

# **Appendix A**

## **Notice of Preparation/NOP Comments**

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# NOTICE OF PREPARATION AND PUBLIC SCOPING MEETING NOTICE

**DATE:** October 29, 2003  
**SUBJECT:** Notice of Intent to Prepare Draft Environmental Impact Report # 591



**Project Title:** Dana Point Harbor Revitalization Project  
**Applicant:** County of Orange – Public Facilities and Resources Department / Harbors, Beaches and Parks  
**Address:** 300 North Flower Street, Santa Ana, California 92703  
**CEQA Contact:** Jerry Mitchell **Phone:** (714) 834-5389

The Orange County Planning and Development Services Department (County) has determined that an Environmental Impact Report (EIR) is necessary for the Dana Point Harbor Revitalization Project (the "Project") in the City of Dana Point. The County is the lead agency for the project and will prepare the EIR under the terms and requirements of the California Environmental Quality Act (CEQA) and the implementing Guidelines of the California Environmental Quality Act ("Guidelines"). The County is working closely with the City of Dana Point consistent with the City's status as a "Responsible Agency" under CEQA.

In order for the concerns of your agency to be incorporated into the Draft EIR, we need to know the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities in connection with the proposed project. The project description, location, and an analysis indicating the probable environmental effects of the proposed action are contained in the attached materials.

The purpose of this notice is: (1) to serve as the Notice of Preparation to potential Responsible Agencies, federal agencies involved in funding or approving the project, and Trustee Agencies responsible for natural resources affected by the project, pursuant to Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues, from interested parties other than those noted above, including interested or affected members of the public. The County requests that any potential Responsible or Trustee Agency responding to this notice respond in a manner consistent with Guidelines Section 15082(b).

All parties that have submitted their names and mailing addresses will be notified as part of the current project's CEQA review process. If you wish to be placed on the mailing list or have any questions or need additional information, please contact the person identified below.

Pursuant to CEQA Statutes Section 21080.4 and Guidelines Section 15082(b), Responsible Agencies must submit any comments in response to this notice not later than **30 days after receipt**. The County will accept comments from these Agencies and others regarding this notice through the close of business on **December 1, 2003**.

**All comments or other responses to this notice must be submitted in writing to:**

**COUNTY OF ORANGE**  
Planning and Development Services Department  
Environmental Planning Services Division  
300 North Flower Street  
Santa Ana, California 92703  
**ATTENTION:** Jerry Mitchell

Submitted by:

A handwritten signature in black ink, appearing to read "Ronald L. Tippetts", is written over a horizontal line.

Ronald L. Tippetts, Chief  
Environmental Planning Services Division  
Public Projects



## **PUBLIC SCOPING MEETING**

A scoping meeting will be held on November 6, 2003, including a brief Project overview and discussion of environmental issue areas. Two sessions will be conducted: one meeting will be held in the afternoon from 2:00 p.m. to 4:00 p.m., and the other will be held in the evening from 6:00 p.m. to 8:00p.m. The meeting will be held at the Dana Point Youth And Group Facility, 34451 Ensenada Place, Dana Point, CA 92629. Any interested parties may attend to gain a better understanding of the Project and to identify environmental issues of concern.



## **I. ENVIRONMENTAL REVIEW PROCESS**

The County of Orange has determined that a Project Environmental Impact Report (EIR) for the proposed Dana Point Harbor Revitalization Project (hereafter also referred to as the "Project") is required in compliance with the California Environmental Quality Act (CEQA). The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as to address the actual construction of improvements in the landside areas.

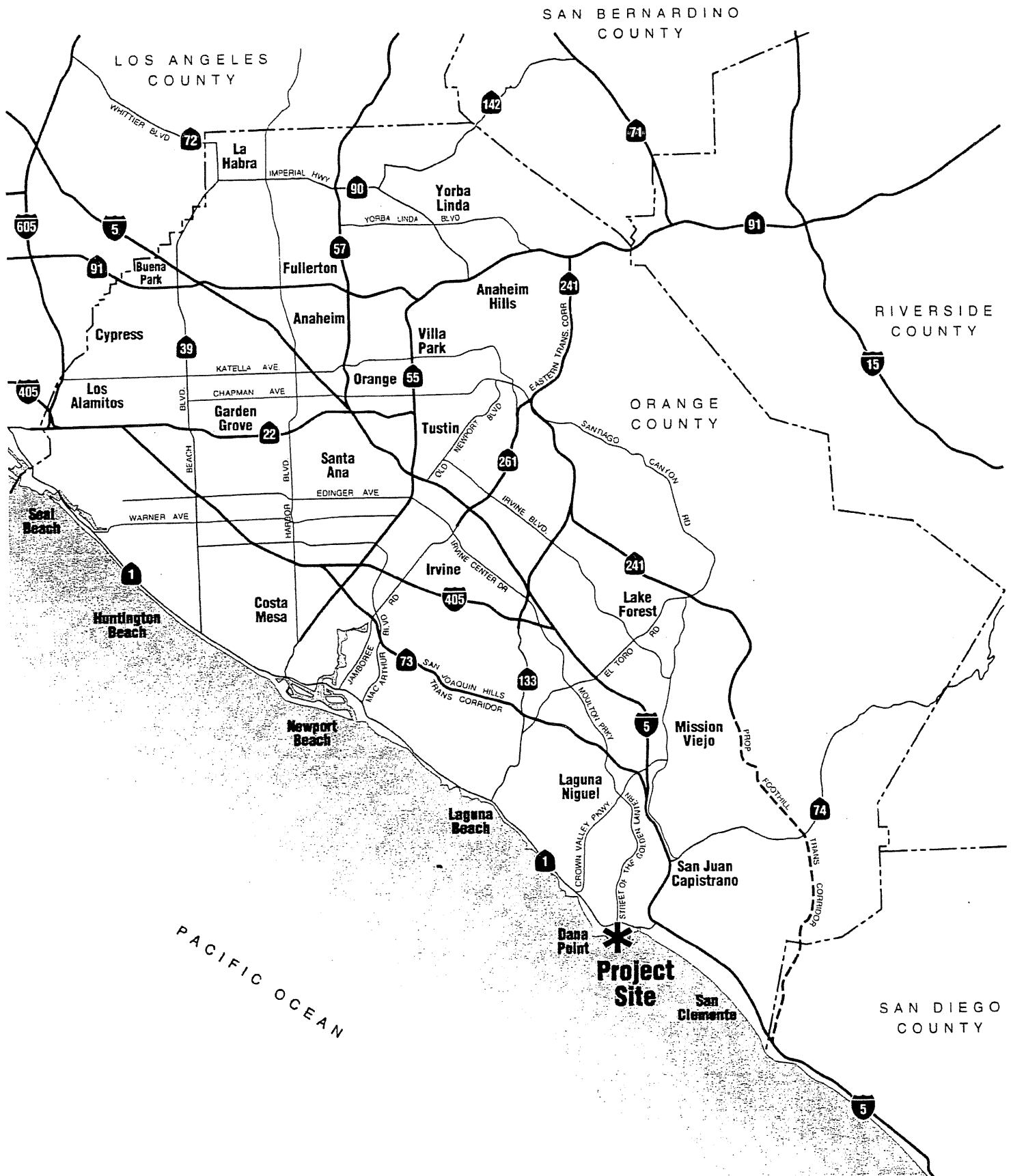
As part of a thorough process to obtain public input on the proposed Harbor Revitalization, public open houses were held in October 2002, March and September 2003. The County has also worked closely with City of Dana Point elected officials, City staff and key Harbor stakeholder groups to review progressive design refinements and define the scope of environmental technical studies to be used as part of the environmental analysis for the Harbor Revitalization Project.

The County has now prepared this Notice of Preparation (NOP) which is subject to a 30-day public review period, during which a formal Public Scoping Meeting will be held. Following receipt of NOP comments from interested parties and upon completion of environmental technical studies, the County will circulate a Draft EIR for a 45-day public review period. With receipt of written comments on the Draft EIR, the County will prepare Responses to Comments. The County Planning Commission and Board of Supervisors will then consider the Final Project EIR as part of the decision-making process. Should the County Board of Supervisors certify the Final Project EIR as adequate under CEQA and approve the Project, the Final Project EIR and project documentation would then be considered by the City of Dana Point, California Coastal Commission, in addition to other Responsible or Trustee agencies as part of their respective permit/approval processes.

## **II. PROJECT LOCATION AND SETTING**

Dana Point Harbor is a County owned and operated facility located in the southern portion of the City of Dana Point (see Exhibit 1, *Regional Vicinity* and Exhibit 2, *Site Vicinity*). The City of Dana Point lies in the southwest portion of Orange County and is part of the larger Southern California region. Dana Point is a coastal city with a coastline extending almost seven miles from Laguna Beach in the north to San Clemente in the south. The 278-acre Dana Point Harbor can be accessed by vehicles via Dana Point Harbor Drive, which can be reached primarily via Pacific Coast Highway or Street of the Golden Lantern. The Harbor is bordered by the Pacific Ocean to the south, Dana Headlands and Dana Point Marine Life Refuge to the west, Doheny State Beach to the east and a variety of commercial, hotel, residential and park uses to the north. The Interstate-5 freeway is located approximately two miles to the east and provides regional access to the Harbor.



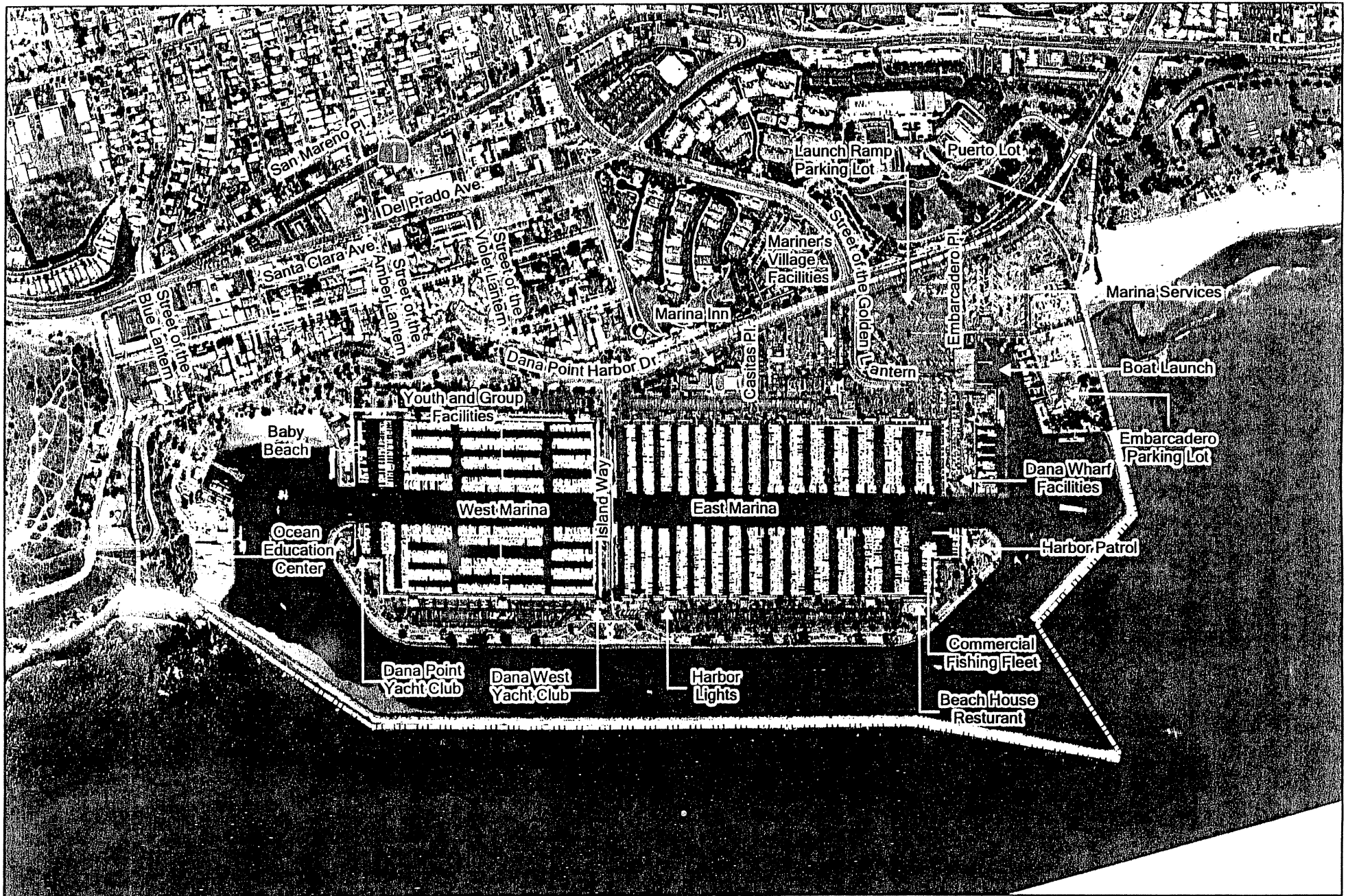


DANA POINT HARBOR REVITALIZATION PROJECT  
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## Regional Vicinity Map

Exhibit 1





Data Source: Parcels provided Orange County data on March 2003  
Aerial Photography Provided by Eagle Aerial Imaging



0 300 600 Feet

Harbor Boundary  
Commercial Core

DANA POINT HARBOR REVITALIZATION PROJECT  
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Site Vicinity Map

4/15/03 10-102529

EXHIBIT 2



### **III. PROJECT BACKGROUND**

Dana Point Harbor, which opened in 1971, is comprised of approximately 278 acres and has established itself as one of the premiere small boat Harbors on the west coast, with a diverse range of recreational and commercial amenities<sup>1</sup>. The marina is made up of some 2,550 boat slips and includes a variety of recreational, sporting and commercial boating amenities. Other prominent land uses include Dana Wharf, Mariner's Village, the Marina Inn (a 136-room hotel), numerous restaurants, small retail and gift shops, the Ocean Education Center, Baby Beach and the County-operated Youth and Group Facility (see Exhibit 3, *Site Photographs*).

Despite an on-going maintenance program, many of the Harbor's facilities have aged and deteriorated over time and heavy use. Additionally, the current configuration of the Harbor buildings provides limited orientation to the water and pedestrian areas and public gathering places are limited both in terms of number and size.

As part of the County's proposal for revitalization of the Dana Point Harbor, a wide range of interrelated design, environmental and regulatory elements will need to be addressed to ensure the viability and functionality of the Harbor for many years to come. These elements can be categorized into three distinct groups: (1) jurisdictional; (2) landside harbor facility improvements; and (3) seaside, marina improvements. The documentation currently being prepared by the County and City of Dana Point describes both the physical and regulatory enhancements for the entire Harbor area, focusing on the regulatory and landside area components. Detailed plans and information for the marina-area improvements (including replacement and/or reconfiguration of the boat slips) will be considered as part of a separate planning and construction-related review and approval process by the California Coastal Commission as funding becomes available.

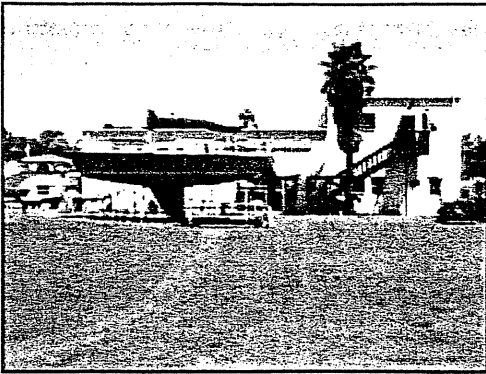
The identification of design goals and priorities for the revitalization of the Harbor has evolved over the last seven years with work completed as part of the following two principal planning efforts.

#### **Draft Harbor Concept Plan**

The County of Orange Public Facilities and Resources Department (PFRD) began the master planning process by concentrating on the Harbor's landside improvements in 1997 with the creation of a 23-member Task Force. The Dana Point Harbor Task Force was comprised of representatives from the County, City of Dana Point, local residents, merchants, boaters and other key Harbor users. Led by Orange County Supervisor Thomas Wilson, the 1997/1998 Task Force process resulted in the creation of the Dana Point Harbor Draft Concept Plan. The Plan emphasized a number of major design objectives for the long-range planning and implementation of Harbor improvements, including:

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<sup>1</sup> Additional Dana Point Harbor historical references may be found at [www.danapointharbor.com](http://www.danapointharbor.com) and in "Dana Point Harbor – Capistrano Bay: Home Port for Romance" (Doris Walker, 1995).



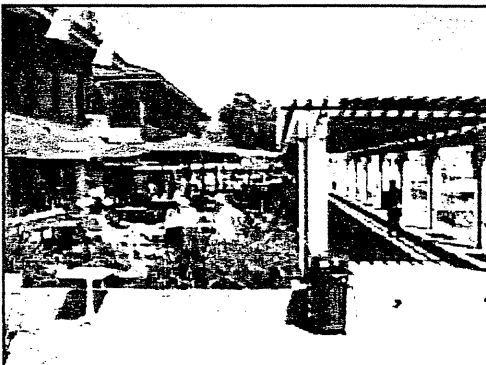
Boat Yard

Harbor Patrol Office



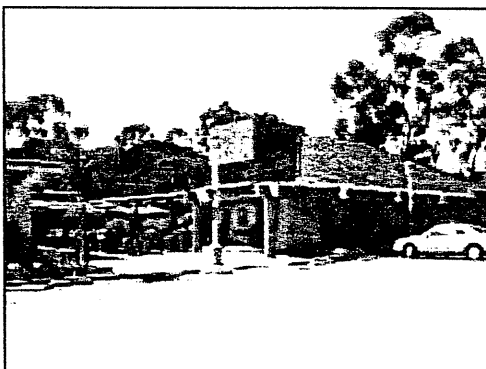
Dana Wharf Facilities

Youth & Group Facility



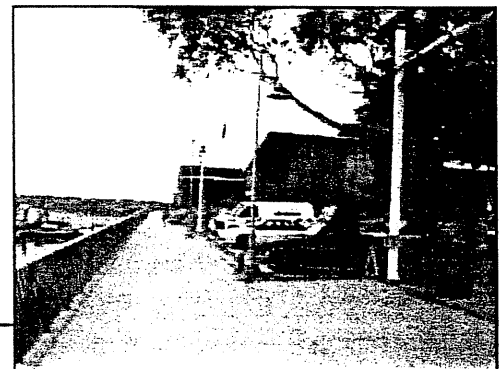
Existing Promenade

Baby Beach



Mariner's Village

Ocean Education Center



DANA POINT HARBOR REVITALIZATION PROJECT  
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## Site Photographs

Exhibit 3



1. Keep the Harbor's present character and family atmosphere;
2. Harbor structures need a facelift/renovation;
3. Maintain a full-service Harbor facility;
4. Do not commercialize "the island";
5. Ensure future of Yacht Clubs;
6. Improve water quality;
7. Promote better utilization of existing parking areas;
8. Address the overall mix of land uses;
9. Provide more parking in the commercial area;
10. Retain existing parkland, beach and landscaping areas;
11. Promote a balance of revenue and non-revenue land uses; and
12. Address the need for restrooms/showers near the docks.

