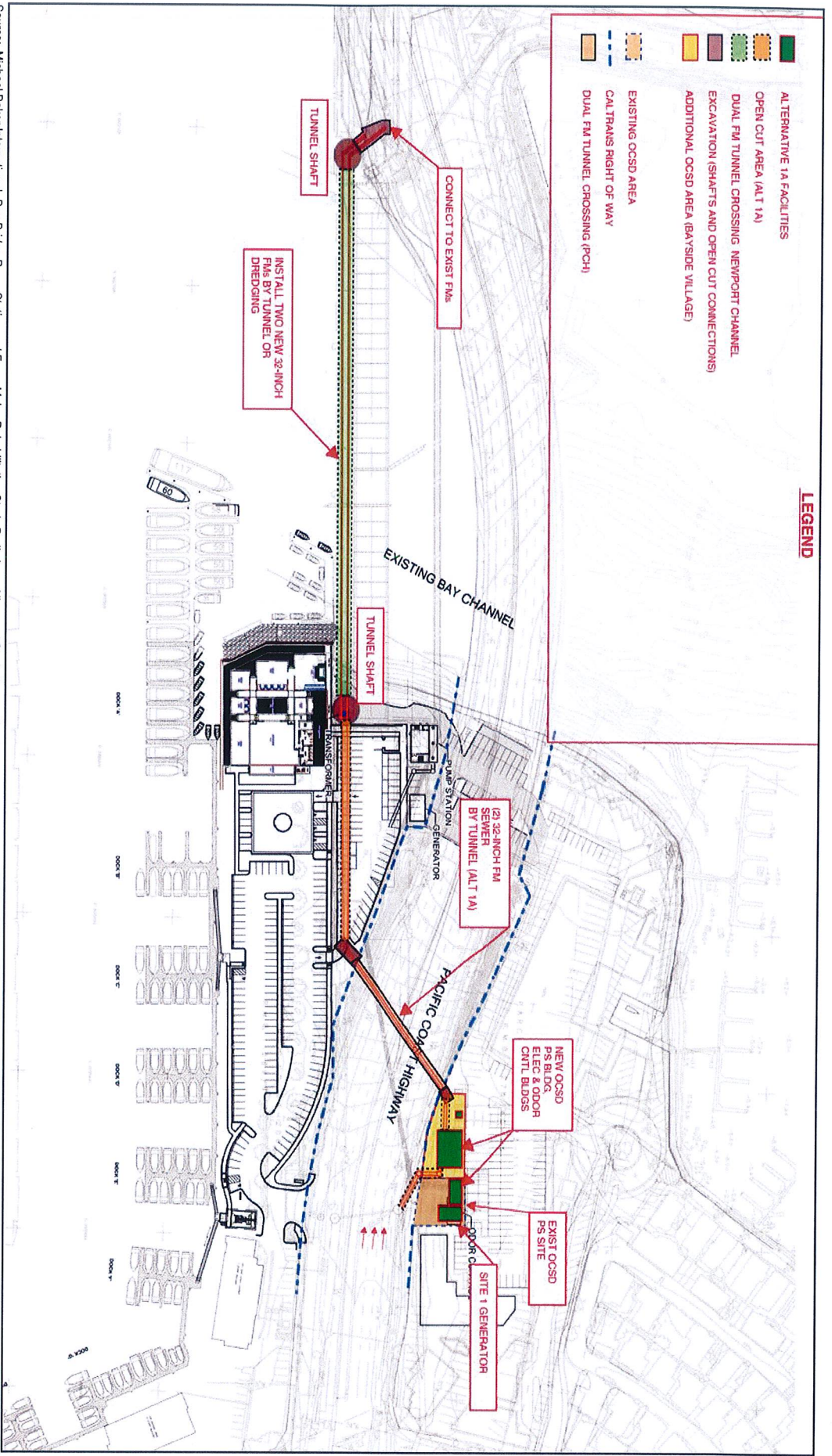
- Aesthetics – Specific building details such as height, finished grade, square footage, building materials, architectural style, and screening methods.
- Hazards and Hazardous Materials – A land use compatibility analysis to determine whether hazardous materials used in connection with the pump station, or stored in service vehicles accessing the site, will pose a threat to the Balboa Marina West project components, including the public dock and the restaurant.
- Land Use and Planning – Analysis of the OCSD easement across Irvine Company's property, including whether the easement provides for the extent of land area required for project construction.
- Noise – Analysis of potential noise impacts at existing and proposed uses on the Balboa Marina site, including operational noise and noise associated with maintenance vehicles.
- Odor – Analysis of potential odors associated with the pump station and what measures will be in place to ensure that no impacts will occur to adjacent uses.
- Traffic – Analysis of truck circulation during construction activities and also during operational activities requiring routine inspections and maintenance, including frequency, timing, and size of service vehicles accessing the site. Vehicular access will not be possible through the upper parking lot of the Balboa Marina site given the existing grade differential between the upper parking lot and the planned building area

