

Section III

Statement of Findings





STATEMENT OF FINDINGS AND FACTS IN SUPPORT OF THE DANA POINT HARBOR REVITALIZATION PROJECT PROGRAM EIR

1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) in Public Resources Code Section 21081 and CEQA Guidelines Section 15091 provide that:

- (a) *No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects on the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:*
 - (1) *Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the FEIR.*
 - (2) *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.*
 - (3) *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the FEIR.*
- (b) *The findings required by subsection (a) shall be supported by substantial evidence in the record.*

Section 15092 of the CEQA Guidelines further stipulates that:

- (b) *A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either:*
 - (1) *The project as approved will not have a significant effect on the environment, or*
 - (2) *The agency has:*



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

- (A) *Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and*
- (B) *Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.*

An Environmental Impact Report (EIR) for the Dana Point Harbor (Harbor) Revitalization Project (Project) was prepared and certified as complete by the County of Orange Board of Supervisors. The Final EIR (FEIR) identifies certain significant adverse impacts which may occur as a result of the implementation of the proposed Project, either alone or on a cumulative basis in conjunction with other past, present, and reasonably foreseeable future projects. The environmental review process for the proposed Project is summarized below:

1. In accordance with the CEQA requirements, a Notice of Preparation (NOP) of a Draft EIR (Draft EIR) was filed with the State Clearinghouse (SCH) Office of Planning and Research (OPR) on October 29, 2003. The SCH OPR assigned SCH Number 2003101142 to the environmental documentation for the proposed Project.
2. The NOP/Initial Study (IS) was distributed to public agencies, interested parties, libraries, and service providers. The 30-day public review period for the NOP/IS started on October 29, 2003 and concluded on December 1, 2003. A total of 15 written responses were received on the NOP/IS. A public scoping meeting was held on November 6, 2003, at the Dana Point Harbor Youth and group Facility.
3. In accordance with the CEQA requirements, a Notice of Completion of the Draft EIR was filed with the SCH OPR on September 27, 2005.
4. A 45-day public review period for the Draft EIR pursuant to CEQA commenced on September 27, 2005 and ended on November 10, 2005. The Draft EIR was distributed to public agencies, interested parties, libraries, and service providers by the County of Orange. The distribution list is included in Appendix X of the FEIR.
5. Comments received during the public review period for the Draft EIR were responded to in the Responses to Comments Report.
6. A FEIR was prepared for the proposed Project. The following components comprise the FEIR:
 - a. Draft EIR;
 - b. Response to Comments;
 - c. Mitigation Monitoring and Reporting Program (MMRP);



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

d. Technical Appendices (three volumes); and

e. Staff Reports and attachments.

The FEIR is on file and is available for public review at the County of Orange offices at 24650 Dana Point Harbor Drive, Dana Point, California, 92629.

The County of Orange Dana Point Harbor Department (DPHD) is the Lead Agency with respect to the proposed Project pursuant to Section 15367 of the CEQA Guidelines. As Lead Agency, the County is required by CEQA to make findings with respect to each significant effect of the proposed Project.

The County of Orange has reviewed the FEIR. The following sections make detailed findings with respect to the potential effects of the proposed Project and refer, where appropriate, to the Mitigation Measures set forth in the FEIR and the Final MMRP to avoid or substantially reduce potentially significant adverse impacts of the proposed Project.

The FEIR and the administrative record concerning the proposed Project provide additional facts in support of the findings herein. The FEIR is hereby incorporated into these Findings in its entirety. Furthermore, the Mitigation Measures set forth in the FEIR and the MMRP are incorporated by reference in these Findings. The MMRP was developed in compliance with public Resources Code Section 21081.6 and is contained in a separate document within the FEIR for the proposed Project.

2.0 DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL

2.1 PROPOSED PROJECT

The Revitalization Plan will provide a comprehensive planning tool (through the Harbor Concept Plan and the Dana Point Harbor Commercial Core Concept Plan) for the entire Harbor and reflects current planning and design analyses as well as schematic architectural design of the commercial core area. The overall purpose for the Project is to implement the 1999 Dana Point Harbor Task Force goals, which focused on maintaining the Harbors' small craft character while renovating the Harbor infrastructure and buildings, improving parking and amenities, and addressing the revenue-generating needs for the Harbor.

The Project consists of two major components:

- **Phase I ("Project-Level" detailed environmental analysis)** – The "Commercial Core" area of the Harbor, which includes Planning Area 1 ("Marine Services" – currently including the Embarcadero and shipyard area) and Planning Area 2 ("Day Use Commercial" – currently including the Dana Wharf and Mariners Village area). Extensive preliminary design studies and schematic plans have been developed for the Commercial Core, and this



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

EIR is therefore intended to provide construction-level environmental review such that no further CEQA documents are required.

Phase I, planned for completion by 2012 includes:

- Utilization of two off-site areas for temporary and long-term parking and/or boat storage);
 - One dry-stacked boat storage building (400 spaces);
 - A two-level parking deck of (610 spaces);
 - Net increase of 616 parking spaces;
 - Net increase of approximately 6,200 square feet of retail space;
 - Renovation of approximately 30,000 square feet existing retail space;
 - Net increase of approximately 27,100 square feet of restaurant space;
 - Relocation of various existing uses; and
 - Extensive infrastructure, access, design, landscape and circulation improvements.
- **Phase II ("Program-Level" conceptual environmental analysis)** – Planning Areas 3-7 landside and 8-12 waterside (all remaining land-side areas, the Island, and all Marina Areas including the hotel, Youth and Group Facility, bluffs, Island, and the East and West Marina), and the southern portion of Planning Area 1, including a second dry stack boat storage building and the lighthouse. The Phase II area includes a variety of potential future improvements, although the funding, phasing, and design details for Phase II improvements are only known at a preliminary level at this time. Certain Phase II improvements, particularly the marina dock renovations (due to the funding availability from the State Department of Boating and Waterways), may occur in the near term, although in the absence of certain phasing, the Program EIR has used a buildout year of 2030 for all of Phase II. The Program EIR is intended to provide a comprehensive analysis of potential Phase II improvements, in order to provide a basis for future "tiered" environmental analysis, as Project information becomes more defined and/or more detailed architectural and engineering plans are prepared.

Phase II improvements includes:

- Additional dry-stacked boat storage building #2 (400 spaces);
- Lighthouse;
- Reconfiguration of the shipyard;
- Hotel renovation/expansion (up to 220 room and 14,300 square feet support uses);
- East and West Marina renovations (slip reconfiguration);
- Youth and Group Facility Expansion;
- Harbor Patrol Expansion (additional 1,500 square feet);
- Island Restaurant Expansion (additional 5,000 square feet);
- Dana Point Yacht Club Expansion (additional 5,600 square feet);
- Dana West yacht Club Expansion (additional 5,000 square feet);
- Boater Service Buildings (additional 28,000 square feet total maximum);
- Extensive Harborwide infrastructure and amenity enhancements:



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

- Seasonal water taxi service
- Ensanada Place turnaround reconfiguration
- Coastal bluff preservation
- Baby Beach reconfiguration/enhancements
- Dana Drive turnaround modification on the Island
- Improved utilities, drainage, lighting, signage, landscaping, and pedestrian circulation
- Repair/renovate quay wall and bulkhead

2.2 PROJECT OBJECTIVES

The primary goals of the Revitalization Plan are to invigorate the Harbor as a popular destination for boaters, local residents, and tourists while maintaining the unique character and family atmosphere of the Harbor.

Objectives (1998 Task Force):

- Maintain the Harbor's current character and family atmosphere;
- Renovate and maintain the Harbor's appearance;
- Maintain a full-service harbor;
- Prevent commercialization of the Island;
- Ensure the future of yacht clubs;
- Provide better utilization of parking spaces;
- Improve Harbor water quality;
- Maintain an overall mix of land uses;
- Provide more parking in the commercial area;
- Preserve/enhance existing parkland, beach, and landscape buffers;
- Address the balance between revenue-generating and non-revenue-generating land uses [The Project must generate sufficient revenue to fund construction, operation and maintenance of proposed improvements]; and
- Provide additional public restroom and shower facilities near the docks.