### **Dana Point Harbor Commercial Core Concept Plan**

Recognizing the emphasis placed on the Commercial Core area (comprised of the northeastern portion of the Harbor, generally between Puerto Place and Island Way) by the City of Dana Point and Task Force members, the Orange County Board of Supervisors commissioned a team of design professionals and engineers to address the needs of this very important area. Refining the information contained in the Harbor Concept Plan with on-going input from agency representatives and stakeholder groups, the product of this effort was the Commercial Core Concept Plan completed in April 2003. As part of this plan, specific recommendations were included to clarify site planning principles, building architecture, parking, landscaping, signage, bulkhead, grading, utilities and roadways to be used as a basis for the creation of future detailed design and construction plans.

One of the key components of the Commercial Core Concept Plan is the creation of a major open space corridor as people enter the Harbor from the Street of the Golden Lantern. The design envisioned the clustering of new one and two-story commercial buildings, flanking both sides of a "Festival Plaza" that opens onto the waters edge. Included as part of the architectural design are second level terraces, providing unobstructed views of the Harbor and the open ocean beyond. A broad promenade along the bulkhead also serves to create pedestrian connections between the commercial businesses, dock areas and recreational amenities throughout the Harbor.

To reduce current parking shortages, two level parking decks were proposed north of the proposed new commercial buildings and on either side of the main entrance roadway that extends from Street of the Golden Lantern, taking direct access from Dana Point Harbor Drive to the upper level of parking. A direct benefit of this design is the direct pedestrian connections created between the upper parking deck level and the retail businesses.

The Commercial Core Concept Plan also included the addition of a dry stacked boat storage facility in the northern corner of the Commercial Core area, near the intersection of Puerto Place and Dana Harbor Drive, and reconfiguration of existing surface parking areas to maintain existing levels of surface boat and vehicle storage.



## **IV. PROJECT DESCRIPTION**

Based on the planning principles and design concepts that evolved from the 1998 Draft Concept Plan and 2002 Commercial Core Concept Plan process, the County of Orange is preparing to proceed with implementation of substantial portions of improvements to the landside areas of the Harbor (see Exhibit 4, *Harbor Revitalization Plan*).

The Commercial Core contains the majority of day-use commercial, restaurant and marine service amenities located in the Harbor. The plans provide for the replacement and/or remodeling of all existing retail and restaurant buildings and the construction of an additional 25,000 square feet of retail uses, reconfiguration of all existing surface parking areas to provide a total of 1,452 parking spaces (including construction of one parking deck), new boater loading and drop-off areas, approximately 800 dry stack boat storage spaces and improvements to boater service and public restroom buildings. The Harbor Revitalization Plan also provides for the relocation of yacht brokerage and other harbor-related office uses to the Commercial Core area and reserves opportunities for the future expansion and/or reconstruction of the Dana Point Marina Inn (to include up to 150 guest rooms, lobby, conference/meeting and hospitality function spaces).

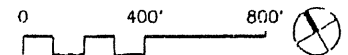
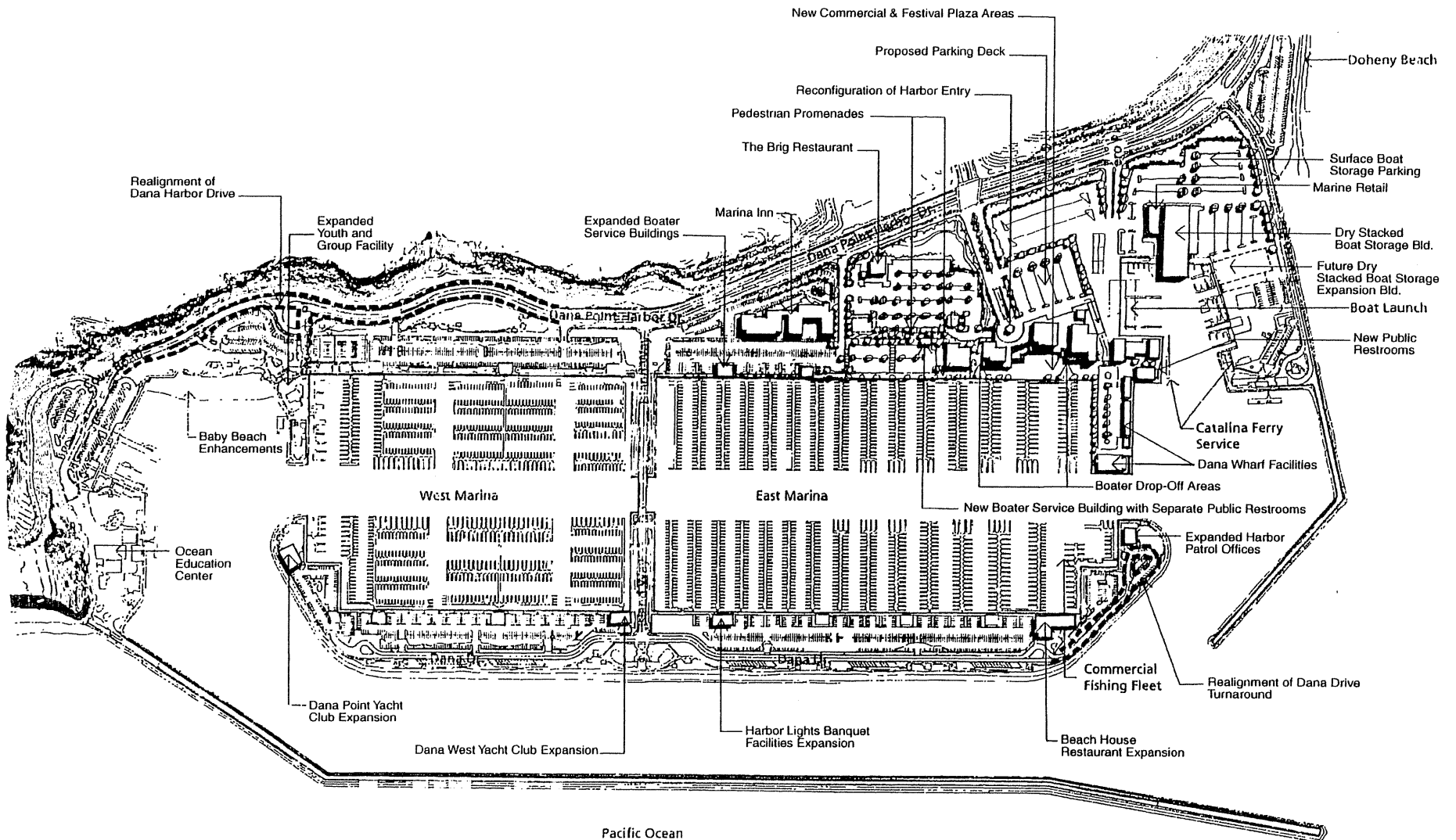
The design of the Commercial Core area emphasizes a pedestrian-oriented environment designed to take full advantage of the Harbor's unique setting and promote better access to parking, retail businesses and boater facilities. Two critical components of the Revitalization Plan improvements are the creation of a centralized Festival Plaza and Pedestrian Promenades along the waterfront. The Festival Plaza, to be comprised of landscaping, specialized pavement and seating will be located at the southern terminus of the Street of the Golden Lantern. Consistent with the design goals of the Harbor Task Force, the Festival Plaza adds a significant central gathering space for Harbor-wide events and outdoor entertainment surrounded by Harbor merchants and restaurateurs.

The other central component to providing a strong pedestrian-orientation for the Harbor is the creation of Pedestrian Promenades that serve to link the land uses located throughout the Commercial Core area. As envisioned in the Harbor Revitalization Plan, a continuous Pedestrian Promenade (varying in width from 15 to 50-feet as measured from the Harbor bulkhead) will be created between Island Way and the businesses located on Dana Wharf. To provide a safer and more convenient connection between the Marina Inn, visitor and boater parking areas and the businesses located in the Commercial Core, a second Pedestrian Promenade will be created as part of a new linear park.

The vehicular circulation system throughout the Commercial Core will be significantly enhanced by providing dedicated parking areas to serve the merchants, restaurants, surface boat storage and boater needs. Additionally, to assist boaters with loading and unloading of supplies and guests, several short-stay boater drop off areas will be provided in close proximity to the marina's edge.

Under a separate Coastal Development Permit to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the marina docks and seawall, to relocate guest boater slips closer to the Commercial Core and to construct a dinghy dock area adjacent to Dana Wharf.





Dana Point Harbor Revitalization Project • Notice of Preparation

# Harbor Revitalization Plan

Project Dimensions, Inc.  
September 2003

Exhibit 4



Outside the Commercial Core area, the Dana Point Harbor Revitalization Plan provides for a number of improvements. In the island area, plans include the renovation and/or expansion of the Dana Point and Dana West Yacht Clubs, Beach House Restaurant and Harbor Lights Banquet facilities and modifications to the Harbor Patrol Offices to provide additional meeting rooms or staff office space. At the time a Coastal Development Permit is prepared for these projects, detailed engineering and design studies will also include specific specifications for any refinements to the existing parking lot and roadway configurations to facilitate improved vehicular/pedestrian circulation and increase parking opportunities.

In the northern portion of the Harbor, from Island Way to the bluffs behind the Ocean Education Center, improvements to provide greater access to the educational and recreational amenities of the Harbor are proposed. The Dana Point Harbor Revitalization Plan provides for the expansion of the Youth and Group Facility to include additional meeting space, public restrooms and renovation of the Baby Beach area. Vehicular and pedestrian circulation improvements in this area include the removal of the existing turnaround at Ensenada Place and realignment of Dana Point Harbor Drive to promote better access by large vehicles and buses, in addition to the reconfiguration of pedestrian walkways, parking areas and parks.

In support of the improvements being made as part of the Project, the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, electrical, telephone, cable, etc.) are included as part of the Project. All new utility systems will be designed, located and sized according to current regulatory and utility service provider standards.

### **Construction Parking Management Plan**

In order to minimize the disruption of the Harbor facilities for marina users and visitors during construction operations that displaces surface parking areas, the County plans to implement a Construction Parking Management Plan. As part of the proposed plan to be included in the EIR, a combination of on- and off-site parking areas will be used for the temporary storage of boats, vehicles and employee parking. Provisions to provide Harbor visitors and guest parking at several off-site locations with regularly scheduled shuttle transportation during periods of peak Harbor usage is also proposed.

Two potential off-site parking locations are presently under consideration (see Exhibit 5, Off-Site Parking Locations). The Selva Lot is owned and operated by the County of Orange and is located near the southerly end of Selva Road, approximately 1½ miles to the west of Dana Point Harbor. The County is also presently negotiating with the South Coast Water Management District to use property located generally north of Pacific Coast Highway and east of San Juan Creek for long-term boat storage and vehicle parking during construction.

The goal of the Construction Parking Management Plan is to provide adequate parking facilities, both for boats and vehicles to off-set any loss of parking in the Harbor due to construction.



Data Source: Parcels provided Orange County data on March 2003  
Aerial Photography By Eagle Aerial Flown June 2002



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DANA POINT HARBOR REVITALIZATION PROJECT  
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## Off-Site Parking Areas

EXHIBIT 5



## **V. PROJECT APPROVALS AND PERMITS**

The actions to revitalize the Dana Point Harbor (the "Project") to be addressed in the Project EIR include all discretionary and ministerial permits/approvals, construction staging and related demolition and construction activities for on-going maintenance and operation of the Harbor. The County of Orange, as Lead Agency is proposing the following Project design elements and regulatory procedures for implementation of the Harbor improvements.

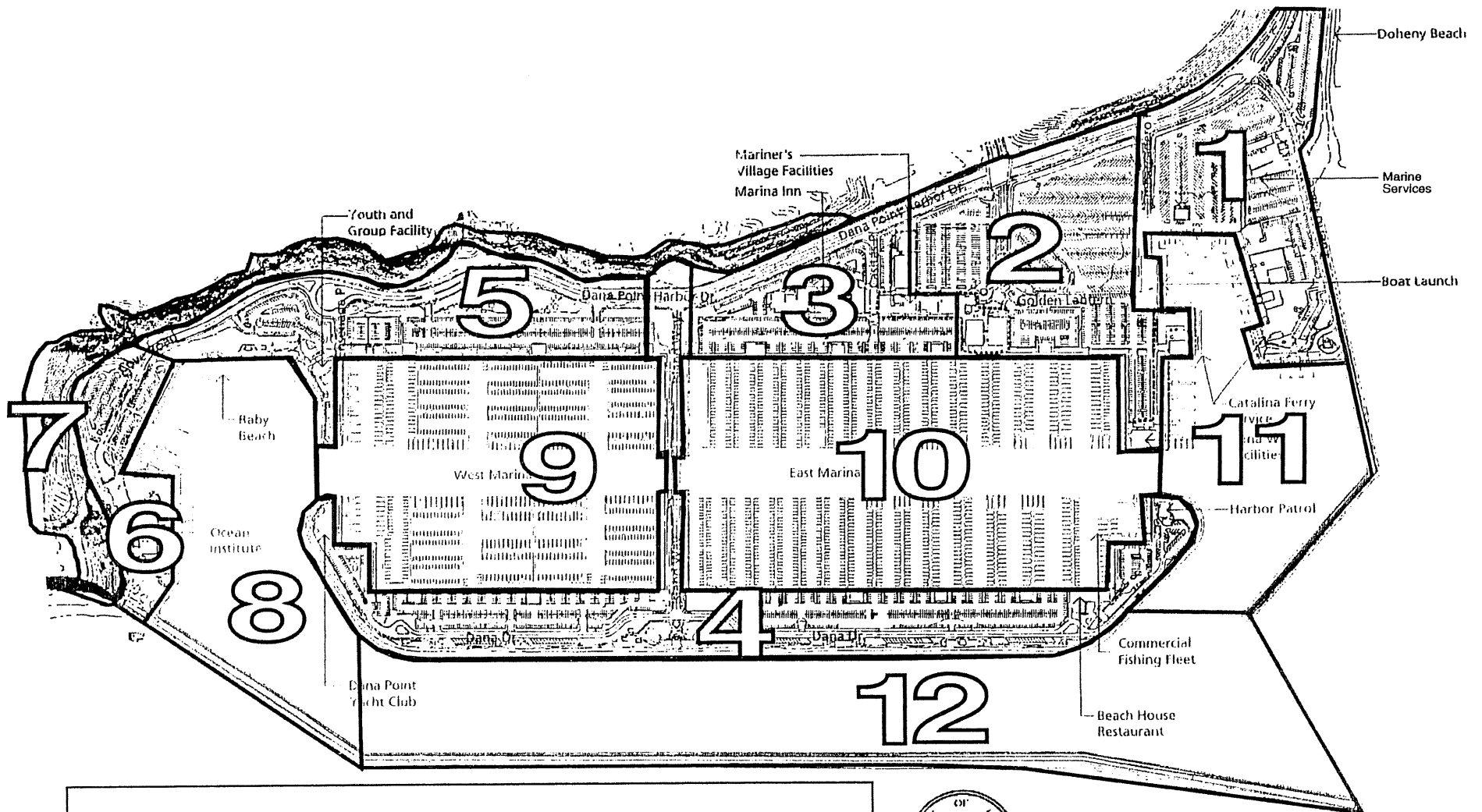
**Dana Point Harbor Planned Community Program Amendment** – The Planned Community (PC) Program document, adopted for the Dana Point Harbor on July 22, 1969 by the Orange County Board of Supervisors, provides the authority, regulations and procedures for administration of land uses in the Harbor.

The proposed Planned Community Program Amendment revises land uses within the Harbor Planning Areas (see Exhibit 6, *Planned Community Development Plan*) and provides development standards, design requirements and resource conservation programs that implement the California Coastal Act policies and regulations. The document also identifies the general location and types of land uses that are permitted and is structured to provide the appropriate level of site planning and design direction to allow for the orderly implementation and continuing maintenance of the Harbor for many years to come. The PC Program Amendment and updated legal description for the entire Harbor also serves, in part, as the basis for the requisite General Plan Amendment, Zone Change, Local Coastal Program Amendment and Tentative Tract Map to be prepared and processed by the City of Dana Point, legally defining the present day boundaries of the Harbor.

Table 1, *Dana Point Harbor Land Use Summary*, provides a summary of land uses and gross acreages for each of the Dana Point Harbor Planning Areas.

**Table 1  
DANA POINT HARBOR  
LAND USE SUMMARY TABLE**

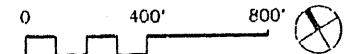
<b>Land Use</b>	<b>Planning Areas</b>	<b>Gross Acres</b>
Marine Services	1	18.4
Day-Use / Tourist Commercial	2, 3	32.8
Marine Commercial	4	25.9
Day-Use / Recreation	5, 6	24.5
Bluff / Open Space Conservation	7	2.7
Marina	8, 9, 10, 11, 12	173.8
<b>Total:</b>		<b>278.0</b>



PLANNING AREAS	LAND USES	MARINA USES
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1	Marine Services	7	Conservation
2	Day-Use Commercial	8	Educational Basin
3	Visitor-Serving	9	Western Marina
4	Marine Commercial	10	Eastern Marina
5	Day-Use Recreation	11	Marina Services
6	Education / Institutional	12	Harbor Entrance

□ = Within the jurisdiction of the California Coastal Commission



Dana Point Harbor Revitalization Project • Notice of Preparation

# Planned Community Development Plan

Project Dimensions, Inc  
September 2003

Exhibit 6



Key Planning Area features of the PC Program Amendment include:

- *Marine Services (Planning Area 1)* – Provides regulations and site development standards for the reconfiguration of all boat storage areas to include dry stack facilities and at grade boat storage, relocation of marine service uses, addition of marine-related retail, parking and boater service facilities, including restrooms and upgraded vehicle circulation system.
- *Commercial Core (Planning Areas 2 and 3)* – Provides day-use and visitor-serving commercial land use regulations and site development standards for the creation of a Festival Plaza, additional auto parking (including a parking deck), replacement and/or remodeling of all commercial buildings, the addition of approximately 25,000 square feet of retail space, enhanced boater parking adjacent to the marina, improved Embarcadero operations, potential future reconstruction/expansion of the Marina Inn and improved pedestrian access and circulation.
- *Island (Planning Area 4)* – Provides marine commercial land use regulations and site development standards for the enhancement of vehicular and pedestrian circulation, public and boater parking, expansion of Harbor Patrol, Yacht Club and banquet buildings, enhanced park areas, bridge improvements and creation of new outdoor gathering and overlook spaces.
- *Education/Recreation (Planning Areas 5 and 6)* – Provides day-use recreation land use and development standards for the expansion of the Youth & Group Facility, realignment of Dana Harbor Drive to facilitate bus access, renovation of the landside portions of Baby Beach, the reconfiguration of streets, existing parking and active recreation areas.
- *Bluff / Open Space Conservation (Planning Area 7)* – Creates a separate land use district for the purpose of establishing regulations for the preservation of the coastal bluff-face areas as an important coastal resource.
- *Educational Basin (Planning Area 8)* – Provides a regulatory framework for the future reconfiguration of the large boat docks adjacent to the Ocean Education Center, Federal anchorage and renovation of the marine portions of Baby Beach.
- *Marinas (Planning Areas 9 and 10)* – Provides a regulatory framework for the future reconfiguration and/or reconstruction of marina docks and seawall, relocation of guest boater slips closer to the Commercial Core and construction of a dinghy dock area adjacent to Dana Wharf.
- *Channel Areas (Planning Areas 11 and 12)* – Provides a regulatory framework for the future relocation of Bait and Fuel docks, and provision of seasonal water taxis.