Irvine Company supports the northern alignment of the force main tunnel and the pump station to avoid significant disruption to the Balboa Marina West project and Irvine Company's right to quiet enjoyment of the existing site. We look forward to the opportunity to review the DEIR to better assess the potential impacts associated with OCSD's proposed project.

Sincerely,



Dan Miller  
Senior Vice President  
Entitlement and Public Affairs



Source: Michael Baker International, Bay Bridge Pump Station and Force Mains Rehabilitation Study, Preliminary Alignment Study Report, May 2016.

NOT TO SCALE

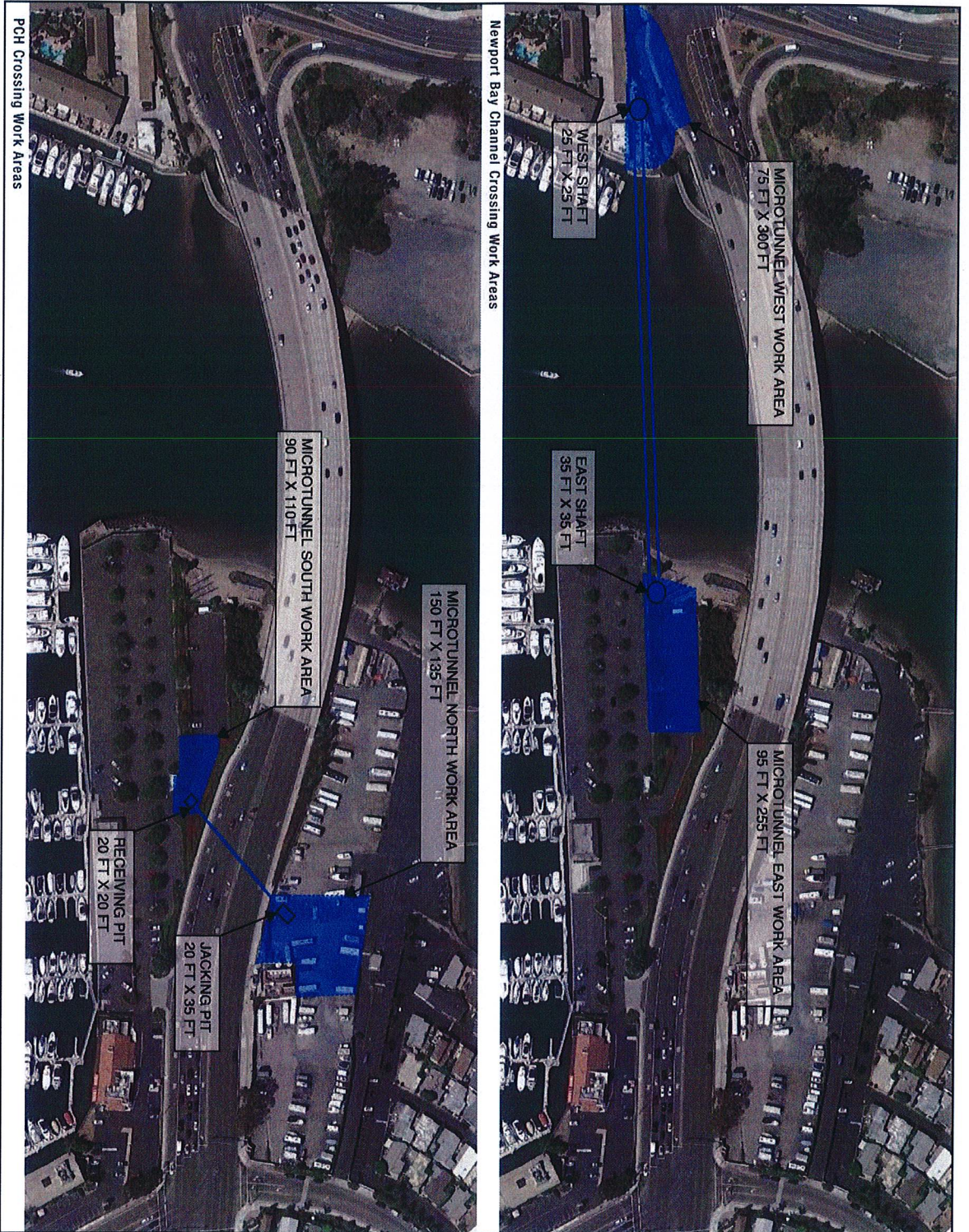
**Michael Baker INTERNATIONAL**



11/16 • JN 143938

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
 BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Conceptual Site Plan**