3.0 FINDINGS FOR SIGNIFICANT ADVERSE IMPACTS OF THE PROPOSED PROJECT THAT CANNOT BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

3.1 IMPACTS RELATED TO AESTHETICS, VISUAL, AND GLARE

3.1.1 POTENTIALLY SIGNIFICANT UNAVOIDABLE ADVERSE LONG-TERM OFF-SITE AESTHETIC IMPACTS



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

The proposed Project will result in significant and unavoidable long-term off-site aesthetic impacts due to the development of the dry-stack boat storage, which would partially obstruct views from surrounding roadways, parks, and State Beaches.

3.1.2 FINDINGS RELATED TO AESTHETICS, VISUAL, AND GLARE

- (1) Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the environmental impact report.

Complete mitigation is not possible to avoid the significant adverse Project impacts related to long-term off-site aesthetic impacts. Refer to Section 9.0 (Statement of Overriding Considerations) contained in this document.

3.1.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO AESTHETICS, VISUAL, AND GLARE

As detailed within the FEIR, despite the implementation of all feasible Mitigation Measures, significant and unavoidable aesthetics, visual, and glare impacts remain. The proposed Project will result in significant and unavoidable long-term off-site aesthetic impacts due to the development of the dry-stack boat storage buildings, which would obstruct views from surrounding roadways, parks, and State Beaches.

Project design features are incorporated into the proposed Project that would reduce the long-term aesthetic impacts. The Project would work to preserve views of the bluff areas by restricting any structures adjacent to the bluffs. The planting of trees within the Harbor will provide a visually soft and natural backdrop while framing and protecting significant public view opportunities. All feasible mitigation has been identified in the EIR (refer to Attachment X, Mitigation Monitoring and Reporting Program). However, no Mitigation Measures have been identified to reduce the long-term off-site impacts to a less than significant level. No other Alternatives to the Project that could avoid or reduce this impact would meet the Project's goals for maintaining the Harbor's current character and family atmosphere; renovating and maintaining the Harbor's appearance; maintaining a full-service harbor; providing better utilization of parking spaces; and providing more parking in the commercial area. Refer to Sections 6.0 (Findings Regarding Alternatives to the Proposed Project) and 7.0 (Comparison of Impacts) of this document, as well as Section 6.0 (Alternatives to the Proposed Project) contained within the DEIR. These impacts are overridden by the Project benefits as set forth in Section 9.0 (Statement of Overriding Considerations) of this document.

3.2 IMPACTS RELATED TO AIR QUALITY



3.2.1 POTENTIALLY SIGNIFICANT UNAVOIDABLE ADVERSE AIR QUALITY IMPACTS

The proposed Project will result in significant and unavoidable impacts regarding construction emissions (NO_x emissions).

3.2.2 FINDINGS RELATED TO AIR QUALITY

- (1) Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the environmental impact report.

Complete mitigation is not possible to avoid the significant adverse Project impacts related to short-term (construction) air emission impacts. Refer to Section 9.0 (Statement of Overriding Considerations) contained in this document.

3.2.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO AIR QUALITY

As detailed within the FEIR, despite the implementation of all feasible Mitigation Measures, significant and unavoidable air quality impacts remain. The proposed Project will result in significant and unavoidable construction emissions (NO_x emissions).

The California Air Resources Board (CARB), a department of the California Environmental Protection Agency (CalEPA), oversees air quality planning and control throughout California. Its responsibility lies with ensuring implementation of the 1989 amendments to the California Clean Air Act (CCAA), responding to the FCAA requirements and regulating emissions from motor vehicles sold in California. It also sets fuel specifications to further reduce vehicular emissions.

The SCAQMD is one out of 35 air quality management districts that have prepared Air Quality Management Plans (AQMPs) to accomplish a five-percent annual reduction in emissions. The most recent AQMP was adopted in 2003. This AQMP relies on a multilevel partnership of governmental agencies at the Federal, State, regional, and local level. The 2003 AQMP proposes policies and measures to achieve Federal and State standards for improved air quality in the Basin and those portions of the Salton Sea Air Basin (formerly named the Southeast Desert Air Basin) that are under SCAQMD jurisdiction.

Mitigation measures contained in Section 4.6 (Air Quality) of the FEIR will be implemented. The Mitigation Measures require compliance with SCAQMD's Rules



402, 403, and 1113, along with minimizing ROG emissions and the time construction equipment/activities are conducted (refer to Attachment X, Mitigation Monitoring and Reporting Program). However, these measures are unable to reduce the long-term off-site impacts to a less than significant level. No other feasible Mitigation Measures have been identified. No other Alternatives to the Project that could avoid or reduce this impact would meet the Project's goals for renovating and maintaining the Harbor's appearance; maintaining a full-service harbor; ensuring the future of yacht clubs; providing better utilization of parking spaces; maintaining an overall mix of land uses; providing more parking in the commercial area; addressing the balance between revenue-generating and non-revenue-generating land uses (the Project must generate sufficient revenue to fund construction, operation and maintenance of proposed improvements); and providing additional public restroom and shower facilities near the docks. Refer to Sections 6.0 (Findings Regarding Alternatives to the Proposed Project) and 7.0 (Comparison of Impacts) of this document, as well as Section 6.0 (Findings Regarding Alternatives to the Proposed Project). These impacts are overridden by the Project benefits as set forth in Section 9.0 (Statement of Overriding Considerations) of this document.

3.3 IMPACTS RELATED TO NOISE

3.3.1 POTENTIALLY SIGNIFICANT UNAVOIDABLE ADVERSE NOISE IMPACTS

The proposed Project would result in significant and unavoidable impacts regarding exposure to construction noise due to the duration of construction activities.

The proposed Project would result in significant and unavoidable impacts regarding exposure to cumulative noise along several of the local roadway segments due to buildout of the General Plan.

3.3.2 FINDINGS RELATED TO NOISE

- (1) Changes or alterations have been required in, or incorporated into, the project, which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the environmental impact report.

Complete mitigation is not possible to avoid the significant adverse Project impacts related to short-term (construction) noise and cumulative noise. Refer to Section 9.0 (Statement of Overriding Considerations) contained in this document.

3.3.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO NOISE



As detailed within the FEIR, despite the implementation of all feasible Mitigation Measures, significant and unavoidable noise impacts remain. The proposed Project will result in significant and unavoidable impacts regarding exposure to construction noise and cumulative noise.

Standard Conditions of Approval are incorporated into the proposed Project that would reduce the short-term noise impacts. The Standard Conditions of Approval require limitations on construction activities and locating construction equipment away from sensitive receptors. Mitigation measures contained in Section 4.9 (Noise) of the FEIR will be implemented (refer to Attachment X, Mitigation Monitoring and Reporting Program). The Mitigation Measures require limiting the type and amount of construction activities within 1,000 feet of noise-sensitive receptors. However, these measures are unable to reduce the short-term and cumulative noise impacts to a less than significant level. No other feasible Mitigation Measures have been identified. No other Alternatives to the Project that could avoid or reduce this impact would meet the Project's goals for renovating and maintaining the Harbor's appearance; maintaining a full-service harbor; ensuring the future of yacht clubs; providing better utilization of parking spaces; maintaining an overall mix of land uses; providing more parking in the commercial area; addressing the balance between revenue-generating and non-revenue-generating land uses (the Project must generate sufficient revenue to fund construction, operation and maintenance of proposed improvements); and providing additional public restroom and shower facilities near the docks. Refer to Sections 6.0 (Findings Regarding Alternatives to the Proposed Project) and 7.0 (Comparison of Impacts) of this document, as well as Section 6.0 (Alternatives to the Proposed Project) the DEIR. These impacts are overridden by the Project benefits as set forth in Section 9.0 (Statement of Overriding Considerations) of this document.