In addition to providing specific development policies and regulatory standards for the Dana Point Harbor, the Planned Community Program Amendment document will serve as the basis for establishing processing procedures, requirements and responsibilities for all projects to be constructed in the Harbor.





Following action by the County of Orange, the City of Dana Point will conduct its own public process to update the City's General Plan, Municipal Code and Local Coastal Program Amendment consistent with the detailed descriptions and regulations contained in the Planned Community Program Amendment document.

The Dana Point Specific Plan and Local Coastal Program (LCP) was prepared and originally approved by the County of Orange to address the limited inland and coastal areas (referred to as the Dana Point Segment of the South Coast Planning Unit) of the then unincorporated community of Dana Point. Upon incorporation, the City of Dana Point began the process of updating the General Plan and Municipal Code for the new City. As part of this process, the City also made modifications to the Specific Plan/LCP to obtain certification by the California Coastal Commission allowing the City to approve projects located in areas covered by the LCP. Because of the Harbor's uniqueness, being owned and operated by the County of Orange and being covered as part of an existing certified LCP, the City of Dana Point has chosen not to modify the regulations adopted over 30-years ago for the Harbor. Adoption of the Dana Point Harbor Revitalization Plan and the amended Dana Point Harbor Planned Community Program will therefore require LCP Amendment certification by the California Coastal Commission as part of the Project approval process.

A Master Tentative Tract Map will also be prepared for approval to satisfy the requirements of the California Subdivision Map Act, by legally describing the boundaries of the Harbor and defining individual parcels for leasing and/or maintenance purposes.

## **VI. TOPICS TO BE ANALYZED IN THE EIR**

The topics to be analyzed in the EIR are described below and have been based, in part, on previous planning studies prepared to evaluate the proposed Dana Point Harbor Revitalization Plan implementation. The Project EIR will address potentially significant impacts based on written responses to this Notice of Preparation, public scoping meeting comments, consultation with potentially affected responsible agencies and research conducted throughout the EIR process.

### **Aesthetics**

The EIR will describe the visual and aesthetic setting using photographs of the existing conditions showing the Harbor and surrounding area. The EIR will describe the proposed change in views, both from on- and off-site vantage points and evaluate the impact of the proposed changes. Potential lighting impacts will also be addressed in the EIR.

### **Air Quality**

The EIR analysis will include the following components: assessment of the baseline air quality in the area, as documented by nearby air monitoring stations; assessment of traffic and construction impacts; and assessment of operational impacts, consistent with the South Coast Air Quality Management District (SCAQMD) guidelines.

### **Cultural and Paleontological Resources**

Although the Harbor is currently developed, grading and excavation activities required to implement revitalization plans may have the potential to disturb unknown archeological and paleontological resources. Experts in archaeology and paleontology will report on known



historical and scientific significance of the site, taking special note of any historical resources or landmarks that have been identified in the Harbor. Analysis of project impacts to cultural or scientific resources will be included in the Cultural Resources Section of the EIR.

### **Geology and Soils**

The Project site is located in an area that is subject to seismic activity from regional faults. It is also an area that has a high potential for localized liquefaction of sandy soils in existing fill during a major earthquake event and is in an area designated by the State of California as a "Defined Liquefaction Hazard Zone". Project implementation would result in a change of the existing topography as a result of the proposed grading and cut/fill required for Project construction. Impacts from Project construction would result in potential soil erosion when soils are exposed during construction and also as a result of wind and water. These issues will be addressed further in the EIR with recommended mitigation measures, if necessary.

### **Hydrology and Water Quality**

The EIR will analyze whether the Project would increase pollutant loadings in drainages from the Project site. Typical storm water pollutants that may be anticipated from the proposed Project include trash, debris, sediment, pesticides, oil and grease. In addition, revitalization of the Project site would involve the replacement and/or construction of impervious surfaces, which could lead to a decrease in ground absorption on-site, an increase in the quantity of surface water and possible changes to existing drainage patterns.

The Project site's location adjacent to the Pacific Ocean makes it susceptible to Coastal Flooding. According to the maps prepared by the Federal Emergency Management Agency (FEMA) all beachfront properties are in the coastal high hazard zone. These areas are subject to damage from seismic sea waves (tsunamis) and storm waves. Further analysis regarding how Project implementation would impact the water quality within the Harbor and impacts associated with flood hazards will be included in the EIR with recommended mitigation measures, if necessary.

The EIR will address water quality impacts including storm water runoff generated by the uses located throughout the Harbor. The proposed Dana Point Harbor Revitalization Plans will also include several Best Management Practices (BMPs) to reduce the amount and water quality of runoff from the Harbor. These will be assessed to determine their effectiveness in controlling impacts to water quality in the Harbor.

### **Land Use**

The proposed Project's compatibility with the existing and planned surrounding land uses will be analyzed in the EIR, including compatibility with adjacent residential, commercial and recreation areas in the City of Dana Point. It is anticipated that the proposed Project will require amendments to the existing Dana Point Harbor Planned Community Program, as well as the City of Dana Point General Plan, Municipal Zoning Code and Local Coastal Program as part of the Project approval process. The Project's potential adverse impacts to adjacent land uses will also be evaluated through an analysis of short-term construction operations and long-term operation of the land uses throughout the Harbor.



## **Noise**

The EIR analysis will include an assessment of the baseline noise levels in the Harbor and an assessment of the impact of traffic and operation noise generated by the land uses in the Harbor and compliance with applicable noise regulations. The EIR will also evaluate the potential effect of construction-related noise on land uses in and surrounding the Harbor.

## **Public Services and Utilities**

The EIR will evaluate the location of infrastructure and public services and the capacity of these services and/or infrastructure to serve the existing and proposed land uses in the Harbor. Potential impacts to fire safety, police and emergency services will also be addressed in the EIR.

## **Recreation**

The proposed Project will include the renovation of existing recreational facilities, reconfiguration of parking, park and picnic areas. The effect on Harbor recreational resources and operations will be assessed in the EIR.

## **Terrestrial and Marine Biological Resources**

The analysis in the EIR will address project impacts to on-site habitat areas, including existing coastal bluff vegetation, wildlife and shorebird species, in addition to potential project impacts to the Marine Life Refuges. The Project may also result in impacts to local and regional resource management plans and to adjacent sensitive habitats due to the increased presence of human activity in the Harbor. Analysis of potential impacts to biological resources will be included in the EIR, and if necessary, mitigation measures recommended.

## **Transportation / Traffic / Parking**

An analysis of the potential transportation, traffic and parking impacts associated with the Project will be included in the EIR. This evaluation will include documentation of existing conditions, analysis of the impact of both vehicular and pedestrian circulation in and surrounding the Harbor, analysis of access and parking issues and growth related impacts associated with proposed new development in the Harbor.

## **Additional Environmental Topics**

The EIR will also address several other CEQA-mandated topics, including an analysis of anticipated Cumulative and Growth-Inducing Impacts, Alternatives and other required topics.



## **VII. RESPONSIBLE AND TRUSTEE AGENCIES**

According to Section 15050 and 15367 of the State CEQA Guidelines, the County of Orange is designated the Lead Agency for the proposed project. Responsible Agencies are those agencies that have discretionary approval authority over one or more project components or mitigation measures. Trustee Agencies are State Agencies having discretionary approval or jurisdiction by law over natural resources affected by a proposed project that are held in trust of the people of the State of California. The full extent of the approvals required for the Project will be determined based on the findings of the technical analysis and CEQA review process for this EIR. The following are actions that are anticipated as being required for the Project:

<b>Permit / Approval</b>	<b>Agency</b>
<ul style="list-style-type: none"> <li>◆ Final EIR Certification / Project Approval</li> <li>◆ Planned Community Text Amendment               <ul style="list-style-type: none"> <li>- Harbor Revitalization Development Plan</li> </ul> </li> <li>◆ Tentative Tract Map</li> </ul>	County of Orange - Harbor Review Board - Planning Commission - Board of Supervisors
<ul style="list-style-type: none"> <li>◆ Final EIR Certification / Project Approval</li> <li>◆ General Plan Amendment</li> <li>◆ Zone Change</li> <li>◆ Local Coastal Plan Amendment</li> <li>◆ Tentative Tract Map</li> </ul>	City of Dana Point Planning Commission Dana Point City Council California Coastal Commission - State Lands Commission (consultation)
<ul style="list-style-type: none"> <li>◆ Coastal Development Permits</li> </ul>	City of Dana Point (landside) California Coastal Commission (seaside, marina)
<ul style="list-style-type: none"> <li>◆ Section 404 Permit               <ul style="list-style-type: none"> <li>- Dredge/Fill Activities (seawall, docks, launch ramp, marina)</li> </ul> </li> </ul>	U.S. Army Corps of Engineers - U.S. Fish and Wildlife Service (consultation) - National Marine Fisheries (consultation)
<ul style="list-style-type: none"> <li>◆ Section 10 Permit               <ul style="list-style-type: none"> <li>- Navigable waters (docks)</li> </ul> </li> </ul>	U.S. Army Corps of Engineers - U.S. Coast Guard (consultation)
<ul style="list-style-type: none"> <li>◆ Section 401 Certification               <ul style="list-style-type: none"> <li>- Construction/water quality</li> </ul> </li> </ul>	San Diego Regional Water Quality Control Board
<ul style="list-style-type: none"> <li>◆ Water Quality Management Plan</li> <li>◆ NPDES Permit Compliance</li> </ul>	San Diego Regional Water Quality Control Board
<ul style="list-style-type: none"> <li>◆ Dewatering Permit (WDR)</li> </ul>	California Regional Water Quality Control Board
<ul style="list-style-type: none"> <li>◆ Utility Relocations/Construction</li> </ul>	South Coast Water District
<ul style="list-style-type: none"> <li>◆ Encroachment Permits</li> </ul>	City of Dana Point
<ul style="list-style-type: none"> <li>◆ Construction Staging               <ul style="list-style-type: none"> <li>- San Juan Creek parcel</li> </ul> </li> </ul>	South Coast Water District
<ul style="list-style-type: none"> <li>◆ Improvement Plans (infrastructure)</li> <li>◆ Building Plans</li> <li>◆ Grading Permits</li> <li>◆ Certificates of Occupancy</li> <li>◆ Water Quality Management Plan</li> </ul>	County of Orange PFRD County of Orange PFRD County of Orange PFRD County of Orange PFRD County of Orange PFRD



## VIII. ENVIRONMENTAL REVIEW PROCEDURES

This Notice of Preparation (NOP) for the proposed Project will be submitted to the State Clearinghouse, Responsible Agencies, Trustee Agencies and other interested parties that will be included in approving or funding the Project or have specifically requested a copy of the NOP.

Following completion of the 30-day public review period and all comments received, the County of Orange will prepare an Environmental Impact Report in accordance with CEQA (Public Resources Code, Section 21000 et seq.) and the State Guidelines for Implementation of CEQA (California Code of Regulations, Section 15000 et seq.). The EIR will also be prepared to be consistent with County of Orange and City of Dana Point CEQA Implementation Procedures.

A Draft Program EIR will then be circulated for public review and comment for the required 45-day public review period. A Notice of Availability will be published in a newspaper of general circulation for review of the Draft Project EIR. The Draft Project EIR and related materials will be available for public review at the following locations:

1. County of Orange PFRD Offices, located at 1152 East Fruit Street, Building 1, Santa Ana, CA, 92701;
2. County of Orange PDSD – Environmental Planning Services Division Offices, located at 300 North Flower Street, Third Floor, Santa Ana, CA 92703;
3. Dana Point City Hall – Community Development Department, 33282 Golden Lantern, Dana Point, CA 92629
4. Dana Niguel Library  
33841 Niguel Road, Laguna Niguel, CA 92629
5. San Clemente Library  
242 Avenida Del Mar, San Clemente, CA 92672
6. San Juan Capistrano Regional Library  
31495 El Camino Real, San Juan Capistrano, CA 92675

Following receipt of all written comments on the Draft Project EIR, the County will prepare Responses to Comments as part of the Final EIR, which will be considered by the County of Orange Board of Supervisors. The County will provide notification of future public meetings for this project, to individuals that have requested to be included on the project interest list.

Prepared by:

  
Mr. Ronald L. Tippetts, Chief  
Environmental Planning Services Division  
Public Projects

10.27.03  
Date

**Notice of Preparation Noticing/Posting**



## AFFIDAVIT OF PUBLICATION

STATE OF CALIFORNIA, )  
 ) ss.  
County of Orange )

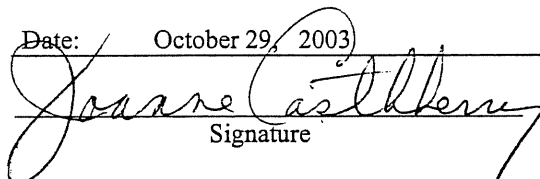
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **The Orange County Register**, a newspaper of general circulation, published in the city of Santa Ana, County of Orange, and which newspaper has been adjudged to be a newspaper of general circulation by the Superior Court of the County of Orange, State of California, under the date of November 19, 1905, Case No. A-21046, that the notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

October 29, 2003

"I certify (or declare) under the penalty of perjury under the laws of the State of California that the foregoing is true and correct":

Executed at Santa Ana, Orange County, California, on

Date: October 29, 2003

  
Signature

**The Orange County Register**  
625 N. Grand Ave.  
Santa Ana, CA 92701  
(714) 796-7000 ext. 3002

## PROOF OF PUBLICATION

This space is for the County Clerk's Filing Stamp

### PUBLIC NOTICE OF AVAILABILITY NOTICE OF PREPARATION

**PROJECT:** Dana Point Harbor Revitalization Project

**PROponent:** County of Orange, PFRD/Harbors, Beaches and Parks

**PROJECT LOCATION:** Dana Point Harbor is located in the southern portion of the City of Dana Point. The City of Dana Point lies in the southwest portion of Orange County and is part of the larger Southern California region.

**PROJECT DESCRIPTION:** The County has now prepared this Notice of Preparation (NOP), which is subject to a 30-day public review period, during which a formal Public Scoping Meeting will be held. Following receipt of NOP comments from interested parties and upon completion of environmental technical studies, the County will circulate a Draft EIR for a 45-day public review period.

The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as to address the actual construction of improvements in the landside areas throughout the Harbor. Under a separate Coastal Development Permits to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the marina docks and seawall, to relocate boater slips. In support of the improvements being made as part of the Project, the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, electrical, telephone, cable, etc.) are included as part of the Project. All new utility systems will be designed, located and sized according to current regulatory and utility service provider standards.

Approvals/permits being sought include: City of Dana Point General Plan Amendment, Zone Change, Planned Community Text Amendment, Local Coastal Plan Amendment, Tentative Tract Map, construction-related Coastal Development Permits and additional permits from Federal, State and Local agencies.

The purpose of this notice is: (1) to serve as the Notice of Preparation to potential Responsible Agencies, federal agencies involved in funding or approving the project, and Trustee Agencies responsible for natural resources affected by the project, pursuant to Section 15082 of the CEQA Guidelines; and (2) to advise and solicit comments and suggestions regarding the preparation of the EIR, environmental issues to be addressed in the EIR, and any related issues, from interested parties other than those noted above, including interested or affected members of the public. The County requests that any potential Responsible or Trustee Agency responding to this notice respond in a manner consistent with Guidelines Section 15082(b). The County will accept comments from these Responsible Agencies and others regarding this notice through the close of business on December 1, 2003.

**SCOPING MEETING:** A scoping meeting will be held on November 6, 2003, including a brief Project overview and discussion of environmental issue areas. Two sessions will be conducted: one meeting will be held in the afternoon from 2:00 p.m. to 4:00 p.m., and the other will be held in the evening from 6:00 p.m. to 8:00 p.m. The meeting will be held at the Dana Point Youth And Group Facility, 34451 Ensenada Place, Dana Point, CA 92629. Any interested parties may attend to gain a better understanding of the Project and to identify environmental issues of concern.