**Exhibit 2-4**



Newport Bay Channel Crossing Work Areas

PCH Crossing Work Areas

Source: Michael Baker International, Bay Bridge Pump Station and Force Mains Rehabilitation Study, Preliminary Alignment Study Report, May 2016.

NOT TO SCALE

**Michael Baker**  
INTERNATIONAL



17176 - JAN 143998

INITIAL STUDY/ENVIRONMENTAL CHECKLIST  
BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Proposed Microtunneling Work Areas**



**CITY OF NEWPORT BEACH**

100 Civic Center Drive  
Newport Beach, California 92660

949 644-3200

[newportbeachca.gov/communitydevelopment](http://newportbeachca.gov/communitydevelopment)

December 9, 2016

*Via Electronic & Regular Mail*

[khadden@ocsd.com](mailto:khadden@ocsd.com)

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

**Re: Notice of Preparation of a Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project**

Dear Mr. Hadden,

The City of Newport Beach ("City") submits the following comments on the Notice of Preparation of a Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project (the "Project"). The City agrees that preparation of an Environmental Impact Report ("EIR") is required by the Orange County Sanitation District (the "District") as lead agency under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.). We look forward to reviewing the Draft EIR and hope to see the following comments and concerns included in the analysis.

General

East Coast Highway is incorrectly referenced as Pacific Coast Highway throughout the document. The highway is East Coast Highway east of the bridge and West Coast Highway west of the bridge.

1.4 – Permits and Approvals

A site development review approval by the City is required for the facilities within the Back Bay Landing Planned Community (PC-9).

On September 8, 2016, the California Coastal Commission (Coastal Commission) approved the City's Local Coastal Program (LCP). The LCP is expected to become effective in early 2016. Pursuant to Section 21.50.025.C of the certified LCP Implementation Plan, where a proposed development is located within both the Coastal Commission's and City's coastal development permit jurisdictions, coastal development permits are required by both the City and the Coastal Commission. Alternatively, if the applicant, the City and the Coastal Commission agree, the Coastal Commission can process a consolidated coastal development permit application pursuant to the procedures in Public Resources Code Section 30601.3.

A limited term permit approved by the City would be required for the use of Lower Castaways Park as a staging area.

#### 1.6 – Incorporated by Reference

Please include the City of Newport Beach Local Coastal Program Implementation Plan (Adopted November 22, 2016) and the Back Bay Landing Planned Community Development Plan (PC-9).

#### Section 2.2 Environmental Setting

The description of the Balboa Marina West project is out of date. On February 9, 2016, the City approved a new 14,252-square-foot restaurant building with outdoor dining and a new 664-square-foot marina restroom building and a conditional use permit for a restaurant (food service, late hours) with full alcoholic beverage service, live entertainment, and dancing, and a reduction in required off-street parking.

The location of the pump station is designated as Mixed-Use Water Related (MU-W2) by the City's General Plan and certified LCP Coastal Land Use Plan. The pump station site is zoned Back Bay Landing Planned Community Development Plan (PC-9).

The location (Balboa Marina West) of the PCH Force Mains Improvements is designated as Recreational and Marine Commercial (CM) by the City's General Plan and certified LCP Coastal Land Use Plan. This area is zoned Commercial Recreational and Marine (CM).

The location of the Newport Bay channel crossing force mains is designated as Mixed-Use Water Related (MU-W2) by the City's General Plan and certified LCP Coastal Land Use Plan. This area is zoned Mixed-Use Water Related (MU-W2).

Table 2-1, General Plan, Zoning, and Existing Land Use information in Table 2-1 needs to be revised to be consistent with comments above. Also, within the description of the future Back Bay Landing project, delete reference to a limited mix of freestanding multi-family residential, as the project was modified by the Coastal Commission. Freestanding residential is prohibited; however, mixed-use structures with residential use above the ground floor are permitted.

#### 2.5 – Project Characteristics – Pump Station Improvements

The description states that once the new pump station is placed in service, the existing pump station will be demolished and redeveloped with upgraded pump station services. It appears that these upgraded services include the pump station generator facility and odor control. Please clarify.