4.0 FINDINGS FOR SIGNIFICANT ADVERSE IMPACTS OF THE PROPOSED PROJECT WHICH CAN BE AVOIDED OR MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE

4.1 IMPACTS RELATED TO LAND USE AND RELEVANT PLANNING

4.1.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO LAND USE AND RELEVANT PLANNING

The Project will require a Local Coastal Plan Amendment and subsequent Coastal Development Permits to ensure consistency with the California Coastal Act and Local Coastal Plan.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

The proposed Project, due to temporary construction activities and/or long-term maintenance or operations, may result in conflicts with existing or future land uses.

4.1.2 FINDINGS RELATED TO LAND USE AND RELEVANT PLANNING

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above cited proposed Project's impact on land use and planning to less than significant. Refer to the Mitigation Monitoring and Reporting Program (refer to Attachment X).

**4.1.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO LAND USE AND RELEVANT PLANNING**

Implementation of Mitigation Measures will reduce the above-cited significant adverse Project impacts related to land use and relevant planning to a less than significant level. The Project will require a Local Coastal Plan Amendment and subsequent Coastal Development Permits to ensure consistency with the California Coastal Act and Local Coastal Plan. Preparation of a Construction Management Plan and a signage program would ensure impacts related to land use compatibility would be reduced to a less than significant level. There are no significant unavoidable adverse Project impacts related to consistency with the California Coastal Act and land use compatibility after the implementation of Mitigation Measures.

4.2 IMPACTS RELATED TO AESTHETICS, VISUAL, AND GLARE**4.2.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO AESTHETICS, VISUAL, AND GLARE**

- Grading and construction activities associated with Project implementation will significantly impact the temporarily affect the existing visual character and quality of the Project site and it's surrounding.
- Project implementation will significantly impact the existing visual character and quality of the Project site.
- Development of the proposed Project may create a new source of light and glare, which will adversely affect day and/or nighttime views in the area.

4.2.2 FINDINGS RELATED TO AESTHETICS, VISUAL, AND GLARE

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant aesthetics, visual, and glare impacts to a less than significant level. Refer to the Mitigation Monitoring and Reporting Program.

4.2.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO AESTHETICS, VISUAL, AND GLARE

Implementation of Mitigation Measures will reduce the above-cited significant adverse aesthetics, visual, and glare impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). The Project will be required to prepare a construction staging plan and screen all construction activities with fencing. The Landscaping Plan will ensure cohesive and attractive landscaping throughout the Harbor that will obstruct buildings and enhance sidewalks and



roadways. Finally, light and glare impacts would be reduced with compliance with the Lighting Plan. Implementation of the recommended Mitigation Measures would reduce impacts to a less than significant level. With the exception to off-site views, there are no significant unavoidable adverse project related short-term (construction), long-term aesthetic, and light and glare impacts after implementation of Mitigation Measures.

4.3 IMPACTS RELATED TO GEOLOGY, SOILS, AND SEISMICITY

4.3.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO GEOLOGY, SOILS, AND SEISMICITY

Soil conditions such as collapsible and expansive soils, soil erosion, and subsidence will significantly impact development of the Project.

Because the proposed Project is located in a region that experiences seismic activity, development of the proposed Project will expose people and structures to effects associated with seismic activity.

4.3.2 FINDINGS RELATED TO GEOLOGY, SOILS, AND SEISMICITY

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant geology, soils, and seismicity impacts to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.3.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO GEOLOGY, SOILS, AND SEISMICITY

Implementation of Mitigation Measures will reduce the above-cited significant adverse geology, soils, and seismicity impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). Mitigation measures require preparation of a geotechnical report identifying any adverse geologic and soil conditions. The geotechnical report will identify Mitigation Measures that would reduce all geologic, soils, and seismic impacts to a less than significant level. Project design features would also require that development of the parking structure be designed to provide structural setbacks that would resist long-term settlement. Implementation of the recommended Mitigation Measures, Project Design Features, and Standard Conditions of Approval, would reduce impacts to a less than significant level. There are no significant unavoidable adverse project impacts related to surficial units and seismicity after implementation of Mitigation Measures.



4.4 IMPACTS RELATED TO DRAINAGE AND WATER QUALITY

4.4.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO DRAINAGE AND WATER QUALITY

The proposed Project site may be subject to potential flood hazards from San Juan Creek.

4.4.2 FINDINGS RELATED TO DRAINAGE AND WATER QUALITY

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant flooding impacts to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.4.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO DRAINAGE AND WATER QUALITY

Implementation of Mitigation Measures will reduce the above-cited significant adverse flooding impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). Mitigation measures require an assessment of flooding from San Juan Creek and seiche impacts on all proposed structures and the Harbor. In addition, Standard Conditions of Approval require all structures to be built one foot above the identified base flood elevation (BFE). Finally, a Project Design Feature would ensure that all new buildings include stormwater collection systems. Implementation of the recommended Mitigation Measures, Project Design Feature, and Standard Conditions of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse Project impacts related to flood hazards after implementation of Mitigation Measures.

4.5 IMPACTS RELATED TO TRAFFIC AND PARKING

4.5.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO TRAFFIC AND PARKING

Construction activities associated with the proposed Project will generate additional vehicle trips on adjacent roadways and significantly impact existing parking facilities, thus affecting the level of service at intersections and roadways and parking capacities.

The proposed Project would generate additional trips on the adjacent roadways significantly impacting the level of service at nearby intersections and roadways.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

The proposed Project would generate additional parking demand, resulting in a significant parking impact.

4.5.2 FINDINGS RELATED TO TRAFFIC AND PARKING

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant traffic and parking impacts to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.5.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO TRAFFIC AND PARKING

Implementation of Mitigation Measures will reduce the above-cited significant traffic and parking impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). Short-term traffic and parking impacts would be mitigated to a less than significant level with the preparation of a construction signage program indicating additional parking areas and a construction traffic management plan that includes the locations for shuttle drop-off areas, the relocation of public transit facilities and provisions for valet service (in the event construction activities do not allow for convenient parking adjacent to existing businesses). The construction traffic management plan will also establish access locations for construction equipment, separate from those used by the general public. Long-term traffic impacts would require mitigation to the Del Obispo Street/Pacific Coast Highway intersection, Doheny Park Plaza/Pacific Coast Highway intersection, and the Puerto Place/Dana Point Harbor Drive intersection. Implementation of the Mitigation Measures identified for these intersections would ensure adequate levels of service for all the roadways. The Project would also be required to prepare a Parking Management Plan that would identify additional parking areas during peak Harbor use periods, and a queuing analysis to ensure that adequate access is designed into the proposed parking structure. Standard conditions of approval would also require retaining the Selva Parking lot for additional parking, and providing adequate site distance at all intersections during grading activities. Implementation of the recommended Mitigation Measures and Standard Conditions of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse project impacts related to traffic and parking after implementation of Mitigation Measures.

4.6 IMPACTS RELATED TO AIR QUALITY

4.6.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO AIR QUALITY

The proposed Project will add an overall increase in the local and regional pollutant load resulting in significant long-term air quality impacts.



4.6.2 FINDINGS RELATED TO AIR QUALITY

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant long-term air quality impacts to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.6.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO AIR QUALITY

Implementation of Mitigation Measures will reduce the above-cited significant long-term air quality impacts to less than significant (refer to Attachment X, Mitigation Monitoring and Reporting Program). The Project would be required to comply with Title 24 of the California Code of Regulations regarding energy conservation standards. Additionally, a Transportation Demand Management (TDM) plan must be prepared, which will outline techniques such as preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and bike racks to reduce vehicular trips. Project design features would further reduce long-term air emissions by including a dust collection system into the dry boat stack storage buildings to reduce the amount of particulates released into the atmosphere. Implementation of the recommended Mitigation Measures and Project Design Features would reduce impacts to a less than significant level. There are no significant unavoidable adverse long-term air quality impacts after implementation of Mitigation Measures.

4.7 IMPACTS RELATED TO BIOLOGICAL RESOURCES

4.7.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO BIOLOGICAL RESOURCES

Project implementation may impact marine biological resources and species identified as special-status unless mitigated.