**REVIEWING LOCATIONS:** Copies of the Notice of Preparation are available at the following locations:

1. County of Orange PFRD Offices, located at 1152 East Fruit Street, Building 1, Santa Ana, CA, 92701;
2. County of Orange PSD - Environmental Planning Services Division Offices, located at 300 North Flower Street, Third Floor, Santa Ana, CA 92703;
3. Dana Point City Hall - Community Development Department, 33282 Golden Lantern, Dana Point, CA 92629
4. Dana Niguel Library - 33841 Niguel Road, Laguna Niguel, CA 92629
5. San Clemente Library - 242 Avenida Del Mar, San Clemente, CA 92672
6. San Juan Capistrano Regional Library - 31495 El Camino Real, San Juan Capistrano, CA 92675
7. Laguna Niguel Branch Library - 30341 Crown Valley Parkway, Laguna Niguel, Ca 92677

### FOR ADDITIONAL INFORMATION CONTACT:

**COUNTY OF ORANGE**  
**Planning and Development**  
**Services Department**  
**Environmental Planning Division**  
300 North Flower Street  
Santa Ana, CA 92703  
Attention: Jerry Mitchell  
(714) 834-5389

Publish: Orange County Register October 29, 2003  
R-2651 5944041

## NOTICE OF COMPLETION

Mail to: State Clearinghouse, 1400 Tenth Street, Sacramento, CA 95814 (916) 445-0613

See Note Below – SCH#

**Project Title:** Dana Point Harbor Revitalization Project

**Lead Agency:** County of Orange - PFRD

**Street Address:** 300 North Flower Street

**City:** Santa Ana

**Contact Person:** Jerry Mitchell

**Phone:** (714) 834-5389

**County:** Orange

### Project Location:

**County:** Orange      **City/Nearest Community:** Dana Point  
**Cross Streets:** Street of the Golden Lantern/Dana Point Harbor Dr.      **Zip Code:** 92629      **Total Acres:** 278.0  
**Assessor's Parcel No.:** Many      **Section:**      **Twp:**      **Range:**      **Base:**  
**Within** State Hwy. #: Hwy 1, I-5      **Waterways:** San Juan Creek  
**2 Miles:** Airports: NA      **Railways:** OCTA Metrolink      **Schools:** many

### Document Type: (Check one)

<input checked="" type="checkbox"/> <u>CEQA</u>			<input type="checkbox"/> <u>NEPA</u>		<input type="checkbox"/> <u>OTHER</u>
<input checked="" type="checkbox"/> NOP	<input type="checkbox"/> Supplement/Subsequent		<input type="checkbox"/> NOI	<input type="checkbox"/> Joint Document	
<input type="checkbox"/> Early Cons	<input type="checkbox"/> Prior EIR (SCH #)		<input type="checkbox"/> EA	<input type="checkbox"/> Final Document	
<input type="checkbox"/> Neg Dec	<input type="checkbox"/> Other:		<input type="checkbox"/> Draft EIS	<input type="checkbox"/> Other:	
<input type="checkbox"/> Draft EIR			<input type="checkbox"/> FONSI		

### Local Action Type: (Check all that apply)

<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input checked="" type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input checked="" type="checkbox"/> General Plan Amend.	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Unit Dev.	<input type="checkbox"/> Use Permit	<input checked="" type="checkbox"/> Coastal Permit
<input checked="" type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input checked="" type="checkbox"/> Land Division subdivision parcel, tract maps etc.)	<input type="checkbox"/> Other:

### Development Type: (Check all that apply)

<input type="checkbox"/> Residential	<i>Units/Sq Ft</i>	<i>Acres</i>	<i>Employees</i>	<input type="checkbox"/> Water Facilities	<i>Type</i>	<i>MGD</i>
<input type="checkbox"/> Office				<input type="checkbox"/> Transportation		
<input checked="" type="checkbox"/> Commercial	25,000			<input type="checkbox"/> Mining	Mineral:	
<input type="checkbox"/> Industrial				<input type="checkbox"/> Power		Watts
<input checked="" type="checkbox"/> Educational				<input type="checkbox"/> Waste Treatment		
<input checked="" type="checkbox"/> Recreational				<input type="checkbox"/> Hazardous Waste		
<input type="checkbox"/> Other				<input type="checkbox"/> Other:		

### Project Issues Discussed in Document: (Check all that apply)

<input checked="" type="checkbox"/> Aesthetics/Visual	<input checked="" type="checkbox"/> Flood Plain/Flooding	<input type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Quality
<input type="checkbox"/> Agricultural Land	<input type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Septic Systems	<input type="checkbox"/> Water Supply/Ground Water
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Geologic/Seismic	<input checked="" type="checkbox"/> Sewer Capacity	<input type="checkbox"/> Wetland/Riparian
<input checked="" type="checkbox"/> Archaeo/History	<input type="checkbox"/> Minerals	<input checked="" type="checkbox"/> Soil Erosion/Compaction	<input type="checkbox"/> Wildlife
<input checked="" type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Solid Waste	<input checked="" type="checkbox"/> Growth Inducing
<input checked="" type="checkbox"/> Drainage Absorption	<input checked="" type="checkbox"/> Population Housing Balance	<input checked="" type="checkbox"/> Toxic/Hazardous	<input checked="" type="checkbox"/> Land Use
<input type="checkbox"/> Economic/Jobs	<input checked="" type="checkbox"/> Public Services/Facilities	<input checked="" type="checkbox"/> Traffic/Circulation	<input checked="" type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Fiscal	<input checked="" type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Vegetation	<input type="checkbox"/> Other:

**Present Land Use/Zoning/General Plan Designation:** Harbor Marine Land/Harbor Marine Water/Vistor-Recreation Commercial

**Project Description:** The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as to address the actual construction of improvements in the landside areas throughout the Harbor. Under a separate Coastal Development Permits to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the marina docks and seawall, to relocate boater slips. In support of the improvements being made as part of the Project, the relocation and/or replacement of a number

# Reviewing Agencies Checklist

- ☒ Resources Agency
- ☒ Boating & Waterways
- ☒ **S** Coastal Commission
- ☒ Coastal Conservancy
- ☐ Colorado River Board
- ☐ Conservation
- ☒ **S** Fish & Game
- ☐ Forestry
- ☐ Office of Historic Preservation
- ☒ Parks & Recreation
- ☐ Reclamation
- ☐ S.F. Bay Conservation & Development Comm.
- ☐ Water Resources (DWR)
- Business, Transportation & Housing**
- ☐ Aeronautics
- ☐ California Highway Patrol
- ☒ **S** CALTRANS District #12
- ☐ Dept. of Transportation Planning (Hq)
- ☐ Housing & Community Development
- Food & Agriculture**
- Health & Welfare**
- ☐ Health Services
- State Consumer Services**
- ☐ General Services
- ☐ OLA (Schools)

## KEY

**S** = Document Sent by Lead Agency  
**X** = Suggested Distribution

## **Cal-EPA**

- ☐ Air Resources Board
- ☒ **S** APCD/AQMD
- ☐ California Waste Management Board
- ☐ SWRCB: Clean Water Grants
- ☐ SWRCB: Delta Unit
- ☐ SWRCB: Water Quality
- ☐ SWRCB: Water Rights
- ☒ **S** Regional WQCB # *SAN DIEGO*
- Youth & Adult Corrections**
- ☐ Corrections
- Independent Commissions & Offices**
- ☐ Energy Commission
- ☐ Native American Heritage Commission
- ☐ Public Utilities Commission
- ☐ Santa Monica Mountains Conservancy
- ☐ State Lands Commission
- ☐ Tahoe Regional Planning Agency
- ☐ Other:

## **Public Review Period** (to be filled in by lead agency)

### **Starting**

**Date:** October 29, 2003

### **Ending**

**Date:** December 1, 2003

### **Signature**

*[Handwritten Signature]*

### **Date:**

10.27.03

### **Lead Agency:** (Complete if applicable)

Consulting Firm: RBF Consulting  
 Address: 14725 Alton Parkway  
 City/State/Zip: Irvine, ca 92618  
 Contact: Kevin Thomas  
 Phone: 949-855-3659

### **For SCH Use Only:**

Date Received at SCH:  
 Date Review Starts:  
 Date to Agencies:  
 Date to SCH:  
**Clearance Date:**  
 Notes:

### **Applicant:** County of Orange - PFRD

Address: 300 North Flower Street  
 City/State/Zip: Santa Ana, Ca 92703  
 Contact: Jerry Mitchell  
 Phone: 714-834-5389

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Wednesday, November

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California

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## Dana Point Harbor Revitalization Project

**SCH Number:** 2003101142**Type:** NOP**Project Description**

The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and develop regulations in the Harbor as well as to address the actual construction of improvements in the landslide areas throughout the Harbor. Under sep Coastal Development Permits to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the m docks and seawall, to relocated boater slips. In support of the improvements being made as part of the project, the relocation and/or replaceme number of the wet and dry utility systems (water, sewer, electrical, telephone, cable, etc.) are included as part of the project. All new utility syste be designed, located and sized according to current regulatory and utility service provider standards.

**Project Lead Agency**

Orange County

**Contact Information****Primary Contact:**

Jerry Mitchell  
Orange County  
714.834.5389  
300 North Flower Street  
Santa Ana  
CA, 92703

**Project Location**

County: Orange  
City: Dana Point  
Region:  
Cross Streets: Golden Lantern Street / Dana Point Harbor Drive  
Parcel No: Many  
Township:  
Range:  
Section:  
Base:  
Other Location Info:

**Proximity To**

Highways: 1, I-5  
Airports:  
Railways: OCTA Metrolink  
Waterways: San Juan Creek  
Schools: Many  
Land Use: Harbor Marine Land/Harbor Marine Water/Visitor-Recreation Commercial

**Development Type****Local Action****Project Issues**

Aesthetic/Visual; Air Quality; Archaeologic-Historic; Coastal Zone; Cumulative Effects; Drainage/Absorption; Growth Inducing; Landuse; Noise;

Geologic/Seismic; Flood Plain/Flooding; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality

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**Reviewing Agencies** (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; Department of Boating and Waterways; Caltrans, District 12; California Coastal Commission; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Department of Fish and Game Marine Region; Native American Heritage Commission; Regional Water Quality Control Board, Region 8

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**Date Received:** 10/29/2003   **Start of Review:** 10/29/2003   **End of Review:** 12/1/2003

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# DANA POINT HARBOR REVITALIZATION PROJECT



## NOTICE OF PREPARATION & PUBLIC SCOPING MEETING NOTICE

**WHAT:** The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as to address the actual construction of improvements in the landside areas throughout the Harbor. Under a separate Coastal Development Permits to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the marina docks and seawall, to relocate boater slips. In support of the improvements being made as part of the Project, the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, electrical, telephone, cable, etc.) are included as part of the Project. All new utility systems will be designed, located and sized according to current regulatory and utility service provider standards.

### SCOPING MEETING

**WHEN:** November 6, 2003  
2:00 – 4:00 PM and 6:00 – 8:00 PM

**WHERE:** Dana Point Youth And Group Facility, 34451 Ensenada Place, Dana Point

**REVIEWING LOCATIONS:** Copies of the Notice of Preparation are available at the following locations:

1. County of Orange PFRD Offices, located at 1152 East Fruit Street, Building 1, Santa Ana, CA, 92701;
2. County of Orange PDSD – Environmental Planning Services Division Offices, located at 300 North Flower Street, Third Floor, Santa Ana, CA 92703;
3. Dana Point City Hall – Community Development Department, 33282 Golden Lantern, Dana Point, CA 92629;
4. Dana Niguel Library - 33841 Niguel Road, Laguna Niguel, CA 92629;
5. San Clemente Library - 242 Avenida Del Mar, San Clemente, CA 92672;
6. San Juan Capistrano Regional Library - 31495 El Camino Real, San Juan Capistrano, CA 92675;
7. Laguna Niguel Branch Library - 30341 Crown Valley Parkway, Laguna Niguel, Ca 92677

### FOR ADDITIONAL INFORMATION CONTACT:

**COUNTY OF ORANGE**  
**Planning and Development Services Department**  
**Environmental Planning Division**  
300 North Flower Street  
Santa Ana, CA 92703  
Attention: Jerry Mitchell  
(714) 834-5389

**POSTED**

**OCT 29 2003**

TOM DALY, CLERK-RECORDER

By \_\_\_\_\_ DEPUTY

Project is exempt per government code 6103



**Notice of Preparation Distribution List**

**DANA POINT HARBOR  
DOCUMENTS SENT BY LEAD AGENCY**

**FEDERAL**

**United States Army Corps of Engineers**

Attn: Y. Jae Chung, Project Manager  
911 Wilshire Boulevard  
Los Angeles, CA 90017-3401  
(1 copy)

**United States Fish and Wildlife Service**

Attn: David Zoutendyke, Branch Chief  
2730 Loker Avenue West  
Carlsbad, CA 92008  
(1 copy)

**National Marine Fisheries Service**

Attn: Rodney McInnis  
Acting Regional Administrator  
501 West Ocean Boulevard  
Long Beach, CA 90802-4213  
(1 copy)

**STATE**

**State Clearinghouse**

Attn: Terry Roberts  
Office of Planning and Research  
1400 10th Street, Room 212  
Sacramento, CA 95814  
(20 copies)

**State Lands Commission**

Attn: Dwight Sanders  
100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202  
(1 copy)

**California Coastal Commission**

Attn: Karl Schwing, Coastal Program Analyst  
South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(1 copy)

**California Department of Fish and Game**

Attn: Dave Parker, Marine Resources  
330 Golden Shore, Suite 50  
Long Beach, CA 90802  
(1 copy)

**Calif. Reg. Water Quality Control**

Attn: Chiara Clemente,  
Environmental Specialist II  
9771 Clairmont Mesa Boulevard, Suite B  
San Diego, CA 92124  
(1 copy)

**Natural Resources Division**

Attn: Tom Wyant  
1416 9<sup>th</sup> Street, Room 923  
Sacramento, CA 95814  
(1 copy)

**REGIONAL**

**SCAQMD**

Attn: Steve Smith  
Program Supervisory/ CEQA Section  
21865 E. Copley Drive  
Diamond Bar, CA 91765  
(1 copy)

**San Diego Regional Water Quality  
Control Board**

Attn: Bob Morris  
Jeremy Haas  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123  
(1 copy each – 2 total)

**South Coast Water District**

Attn: Mike Dunbar  
31592 West Street  
Laguna Beach, Ca 92651  
(1 copy)

**Orange County Flood Control District**

Attn: Sara Bavan  
300 N. Flower, Room 721  
Santa Ana, CA 92703  
(1 copy)

**CALTRANS - District 12**

Attn: Robert Joseph  
3347 Michelson Drive, Suite 100  
Irvine, CA 92612  
(1 copy)

**Orange County Transportation Authority**

Attn: Dave Elbaum  
Director of Strategic Planning  
550 S. Main Street  
Orange, CA 9286  
(1 Copy)

**County of Orange****Attn: Board of Supervisors, 5th**

Attn: Thomas Wilson, Supervisor  
Holly Veale  
Lisa Smith  
10 Civic Center Plaza  
Santa Ana, CA 92701-4061  
(1 copy each – 3 total)

**County of Orange****Harbors Beaches and Parks**

Attn: Kevin G. Thomas  
Paul Lawrence  
300 North Flower  
Santa Ana, Ca 92701  
(1 copy each – 2 total)

**County of Orange****Public Facilities and Resources  
Department**

Attn: Mark Browning  
Vicki Wilson  
Don Johnson  
300 North Flower  
Santa Ana, Ca 92701  
(1 copy each – 3 total)

**County of Orange -- PFRD****Watershed and Coastal Resources Dept.**

Attn: Sonia Nasser  
Vincent Gin  
300 North Flower  
Santa Ana, Ca 92701  
(1 copy each – 2 total)

**Orange County Planning & Development  
Services**

Attn: Ron Tippets  
Jerry Mitchell  
Tim Neely  
300 North Flower Street  
Santa Ana, CA 92653  
(1 copy each – 3 total)

**County of Orange**

Health Care Agency  
Attn: Larry Honeybourne  
Monica Mazur  
2009 East Edinger Avenue  
Santa Ana, CA  
(1 copy each – 2 total)

**LOCAL****City of Dana Point**

Attn: Kyle Butterwick  
William L. Ossenmacher  
Wayne Rayfield  
James Jacy  
Russ Chilton  
Joe Snyder  
Doug Chotkevys  
33282 Golden Lantern  
Dana Point, California 92629  
(1 copy each – 7 total)

**Orange County Sheriffs Department**

Attn: Sergeant Paul Faulk  
Sheriffs Harbor Patrol 25005  
Dana Point Island Drive  
Dana Point, CA 92629  
(1 copy)

**Orange County Fire Authority**

Attn: Kevin Bass  
1110 E. Chapman, Suite100  
Orange, CA 92866  
(1 copy)

**Capistrano Unified School District**

Attn: Bob Sendzick  
Facilities Planning  
32972 Calle Perfecto  
San Juan Capistrano, CA 92675-4792  
(1 Copy)

**City of Dana Point Library**

Attn: Head Librarian  
33841 Niguel Road  
Dana Point, CA 92629  
(2 copies)

**San Clemente Library**

Attn: Head Librarian  
242 Avenida del Mar  
San Clemente, Ca 92672  
(2 copies)

**San Juan Capistrano Regional Library**

Attn: Head Librarian  
31495 El Camino Real  
San Juan Capistrano, Ca 92675  
(2 copies)

**Orange County Public Library  
Laguna Niguel Branch**

Attn: Head Librarian  
30341 Crown Valley Parkway  
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Tracking	Date	Del. Name	Address	Zip	Reference	Del. Time	Signed By	Svc
714088836	10/28/2003					8:42AM	RAQUEL	S
714088845	10/28/2003					8:42AM	RAQUEL	S
714088854	10/28/2003					8:42AM	RAQUEL	S
714088863	10/28/2003	PACIFIC STATE	11555 DUBLIN BLVD 100	94568		11:59AM	RIMMIE W.	S
714088872	10/28/2003					8:30AM	FRONT DESK	S
714088881	10/28/2003			92591		9:30AM	B WARD	S
714088899	10/28/2003					8:35AM	NATASHA	S
714088908	10/28/2003					8:17AM	DALE	S
714088917	10/28/2003					9:58AM	HAMMERSTROM	S
714088926	10/28/2003					8:23AM	K CAPORALI	S
714088935	10/28/2003					7:36AM	NLAND	S
71408944	10/28/2003					9:30AM	B WARD	S
714088953	10/28/2003			92260		9:51AM	DEBBIE LEWIS	S
714088962	10/28/2003					10:17AM	WOOD	S
714088971	10/28/2003					8:42AM	RAQUEL	S
714088989	10/28/2003					7:56AM	S TEGGE	S
714088998	10/28/2003					8:48AM	T WILFINS	S
714089007	10/28/2003	RBF	8335 WEST FLAMINGO	89103		10:21AM	TAMMIE	S
714089016	10/28/2003					8:35AM	NATASHA	S
714089025	10/28/2003					8:17AM	DALE	S
D10010015816379	10/28/2003	CA DEPT. OF FISH AND GAME	330 GOLDEN SHORE #50	90802	LBO - JN 10- 102529	7:59AM	K BANDER	S
D10010015816452	10/28/2003	STATE WATER RESOURCES CONT B	1001 I STREET	95812	LBO - JN 10- 102529	9:57AM	RDONNISON	S
D10010015816501	10/28/2003	CALIFORNIA COASTAL COMMISSION	200 OCEANGATE #1000	90802	LBO - JN 10- 102529	8:39AM	B SEABER	S
D10010015816593	10/28/2003	NATURAL RESOURCES DIVISION	1416 9TH ST RM 923	95814-5511	LBO - JN 10- 102529	9:17AM	HAYWARD	S
D10010015816642	10/28/2003	SCAQMD	21865 E. COPLEY DRIVE	91765	LBO - JN 10- 102529	8:25AM	CYLTHIA	S
D10010015816684	10/28/2003	SOUTH COAST WATER DISTRICT	31592 WEST ST	92651-6907	LBO - JN 10- 102529	12:45PM	EDDIE MEYERS	S
D10010015816709	10/28/2003	OC FLOOD CONTROL DISTRICT	300 N FLOWER ST RM 721	92703-5000	LBO - JN 10- 102529	8:10AM	SAMY	S
D10010015816733	10/28/2003	ORANGE COUNTY SHERIFFS DEPT.	25005 DANA DR	92629-3005	LBO - JN 10- 102529	10:00AM	CRYSTAL	S
D10010015816775	10/28/2003	ORANGE COUNTY FIRE AUTHORITY	1110 E CHAPMAN AVE # 100	92866-2139	LBO - JN 10- 102529	10:23AM	KATHY	S
D10010015816816	10/28/2003	NATIONAL MARINE FISHERIES SVC	501 WEST OCEAN BOULEVARD	90802	LBO - JN 10- 102529	9:18AM	J AVINA	S
D10010015816858	10/28/2003	STATE LANDS COMMISSION	100 HOWE AVE	95825-8202	LBO - JN 10- 102529	8:12AM	D TAYLOR	S
D10010015816882	10/28/2003	U.S. FISH & WILDLIFE SERVICE	6010 HIDDEN VALLEY ROAD	92009	LBO - JN 10- 102529	10:36AM	B HANSEN	S
D10010015816890	10/28/2003	U.S. ARMY CORPS OF ENGINEERS	911 WILSHIRE BOULEVARD	90017	LBO - JN 10- 102529	8:20AM	CHO	S
D10010015816931	10/28/2003	CALTRANS - DISTRICT 12	3347 MICHELSON DR STE 100	92612-0661	LBO - JN 10- 102529	8:24AM	BLAS	S