In Exhibit 2-4, the site plan for the Balboa Marina West is out of date. The current version of the site plan is attached.

##### 2.5.1 – Construction

Under Construction, it is stated that the Project is expected to take between 24 to 30 months to complete. Please clarify the construction schedule in more detail discussing the construction timing for each component of the Project. Please also provide estimated construction start and completion dates.

## 2.6 – Permits and Approvals

Please revise per earlier comments.

## 3.1 – Project Description and Background

Please revise Zoning section per earlier comments.

## 4.1 – Aesthetics

When preparing the Draft EIR analysis related to the Pump Station Aesthetics, please review applicable Design Guidelines (Section V) of the Back Bay Landing Planned Community Development Plan, including Architectural Theme, Site Planning, Building Massing, Façade Treatments, and Public Views.

## 4.4 – Biological Resources

Eelgrass (*Zostera marina*) is a marine plant that grows in Newport Harbor at depths below the low tide line and into the navigational channels. Eelgrass forms meadows and attracts many invertebrates and fishes that use the vegetation as foraging and nursery habitat. It is therefore a resource that requires protection. A 2016 eelgrass survey identified eelgrass meadows within the Project boundaries. Please review the City's Harbor Area Management Plan for more information.

## 4.10 – Land Use and Planning

When preparing the Draft EIR analysis related to Land Use and Planning for the Pump Station component, please review the Project for compliance with the Back Bay Landing Planned Community Development Plan (PC-9). Also, please review the Project with consistency with the City's certified LCP.

## 4.12 – Noise

When preparing the Draft EIR Noise analysis, please consider noise impacts to both existing residents in area (i.e., the communities of Bayside Village Mobile Home Park, Anchorage Apartments, Bayshores, Linda Isle, Dover Shores, and Castaways) and the future residents of the Back Bay Landing mixed-use project.

## 4.16 – Transportation/Traffic

The Balboa Marina West project includes the construction of a new public dock that would include a gangway and 12 public boat slips. Vertical access to the public dock will be provided via a public accessway connecting to East Coast Highway. A connection will also be provided to the planned coastal accessways in the adjacent Back Bay Landing project. It is important that the construction, operation and maintenance of the Newport Bay Channel crossing force mains do not interfere with the public dock and coastal accessways.

There are a number of marinas north of the Coast Highway Bridge. Project site crosses a Lower Newport Bay channel that connects this area with the rest of Newport Harbor and the harbor entrance. Also, Newport Harbor's only public boat launch ramps are located north of Coast

Highway Bridge, at the Newport Dunes Resort. The Draft EIR needs to address potential impacts to boating traffic in this area during the construction phase.

The Project Description states that the work area would block access to the bike/pedestrian path that crosses beneath Coast Highway. Alternative paths or detours should be explored to provide access.

The traffic impact analysis needs to take into account haul routes associated with construction and potential temporary construction impacts.

#### Additional Comments

There is a public mooring area located approximately 600 feet south of the Project site. The Draft EIR needs to address potential impacts to the use of this mooring area during the construction phase.

The Draft EIR should analyze the use of dredged material with appropriate grain size and grain percentage for beach replenishment.

It is our understanding that OCSD has investigated various feasible alternatives that affect adjacent property owners differently. The DEIR should thoroughly analyze the environmental impacts associated with each of the feasible alternatives.

Thank you for the opportunity to comment on the NOP/IS and please continue to keep the City apprised of OCSD plans with the Project and continue to cooperatively work with the other adjacent property owners that would be affected by the Project. Please feel free to contact me at (949) 644-3232 or [PAlford@newportbeachca.gov](mailto:PAlford@newportbeachca.gov) if you have any questions.