4.7.2 FINDINGS RELATED TO BIOLOGICAL RESOURCES

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited impacts to biological resources to a less than significant level. Refer to the Mitigation Monitoring and Reporting Program.



4.7.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO BIOLOGICAL RESOURCES

Implementation of Mitigation Measures will reduce the above-cited significant impacts to biological resources to less than significant (refer to Attachment X, Mitigation Monitoring and Reporting Program). Impacts to special status species would be mitigated by restricting construction activities during the breeding season for the California gnatcatcher, snowy egret, black-crowned night herons, and raptors. Impacts to marine biological resources would be assessed during a focused marine biological resources study that would be required for any construction activities outside the seawalls original footprint. In addition, the Project will be required to implement best management practices (BMPs) to ensure no impacts to water quality or the marine environment. A Project Design Feature and Standard Condition of Approval includes the preparation of a landscape concept plan that provides a design to minimize the loss of native trees within the Harbor boundaries. The landscape concept plan will require that trees removed during construction be replanted on at least a 1:1 ratio, as well as including the preferential use of native species and vegetation. Implementation of the recommended Mitigation Measures, Project Design Feature, and Standard Condition of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse impacts to biological resources after implementation of Mitigation Measures.

4.8 IMPACTS RELATED TO PUBLIC HEALTH AND SAFETY

4.8.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO PUBLIC HEALTH AND SAFETY

Implementation of the proposed Project will have the potential to create a significant hazard to the public or the environment related to hazardous materials.

The proposed Project will potentially create odors or foster disease vectors associated with the implementation of BMPs.

The proposed Project has the potential to create a significant hazard to the public or the environment through the release of asbestos-containing materials (ACMs) into the environment, primarily during the construction of the Project.

Project implementation will have a potential to create a significant hazard to the public or the environment through the release of lead-based paints (LBPs) into the environment.

4.8.2 FINDINGS RELATED TO PUBLIC HEALTH AND SAFETY

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant impacts related to hazardous materials, odors and vectors,



ACMs, and LBPs, to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.8.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO PUBLIC HEALTH AND SAFETY

Implementation of Mitigation Measures will reduce the above-cited Public Health and Safety impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). The impacts associated with hazardous materials would be mitigated through; preparation of Phase II and Phase III Environmental Site Assessments (where necessary), remediation of any hazardous materials identified during construction activities, testing for polychlorinated biphenyls (PCBs) at all hydraulic lift and transformer locations, compliance with regulatory agency regulations regarding the removal and/or relocation of any underground storage tanks, and compliance with California Code of Regulations Title 22.

During the design phase of the BMPs, the following methods will be investigated to reduce impacts regarding odors and vectors: installing bypass litterbags with a fine mesh system and weights sewn on to prevent any gaps, drilling weep holes and a flap gate in the pipe upstream, or other currently proven technology. A survey would be required to determine the presence/absence of ACMs and/or LBPs prior to demolition activities. As a Project Design Feature, asbestos removal will be performed by a State-certified asbestos containment contractor in accordance with SCAQMD Rule 1403. Removal of LBPs will be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

Standard conditions of approval also require a plan for identifying measures to comply with standard County procedures for implementing the Uniform Fire Code in the use of any combustible and flammable liquids, aboveground or underground storage of such materials, welding and potential spark production, and building occupancy rating in a manner meeting the approval of the Fire Chief. Implementation of the recommended Mitigation Measures, Project Design Feature, and Standard Conditions of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse impacts regarding hazardous materials, vectors and odors, ACMs, and LBPs after implementation of Mitigation Measures.

4.9 IMPACTS RELATED TO PUBLIC SERVICES AND UTILITIES

4.9.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO PUBLIC SERVICES AND UTILITIES

The proposed Project would require fire protection services.

The proposed Project would not require new police facilities due to an increased need for police services.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

The proposed Project would increase demand for natural gas facilities.

The proposed Project would require additional cable television facilities.

The proposed Project would not significantly increase demands on existing electrical facilities.

Implementation of the proposed Project, combined with cumulative projects, would not result in a significant impact on the demand of public services and utilities.

4.9.2 FINDINGS RELATED TO PUBLIC SERVICES AND UTILITIES

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant impacts related to fire protection, police protection, gas, cable television, electricity, and cumulative impacts, to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.9.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO PUBLIC SERVICES AND UTILITIES

Implementation of Mitigation Measures will reduce the above-cited significant public services and utilities impacts to a less than significant level (refer to Attachment X, Mitigation Monitoring and Reporting Program). Fire impacts would be reduced with compliance with the Orange County Fire Authority (OCFA) requiring fire sprinklers for all buildings, adequate emergency response access, preparation of a Study of Life Safety and Evacuation for Planning Area 4 (Island) to ensure that adequate evacuation can occur should the island bridge become incapacitated, and preparation of a fire hydrant plan. Police protection impacts would be reduced by ensuring adequate access to Planning Areas 8 through 12 (particularly the area behind the Harbor Patrol offices). Finally, electrical, natural gas, and cable television services and equipment locations will be coordinated with the applicable utility providers. Implementation of the recommended Mitigation Measures, Project Design Features, and Standard Conditions of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse police protection, fire protection, gas, cable television, electricity, and cumulative impacts after implementation of Mitigation Measures.

4.10 IMPACTS RELATED TO CULTURAL RESOURCES

4.10.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO CULTURAL RESOURCES

Implementation of the proposed Project may impact unknown locations of human remains.



4.10.2 FINDINGS RELATED TO CULTURAL RESOURCES

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant impacts to burial sites to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

4.10.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO CULTURAL RESOURCES

Implementation of Mitigation Measures will reduce the above-cited significant impacts to burial sites to less than significant (refer to Attachment X, Mitigation Monitoring and Reporting Program). If human remains are encountered during earth removal or disturbance activities, the contractor will be required to cease all further earth disturbance until the County Coroner has made a determination of the origin and disposition pursuant to Public Resources Code Sections 5097.98 and 5097.99, relative to Native American remains. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission. A Standard Condition of Approval also requires that a County-certified archaeologist be retained to observe grading activities and salvage and catalogue archaeological resources as necessary. Implementation of the recommended Mitigation Measures and Standard Condition of Approval would reduce impacts to a less than significant level. There are no significant unavoidable adverse impacts to burial sites after implementation of Mitigation Measures.

4.11 IMPACTS RELATED TO RECREATION

4.11.1 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS RELATED TO RECREATION

Project implementation will increase the use of existing neighborhood and regional parks and other recreational facilities, thereby creating the potential for physical deterioration of each facility.

4.11.2 FINDINGS RELATED TO RECREATION

- (1) Changes or alterations have been required in, or incorporated into, the project which substantially lessen the significant environmental effect as identified in the FEIR.

Implementation of Mitigation Measures would reduce the above-cited proposed Project's significant impacts to existing recreational facilities to less than significant. Refer to the Mitigation Monitoring and Reporting Program.

**4.11.3 FACTS IN SUPPORT OF THE FINDINGS RELATED TO RECREATION**

Implementation of Mitigation Measures will reduce the above-cited significant impacts to existing recreational facilities to less than significant (refer to Attachment X, Mitigation Monitoring and Reporting Program). Implementation of the proposed Project would result in an increase of utilization of the recreational facilities within the Harbor. However, the proposed Project will improve the recreational facilities within the Project area, thereby reducing impacts on surrounding recreational facilities. Project design features include providing adequate pedestrian access between the parking areas to the Commercial Core and recreational facilities. Various amenities will also be provided to the waterside areas, including improved boater drop-off areas, dedicated boater parking, upgraded boater service buildings and restrooms, and water taxi drop-off and pick-up areas throughout the Harbor. In addition, implementation of the recommended mitigation measure will ensure adequate access to the proposed and existing recreational facilities. The Project will provide parking stalls for the physically disabled to serve the visitor recreation facilities shall be provided to comply with the Uniform Building Code (latest adopted edition), the State of California Health and Safety Code, and State Building Code, including blue surface logo, blue paint stripes, signage, number, and locations so as to provide adequate safety and optimal proximity to building entrances. Implementation of the recommended mitigation measure and the Project Design Features would reduce impacts to a less than significant level. There are no significant unavoidable adverse impacts to existing recreational facilities after implementation of the mitigation measure.