D10010015816965	10/28/2003	CAPISTRANO USD	32972 CALLE PERFECTO	92675-4706	LBO - JN 10- 102529	11:27AM	LINDA	S
D10010015817004	10/28/2003	OCTA	550 S MAIN ST	92868-4506	LBO - JN 10- 102529	8:55AM	ANGELA	S
D10010015817088	10/28/2003	CITY OF DANA POINT LIBRARY	33841 NIGUEL RD	92629-4010	LBO - JN 10- 102529	2:10PM	N ORIN	S
D10010015817145	10/28/2003	SAN CLEMENTE LIBRARY	242 AVENIDA DEL MAR	92672-4005	LBO - JN 10- 102529	9:16AM	PAMELA	S
D10010015817228	10/28/2003	SAN JUAN CAPISTRANO LIBRARY	31495 EL CAMINO REAL	92675-2600	LBO - JN 10- 102529	9:28AM	INES B	S
D10010015817286	10/28/2003	OC PUBLIC LIBRARY	30341 CROWN VALLEY PARKWA	92677	LBO - JN 10- 102529	11:05AM	LARLIZ	S
D10010015817351	10/28/2003	DANA POINT CHAMBER OF COMMERCE	24681 LA PLZ STE 115	92629-2562	LBO - JN 10- 102529	2:55PM	P RAYMOND	S
D10010015817393	10/28/2003	CITY OF SAN JUAN CAPISTRANO	27801 PASEO ADELANTO	92675	LBO - JN 10- 102529	10:08AM	LYNNETTE	S
D10010015817450	10/28/2003	CITY OF LAGUNA NIGUEL	27781 LA PAZ RD	92677-3919	LBO - JN 10- 102529	9:37AM	ZAMPINO	S
D10010015817476	10/28/2003	CITY OF SAN CLEMENTE	910 CALLE NEGOCIO	92673-6268	LBO - JN 10- 102529	8:19AM	KATHY	S
D10010015817517	10/28/2003	SAVE THE HEADLANDS	24849 DEL PRADO	92629-2853	LBO - JN 10- 102529	3:00PM	MEGAN	S
D10010015817575	10/28/2003	SURFRIDER FOUNDATION	122 S EL CAMINO REAL	92672-4043	LBO - JN 10- 102529	9:24AM	CHANDRA	S
D10010015817632	10/28/2003	ORANGE COUNTY COASTKEEPERS	441 N NEWPORT BLVD STE 103	92663-4245	LBO - JN 10- 102529	9:58AM	LAURA.F	S
D10010015817707	10/28/2003	RICHARD GARDNER	27011 CALLE MARIA	92624-1654	LBO - JN 10- 102529	10:39AM	RICHARD	S
D10010015817848	10/28/2003	DANA POINT NEWS	22461 ASPAN ST	92630-1630	LBO - JN 10- 102529	10:11AM	SALAZAR	S
D10010015817939	10/28/2003	TUCHMAN COMMUNICATIONS	6 HILLGRASS	92612-3701	LBO - JN 10- 102529	12:11PM	TUCHMAN	S
D10010015818002	10/28/2003	AC MARTIN PARTNERS	444 SOUTH FLOWER STREET	90071	LBO - JN 10- 102529	9:22AM	MARI	S
D10010015818044	10/28/2003	SIERRA CLUB	1642 GREAT HIGHWAY	94122	LBO - JN 10- 102529	8:19AM	MOSSDA	S
D10010015818094	10/28/2003	AVENTURA SAILING ASSOCIATION	24650 DANA POINT HARBOR DR	92629-3006	LBO - JN 10- 102529	4:15PM	L MOORE	S
D10010015818185	10/28/2003	DOHENY LONGBOARD ASSOCIATION	26782 CALLE ALMANZA	92624-1503	LBO - JN 10- 102529	10:43AM	DARREL	S
D10010015818292	10/28/2003	ED LABAHN	93 MONARCH BAY DR	92629-3409	LBO - JN 10- 102529	1:55PM	E LABAHN	S
D10010015818325	10/28/2003	ORANGE COUNTY BUSINESS COUNCIL	2 PARK PLZ STE 100	92614-5904	LBO - JN 10- 102529	9:28AM	LEAL	S
D10010015818383	10/28/2003	DANA WEST YACHT CLUB	24601 DANA DR	92629-3003	LBO - JN 10- 102529	4:05PM	M KOVASH	S
D10010015818482	10/28/2003	DANA POINT YACHT CLUB	24399 DANA DR	92629-3000	LBO - JN 10- 102529	4:00PM	SIMONE COSTE	S
D10010015818515	10/28/2003	DANA POINT MARINA COMPANY	34555 CASITAS PL	92629-2901	LBO - JN 10- 102529	9:45AM	VANESSA	S
D10010015818614	10/28/2003	LOS ANGELES TIMES	1375 SUNFLOWER AVE	92626-1697	LBO - JN 10- 102529	10:29AM	JUDY	S
D10010015818680	10/28/2003	ORANGE COUNTY REGISTER	22481 ASPAN ST	92630-1630	LBO - JN 10- 102529	10:13AM	SALAZAR	S
D10010015819836	10/28/2003	COUNTY OF ORANGE	300 N	92703-5000	LBO - JN 10-	8:10AM	SAMY	S



D10010015820031	10/28/2003	COUNTY OF ORANGE - PFRD	FLOWER ST 300 N FLOWER ST	92703-5000	102529 LBO - JN 10- 102529	8:10AM	SAMY	S
D10010015820099	10/28/2003	OC PLANNING/DEVELOPMENT SVCS	300 N FLOWER ST	92703-5000	LBO - JN 10- 102529	8:10AM	SAMY	S
D10010015820255	10/28/2003	COUNTY OF ORANGE	2009 E EDINGER AVE	92705-4720	LBO - JN 10- 102529	7:19AM	M LOZOYA	S
D10010015820429	10/28/2003	CITY OF DANA POINT	33282 GOLDEN LANTERN ST STE 212	92629-1843	LBO - JN 10- 102529	8:50PM	JOYCE	S
D10010015820718	10/28/2003	PROJECT DIMENSIONS INC.	3 PARK PLZ STE 1490	92614-8588	LBO - JN 10- 102529	9:35AM	VOGUE	S
D10010015821493	10/28/2003	COUNTY OF ORANGE	10 CIVIC CENTER PLZ	92701-4017	LBO - JN 10- 102529	8:48AM	RUTH	S
D10010015821625	10/28/2003	COUNTY OF ORANGE	300 N FLOWER ST	92703-5000	LBO - JN 10- 102529	8:10AM	SAMY	S
D10010015821683	10/28/2003	SAN DIEGO WATER CONTROL BOARD	9174 SKY PARK COURT #100	92123	LBO - JN 10- 102529	8:57AM	LANDRY	S

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Total For: 10/28/2003

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Grand Total

**Notice of Availability Distribution List**

# DANA POINT HARBOR REVITALIZATION PROJECT



## NOTICE OF PREPARATION & PUBLIC SCOPING MEETING NOTICE

**WHAT:** The key elements of the Project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as to address the actual construction of improvements in the landside areas throughout the Harbor. Under a separate Coastal Development Permits to be issued by the California Coastal Commission, work will be performed to reconfigure and/or reconstruct the marina docks and seawall, to relocate boater slips. In support of the improvements being made as part of the Project, the relocation and/or replacement of a number of the wet and dry utility systems (water, sewer, electrical, telephone, cable, etc.) are included as part of the Project. All new utility systems will be designed, located and sized according to current regulatory and utility service provider standards.

### SCOPING MEETING

**WHEN:** November 6, 2003  
2:00 – 4:00 PM and 6:00 – 8:00 PM

**WHERE:** Dana Point Youth And Group Facility, 34451 Ensenada Place, Dana Point

**REVIEWING LOCATIONS:** Copies of the Notice of Preparation are available at the following locations:

1. County of Orange PFRD Offices, located at 1152 East Fruit Street, Building 1, Santa Ana, CA, 92701;
2. County of Orange PDSD – Environmental Planning Services Division Offices, located at 300 North Flower Street, Third Floor, Santa Ana, CA 92703;
3. Dana Point City Hall – Community Development Department, 33282 Golden Lantern, Dana Point, CA 92629;
4. Dana Niguel Library - 33841 Niguel Road, Laguna Niguel, CA 92629;
5. San Clemente Library - 242 Avenida Del Mar, San Clemente, CA 92672;
6. San Juan Capistrano Regional Library - 31495 El Camino Real, San Juan Capistrano, CA 92675;
7. Laguna Niguel Branch Library - 30341 Crown Valley Parkway, Laguna Niguel, Ca 92677

### FOR ADDITIONAL INFORMATION CONTACT:

**COUNTY OF ORANGE**  
**Planning and Development Services Department**  
**Environmental Planning Division**  
300 North Flower Street  
Santa Ana, CA 92703  
Attention: Jerry Mitchell  
(714) 834-5389

## Rosane Deitos

---

**From:** Rosane Deitos [rdeitos@projectdimensions.com]  
**Sent:** Thursday, October 30, 2003 2:47 PM  
**To:** Wendy McDonald; W. H. Driggers; Vito Ferlauto; Vic Olechno; Tony Wetherbee; Tom Reagan; Tom Newell; Tim Gabrielson; Tim Bynon; Thomas Smith; Thom & Deanna Allen; Terri Gritzmacher; Susan J. McGah; Steve DeVre; Stephen J. Pepper; Stallints; Stacie & Jeff Nelson; Simone Costes; Sandy Croce; Sal Pestritto; Ron Everly; Rock Miller; Robert Ohlemann; Robert Grimm; Richard Rush; Richard Ferrell; Richard E. Barrett; Rebecca Farrow; RB Chenoweth; Ralph Matillo; Paul Buehler; Paul and Beth Dudas; Pat Shoemaker; P. J. Schramel; Nick Beye; Newton Copp; Nevine Sidhom; Nancy Rohr; Mike Winter; Mike Metz; Mickey Munoz; MF Hurst; Mary S Paine; Mark Kovacs; Manny Galvez; Lynda Zimmer; Luis Leon; Lee Lukes; Kurt Knapp; Kurb Knapp; Kim Tilly; Kevin Hendra; Kenneth D. Flint; Keith S. Palmer; Karen First; John Zimmer; John W. Hockins; John Snook; John Schwind; John McCarthy & Barbara Barkley; John Mainy; John Lawson; John Horton; John Hicks; John D. Milner; John Chaffetz; John Baublits; Joe Nelson; Joe Hoffman; Jim Svark; Jim Miller; Jim Jacobsen; Jim Halverson; Jim Guccione; Jim Faustini; Jim & Kathy Ferguson; Jersen Gerrese; Jerry & Shirley Williams; Jeroen Gerrese; Jeanne Mowatt; James Thompson; Jack Taylor; Jack Camp; J. Richard Leonard  
**Subject:** DANA POINT HARBOR PUBLIC MEETING



Public  
Notice.pdf

Dear Resident -

The County of Orange is beginning the environmental review and project approval process for the proposed Dana Point Harbor Revitalization Plan. Since you have expressed an interest in the Plan, we want to send you a personal notification of the public meetings that will take place Thursday, Nov. 6, at the Youth and Group Facility.

For your convenience, two meetings are scheduled -- one from 2-4 p.m. and the second from 6-8 p.m. You may attend either meeting to hear a brief overview of the Revitalization Plan and a discussion of the environmental issues that will be addressed in the Environmental Impact Report. Following the presentations, you will have the opportunity to comment on any additional environmental concerns you would like to see included in the EIR.

The attached also announces the Notice of Preparation, which outlines a description of the proposed project and its components, as well as a summary of the project's probable environmental effects that will be addressed in the Environmental Impact Report. If you cannot attend either of the public meetings on Nov. 6 and want to review a copy of the Notice of Preparation, the attached also lists locations where this important document is available.

The environmental review and project approval process is the next step in the realization of the proposed Dana Point Harbor Revitalization Plan. We hope you will be able to join us on Thursday, Nov. 6.

Michelle Tuchman  
Dana Point Harbor Community Liaison  
949.854.1443 (Direct Line)  
949.689.3056 (Cell phone)  
m.tuchman@cox.net

## Rosane Deitos

---

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## Rosane Deitos

---

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**Sent:** Thursday, October 30, 2003 2:44 PM  
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**Subject:** DANA POINT HARBOR PUBLIC MEETING



Public  
Notice.pdf

Dear Resident -

The County of Orange is beginning the environmental review and project approval process for the proposed Dana Point Harbor Revitalization Plan. Since you have expressed an interest in the Plan, we want to send you a personal notification of the public meetings that will take place Thursday, Nov. 6, at the Youth and Group Facility.

For your convenience, two meetings are scheduled -- one from 2-4 p.m. and the second from 6-8 p.m. You may attend either meeting to hear a brief overview of the Revitalization Plan and a discussion of the environmental issues that will be addressed in the Environmental Impact Report. Following the presentations, you will have the opportunity to comment on any additional environmental concerns you would like to see included in the EIR.

The attached also announces the Notice of Preparation, which outlines a description of the proposed project and its components, as well as a summary of the project's probable environmental effects that will be addressed in the Environmental Impact Report. If you cannot attend either of the public meetings on Nov. 6 and want to review a copy of the Notice of Preparation, the attached also lists locations where this important document is available.

The environmental review and project approval process is the next step in the realization of the proposed Dana Point Harbor Revitalization Plan. We hope you will be able to join us on Thursday, Nov. 6.

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Distribution List Name: DPH PUBLIC NOTICE - NOP E-MAIL RECIPIENTS 10-30-03 Part 1

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**Mueller, Mike & Bea**

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**p****Paine, Thomas**

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**Patick, Harriett**

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Full Name: E. Petricca  
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**R****Roper, Jack & Ben**

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**W****Wheelerk, Kathy**

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**Williams, Jerry**

Full Name: Jerry Williams  
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Pier Concession  
33871 Chula Vista  
Dana Point, CA 92629

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Southwind Kayaks  
17855 Skypark Circle  
Irvine, CA 92714

Larry Levine  
Airtouch Cellular & Paging  
PO Box 19707  
Irvine, CA 92714

Gabrielle Bassman  
The Alley Cat  
34491 Golden Lantern  
Dana Point, CA 92629

Shari Sicsko  
Arrow Custom Covers  
34463 Golden Lantern  
Dana Point, CA 92629

Mark Hanson  
Art Sea  
34503 Golden Lantern  
Dana Point, CA 92629

John Miller  
Beach Cities Pizza  
34473 Golden Lantern  
Dana Point, CA 92629

Robert Schultz and Georgette Schultz  
Catalina Seashell Company  
34511 Golden Lantern  
Dana Point, CA 92629

James Miller  
Coffee Importers  
34531 Golden Lantern  
Dana Point, CA 92629

Nevien Sidhom  
Chez Nevine  
34489 Golden Lantern  
Dana Point, CA 92629

Detra Francis  
Chocolate Soldier  
34513 Golden Lantern  
Dana Point, CA 92629

Susan and Robert Finn  
The Country Fox  
34481 Golden Lantern  
Dana Point, CA 92629

Byron Gemmell, Edwin Gemmell,  
and Mynor Gemmell  
Gemmell's Restaurant  
34471 Golden Lantern  
Dana Point, CA 92629

Christine O'Brien  
Downstairs Store  
34525 Golden Lantern  
Dana Point, CA 92629

Mark Hanson  
Gift Chateau  
34507 Golden Lantern  
Dana Point, CA 92629

Marla Sherman  
Golden Galleon Boutique  
34677 Golden Lantern  
Dana Point, CA 92629

David A. Babcock and Perlina S. Babcock  
Momilani's Island Traditions  
34671 Golden Lantern  
Dana Point, CA 92629

Sharon and Jon Mansur  
Jon's Fish Market  
34665 Golden Lantern  
Dana Point, CA 92629

Douglas W. Cruickshank  
Eyes of the Tiger Sunglasses and Gifts  
34673 Golden Lantern  
Dana Point, CA 92629

Joanna Giangardella and Rene Churchill  
J&I Salon  
34483 Golden Lantern  
Dana Point, CA 92629

Jerry Heath  
JW Jewelry  
34515 Golden Lantern  
Dana Point, CA 92629

Carol Wilson  
Mille Fleurs  
34495 Golden Lantern  
Dana Point, CA 92629

Thomas Cassella  
Hava Java  
34669 Golden Lantern  
Dana Point, CA 92629

Proud Mary's Restaurant  
34689 Golden Lantern  
Dana Point, CA 92629

Judy Gudeman  
Quatro  
34493 Golden Lantern  
Dana Point, CA 92629

Sudhir Sutaria and Meena Sudhir Sutaria  
Raj Parfumerie  
34487 Golden Lantern  
Dana Point, CA 92629

James Miller  
Scoop Deck  
34535 Golden Lantern  
Dana Point, CA 92629

Mary and Richard Palys  
Sea Styles  
34485 Golden Lantern  
Dana Point, CA 92629

Thomas Cassella  
Harbor Deli  
34667 Golden Lantern  
Dana Point, CA 92629

Huong Thanh Thi Nguyen  
Super Stop Liquor  
34469 Golden Lantern  
Dana Point, CA 92629

Jennifer Rentziperis  
Top Brass  
34679 Golden Lantern  
Dana Point, CA 92629

Candice Varteresian  
Turk's  
34683 Golden Lantern  
Dana Point, CA 92629

Linda Wetanson  
Unique N' Novel  
34663 Golden Lantern  
Dana Point, CA 92629

Anita Moore  
Upstairs Store  
34505 Golden Lantern  
Dana Point, CA 92629

George and Diana Psilopoulos  
White Pelican Gallery  
34475 Golden Lantern  
Dana Point, CA 92629