Sincerely,

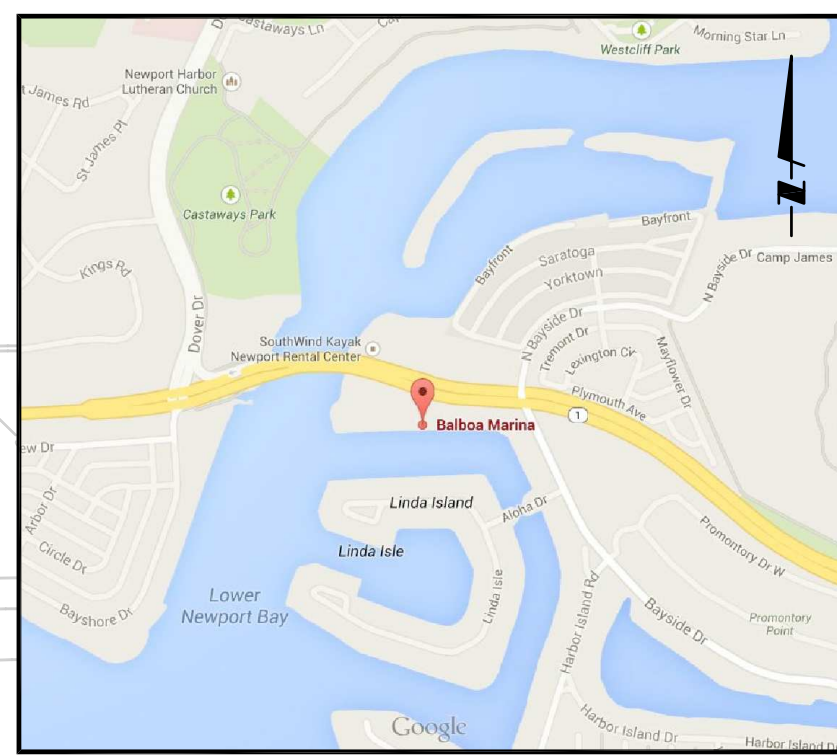


Patrick J. Alford  
Planning Program Manager

#### Attachments:

1. Balboa Marina West Project Site Plan





VICINITY MAP

LEGEND	
	AC IMPROVEMENT
	CONCRETE PAVING
	DAYLIGHT LIMITS
	TOP OF SLOPE
	TOE OF SLOPE
	FLOW DIRECTION
	RETAINING WALL

PARKING SUMMARY	
TOTAL STANDARD PARKING PROVIDED:	169
PARKING STALLS IN VALET AREA:	51
HANDICAP ACCESSIBLE STALLS:	6
<b>TOTAL PARKING PROVIDED:</b>	<b>226</b>

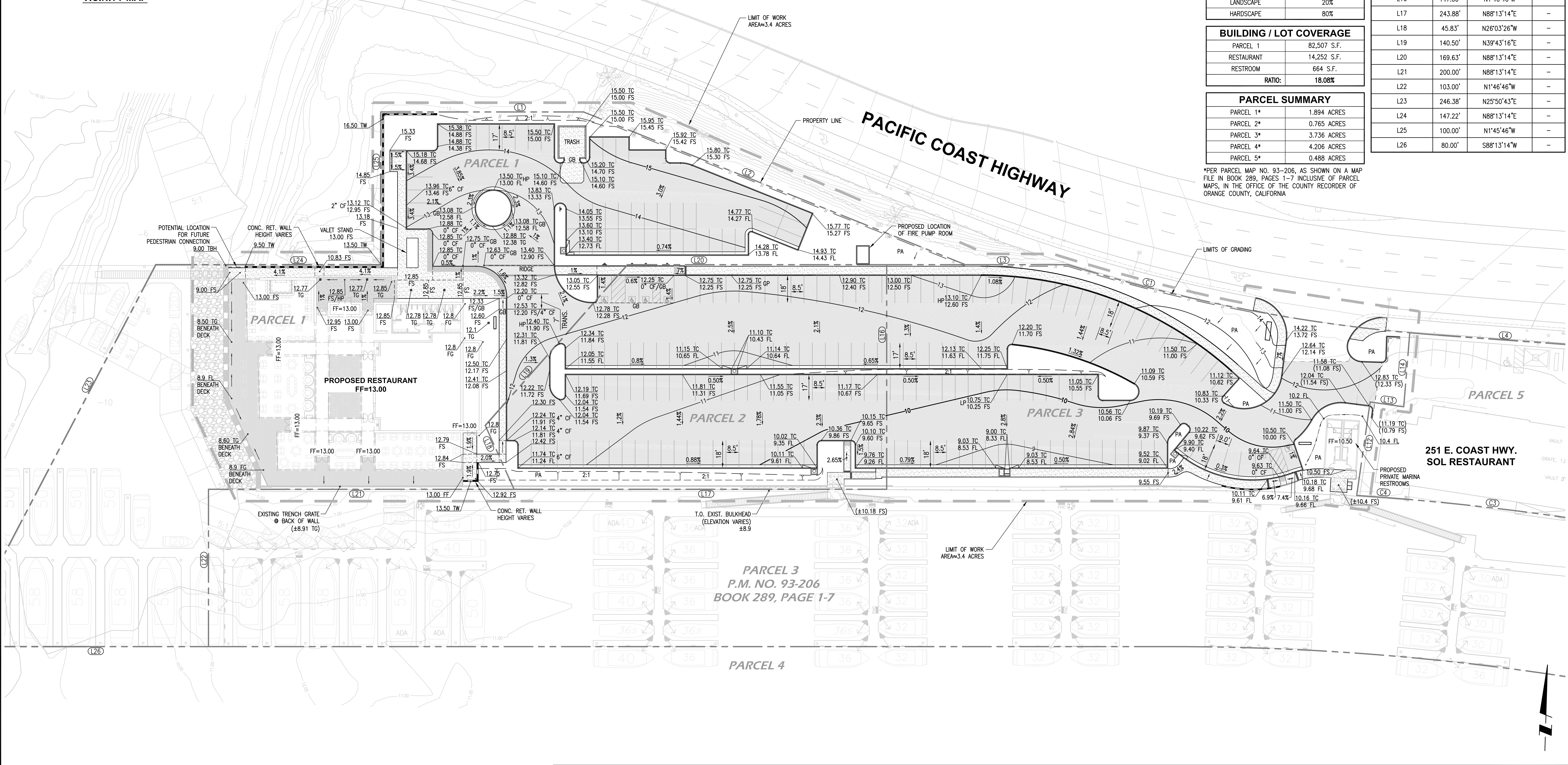
SITE SUMMARY	
LANDSCAPE	20%
HARDSCAPE	80%