5.0 FINDINGS ON IMPACTS OF THE PROPOSED PROJECT THAT WERE DETERMINED NOT TO BE SIGNIFICANT

In evaluating the environmental impacts associated with the proposed Project, the FEIR documented some potential impacts that would not be considered significant. CEQA does not require findings for less than significant impacts and for which mitigation is, accordingly, not required. The following information summarizes the determinations of non-significance for various potential Project impacts as identified in the FEIR. This section hereby incorporates by reference Final EIR Section 7.0 (Effects Found Not To Be Significant).

5.1 IMPACTS RELATED TO LAND USE AND RELEVANT PLANNING

Based on the analysis in Section 4.1 (Land Use and Relevant Planning) of the DEIR, the proposed Project would be consistent with the Southern California Association of Governments (SCAG's) Regional Comprehensive Plan and Guide (RCPG), the California Coastal Act, and the State Tidelands Act. Cumulative land use impacts would also be less than significant as projects are evaluated on a project-by-project basis in accordance with the criteria set forth within the jurisdiction in which the cumulative project is located. No mitigation is required, and no significant



unavoidable adverse impacts related to these planning issues will occur as a result of the construction and operation of the proposed Project.

5.2 IMPACTS RELATED TO AESTHETICS, VISUAL, AND GLARE

Based on the analysis in Section 4.2 (Aesthetics, Visual, and Glare) of the DEIR, implementation of the proposed Project would not obstruct views of scenic resources. In fact, the realignment of the Street of the Golden Lantern will terminate directly at the entrance of the Festival Plaza, affording views of the Harbor directly from the street. The introduction of additional view corridors (i.e., improved views from Street of the Golden Lantern) will not cumulatively deteriorate the aesthetic value of the area and will preserve coastal views. Thus, cumulative impacts will be less than significant. No mitigation is required, and no significant unavoidable adverse impacts related to scenic vistas and cumulative aesthetic impacts will occur as a result of the construction and operation of the proposed Project.

5.3 IMPACTS RELATED TO GEOLOGY, SOILS, AND SEISMICITY

Based on the analysis in Section 4.3 (Geology, Soils, and Seismicity) of the DEIR, the proposed Project, combined with future development, will result in increased short-term impacts such as erosion and sedimentation, and long-term seismic impacts within the area. However, mitigation will be incorporated on a project-by-project basis to reduce impacts to a less than significant level in areas deemed suitable for development. No mitigation is required, and no significant unavoidable adverse impacts related to cumulative geology, soils, and seismicity impacts will occur as a result of the construction and operation of the proposed Project.

5.4 IMPACTS RELATED TO DRAINAGE AND WATER QUALITY

Based on the analysis in Section 4.4 (Drainage and Water Quality) of the DEIR, Standard Conditions of Approval would reduce impacts related to drainage and runoff, short-term and long-term water quality, and cumulative hydrology and drainage impacts. No mitigation is required, and no significant unavoidable adverse impacts related to drainage and runoff, water quality, and cumulative hydrology and drainage impacts will occur as a result of the construction and operation of the proposed Project.

5.5 IMPACTS RELATED TO PUBLIC HEALTH AND SAFETY

Based on the analysis in Section 4.8 (Public Health and Safety) of the DEIR, implementation of the proposed Project would not result in significant impacts to the emergency response plan and cumulative public health and safety. The Construction Management Plan (CMP) will include measures to avoid or lessen



potential ingress/egress, circulation, and emergency access impacts associated with Project implementation. In addition, vehicular circulation improvements in this area include the removal of the existing turn-around at Ensenada Place and realignment of Dana Point Harbor Drive to promote better access by large vehicles and buses. Compliance with Federal, State, and local requirements on a project-by-project basis will reduce cumulative impacts to a less than significant level. No mitigation is required, and no significant unavoidable adverse impacts related to the emergency response plan and cumulative public health and safety impacts will occur as a result of the construction and operation of the proposed Project.

5.6 IMPACTS RELATED TO NOISE

Based on the analysis in Section 4.9 (Noise) of the DEIR, long-term mobile noise impacts would be less than significant for roadway segments under buildout traffic scenarios. In addition, stationary source impacts would be reduced to less than significant levels with adherence to the County of Orange Zoning Code requirements relating to noise level standards. No mitigation is required, and no significant unavoidable adverse impacts related to long-term mobile and stationary noise will occur as a result of the construction and operation of the proposed Project.

5.7 IMPACTS RELATED TO PUBLIC SERVICES AND UTILITIES

Based on the analysis in Section 4.10 (Public Services and Utilities) of the DEIR, implementation of the proposed Project would not result in significant impacts to educational facilities, solid waste, reclaimed water, water supply, sewer, roadway maintenance, library service, public transportation needs, and telephone service. No mitigation is required, and no significant unavoidable adverse impacts related to the above-cited public services and utilities will occur as a result of the construction and operation of the proposed Project.

5.8 IMPACTS RELATED TO CULTURAL RESOURCES

Based on the analysis in Section 4.11 (Cultural Resources) of the DEIR, the Standard Condition of Approval requiring that a County-certified archaeologist observe grading activities and salvage and catalogue archaeological resources as necessary, would reduce impacts regarding archaeological and historical resources, paleontological resources, and cumulative cultural resources impacts. No mitigation is required, and no significant unavoidable adverse impacts related to archaeological and historical resources, paleontological resources, and cumulative cultural resources will occur as a result of the construction and operation of the proposed Project.

5.9 IMPACTS RELATED TO RECREATION

Based on the analysis in Section 4.12 (Recreation) of the DEIR, the proposed Project would not result in significant impacts to proposed recreation activity and facilities, consistency with the *County of Orange General Plan*, and would not result



in cumulative recreation impacts. Project design features would provide greater accessibility within the Harbor area and upgrade the existing facilities for boaters and other recreational activities within the Harbor, which is consistent with the County of Orange Master Plan of Regional Recreation Facilities (Master Plan). Compliance with the County's park fee and land dedication requirements will mitigate cumulative impacts on Countywide recreational facilities, resulting in a less than significant impact. No mitigation is required, and no significant unavoidable adverse impacts related to proposed recreation activity and facilities, consistency with the *County of Orange General Plan*, and would not result in cumulative recreation impacts.

6.0 FINDINGS REGARDING ALTERNATIVES TO THE PROPOSED PROJECT

CEQA requires that an EIR describe a range of reasonable alternatives to the project or the location of the project, which could feasibly attain the basic objectives of the project and to evaluate the comparative merits of those alternatives (Section 15126.6 of the CEQA Guidelines). Analysis of every possible alternative or option or combination of options would overburden the EIR with an unnecessary amount of detail that would be redundant and complex and would, as a result, fail to provide meaningful information for the County of Orange to consider in its review of the proposed Project. To develop the alternatives that were analyzed in the EIR, a range of potential alternatives was identified. For that analysis, the alternatives were evaluated to determine the extent to which they meet the defined Project objectives, while avoiding or substantially lessening any significant adverse impacts of the proposed Project.

In making the following alternatives findings, the County of Orange certifies that it has independently reviewed and considered the information on alternatives provided in the FEIR, including the information provided in the comments on the FEIR and the Responses thereto. The FEIR analysis of these alternatives is not repeated in these Findings, but the discussion and analysis of the alternatives in the FEIR is incorporated in these Findings by reference.

The proposed Project was compared to:

- No Project and No Development;
- Reduced Density;
- Commercial Core Only;
- Infrastructure Only; and
- Alternative Site.