Samson and Theresa Friedman  
Whimsey Hollow  
34509 Golden Lantern  
Dana Point, CA 92629

Mr. Robert Mardian, Jr.  
Wind and Sea Restaurant  
34699 Golden Lantern  
Dana Point, CA 92629

Mr. Robert Mardian, Jr.  
Harpoon Henry's  
34555 Golden Lantern  
Dana Point, CA 92629

John Hicks  
Harbor Grill  
34499 Golden Lantern  
Dana Point, CA 92629

Kevin Di Ganci  
The Brig Restaurant  
34461 Golden Lantern  
Dana Point, CA 92629

Attn: CFO and Property Management  
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Long Beach, CA 90810

Mr. Steve Moyer, President  
Mr. James Glasgow, CEO  
Jolly Roger  
17320 Redhill Ave, Suite 190  
Irvine, CA 92614

Donna Kalez  
Dana Wharf Sportfishing  
34675 Golden Lantern  
Dana Point, CA 92629

Bill Byrd  
Capo Beach Watercraft  
34501 Embarcadero Place  
Dana Point, CA 92629

Greg Bombard, President  
Catalina Express  
Berth 95  
San Pedro, CA 90731

Attn: Store Development  
West Marine  
500 Westridge Drive  
Watsonville, CA 95076-4100

Mello Brothers Live Bait Barge  
34675 Golden Lantern  
Dana Point, CA 92629

Ralph Davidson / Dollie Van Dixhorn  
Dana Point Fuel Dock  
34661 Puerto Place  
Dana Point, CA 92629

Eugene Jerry  
Dana Point Shipyard  
34671 Puerto Place  
Dana Point, CA 92629

Tim Boyer  
Dana Point Jet Ski  
34671 Puerto Place  
Dana Point, CA 92629

Catalina Explorer  
34671 Puerto Place  
Dana Point, CA 92629

Morrie Harrison  
Embarcadero Marina  
PO Box 249  
Dana Point, CA 92629

Dana Harbor Yacht Sales / Charters  
34571 Golden Lantern  
Dana Point, CA 92629

Dana Island Yachts  
34451 Casitas Place  
Dana Point, CA 92629

Dick Simon Marine  
34553 Casitas Place  
Dana Point, CA 92629

Lemest Yacht Sales  
24703 Dana Drive  
Dana Point, CA 92629

Marine Tech  
24705 Dana Drive  
Dana Point, CA 92629

Harbor Lights Banquet Facility  
24707 Dana Drive  
Dana Point, CA 92629

Brad Hurlbut / Leonard Ramos  
Dana Point Harbor Marina Inn  
PO Box 2127  
La Habra, CA 90631

Matt Pike  
The Beach House  
1461 Glenneyre, Suite F  
Laguna Beach, CA 92651

Harbor Patrol Office  
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Dana Point, CA 92629

Vessel: Con Suerte  
Lohrman/Nielsen  
33207 Paseo Cerveza  
San Juan Capistrano, CA 92675

Vessel: Early Bird  
Lohrman/Nielsen  
33207 Paseo Cerveza  
San Juan Capistrano, CA 92675

Gary Zell  
Vessel: Avispa  
33602 Big Sur Street  
Dana Point, CA 92629

Paul R. Frederick  
Vessel: Donna H.  
34298 Camino El Molino  
Capistrano Beach, CA 92624

Rodger Healy  
Vessel: Blackflag  
1455 Bounty Way  
Laguna Beach, CA 92651

Peter Tresselt  
Vessel: Katie Jo  
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Michael H. Francis and Scott Caldwell  
Vessel: Wild Times  
4022 Calle Marlena  
San Clemente, CA 92672

Chuck Erickson  
Vessel: Carol E  
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Gene Stivers  
Vessel: Renegade  
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Dana Point, CA 92629

Robert George  
Vessel: Palomar  
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Dana Point, CA 92629

Mike Bahan  
Vessel: T-Ann  
25802 Via Del Rey  
San Juan Capistrano, CA 92675

John Guth  
Vessel: Stephanie D.  
29955 Robbie Lane  
Vista, CA 92084

Ronald and Doety Marks  
Vessel: Thermador  
22311 First Way  
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Vessel: Trapshooter  
Hometrends Building and Design Corp.  
24843 Del Prado #188  
Dana Point, CA 92629

Vessel: Mirage  
Sun Mirage LLC  
441 Vineland Road  
Bakersfield, CA 93307

Jon Mansur  
Vessel: Cyperlurus  
34665 Golden Lantern  
Dana Point, CA 92629

Dan Cludy  
Vessel: Pammy Sea  
2867 Riachuello  
San Clemente, CA 92672

Michael A. Walowicz  
Vessel: KJ  
28270 Watson Road  
Romoland, CA 92585

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Vessel: Filibustero  
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Vista, CA 92084

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San Juan Capistrano, CA 92675

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Vessel: Knot  
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Chuck Davis  
Vessel: (no name)  
8180 Buttonwood Road  
Phelan, CA 92371



Chuck Davis  
Vessel: Salt Shaker  
8180 Buttonwood Road  
Phelan, CA 92371

Tim Perguson  
Vessel: Kathy Anne  
34581 Calle Portola  
Capistrano Beach, CA 92672

Harvey Gonzales  
Vessel: XT-Sea  
25542 Via Solis  
San Juan Capistrano, CA 92675

Vessel: Ula  
Hometrends Building and Design Corp.  
24843 Del Prado, #188  
Dana Point, CA 92629

Ted Vlasis  
Vessel: Lucy II  
31511 Egan Road  
Laguna Beach, CA 92651

Noel Canvas & Upholstery  
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Dana Point, CA 92629

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Vessel: Reel High  
33085 Elisa Drive  
Dana Point, CA 92629

Hal Heywood  
Vessel: Thors Hammer  
PO Box 1912  
Laguna Beach, CA 92652

Stan Cummings  
Ocean Institute  
24200 Dana Point Harbor Drive  
Dana Point, CA 92629

Leslie Ray, Ranger  
Dana Point Youth & Group  
34451 Ensenada Place  
Dana Point, CA 92629

Eric Leslie  
Dana West Marina  
24500 Dana Point Harbor Drive  
Dana Point, CA 92629

Patsy Hadlich  
Ship to Shore Insurance  
24450 Dana Point Harbor Drive  
Dana Point, CA 92629

Dick Beauchamp  
Headlands Yoga  
24450 Dana Point Harbor Drive  
Dana Point, CA 92629

Ray Danet  
Dream Catcher Yachts  
24450 Dana Point Harbor Drive  
Dana Point, CA 92629

**NOP Comments**

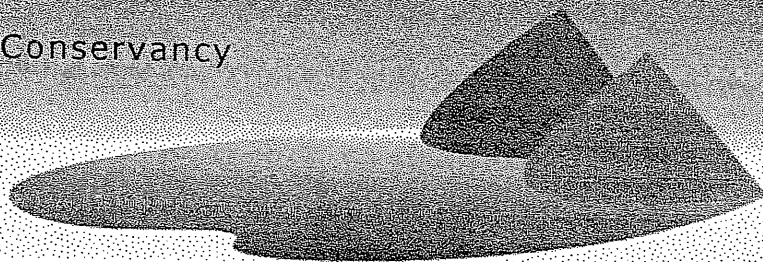
**Dana Point Harbor Revitalization Project**

<b>Notice of Preparation Comments</b>				
<b>Comment Letter</b>	<b>Dated</b>	<b>Agency/Business</b>	<b>Contact</b>	<b>Comment</b>
<b>1</b>	<b>11/28/2003</b>	South Orange County Watershed Conservancy	Roger Von Butow	1A - The SOCWC should be abandoned as a REC-1 or REC-2 since it will never achieve the objectives of the San Diego Basin Plan or the federal Clean Water Act or California Porter-Cologne Act.
				1B - There is little knowledge of the actual pathogenic bacterial sources/origins and therefore no way to determine how to "enhance" (clean) the site.
				1C - The county is unable to affect long-term water quality improvements due to storm-water system impairments without either a) so-called "permanent," storm drain-to-wastewater diversions and b) low flow nuisance volumes up to moderate rainy events.
				1D - Both strategies would not be feasible according to the South Orange County Wastewater Authority as their collection and treatment facilities were not designed to incorporate wet weather flows.
				1E - There is existing unresolved compliance issues regarding CEQA in the issuance of diversion permits and state agencies with adjudicative authority have concerns regarding their regulatory role.
				1F - Current BMPs would not achieve the water quality objectives. Therefore, agencies may trigger a cessation of diversion, prohibit pending projects or the diversions may be litigated or challenged under CEQA, making the continuance of these strategies a waste of time.
				1G - The county rehabilitation efforts as identified in County NPDES Permit 2002-2001 is based on poor science, studies and problematic improvements and ignores mandated minimal compliance by locally responsible agencies.
				1H - There is no evidence that the strategies/BMPs included in the DPH report would achieve compliance with MS4 Permit.
				1I - The diversions should be subject to CEQA since the treatment plants cannot remove Prop. 54 chemicals, Cal Toxic Rule constituents and other noxious substances, resulting in carcinogenic discharge into the ocean outfall pipes.
				1J - Baby Beach constitutes both a public and attractive nuisance which leaves the County open to litigious exposure. The site should be handed over to the Ocean Institute, filled with boulders and converted to a decent tide-pool habitat center.
<b>2</b>	<b>11/24/2003</b>	Aventura Sailing Assn.	Dave Loesch	2A - Concern that the Aventura Sailing Association was not identified within the NOP and that Exhibit 6 draws a line through the Aventura building which indicates that it would be removed.
				2B - The NOP does not address the expansion of the Aventura Sailing Association which should also be listed for expansion.
				2C - The 5th Objective of the 12 major design objectives should include the Aventura Sailing Association.
				2D - Aventura anticipates expansion of its facilities and is an original tenant of the harbor, therefore, it should be included in the NOP.
<b>3</b>	<b>11/25/2003</b>	Caltrans	Robert Joseph	
				2E - A new building or expansion of Aventura's facilities should be noted as part of the EIR.
				3A - A traffic study should be prepared which includes existing and future ADT, traffic generation, traffic distribution, ICU analysis along highways and freeways and cumulative impacts.
				3B - If any project work occurs in the vicinity of the Caltrans ROW, an encroachment permit will be required and environmental concerns must be addressed.

				<p>3C - All work within the State ROW must conform to Caltrans Standards Plan and Standard Specification for Water Pollution Control. No runoff draining into Caltrans ROW from construction will be allowed. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials which may fall or blow onto Caltrans roadways or facilities.</p>
4	11/19/2003	Department of Fish & Game	Eric J. Larson	<p>4A - The EIR should identify all flora and fauna within and adjacent to the project area, identifying endangered, threatened and local unique species and sensitive habitats (as identified under CEQA). Focused surveys are required with species-specific survey procedures developed in consultation with the Department.</p> <p>4B - The Department's California Natural Diversity Data Base in Sacramento should be contacted to obtain current information on any reported sensitive species and habitat.</p> <p>4C - The EIR should include discussion of direct, indirect and cumulative impacts on biological resources with mitigation measures to offset impacts (on- and off-site). Impacts to maintenance of wildlife corridor/movement areas should be evaluated and compensation for direct impacts to fish and wildlife habitat should be proposed in the form of habitat replacement, restoration and improvement.</p> <p>4D - Mitigation measures should emphasize evaluation and selection of alternatives which minimize project impacts. The project should cause no net loss of wetland acreage or habitat values, including expanding any seawalls further seaward.</p> <p>4E - A range of alternative should be fully considered and evaluated which would avoid or otherwise minimize impacts to biological resources. Alternative locations should be evaluated in areas with lower resource sensitivity.</p> <p>4F - Shoreline erosion conditions before, during and after construction and the fate or eroded materials should be studied and discussed, including erosion caused by deflected wave or water current energy, water currents, flushing, sedimentation and normal sediment transport.</p> <p>4G - Concern over renovations to Baby Beach which may result in the burial of any reef habitat or increase in turbidity and suspended solids associated with beach building activities and the potential adverse impacts to marine plants.</p> <p>4H - Construction materials for seawall, bulkhead or rip-rap should be identified and considered for use which is suitable diameter to approximate natural rock habitat.</p> <p>4I - The EIR should address water quality problems including sewage, litter, petroleum products, cleaning agents and wash down water, fertilizers, heavy metals, pesticides and other materials which may enter the water. No creosote-treated wood should be placed in the waters of the State.</p> <p>4J - The EIR, should identify whether dredging is maintenance or new work dredging, describe the geographic location and habitats impacts, identify the volume of materials and proposed location of disposal and discuss the quality of sediments to be removed.</p> <p>4K - Existing human uses such as fishing or nature study in and adjacent to the project area should be identified and described.</p>
5	11/12/2003	South Coast AQMD	Steve Smith	<p>5A - The lead agency should identify air quality impacts from all phases of the project and all air pollutant sources due to construction and operations.</p> <p>5B - Construction related impacts should include emissions from heavy-duty equipment from grading, earth loading/unloading, paving, architectural coatings, off-road mobile sources and on-road mobile sources.</p> <p>5C - Operation-related impacts may include emissions from stationary sources, area sources and vehicular trips and emissions from sources that generate or attract vehicular trips.</p> <p>5D - An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should be included.</p>

				5E - If impacts are significant, all feasible mitigation measures should be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. Any impacts resulting from mitigation measures must also be addressed.
6	11/4/2003	OC Fire Authority	Michele Hernandez	6A - The project should ensure that there is continued emergency access, fire lanes and egress at the project and during the construction phases. 6B - The OCFA should review the hydrant and water supply plans as early as possible. 6C - All standard conditions and guidelines will be applied to the project during the normal review process.
7	11/10/2003	Dana Wharf Sport fishing	Donna Kalez	7A - The additional 400 parking spaces will not be enough to accommodate the growth in visitors 7B - Employee parking should be located at the parking lot adjacent to the Beach House with shuttles for the employees which would promote car-pooling and make the harbor more accessible for visitors.
8	11/15/2003	The Coffee Importers	Jim Miller	8A - The new plan would result in an additional 25,000 SF of retail which would require 200-250 parking spaces. Other services require a total of 500-600 spaces, however, the project only proposes 200-250 spaces which is insufficient. 8B - Not enough parking spaces will be provided in the parking structures which will create a log-jam, especially with narrow drives with limited access since the other parking is on the western side which is too far away. 8C - There will be additional employees as a result but no indication of where the existing 200 employee parking spaces are going to go. 8D - More customer parking should be provided in the dry boat storage area, provide a shuttle from outside parking areas and utilize the parking lot adjacent to Doheny Beach for employee parking.
9		Wind & Sea Restaurant and Harpoon Henry's	Robert C. Mardian Jr.	9A - Three previous parking studies going back 20 years identifies the inadequate parking situation in Dana Point Harbor. To add 400 parking spaces would be insufficient when at least 1,000 parking spaces should be added.
10	11/6/2003	Surfrider Foundation	Rick Wilson	10A - The increase in impervious surfaces are likely to further degrade water quality. 10B - The project should include improvements to the water quality at Baby Beach and the harbor. 10C - The revitalization project should include water quality improvements independent of any other project (Headlands project).
11	11/21/2003	Resident, RSM	Sheryl Lindsey	11A - Too much space is devoted to dry boat storage which should be utilized for day-to-day uses for the public. 11B - A separate boat storage outside the harbor should be developed in order to allow for long-term parking at the harbor for sportfishing and visitors.
12	11/4/2003	Resident, DP	Susan & Brad Britton	12A - The eucalyptus trees along Park Lantern Street in Lantern Bay Park obstruct the view of the ocean 12B - Eucalyptus trees are not indigenous to the area and cost money for maintenance and therefore
13	11/6/2003	Resident, DP	Ed Ross	13A - At least 20% to 30% of the Eucalyptus trees should be removed so that the residents can have views of the ocean and it would not impact the birds.
14	12/2/2003	OCTA	Christopher Wright	14A - Access for OCTA bus operations along Pacific Coast Highway, Dana Point Harbor and Golden Lantern must be maintained and addressed in the environmental analysis. 14B - Any improvements in the area must consider the impact on OCTA bus operations.
15	12/1/2003	Resident, LN	William F. McNeely	15A - The EIR should consider environmental impacts including traffic and parking to the entire Harbor and not just the eastern end of the harbor. The EIR should show how each stage of the project affects environmental items in the harbor.

				<p>15B - The EIR should include a description of the pollution sources into the harbor which should be mitigated, contained, treated and controlled. The harbor's current poor water quality should be addressed. The project should include measures that would improve the existing water quality.</p> <p>15C - Sewer expansion should include the former site of the Villa restaurant and hotel which currently contains a septic field for sewage.</p> <p>15D - Siltation should be addressed, especially for the southwest corner of the turning basin/federal anchorage and a schedule for dredging should be established.</p> <p>15E - Need to expand and improve maintenance on sewage pumpout facilities in the harbor and include a toll-free number to call when a pump is down.</p> <p>15F - Need to ensure there is adequate parking for the future (10-30 years out), without using on-street parking.</p> <p>15G - Parking for boaters should be located close to the boat slips with parking for the commercial center further out and provide valet and shuttle service.</p> <p>15H - Need to address security for the parking structure.</p> <p>15I - Need to address the future of Cove Road at the harbor's west end.</p> <p>15J - Boating uses should be the priority on land use around the harbor.</p> <p>15K - Need to add adult boating instruction with on-the-water facilities.</p> <p>15L - The cost of owning a boat, mortgage and the long-wait for a slip means that the harbor serves a very low number of people.</p> <p>15M - Slips should be available for bareboat charters.</p> <p>15N - Slip sized should be increased and the environmental impacts associated with that should be analyzed.</p>
16	29-Oct	State Clearinghouse	Scott Morgan	16A - Acknowledgement of receipt of the Dana Point Harbor Revitalization Project NOP.



Project:

Dana Point Harbor Revitalization Project

PEIR #591

Attention: Jerry Mitchell

Date: November 28, 2003

From:

Roger von Butow  
Executive Officer and Director  
South Orange County Watershed Conservancy (SOCWC)  
P.O. BOX 130, Dana Point CA 92629  
Phone: 949.497.4816 E-mail: [rvonbutow@socwc.org](mailto:rvonbutow@socwc.org)

**RECEIVED**

DEC 3 2003

**RBF CONSULTING**

Comments:

The SOCWC has determined that Baby Beach should be abandoned as a REC-1 or REC-2 site. It will never achieve the objectives as indicated by the San Diego Basin Plan, nor will it achieve the parameters of the so-called "fishable/swimmable" objectives mandated under the federal Clean Water Act or California Porter-Cologne Act.

After a thorough review of the State of the Beaches information and perusal of OC Health Care and other sampling databases, there is little certainty regarding existing methodologies, studies or tracking systems to confirm actual pathogenic bacterial sources. Existing microbial testing methods cannot determine with any exactitude the origins or their obvation. Furthermore, any attempt to "enhance" what cannot be salvaged is a waste of taxpayer monies.