BUILDING / LOT COVERAGE	
PARCEL 1	82,507 S.F.
RESTAURANT	14,252 S.F.
RESTROOM	664 S.F.
<b>RATIO:</b>	<b>18.08%</b>

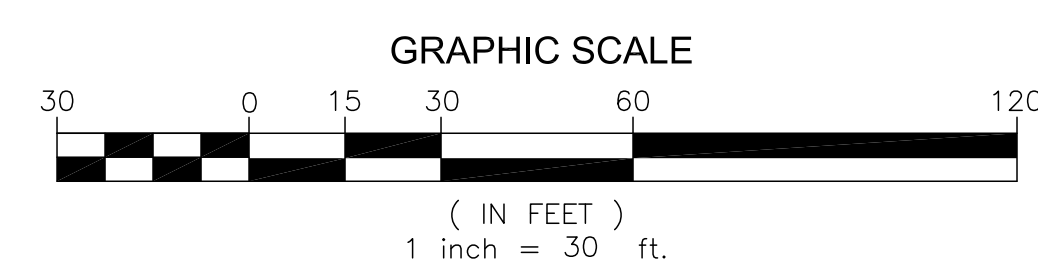
PARCEL SUMMARY	
PARCEL 1*	1.894 ACRES
PARCEL 2*	0.765 ACRES
PARCEL 3*	3.736 ACRES
PARCEL 4*	4.206 ACRES
PARCEL 5*	0.488 ACRES

LINE AND CURVE TABLE			
LINE # / CURVE #	LENGTH	BEARING / DELTA	RADIUS
C1	247.66'	13°09'47"	1078.00'
C3	115.56'	3°40'21"	1803.00'
C4	25.89'	0°49'22"	1803.00'
L1	132.72'	N88°13'14"E	-
L2	269.26'	S69°58'40"E	-
L3	67.12'	N88°13'14"E	-
L4	196.81'	S87°36'16"E	-
L12	61.81'	N6°23'48"E	-
L13	22.22'	S83°36'12"E	-
L14	48.63'	N2°53'01"E	-
L16	147.00'	N1°46'46"W	-
L17	243.88'	N88°13'14"E	-
L18	45.83'	N26°03'26"W	-
L19	140.50'	N39°43'16"E	-
L20	169.63'	N88°13'14"E	-
L21	200.00'	N88°13'14"E	-
L22	103.00'	N1°46'46"W	-
L23	246.38'	N25°50'43"E	-
L24	147.22'	N88°13'14"E	-
L25	100.00'	N1°45'46"W	-
L26	80.00'	S88°13'14"W	-

\*PER PARCEL MAP NO. 93-206, AS SHOWN ON A MAP FILE IN BOOK 289, PAGES 1-7 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA



DRAWING: v:\projects\2042431\200\drawing\exhibit\_files\131200c-ex7015.dwg PLOTTED: 11/24/2015 4:16 PM BY: Chen, Ryan



PREPARED BY:

**Stantec**  
38 TECHNOLOGY DRIVE, SUITE 100  
IRVINE, CA 92618  
949.923.6000 stantec.com

PREPARED FOR:

**IRVINE COMPANY**  
Since 1864

**PRELIMINARY IMPROVEMENT PLAN**  
BALBOA MARINA, NEWPORT BEACH CA

DATE: 11/24/2015  
SHEET **C1**  
OF **C3**

JOB NO. 2042 431200 NOVEMBER 24, 2015

## Ashimine, Alan

---

**From:** Hadden, Kevin <KHADDEN@OCSD.COM>  
**Sent:** Tuesday, January 03, 2017 1:19 PM  
**To:** Nazaroff, Adam; Ashimine, Alan  
**Cc:** Proj-SP-178; Archie, Stephanie  
**Subject:** FW: Newport Beach Notification of preparation of draft EIR to Bay Bridge Pump Station

FYI, comment email from United coalition to Protect Panhe.

---

**From:** Rececca Robles [mailto:rebrobles1@gmail.com]  
**Sent:** Monday, January 2, 2017 6:09 AM  
**To:** Hadden, Kevin <KHADDEN@OCSD.COM>  
**Subject:** Newport Beach Notification of preparation of draft EIR to Bay Bridge Pump Station

January 2, 2017

Kevin Haden, Principal Staff Analyst

Orange County Sanitation District

Dear Mr. Haden:

Thank you for the opportunity to respond to the Notice of Preparation of a Draft Environmental Impact Report for the Bay Bridge Pump Station and Force Mains Rehabilitation Project. We regret that we were unable to meet your deadline of December 9, 2016. However, we do have concerns that the proposed project may have the potential to impact buried archaeological resources. Our concerns are based on the fact that prior to European contact the coastal area of Newport Beach was heavily populated by descendants of the Juaneño/Acjachemen and Gabrielino.

Please notify us when the DEIR is available for public review. Your consideration to this request is greatly appreciated.

Sincerely,

Rebecca Robles

United coalition to Protect Panhe (UCPP)

119 Avenida San Fernando

San Clemente, CA 92672

*Rebecca L Robles*

February 22, 2017

Recipient Name  
Agency/Organization  
Address

Re: Bay Bridge Pump Station and Force Mains Rehabilitation Project

Dear [REDACTED]:

On November 10, 2016, the Orange County Sanitation District (OCSD) published an Initial Study/Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Bay Bridge Pump Station and Force Mains Rehabilitation Project (project). You are receiving this letter since you or your agency provided a comment letter to OCSD during the 30-day IS/NOP public review period or as part of the Assembly Bill 52 (AB 52) process.

The purpose of this letter is to inform you of modifications to the project description that have occurred since preparation of the IS/NOP. This letter discusses the project background, the previously-proposed project described in the November 2016 IS/NOP, and the currently proposed project.

**Project Background:** OCSD proposes to upgrade the existing Bay Bridge Pump Station and associated force mains located in the City of Newport Beach; refer to the attached *Regional Vicinity* exhibit. OCSD owns, operates, and maintains the existing Bay Bridge Pump Station and the Newport force mains, which convey wastewater from Newport Beach to the Plant No. 2 wastewater treatment facility. The existing Bay Bridge Pump Station is located adjacent to Pacific Coast Highway (PCH) to the south and is the furthest upstream pump station as part of the Newport force main network.

The Bay Bridge Pump Station is critical to OCSD operations as it conveys approximately 50 to 60 percent of the total flow through the Newport force mains. The proposed upgrade to the existing Bay Bridge Pump Station and associated force mains would ensure continuous and reliable service to the community over the long term. The pump station facility would consist of a pump station, odor control facilities, a new generator building, and an electrical room. The facilities would be upgraded for the following reasons:

- To accommodate anticipated growth in the region and wet weather flows by increasing peak wet weather flow conveyance capacity from 16 million gallons a day (MGD) to 18.5 MGD;
- Increase reliability since the existing Bay Bridge Pump Station is outdated and no longer meets structural or maintenance standards; and
- Increase safety for OCSD Operations & Maintenance personnel where safe entry and exit can be made and maintenance crews and drivers can easily access the site. The existing pump station is accessed directly from PCH, where adjacent traffic creates safety hazards for OCSD vehicles. Maintenance trucks accessing the site require that they back into oncoming traffic.