The analysis in the FEIR, and as summarized in these Findings, concludes that the proposed Project will result in some short and long-term significant adverse impacts, which can not be mitigated to a less than significant level. These unavoidable adverse impacts are related to long-term off-site viewsheds; short-term construction emissions; and long-term construction noise impacts and cumulative mobile noise impacts.

The Project incorporates comments and review from the following:



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

1. Analysis of the Project by staff of various County of Orange and City of Dana Point departments.
2. Responses to comments on the Notice of Preparation.
3. Responses to comments on the DEIR.
5. Input from meetings conducted by the County of Orange and public review of the FEIR for the proposed Project.

6.1 NO PROJECT AND NO DEVELOPMENT ALTERNATIVE

6.1.1 DESCRIPTION OF THE NO PROJECT AND NO DEVELOPMENT ALTERNATIVE

The No Project and No Development Alternative assumes the Dana Point Harbor Revitalization Project would not be implemented and that land uses and other improvements identified in the Revitalization Plan would not be constructed. Additionally, no infrastructure improvements (such as water, wastewater, drainage and circulation facilities) would be constructed. The design and development standards for the Revitalization Plan would not be implemented, and the *County of Orange General Plan* land use designations and allowable uses set forth by the Planned Community (PC) Text would remain unchanged. By not developing the additional 30,000 square feet of commercial uses and not expanding the hotel, the City and County would not receive additional sales tax revenue. The County needs additional revenue to provide adequate infrastructure and maintenance for the Harbor, and this alternative has reduced revenue potential. In addition, the parking supply and boater access would also be reduced.

6.1.2 SUMMARY OF ENVIRONMENTAL IMPACTS OF THE NO PROJECT AND NO DEVELOPMENT ALTERNATIVE

Under this Alternative, existing conditions would remain. Land use and development objectives, including improving the pedestrian environment and water orientation of buildings and walkways and increasing public access to the waterfront, will not be fulfilled. By maintaining the existing site in its current condition, there will not be the opportunity to improve visitor-serving uses, open space, and public access within the Coastal Zone, nor the opportunity to provide the fiscal benefits of providing additional space for commercial uses and encouraging revitalization and reuse of the Project site. This Alternative would not require a Local Coastal Plan Amendment or Zone Change and would not result in significant aesthetic, air quality, and noise impacts. Finally, this Alternative would not require mitigation to reduce impacts regarding geology, soils, and seismicity; drainage and water quality; traffic and parking, biological resources, public health and safety; public health and safety; cultural resources; and recreation.

6.1.3 ABILITY OF THE NO PROJECT AND NO DEVELOPMENT ALTERNATIVE TO MEET THE PROJECT OBJECTIVES



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

The No Project and No Development Alternative would not fulfill the Project objectives, including:

- Renovate and maintain the Harbor's appearance (including boat slip renovation);
- Provide better utilization of parking spaces;
- Improve Harbor water quality;
- Provide more parking in the commercial area;
- Provide additional restroom and shower facilities near the slips;
- Provide enhanced boater services; and
- Increase the number of larger slips to meet market demand.

6.1.4 CONCLUSION

Under this Alternative, impacts regarding drainage and water quality, traffic and parking, public health and safety, and recreation would be increased, compared to the proposed Project. In addition, land use and development objectives, including improving the pedestrian environment and water orientation of buildings and walkways and increasing public access to the waterfront, will not be fulfilled. By maintaining the existing site in its current condition, there will not be the opportunity to improve visitor-serving uses, open space, and public access within the Coastal Zone, nor the opportunity to provide the fiscal benefits of providing additional space for commercial uses and encouraging revitalization and reuse of the Project site. Therefore, the County is no longer considering this Alternative.

6.2 REDUCED DENSITY ALTERNATIVE

6.2.1 DESCRIPTION OF THE REDUCED DENSITY ALTERNATIVE

The Reduced Density Alternative would include limited expansion (up to 10,000 square feet) of existing uses, but would not develop any additional retail or commercial space, nor would it demolish and reconstruct an estimated 80,000 square feet of existing Commercial Core buildings. In addition, this alternative would not develop a parking structure but instead would utilize a Parking Management Plan and restriping in order to improve parking and traffic distribution throughout the Harbor. The Reduced Density Alternative would not develop dry stacked-boat storage, nor expand the hotel. Infrastructure improvements would involve only reconstruction of currently deficient utilities, and would not include providing additional capacity. The east and west marinas would include only improvements for compliance with ADA standards. The ADA requirement is nine slips for the West Marina and 13 slips for the East Marina (based on current configuration). To accomplish this, this alternative entails constructing two 80-foot gangways (one in each marina) providing access to the slips. Finally, the Youth and Group Facility, Yacht clubs, and Harbor Patrol Office would not be expanded under this alternative.

6.2.2 SUMMARY OF ENVIRONMENTAL IMPACTS OF THE REDUCED DENSITY ALTERNATIVE



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

Under this Alternative, the dry stacked boat storage would not be developed, thereby reducing off-site viewshed impacts of the dry-stack boat storage building. However, this would result in greater parking impacts. This Alternative it would also not include the improvements to the Harbor, such as building rehabilitation, attractive signage, and landscaping. This Alternative would not require a Local Coastal Plan Amendment or Zone Change. The reduced density of this Alternative would result in a reduction of air quality, noise, traffic, biological resources, public health and safety, and public services and utilities impacts. However, this alternative would not result in the development of best management practices that would improve the hydrology and water quality of the Project area, development of additional parking, resulting in continued unsatisfactory parking conditions. It should be noted that this Alternative would still require mitigation to reduce impacts to a less than significant level regarding geology, soils, and seismicity; biological resources; public health and safety; and cultural resources.

6.2.3 ABILITY OF THE NO PROJECT AND NO ALTERNATIVE TO MEET THE PROJECT OBJECTIVES

This Alternative will not fulfill the Project objectives to the full extent of the proposed Project, including:

- Renovate and maintain the Harbor's appearance (including boat slips and the hotel);
- Provide better utilization of parking spaces;
- Ensure the future of the Yacht clubs;
- Preserve the existing parkland, beach and landscape buffers;
- Address the balance of revenue and non-revenue generating land uses;
- Provide more parking in the commercial area;
- Provide additional restroom and shower facilities near the slips; and
- Provide boat slips to meet boater demand.

6.2.4 CONCLUSION

Under this Alternative, impacts regarding drainage and water quality, traffic and parking, and recreation would be increased, compared to the proposed Project. In addition, land use and development objectives (including improving the pedestrian environment and water orientation of buildings and walkways and increasing public access to the waterfront) would not be fulfilled, since there would be no improvements to the infrastructure or design of the Harbor. This alternative would not provide modern dry stacked-boat storage and related services or increase the number of larger boat slips. Finally, this Alternative would not provide an opportunity to enhance and create new activity centers. Therefore, the County is no longer considering this Alternative.

6.3 COMMERCIAL CORE ONLY ALTERNATIVE

6.3.1 DESCRIPTION OF THE COMMERCIAL CORE ONLY ALTERNATIVE

This Alternative is a variation of the Reduced Density Alternative.



This alternative consists of a phased demolition of the existing facilities; construction of the Commercial Core retail area and parking deck; construction of a dry-stacked boat storage building; remodel of existing commercial/restaurant buildings; Catalina Ferry Service facility improvements; construction of new boater service facilities; modification of the boat slips to be in conformance with ADA requirements, street and infrastructure improvements; and implementation of all required Mitigation Measures (on and off-site) involving construction of improvements.

The first construction phase will create access and additional parking opportunities, followed by construction of the new commercial center and Festival Plaza. Then existing businesses will be relocated and the existing Mariner's Village demolished to create additional parking and public amenities. This alternative excludes any renovation or new construction outside of Planning Areas 1 and 2 (and therefore excludes the hotel expansion, Youth and Group Facility expansion, Harbor Patrol expansion, seawall improvements, and other program-level Project elements described in this EIR).