Moreover, the County admits it inability to affect long-term water quality improvements due to storm-water system impairments without either:

- (a) So-called "permanent," storm drain-to-wastewater diversions, *and*
- (b) Low flow nuisance volumes up to moderate rainy events.

Both of these strategies are rebutted or jeopardized by the South Orange County Wastewater Authority letter submitted by SOCWA GM David Caretto, dated June 24, 2003, to the CRWQCB Executive Officer John H. Robertus.

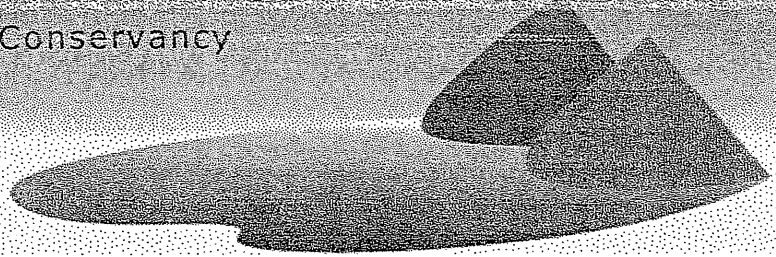
Mr. Caretto cites that these permitted diversions are allowed for 5 years maximum, revocable at any time, dry weather only, etc. To quote: "Our collection and treatment facilities were not designed to incorporate wet weather flows." (DC)

As noted on Page 2 of said SOCWA submission, there are unresolved compliance issues vis-à-vis CEQA in the issuance of said diversion permits. Also, as discussed on Page 4,

The South Orange County Watershed Conservancy is dedicated to the development and implementation of strategies promoting healthy watersheds in South Orange County through

**education, research and advocacy.**

P.O. Box 130, Dana Point, CA 92629 ~ [www.socwc.org](http://www.socwc.org)



numerous state agencies with adjudicative authority (SWRCB, Cal Coastal Commission, CRWQCB) have grievous concerns regarding the possible regulatory role of their respective agencies.

Diversions are justified by, that is predicated upon, no other alternatives. Current behavioral, managerial, and structural BMP's do not appear to have the necessary potential for water quality objectives. Enforcement of applicable laws is non-existent.

If the aforementioned agencies trigger a cessation of diversions, prohibit pending projects in lieu of more refined data, or the diversions are litigated or challenged under CEQA, then the County dependence upon this strategy is questionable. Moving forward "as if" could include strategies later rejected, wasting staff time as well.

The County commitment to the rehabilitation of Baby Beach is specious, based on unclear science, inconclusive studies, and problematic improvements. The role of local or County NPDES (MS4) Permit 2002-001 enforcement as described is nebulous at best and ignores mandated minimal compliance by locally responsible agencies.

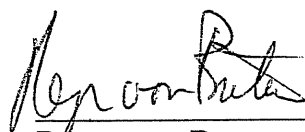
The argument has not been made that once complete this site will achieve compliance with said MS4 permit. These alluded to strategies/BMP's constitute an environmental "I.O.U." not fully addressed. This preliminary DPH report recommending Baby Beach enhancement/improvements is precipitous considering the tenuous nature of the diversions themselves.

SOCWC believes that diversions should be subject to CEQA review for innumerable reasons. As the treatment plants cannot remove the Prop. 65 chemicals, Cal Toxic Rule constituents, and other noxious substances, diversions result in greatly increased volumes of highly concentrated carcinogenic discharges from ocean outfall pipes that do not monitor or test for them in impaired water bodies and creek mouths. Also, the diversion devices installed are imperfect and can go offline, reducing their efficacy.

#### CONCLUSION:

Baby Beach constitutes both a Public and Attractive Nuisance that continues to leave the County in a possible litigious exposure. The site should be leased or deeded over to the Ocean Institute, filled with boulders, and converted to a docent tide-pool habitat center. No swimming or wading. No marine life harvesting. No incidental human contact.

Submitted by:

 November 28, 2003  
Roger von Butow Executive Officer SOCWC





November 24, 2003

**County of Orange**  
Planning Development Services Department  
Environmental Planning Services Division  
300 North Flower Street  
Santa Ana, CA 92703-4048  
**Attention: Jerry Mitchell**

Dear Jerry,

I was out of the country on November 6 so I was unable to attend the *Notice of Preparation and Scoping Meeting* for the Dana Point Harbor Revitalization Project, held that day. I did receive the 'Public Scoping Meeting Comment Form' and am attaching this letter as part of the "Comments" on potential environmental issues that I feel should be addressed as part of the EIR.

After reviewing this Notice, I became very concerned about a number of issues. I was especially concerned that Aventura Sailing Association was not mentioned in any form whatsoever. Also, in exhibit #6, there was a line drawn through the building that Aventura has occupied since 1976. This left me to believe there were plans to remove the building with no mention in the Notice, addressing Aventura's future.

Although I am aware that almost all of the attention to the revitalization has been focused on the Commercial Core area and East Basin of the Dana Point Harbor, I thought it necessary to address again, the "Future" of Aventura Sailing Association, located in the West Basin of the Harbor. In previous Harbor meetings since 1997, I have discussed how Aventura's membership base has been unable to grow because of the size of its facility. In these Harbor meetings, I have addressed the need for the expansion of Aventura's facilities. In Exhibit #4 of the Notice, it lists the "Expansions" of the Dana Point Yacht Club, Dana West Yacht Club (located in the West Basin), Harbor Lights Facility, Youth and Group Facility and a number of other "Expansions". Aventura Sailing Association's expansion should also be listed on this exhibit.

The plan also emphasized 12 major design objectives for the long-range planning and implementation of Harbor improvements. The 5<sup>th</sup> objective states: "Ensure the future of Yacht Clubs." Aventura Sailing Association's membership is almost the size of both Yacht Clubs combined. Aventura should also be included in the objectives.

I am very concerned about our lack of mention in the Notice, as Aventura has been a major part of Dana Point Harbor for over 27 years and is an original tenant of the Harbor. Aventura moved into its building in the West Basin before any other Yacht Club, or tenant and before most of the slips in the West Basin were even built. The Dana Point Harbor Revitalization Project and Environmental Impact Report should also "address and note" Aventura's facilities expansion. Aventura needs a larger facility that includes kitchen facilities, seating and tables for its functions and instructional purposes. This would allow us to accommodate our present membership base and allow us to continue to expand with the current growth of the surrounding area and the anticipated future growth of new towns and communities being built in the nearby areas.

In the Project Background of the Notice, it states: "The documentation currently being prepared by the County and City of Dana Point describes both physical and regulatory enhancements '**for the entire Harbor area**', focusing on the regulatory and landslide area components." A new building or expansion of Aventura Sailing Association's existing facility should be noted as a part of the Environmental Impact Report.

Jerry, your help would be sincerely appreciated in making sure that Aventura Sailing Association is included and noted as "expanding" in the Harbor Revitalization Project Process and EIR.

Sincerely,

A handwritten signature in dark ink, appearing to read 'David A. Loesch', with a long horizontal flourish extending to the right.

David A. Loesch  
AVENTURA SAILING ASSOCIATION  
24650 Dana Point Harbor Drive  
Dana Point, CA 92629

STATE OF CALIFORNIA—BUSINESS TRANSPORTATION AND HOUSING AGENCY

JIMMY D. SCHWARZENEGGER, Governor

**DEPARTMENT OF TRANSPORTATION**

District 12

3337 Michelson Drive, Suite 380

Irvine, CA 92612-8894

Tel: (949) 2724-2267

Fax: (949) 724-2592

Post-it* Fax Note	7671	Date	11-25-03	# of pages	2
To	Jerry Mitchell	From	m. molavi		
Co./Dept.	County of	Co.	CT-D12		
Phone #	Orange	Phone #	724-2267		
Fax #	714-834-6132	Fax #			



*Flex your power!  
Be energy efficient!*

November 25, 2003

Mr. Jerry Mitchell  
County of Orange  
Planning & Development Services Dep.  
Environmental Planning Services Division  
300 North Flower Street  
Santa Ana, CA 92703

File: IGR/CEQA  
SCH#: 2003101142  
Log #: 1327  
SR #: PCH

**Subject: Dana Point Harbor Revitalization Project-Revised**

Dear Mr. Mitchell,

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Dana Point Harbor Revitalization Project. The Key Elements of the project include updating the existing jurisdictional documentation covering land usage, resource protection and development regulations in the Harbor as well as addressing the actual construction of improvements in the landside areas. Dana Point Harbor is County owned and operated facility located in the southern portion of the City of Dana Point. The nearest State Route to the project is Pacific Coast Highway (PCH).

Caltrans District 12 status is a responsible agency on this project and has the following comments:

1. A traffic study should be prepared which would include existing and future average daily traffic volumes, traffic generation (including peak hour), traffic distribution, intersection capacity utilization analysis along State highways and freeways which might be impacted. Consideration should be given to the cumulative effects that continued development in the area would have on the transportation system. Enclosed for your consideration is Caltrans Guide for preparation of Traffic Impact Studies (TIS) and a list of traffic mitigation measures that may be helpful in planning the project.
2. If any project work (e.g. storage of materials, street widening, emergency access improvements, sewer connections, sound walls, storm drain construction, street connections, etc.) occurs in the vicinity of the Caltrans Right-of-Way, an encroachment permit would be required and environmental concerns must be adequately addressed. If the environmental documentation for the project does not meet Caltrans requirements, additional documentation (e.g. Native American Heritage Commission consultation for cultural resources) would be required before approval of the encroachment permit. Please coordinate with Caltrans to meet requirements for any work within or near Caltrans Right-

Mr. Jerry Mitchell  
November 25, 2003  
Page: 2

**Right-of-Way. (See Attachment: Environmental Review Requirements for Encroachment Permits)**

3. All work within the State Right of Way must conform to Caltrans Standard Plans and Standard Specifications for Water Pollution Control, including production of a Water Pollution Control Program (WPCP) or Storm Water Pollution Prevention Plan (SWPPP) as required. Any runoff draining into Caltrans Right of Way from construction operations, or from the resulting project, cannot be approved by District 12 Environmental Planning. Measures must be incorporated to contain all vehicle loads and avoid any tracking of materials, which may fall or blow onto Caltrans roadways or facilities. (See Attachment: **Water Pollution Control Provisions**)

Please continue to keep us informed of any future developments, which could potentially impact the transportation facilities. If you have any questions or need to contact us, please do not hesitate to call Maryam Molavi at (949) 724-2267.

Sincerely,

*Maryam Molavi for*

ROBERT F. JOSEPH, Chief  
IGR/Community Planning Branch

c: Terry Roberts, Office of Planning and Research  
Terri Pencovic, Caltrans HQ IGR/Community Planning  
Gail Farber, District 12 Deputy Director of Planning  
Raouf Moussa, Traffic Operations North  
Leslie Mandersheid, Environmental Planning B



DEPARTMENT OF FISH AND GAME

350 HARBOR BOULEVARD  
BELMONT, CA 94002-4018  
(650) 631-7730 FAX (650) 631-6793  
<http://www.dfg.ca.gov>



November 19, 2003

Mr. Jerry Mitchell  
County of Orange  
Planning and Development Services Department  
Environmental Planning Services Division  
300 North Flower Street  
Santa Ana, California 92703

Comments on the Notice of Preparation for the Dana Point Harbor Revitalization Project, SCH 2003101142

Dear Mr. Mitchell:

The Department of Fish and Game (Department) has reviewed your Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the Dana Point Harbor Revitalization project. The proposed project would improve landside areas of the Harbor including: remodeling/new construction of retail stores, restaurants, facilities, and a hotel, reconfiguration of existing parking areas and parks, new boater drop off and loading areas, new boat storage spaces, and creation of pedestrian promenades. Additionally, some marina docks would be reconfigured, seawalls would be reconstructed, a dinghy dock would be added, and the Baby Beach area would be renovated.

The Department is a Trustee Agency in terms of the California Environmental Quality Act (CEQA). Our primary objective for reviewing environmental documents is to be able to provide the project sponsor with recommendations for avoiding or minimizing negative impacts to fish and wildlife, their use and users. In attempting to meet this objective, our attention is usually focused upon potential habitat damage or loss, acute or chronic effects to fish and wildlife from changes in habitat quality, and possible use conflicts. To enable Department staff to adequately review and comment on the proposed project, we recommend the following information be included in the DEIR:

- The DEIR should contain a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.

Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service. Rare, threatened, and endangered species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380).

- The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 327-5960 to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
- The DEIR should contain a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. Project impacts should be analyzed relative to their effects on off-site habitats. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems, including the adjacent Marine Life Refuges. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided. Compensation for direct impacts to fish and wildlife habitat should be proposed in the form of habitat replacement, restoration, and improvement.
- Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize project impacts. It is the Department's position that a project should cause no net loss of wetland (e.g., intertidal) acreage or wetland habitat value. This would include expanding any seawalls further seaward.
- A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
- We are also concerned with any potential for excessive turbidity or siltation. Shoreline erosion conditions before, during, and after construction, and the fate of eroded materials should be studied and discussed. Your report should address any erosion which might be caused by deflected wave or water current energy or other forces influenced by structures proposed to be placed in the water (e.g. marina improvements, new docks, replacement seawalls). We need to be able to consider any influences on water currents, flushing, sedimentation, and normal sediment transport.

- The NOP mentioned renovations to the Baby Beach area. If the renovations include beach replenishment activities the Department is concerned with the potential burial of any reef adjacent habitat. Additionally, we are concerned with the increase in turbidity and suspended solids associated with beach building activities and the potential adverse impacts to marine plants, in particular kelp beds, invertebrates, and fishes.
- Where a seawall, bulkhead, or rip-rap is proposed, construction materials should be identified and impacts discussed. Where rip-rap or rubble is to be used, materials should be considered for use which is of suitable diameter to approximate natural rock habitat.
- Potential water quality problems which should be addressed include sewage, litter, petroleum products, cleaning agents and wash down waters, fertilizers, heavy metals, pesticides and other materials which may enter the water. The Department also has a position of not approving the placement of creosote-treated wood products (e.g., pilings) in waters of the State.
- Where dredging and dredge material disposal are concerned, the DEIR should demonstrate whether this is maintenance or new work dredging, describe the geographic extent and types of habitat impacted, identify the volume of materials and proposed location of disposal, and discuss the quality of sediments to be removed.
- Existing human uses such as fishing, or nature study in and adjacent to the project area should be identified and described.

We thank you for the opportunity to express our concerns and look forward to reviewing your DEIR. As always, Department personnel are available to discuss our comments, concerns, and recommendations in greater detail. To arrange for a discussion, please contact Ms. Marilyn Fluharty, Environmental Scientist, California Department of Fish and Game, 4949 Viewridge Avenue, San Diego, CA 92123, telephone (858) 467-4231.

Sincerely,



Eric J. Larson  
Northern California Manager  
Bays and Estuaries Ecosystem Coordinator  
Marine Region-Belmont

cc: Scott Morgan  
State Clearinghouse, Sacramento (original sent to Lead Agency)

Marilyn Fluharty, Marine Region, San Diego- Belmont



# South Coast Air Quality Management District



21865 E. Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

November 12, 2003

Mr. Jerry Mitchell  
County of Orange  
Planning and Development Services Dept.  
Environmental Planning Services Division  
300 North Flower Street  
Santa Ana, CA 92703

Dear Mr. Mitchell:

## **Notice of Preparation of a Draft Environmental Impact Report for Dana Point Harbor Revitalization Project**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The AQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the Draft Environmental Impact Report (EIR).

### **Air Quality Analysis**

The AQMD 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 AQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the AQMD's Subscription Services Department by calling (909) 396-3720.

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 and operations should be considered. 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 evaluation. An analysis of all toxic air contaminant impacts due to the

*Cleaning the air that we breathe...*



decommissioning or use of equipment potentially generating such air pollutants should also be included.

### **Mitigation Measures**

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the AQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additionally, AQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

### **Data Sources**

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

The AQMD is willing to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. Please call Charles Blankson, Ph.D., Air Quality Specialist, CEQA Section, at (909) 396-3304 if you have any questions regarding this letter.

Sincerely,



Steve Smith, Ph.D.  
Program Supervisor, CEQA Section  
Planning, Rule Development and Area Sources

SS:CB:li

ORC031029-01LI  
Control Number



## **ORANGE COUNTY FIRE AUTHORITY**

P.O. Box 86, Orange, CA 92856-0086 • 145 South Water St., Orange, CA 92866

*Chip Prather, Fire Chief*

(714) 744-0400

November 4, 2003

County of Orange  
Planning and Development Services Department  
Environmental Planning Services Division: Jerry Mitchell  
300 N. Flower St.  
Santa Ana, CA 92702-4048


**Re: Dana Point Harbor NOP**

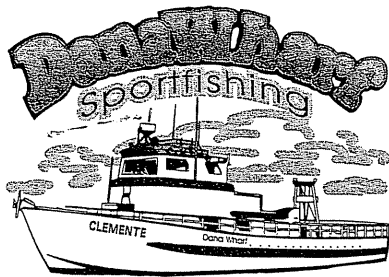
Dear Mr. Mitchell,

Thank you for the opportunity to comment on the subject project. The Orange County Fire Authority does not believe this will be of any significant impact to our agency in regards to additional resources. Of concern to our agency is continued emergency access, fire lanes, and egress at the project and during the construction phases. We also wish to review the hydrant and water supply plans as early as possible. While no additional public safety resources are needed as a result of this project, all standard conditions and guidelines will be applied to the project during the normal review process.

If you have any additional questions, please contact me at (714) 744-0420.

Sincerely,

  
Michele Hernandez  
Management Analyst, Strategic Services



**DANA WHARF SPORTFISHING  
& WHALE WATCHING**

34675 Golden Lantern  
Dana Point, CA 92629

---

11/10/03

Planning Development Services Department  
300 North Flower Street  
Santa Ana, Ca 92703-4048  
Attn: Jerry Mitchell

Dear Jerry Mitchell,

I attended the Public Scoping meeting on Thursday 11/6/03. I have a few concerns regarding the parking that I have voiced several times. The additional 400 parking spaces will not be enough to meet the needs of the harbor business that we currently have. Dana Wharf Sportfishing expects they will use more than 100 of those spaces in the beginning not to mention 20 years from now. The harbor turns away many visitors each day during the summer already due to the lack of parking and with a new harbor we will be inviting many new as well as old people to enjoy the harbor, we should have ample parking to meet these needs and the needs of the future.