**November 2016 Project Description:** The project analyzed in the November 2016 IS/NOP included the rehabilitation of the pump station facility at and adjacent to the existing pump station site. The previously proposed project would also require construction of new 30-inch dual force mains that would extend approximately 1,250 linear feet west to an existing valve vault on the west side of the Newport Channel. This force main would be tunneled from the pump station site in a southwesterly direction beneath PCH,

and then either tunneled or dredged across the Newport Channel to an existing valve vault on the west side of the Channel. The attached *Previously Proposed Site Vicinity* exhibit depicts the project area associated with the November 2016 project description.

**Currently Proposed Project:** The project has been modified and generally shifts proposed facilities slightly further to the north. The proposed project shifts the location of the pump station to the north side of the Bayside Village Marina property (currently utilized as a recreational vehicle storage facility) and accessible from Bayside Drive. Due to the modified pump station location, the proposed 30-inch dual force mains would extend westerly from the proposed pump station across the Bayside Village Marina property, across the upper Newport Bay Channel to a disturbed area immediately south of Castaways Park. From there, the force mains would head south across PCH to connect to an existing OCS D vault. The majority of the proposed dual force mains would be constructed by horizontal directional drilling (HDD) to avoid impacts related to open cut trenching. Trenching would only be utilized for short spans of the force mains (i.e., within the paved Bayside Village Marina parcel and disturbed area south of Castaways Park). Modifications to existing gravity sewers would also be required within short segments of Bayside Drive and PCH. The attached *Currently Proposed Site Vicinity* exhibit depicts the currently proposed project area, and the *Conceptual Site Plan* exhibit depicts the currently proposed pump station location, force main alignment, and gravity sewer improvements.

The currently proposed project would involve the same range of facilities and would accomplish the same objective of improving operation of the Bay Bridge Pump Station/force mains to provide continuous, reliable wastewater conveyance service for the OCS D service area. As the proposed project involves the same primary components and updates are considered minor refinements to the pump station siting and force main alignments, none of the conclusions of the IS/NOP would be altered. The currently proposed project would not result in any new or substantially increased potential impacts as compared to those identified in the November 2016 IS/NOP.

If you have any questions or concerns with the project, please contact Kevin Hadden at:

**Kevin Hadden**

Principal Staff Analyst | Orange County Sanitation District  
10844 Ellis Avenue | Fountain Valley, CA 92708  
[khadden@ocsd.com](mailto:khadden@ocsd.com) | 714.962.2411

Sincerely,

Carla Dillon  
Engineering Supervisor  
Orange County Sanitation District

**Attachments:** Regional Vicinity  
Previously Proposed Site Vicinity  
Currently Proposed Site Vicinity  
Conceptual Site Plan



\* - Project Site

NOT TO SCALE

Michael Baker  
INTERNATIONAL



02/17 | JN 143698

BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Regional Vicinity**



Source: Google Earth, 2017.

NOT TO SCALE



02/17 | JN 143698

BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Previously Proposed Site Vicinity**



Source: Google Earth, 2017.

NOT TO SCALE



02/17 | JN 143698

BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT  
**Currently Proposed Site Vicinity**





Source: Michael Baker International, *Technical Memorandum No. 1 Alternative 3 Evaluation: Supplement to the PASR*, November 22, 2016.

NOT TO SCALE



02/17 | JN 143698

BAY BRIDGE PUMP STATION AND FORCE MAINS REHABILITATION PROJECT

# Conceptual Site Plan

**From:** Rececca Robles [mailto:rebrobles1@gmail.com]  
**Sent:** Tuesday, March 21, 2017 7:45 PM  
**To:** Hadden, Kevin <KHADDEN@OCSD.COM>  
**Cc:** Alfred Junior Cruz <elcross@sbcglobal.net>  
**Subject:** Newport Beach modifications to Bay Bridge Pump Station

March 21, 2017

Kevin Hadden

Principal Staff Analyst

Orange County Sanitation District

Re: Bay Bridge Pump Station and Force Mains Rehabilitation Project

Thank you for the opportunity to comment on the modifications to the above mentioned project. Our comments remain the same as our letter of July 12, 2016. Although we do not know of any specific archaeological sites within the proposed project area, we consider coastal Newport Beach to be culturally sensitive and are concerned that any ground disturbing activity may have the potential to impact buried archaeological resources. Therefore, we recommend that a literature and records search be conducted at the South Central Coastal Information center and that, if the Area of Potential Effect (APE) has not been excavated to bedrock in the past, monitoring during ground disturbing construction should be conducted by a qualified archaeologist and Native American.

We request that you continue to keep us informed about the Project. We look forward to the results of archaeological and cultural investigations and to further participation in the environmental review process. To that end, we reserve our right to comment further in the future.

Sincerely,