6.3.2 SUMMARY OF ENVIRONMENTAL IMPACTS OF THE COMMERCIAL CORE ONLY ALTERNATIVE

This alternative will have similar impacts as the Project as the demolition, renovation, and expansion it proposes for the Commercial Core is almost as great as with the proposed Project. There will be slightly less overall buildout square footage because it will not have certain "Program-level" elements described above. This alternative will have similar construction-related impacts, and slightly less long-term operational impacts. As this will achieve some of the Project objectives while generating slightly less air quality and noise impacts, it is considered Environmentally Superior and may be considered by the decision-makers.

6.3.3 ABILITY OF THE COMMERCIAL CORE ONLY ALTERNATIVE TO MEET THE PROJECT OBJECTIVES

This Alternative will not fulfill the Project objectives to the full extent of the proposed Project, including:

- Ensure the future of yacht clubs;
- Improve Harbor water quality;
- Preserve/enhance existing parkland, beach, and landscape buffers;
- Address the balance between revenue-generating and non-revenue-generating land uses (the Project must generate sufficient revenue to fund construction, operation and maintenance of proposed improvements); and
- Provide additional public restroom and shower facilities near the docks.

6.3.4 CONCLUSION

Since this Alternative would not fulfill the objectives of ensuring the future of the yacht clubs, improving the Harbor's water quality and public facilities, preserving open space areas, and providing sufficient revenue to construct and maintain the



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

proposed improvements, it is no longer being considered by the County as a viable alternative.



6.4 INFRASTRUCTURE ONLY ALTERNATIVE

6.4.1 DESCRIPTION OF THE INFRASTRUCTURE ONLY ALTERNATIVE

This alternative consists of projects that are contemplated either by the County or other utility and service agencies as part of ongoing maintenance operations throughout the Harbor, and excludes all proposed commercial renovation and new building construction (i.e., no changes in existing buildings, and no new or renovated buildings). Potential projects include water and sewer improvements constructed by the South Coast Water District (SCWD) to correct existing deficiencies and prevent future failures; water quality enhancements funded by State or Federal grant programs; building and deck area repair and/or replacement; street maintenance improvements and parking area restriping; renovation of the marina slips for compliance with ADA standards; landscaping and landscape irrigation replacement; and breakwater repairs. These elements may be constructed independently and/or as part of other facility renovation and construction, and include:

Streets

- Within Planning Area 4, improvements would be made to the Dana Drive turn-around on the Island to improve vehicle circulation.
- Within Planning Area 5, the turn-around on Dana Point Harbor Drive adjacent to the Youth and Group Facility would be reconfigured to reduce conflicts with access to and from adjacent uses, and facilitate entries/exits for secured parking at these locations.

Harborwide Utilities, Drainage, Lighting, and Signage

- Utility capacities would be upgraded to serve the proposed improvement areas (including drainage and sewer facilities) and to reroute storm drainage away from marina basins.
- Improved nonglare lighting on primary streets and on pedestrian walkways.
- Improved signage, including lighted signs for both direction and information.

Seawall and Bulkhead

- Within Planning Areas 8 and 12, the existing seawall would be repaired and/or renovated to filling voids and gaps. Additionally, within Planning Area 10, the bulkhead would be repaired by placing tie-back system or anchor rods to provide improved longevity and seismic safety, as needed.

Harborwide Walkways and Landscaping Improvements

- Improved continuity of walkway systems, including new paving, signage, Americans with Disabilities Act (ADA) access ramps, and links with proposed walkway improvements.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

- New landscaping along walkways to reduce root damage to walks, and drainage and irrigation problems, and new shade and trellis structures.

6.4.2 SUMMARY OF ENVIRONMENTAL IMPACTS OF THE INFRASTRUCTURE ONLY ALTERNATIVE

The impacts of this alternative would be slightly greater than those identified in Section 6.1.2, No Project and No Development Alternative. Compared to the proposed Project, this alternative would substantially reduce or avoid many of the significant impacts, particularly those related to building demolition, renovation and construction. In addition, this alternative would avoid the potentially significant visual impacts associated with the dry stacked boat storage facility. This alternative would have fewer operational impacts due to not including the additional 30,000 square feet of retail and other Project-related structures.

6.4.3 ABILITY OF THE INFRASTRUCTURE ONLY ALTERNATIVE TO MEET THE PROJECT OBJECTIVES

This Alternative is considered an environmentally superior alternative, pursuant to CEQA Guidelines Section 15126.6(e)(2). However, this Alternative may not be feasible, due to limited funding available for Harbor improvements; it also fails to meet several key Project objectives (related to renovation, parking, boating facilities, and revenue generation), and represents greater impacts than the Project, as described below:

- Reduced boater options and access due to lack of dry stacked-boat storage;
- Inferior parking due to lack of new parking deck;
- Reduced revenue potential due to lack of hotel expansion;
- Reduced function of Harbor uses, including Harbor Patrol and Youth and Group facility, due to lack of expansion potential;
- Reduced community benefits without development of the lighthouse;
- Without commercial/retail renovation and (minor) expansion to improve revenues, the long-term viability of Harbor infrastructure would be questionable; and
- No renovation of boat slips in the east and west marinas.

6.4.4 CONCLUSION

The impacts of this alternative would be slightly greater than those identified in Section 6.2, No Project/No Development Alternative. Compared to the proposed Project, this alternative would substantially reduce or avoid many of the significant impacts, particularly those related to building demolition, renovation and construction. In addition, this alternative would avoid the potentially significant visual impacts associated with the dry stacked boat storage facility. This alternative would have fewer operational impacts due to not including the additional 25,000 square feet of retail and other Project-related structures. However, since this Alternative would not fulfill the objectives listed in Section 6.4.3 of this document, the County is no longer considering it.



6.4 ALTERNATIVE SITE ALTERNATIVE

This is a CEQA required Alternative, and is not considered relevant to the Project for the reasons set forth below. The purpose and goal of the proposed Project is to enhance the specific existing facilities and services provided at Dana Point Harbor.

Therefore, any alternative sites proposed would not fulfill the objectives of the Project, including:

- Renovate and maintain the Harbor's appearance;
- Maintain a full-service Harbor;
- Prevent commercialization of the Island;
- Improve and enhance the Harbor's recreational amenities;
- Ensure the future of Yacht clubs;
- Provide better utilization of parking spaces;
- Improve Harbor water quality;
- Provide more parking in the commercial area;
- Preserve existing parkland, beach, and landscape buffers;
- Address the balance of revenue- and non-revenue-generating land uses;
- Provide additional restroom and shower facilities near the slips;
- Renovate boat slips in the east and west marinas; and
- Renovate and expand the hotel.

In addition, Dana Point Harbor is already heavily developed; no additional area exists to increase marina services and provide additional commercial opportunities within the City or surrounding area. Any alternative site would have greater construction-related air quality and noise impacts because it would require construction within developed areas that would require greater demolition and construction. Finally, enhancement of the proposed Project site would limit the environmental impacts associated with developing an undeveloped area. Therefore, this alternative is considered environmentally inferior to the proposed Project.

7.0 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA Section 15126(d)(2) indicates that if the No Project alternative is the "environmentally superior" alternative, then the EIR shall identify the environmentally superior alternative among the other alternatives.

The Commercial Core Only and Reduced Density alternatives would result in reduced or avoided construction-related impacts on air quality and from noise, when compared to those of the proposed Project. Therefore, both alternatives are environmentally superior to the proposed Project.

However, neither alternative is desirable from the perspective of achieving the goals of the Project for the Harbor. Both alternatives would also result in reduced coastal access due to lack of parking improvements, as well as reduced boater and visitor recreational amenities due to not improving any areas outside of Planning Areas 1 and 2. Finally, neither alternative provides for a comprehensive plan for improving the infrastructure of the Harbor.



While the proposed Project would result in unavoidable significant impacts, the impacts would be substantially mitigated through the indicated Project Design Features (PDFs), Standard Conditions of Approval (SCAs), and Mitigation Measures.