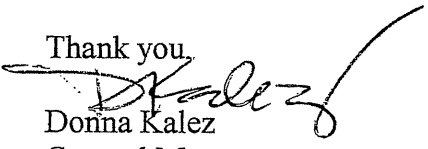
Below is a part of a letter that I submitted a while back regarding location of the employee parking lot during construction, but even after construction I still feel that employees should be located off site if possible and especially if no more parking is made available for the public:

Please consider an option for the parking lot adjacent to the Beach House:

I would like to see all the employees park in this lot and be shuttled to their jobs, yes, the shuttle would need to run all day until late at night but the benefits would be great. Employees will park over the bridge because it will be a mandatory rule, if not the employees can be dropped off, in addition this would also promote job car-pooling. The public will see a strong sense that the County is working towards the betterment of the Harbor. The only people that should really be displaced are the employees. They are not our revenue base; we need to make the harbor most accessible for the most people who want to enjoy the harbor.

Thank you for taking my concerns into account, Dana Wharf Sportfishing is dedicated to having a revitalized harbor that we can all be proud of.

Thank you,



Donna Kalez

General Manager

Dana Wharf Sportfishing



Dana Point Harbor  
November 15, 2003

County of Orange  
Planning Development Services  
300 North Flower Street  
Santa Ana, Ca. 92703-4048

Attention: Jerry Mitchell

I do believe not enough parking has a great environmental Impact for the Dana Point Harbor and the Community.

Parking has always been the issue in Dana Point Harbor. Reviewing the new revitalization plan the increased new parking (450 approx.) spaces basically take cares of what we need today. What about the future??

The new plan indicated additional 25,000 square footage of retail. I understand that requires about 200-250 additional parking spaces. I understand Catalina Express would like to increase their parking allotment by 150-200 spaces. I also believe that sport fishing requires an additional 200 parking spaces. I calculate that means 500-600 additional spaces. So if the current plan meets our current requirements, where are the additional 500-600 cars going to park?

The parking deck is great but if all the sport fishing, Catalina Express and all the restaurant customers' park in this area, it re-creates the same problem we have today only **worst!** Not enough parking spaces in this area will create a log jam. This parking deck above and below will have too many cars not enough parking spaces, not to mention the narrow drive with limited access. The other parking on the western side, is it to far away? Will the Customers use it or be willing to walk great distances to fish, shop and dine? Does it sound like what we have today!

Currently we have approx. 200 employee parking spaces. Where are the employees going to park and there must be a lot more paring because 200 is not enough today what's going to allocated for the revitalization?

### Suggestions

- More customers parking allocated in the dry boat storage area.
- Shuttle the employees of the harbor, Catalina customers and maybe some fisherman to other parking areas of the Harbor or outside the harbor.
- Can the parking lot next to Doheny Beach be used for employee parking?

Please think about additional parking spaces and where they can be developed.  
Thank you for your consideration.

Sincerely,



Jim Miller

Owner Coffee Importers & Scoop Deck Ice Cream



# DANA POINT HARBOR REVITALIZATION PROJECT PUBLIC SCOPING MEETING COMMENT FORM

Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project

**NAME AND ADDRESS OF COMMENTOR:** (include group or public agency affiliation, as applicable)

ROBERT C. MARDIAN, JR.

OWNER of WIND & SEA RESTAURANT & HARPOON HENRY'S

34699 GOLDEN LANTERN

DANA POINT, CA 92629

(949) 496-6500

## COMMENTS:

Please provide your comments on potential environmental issues/impacts that you feel should be addressed as part of the EIR. Attach additional pieces of paper, as needed.

This form and/or additional comments can be submitted to County at the Scoping Meeting or mailed to the County of Orange – Planning Development Services Department, 300 North Flower Street, Santa Ana, California 92703-4048, Attention: Jerry Mitchell.

THE MOST GLARING ADVERSE ENVIRONMENTAL IMPACT REVEALED IN THE PROPOSED REVITALIZATION OF THE DANA POINT HARBOR IS THE NEGLIGENTLY INADEQUATE PARKING PLAN. TO ADD ONLY 400 NEW (additional) PARKING SPACES WOULD NOT SOLVE THE CURRENT PARKING PROBLEMS, LET ALONE THE NEEDS OF THE HARBOR FOR THE NEXT 25 YEARS. THE NEW PLAN SHOULD INCLUDE AT LEAST 1000 NEW (additional) PARKING SPACES.

I'VE INCLUDED WITH THIS COMMENT FORM COPIES OF PARTS OF 3 DIFFERENT PARKING STUDIES OF THE DANA POINT HARBOR DATING BACK TO 1983. ALL 3 OF THE STUDIES WERE COMMISSIONED AND PAID FOR BY THE COUNTY OF ORANGE. ALL THREE CONCLUDE THAT THE DANA POINT HARBOR HAS WHOLLY INADEQUATE PARKING. ANY governing agency (BUILDING & SAFETY, PLANNING COMMISSION, CITY COUNCIL, COASTAL COMMISSION, etc.) IS GOING TO LOOK AT THIS NEW PARKING PROPOSAL WITH A JAUNDKED EYE, ESPECIALLY IN THE LIGHT OF THE COUNTY'S OWN PREVIOUS STUDIES, ONE OF WHICH IS OVER 2 DECADES OLD.



DANA POINT HARBOR REVITALIZATION PROJECT  
PUBLIC SCOPING MEETING  
COMMENT FORM

11/6/03

Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project

NAME AND ADDRESS OF COMMENTOR: (include group or public agency affiliation, as applicable)

Rick Wilson, Coastal Management Coordinator,  
Surfider Foundation  
PO Box 610  
San Clemente, CA 92674

COMMENTS:

Please provide your comments on potential environmental issues/impacts that you feel should be addressed as part of the EIR. Attach additional pieces of paper, as needed.

This form and/or additional comments can be submitted to County at the Scoping Meeting or mailed to the County of Orange - Planning Development Services Department, 300 North Flower Street, Santa Ana, California 92703-4048, Attention: Jerry Mitchell.

1. I note that the harbor project anticipates adding 25,000 ft<sup>2</sup> of retail space, 400 parking spaces and boardwalks. The increased impervious surfaces are likely to further degrade water quality. Please attempt to minimize additional impervious surfaces in your design.
2. I hope that this project can be used to improve water quality at Balboa Beach and elsewhere in the harbor.
3. Don't depend on the proposed Headlands project for water quality mitigation. That project may not happen or may be substantially reduced. The revitalization project should include water quality improvements independent of any other project.





**DANA POINT HARBOR REVITALIZATION PROJECT  
PUBLIC SCOPING MEETING  
COMMENT FORM**

11/21/03

**Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project**

**NAME AND ADDRESS OF COMMENTOR:** (include group or public agency affiliation, as applicable)

- Sheryl Lindsey, City of Dana Point  
33282 Golden Lantern, Dana Point, CA 92629
- Resident of Rancho Santa Margarita, CA
- These comments are personal and not intended to represent the City of Dana Point officially

**COMMENTS:**

Please provide your comments on potential environmental issues/impacts that you feel should be addressed as part of the EIR. Attach additional pieces of paper, as needed.

This form and/or additional comments can be submitted to County at the Scoping Meeting or mailed to the County of Orange – Planning Development Services Department, 300 North Flower Street, Santa Ana, California 92703-4048, Attention: Jerry Mitchell.

It concerns me that so much space is devoted to dry boat storage. I can understand a reasonable area, but this plan appears to be using nearly 50% of the Harbor for inactive dry boat storage. This seems like a great waste of valuable land next to a beautiful ocean harbor that should focus on the day-to-day uses of the public instead. Boat storage seems much more logical away from this limited harbor land area, even if just a mile or two away at a public or private storage facility. With the on-going parking issues of this facility (the harbor), it seems <sup>SOME OF</sup> the dry boat storage area could be better used for long-term parking for daily uses such as the sportfishing customers, which would give the casual daily ~~visitor~~ visitor a better incentive to go to the Harbor on a regular basis.



DANA POINT HARBOR REVITALIZATION PROJECT  
PUBLIC SCOPING MEETING  
COMMENT FORM

11/6/03

Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project

NAME AND ADDRESS OF COMMENTOR: (include group or public agency affiliation, as applicable)

ED ROSS

edross@cox.net

34332 COVE LANTERN

DANA POINT

949-310-1361

COMMENTS:

Please provide your comments on potential environmental issues/impacts that you feel should be addressed as part of the EIR. Attach additional pieces of paper, as needed.

This form and/or additional comments can be submitted to County at the Scoping Meeting or mailed to the County of Orange - Planning Development Services Department, 300 North Flower Street, Santa Ana, California 92703-4048, Attention: Jerry Mitchell.

I have stated for 2 years and no one has addressed the tree problem. 60 foot half dead and diseased trees are not even being discussed. In addition they block over 100 homeowners views and property values. CAN WE REDUCE THE AMOUNT OF TREES TO BRING BACK VIEWS? It is unfair to think you will just remove a handful for visitors driving down Golden Lantern. What about the residents, we deserve to have equal treatment and see a significant number reduced. What study is being done to determine how many can be reduced w/o effecting the birds? I am confident that a 20% - 30% reduction would not harm anything.

**Susan & Brad Britton  
34056 Crystal Lantern  
Dana Point, Ca 92629  
949-218-7751**

**County of Orange  
City of Dana Point  
Paul Lawrence**

**November 4, 2003**

**Re: Request for the removal of Eucalyptus Trees on both sides of Park  
Lantern Street, near and across the street from the basketball courts,  
in Lantern Bay Park.**

The trees obstruct a view of the ocean, and adversely affect property values, for many of the homes in Lantern Village that are below St. Edwards church between Del Obispo and Golden Lantern. It is my understanding that the trees also block the view from many of the rooms at the Marriott Laguna Cliffs.

These eucalyptus trees do not serve as shade for park guests since they line Park Lantern Street going up a steep hill towards the Marriott Hotel. Eucalyptus trees are not indigenous to this area and tend to cause many costly maintenance issues.

At the very least The County of Orange would save money by doing away with the maintenance costs of trimming and street clean up.



RECEIVED  
DEC 15 2003  
RBF CONSULTING

BOARD OF DIRECTORS

Tim Keenan  
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Director

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Director

Michael Ward  
Director

Denis R. Bilodeau  
Alternate Director

Bev Perry  
Alternate Director

Thomas W. Wilson  
Alternate Director

Cindy Quon  
Governor's  
Ex-Officio Member

CHIEF EXECUTIVE OFFICE

Arthur T. Leahy  
Chief Executive Officer

December 2, 2003

Jerry Mitchell  
County of Orange  
300 North Flower Street  
Santa Ana, CA 92702-4048

**Subject: Dana Point Harbor Revitalization Project Notice of Preparation**

Dear Mr. Mitchell;

The Orange County Transportation Authority (OCTA) has reviewed the above referenced document and has the following comments:

OCTA currently operates bus service to the area via Routes 70, 85, and 187. These routes currently terminate and layover northbound on Golden Lantern farside of Dana Point Harbor. In order to access this facility, many of the OCTA buses operate on Pacific Coast Highway, Dana Point Harbor, and Golden Lantern. It is imperative for OCTA bus operations that access to this area be maintained and addressed in the environmental analysis. Furthermore, OCTA would recommend that any improvements in the area consider the impact on OCTA bus operations.

The OCTA appreciates the opportunity to provide input on this project. Please contact me at 714-560-5749 or [cwright@octa.net](mailto:cwright@octa.net) if you have any questions or concerns.

Sincerely,

Christopher Wright  
Associate Transportation Analyst

December 1, 2003

Written comments on Preparation of Draft EIR for Dana Point Harbor Revitalization in response to NOP for Draft EIR No. 591

From: William F. McNeely  
23974 Aliso Creek #462  
Laguna Niguel, CA 92677  
(949) 436-2233 - wfmcn1@hotmail.com

Overall: The entire Harbor must be considered as a whole. Although the current effort focuses hard on the eastern end of the harbor and the "commercial core," environmental issues there, including traffic and parking, do not exist isolated from the rest of the harbor. This will be a staged project and a staged EIR. It should show how each stage affects environmental items in the harbor.

Water Quality/Hydrology: While the NOP addresses issues of runoff and pollution during the construction process, there is more to consider. During construction and in the harbor itself, sources can be mitigated, contained, treated, and controlled. Technology to accomplish this is readily available and known, and it is unthinkable that a contract would be let without including this. Beyond such issues, the harbor's current poor water quality should be addressed. Debris and trash cover the scummy surface, and the water is so cloudy that it's impossible to see a bottom only 8 ft. deep. Contrast this to the clear water and 30-foot deep and visible bottom in Avalon Harbor and Isthmus Cove at Catalina Island. Revitalization should certainly not worsen water quality in the harbor, but simply maintaining the current poor level is also unacceptable.

An interesting sidelight is the adjoining now-vacant property at the southeast corner of Dana Point Harbor Dr. and Pacific Coast Highway, former site of the Villa restaurant and hotel. The old structures on this property employed a septic field for sewage, built so long ago that sanitary sewers did not exist. The property cannot be redeveloped because of the cost of expanding local sewage systems to handle effluent from any new development. If the Harbor Revitalization requires sewer expansion anyway, it should include capacity to handle a new structure on this site.

Ongoing silting in the harbor should also be addressed, particularly in the southwest corner of the turning basin/federal anchorage. Silting has caused a number of groundings at low tide in the fairly shallow west basin, and has created a polluted and unsafe "beach" in the turning basin. While silting does not need daily or even yearly dredging in Dana Point, it does need regular attention. Even if dredging is only done once every five years, we need to make sure it gets done then.

One important means to maintain and improve water quality is to expand and improve maintenance on sewage pumpout facilities in the harbor. Federal water quality efforts mandate keeping sewage on board boats in holding tanks until it can be pumped out at a treatment facility, rather than installing treatment units on boats and discharging treated effluent. Dana Point Harbor currently has three pump-outs at docks in the harbor, to serve about 1,800 boats in the harbor. On its face, this ratio seems poor – one pumpout for each 600 boats – but is good by comparison with other parts of the country where shallower waterways and lower volume water bodies make pollution a bigger problem. The key issue in Dana Point Harbor has been the high percentage of time that these pumpouts are out of service. We need a regular maintenance system for them, and a toll-free number to call when one is down, like the number available at gasoline pumps when emission controls on them fail.

Parking and traffic: As South Orange County and North San Diego County expand, harbor visits will expand, and demand for parking and smooth traffic flow will expand. Adding a parking structure at the east end, as currently proposed, will certainly help, and we need to make sure that we are providing adequate parking spaces and choices, not just for now, but for a long (10 to 30 year) future. To accommodate increased visits to the Ocean Institute at the west end of the harbor, traffic lanes on Dana Point Harbor Dr. were recently reduced to provide on-street parking. This “Hollywood Bowl” solution (you can either have a street or a parking lot, but not both at once) is unacceptable, and any expansion of it would be a terrible mistake.

Parking and traffic issues must serve boating first. We can build shops, restaurants, parks for picnicking and walking, and skating parks elsewhere, but we cannot build boat slips anywhere but in the harbor. We need to maintain parking for boaters close to boat slips. More distant parking facilities can serve other users. Other locations at other times, though, have proven that it’s difficult to get shoppers, diners, etc., to split their trip into “mixed modes” of transportation, unless the secondary mode is an attraction in itself – San Francisco cable cars, for instance. Long term parking for Catalina ferry trips, long fishing trips, etc., might be much farther away, and could be handled many ways, including valet and shuttle services.

Security in the parking structure will probably be an issue – it has been at other similar structures in other harbors. Dana Point harbor is currently considered very safe, and plans should address keeping it that way.

The future of Cove Road at the harbor’s west end needs to be addressed. In theory at least it can be maintained in its current form.

Land Use and Slip Use: The harbor is one of many places where we can build stores, restaurants, and park areas, but it is the only place where we can keep boats. Boating uses, especially for the kind of boats this harbor serves, should be the first call on land use around the harbor.

This has not always been the case in the past.

An important goal of revitalization in maintaining the character of the harbor should be assuring the availability of adult boating instruction on boats of the type in all the harbors’ slips. Neither Dana Point nor Dana West Yacht Club currently provides adult instruction, nor have they ever. Adult instruction on Capri 14 sailboats is available at the Youth & Group facility, but these boats are very different from the auxiliary sailboats, trawlers, cabin cruisers, or sportfishers that occupy all the slips – they lack engines, toilets, galleys, and freshwater systems, among other things, and those who use them never need to develop the skill of parking them in a slip. Without instruction on these types of boats, families have no way of entering the boating community. Currently, less than 300 square feet of space on land in the harbor is devoted to facilities for instruction of this type. In the past, at least one boating instruction facility was converted to a yoga studio – not for lack of interest in boating instruction.

Adult instruction also requires on-the-water facilities, including a space where students can practice docking. This is harder than it might look. There is currently no area dedicated to this use, and it is done among slips filled with other boats. A wiser approach would be to dedicate part of some other area (perhaps the guest/commercial slips) for this purpose.

Slip use is typically “one boat owner, one slip.” Slips controlled by yacht brokers – necessary for conduct of a necessary business in the harbor – are really “no boat owner, one slip.” A few boats, perhaps 10% to 15% in the harbor, are held in partnerships of one sort or another, raising the ratio to two or three boat owners per slip. Waiting time for a slip (often 2 to 10 years) and the high cost of a boat, slip, etc., serve as barriers to entry for people who say they would like to be boaters. In all these cases, a very large, costly public facility – the harbor – serves a very low number of people.

A very small number of slips in Dana Point Harbor – currently less than 2%, a smaller number than those held by live-aboards – are used for bareboat charters. In bareboat chartering, a boater who does not own a boat locally, but who has acquired skill and passed a test, can rent a boat at a tiny fraction of the cost of ownership. Unlike the “one boat owner, one slip” ratio, slips in bareboat charter are usually about 28 boaters per one slip. This more intense and much more efficient use of slips opens the harbor to many of those who paid for it but could otherwise never use it. It also has proven to be the path to boat ownership for many. Charter companies have also provided huge revenues to Orange County over the years, and generally also provide adult instruction. In Dana Point Harbor, they are the only source of adult boating instruction on the larger boats which fill the slips. It is essential that slips be available for bareboat charters – hopefully more than are available now.

Slip size realignment: Current slips throughout the harbor were sized for smaller boats which could be economically kept in a slip 30 years ago. Slip sizes will have to be increased on average, with some smaller boats being moved into expanded and more economical dry storage. If east basin O and N docks become broker and guest slips, these mostly-very-large slips will have to be rebuilt and resized for the actual boats that would be stored there. We need to be sure environmental impacts during this construction are kept to a minimum.



Gray Davis  
Governor

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



Tal Finney  
Interim Director

Notice of Preparation

October 29, 2003

To: Reviewing Agencies  
  
Re: Dana Point Harbor Revitalization Project  
SCH# 2003101142

Attached for your review and comment is the Notice of Preparation (NOP) for the Dana Point Harbor Revitalization Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Jerry Mitchell  
Orange County  
300 North Flower Street  
Santa Ana, CA 92703

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Associate Planner, State Clearinghouse

Attachments  
cc: Lead Agency