8.0 GENERAL FINDINGS

1. The plans for the proposed Project have been prepared and analyzed so as to provide for public improvement in the planning and the CEQA processes.
2. To the degree that any impacts described in the FEIR are perceived to have a significant adverse effect on the environment, or such impacts appear ambiguous as to their effect on the environment, any significant adverse effect of such impacts has been substantially lessened or avoided by the Mitigation Measures, Project Design Features, and Standard Conditions of Approval, set forth in the FEIR or is outweighed by the facts set forth in Section 9.0 (Statement of Overriding Considerations [SOC]) of this document.

Comments regarding the DEIR received during the public review period have been adequately addressed in the Responses to Comments Report. Any significant adverse effects described in such comments were avoided or substantially lessened by the Mitigation Measures or are outweighed by the facts set forth in the SOC.

9.0 STATEMENT OF OVERRIDING CONSIDERATIONS

9.1 INTRODUCTION

The County of Orange is the Lead Agency under CEQA, responsible for preparation, review and certification of the FEIR for the Dana Point Harbor Revitalization Plan Program EIR. As the Lead Agency, the County is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant. CEQA also requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed action.

In making this determination the Lead Agency is guided by the CEQA Guidelines Section 15093 which provides as follows:

- a) *CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable*
- b) *When the Lead Agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR*



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The Statement of Overriding Considerations shall be supported by substantial evidence in the record.

- c) If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition, to, findings required pursuant to Section 15091.*

In addition, Public Resources Code Section 21081(b) requires that where a public agency finds that economic, legal, social, technical, or other reasons make infeasible the Mitigation Measures or alternatives identified in the EIR and thereby leave significant unavoidable adverse project effects, the public agency must also find that overriding economic, legal, social, technical or other benefits of the project outweigh the significant unavoidable adverse effects of the project.

The DEIR identified a number of alternatives to the proposed Project to evaluate and determine the extent to which they meet the basic project objectives, while avoiding or substantially lessening any significant adverse impacts of the proposed project. The Commercial Core Only and Reduced Density alternatives would result in reduced or avoided construction-related impacts on air quality and from noise, when compared to those of the proposed Project. However, neither alternative is desirable from the perspective of achieving the goals of the Project for the Harbor. Both alternatives would also result in reduced coastal access due to lack of parking improvements, as well as reduced boater and visitor recreational amenities due to not improving any areas outside of Planning Areas 1 and 2. Finally, neither alternative provides for a comprehensive plan for improving the infrastructure of the Harbor.

The County of Orange, acting as the Lead Agency and having reviewed the FEIR and public records, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse impacts in reaching a decision to approve the Project.

9.2 UNAVOIDABLE ADVERSE SIGNIFICANT IMPACTS

9.2.1 AESTHETICS, VISUAL, AND GLARE

Implementation of the proposed Project would result in significant unavoidable long-term off-site aesthetic impacts due to the development of the dry stack boat storage. This impact cannot be mitigated to below a level of significance, and therefore, is considered to be unavoidable significant adverse impact of the proposed Project.

9.2.2 AIR QUALITY

The proposed Project will result in significant and unavoidable impacts regarding construction emissions (NO_x emissions). This impact cannot be mitigated to below a



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

level of significance, and therefore, are considered to be unavoidable significant adverse impacts of the proposed Project.

9.2.3 NOISE

The proposed Project would result in significant and unavoidable impacts regarding exposure to construction noise and cumulative noise. This impact cannot be mitigated to below a level of significance, and therefore, is considered to be unavoidable significant adverse impact of the proposed Project.

10.0 OVERRIDING CONSIDERATIONS

The proposed action consists of the certification of the Dana Point Harbor Revitalization Project Program EIR. Analysis in the EIR for this Project has concluded that the proposed Project will result in aesthetics, visual, and glare, air quality, and noise impacts that cannot be mitigated to a less significant level. All other potential significant adverse Project impacts have been mitigated to a level less than significant based on Mitigation Measures, Project Design Features, and Standard Conditions of Approval in the FEIR. All significant unavoidable adverse impacts are identified in the EIR and are described in detail in the Statement of Findings and Facts in Support of the Dana Point Harbor Revitalization Project Program EIR.

The County of Orange has determined that the significant unavoidable adverse Project impacts related to aesthetics, visual, and glare, air quality, and noise, which will remain after mitigation, are acceptable and are outweighed by specific social, economic, and other benefits of the Project. In making this determination, the following factors and public benefits were considered as overriding considerations to the identified unavoidable significant adverse impacts of the proposed Project.

1. The Project is consistent with the *County of Orange General Plan*, which would provide greater access and improvements to the recreational facilities within the Harbor. Policy 3 of the *County of Orange General Plan* states that efforts should concentrate on "projects which will meet identified recreational deficiencies of a wide area of the County and to which participants customarily are willing to travel distances within Orange County beyond their local communities." The Harbor is currently utilized for both active and passive recreational activities and which visitors customarily travel from outside the City to visit. However, currently, parking deficiencies and the limited access to the Harbor limits its effectiveness. The proposed Project would provide greater access for all visitors and would provide for greater parking opportunities, allowing for a greater amount of visitors. In addition, improvements to the Harbor would provide greater access to its recreational activities and provide for a greater amount of passive and active recreational areas.
2. Implementation of the proposed Project would enhance the aesthetic value of the Harbor while also increasing viewshed opportunities within the Harbor. The goal of the Revitalization Plan is to protect viewsheds of the coast and



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

bluff areas by preserving landscaped setbacks along the bluffs and realigning the Street of the Golden Lantern to provide a viewshed of the Harbor. Landscaping will be provided throughout the Project area enhancing the various districts while protecting the valuable bluff and coastal views. Finally, Project Design Features would ensure a cohesive and aesthetically pleasing architectural style that would preserve the historic character of the Harbor.

3. Implementation of the proposed Project would enhance the water quality of the Harbor and improvements to the water quality of Baby Beach. BMPs would also be utilized throughout the Harbor to improve overall water quality during both construction and operation of the Project.
4. The Project will implement the *Dana Point Harbor Design Guidelines Circulation, Parking and Alternative Transportation Plans* (2004). The Alternative Transportation Plan includes three bicycle routes within Planning Areas 1 and 2, to be located along Puerto Place, Street of the Golden Lantern, and Casitas Place. The Alternative Transportation Plan will maintain the existing OCTA bus route to serve the Harbor. Additionally, the Alternative Transportation Plan will provide a network of pedestrian paths throughout the Harbor, as well as increase the minimum sidewalk widths in the Festival plaza to accommodate joggers and strollers in concert with pedestrians. Thus, the Alternative Transportation Plan will maintain and enhance bicycle and pedestrian use in the Harbor area.
5. The proposed Project would greatly enhance the quality of the recreational facilities within the Harbor as described below.
 - a. Planning Area 1 – The Dana Point Harbor Revitalization Plan provides enhancements to the shipyard area by adding two (2) dry stacked boat storage facility buildings in the Northeast Shipyard Area (near the intersection of Puerto Place and Dana Point Harbor Drive) with a capacity to store up to 800 boats ranging in size from 20 to 40 feet when both buildings are completed. The dry stack facilities will offer enhanced boater services, including valet launch and retrieval services.
 - b. Planning Area 2 – The Dana Point Harbor Revitalization Plan establishes a large, centralized outdoor Festival Plaza, located at the southern terminus of Street of the Golden Lantern, within the central portion of the Harbor's Commercial Core. The Festival Plaza provides direct views across the Commercial Core area to the Harbor by creating an open plaza area along this section of waterfront. The Festival Plaza adds a central gathering space for Harborwide events, activities, and celebrations throughout the year. A Pedestrian Promenade extends from Casitas Place, at the west end of Dana Wharf. The new retail area improves water orientation and integration with the Festival Plaza and Promenade. The development includes renovation and reconstruction of existing retail space, as well as the addition of approximately 30,000 square feet of commercial and restaurant uses.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

Parking areas will be provided to independently serve the merchants, employees, 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 close to the marina's edge. Yacht brokers will be permanently relocated to the second floor of the new wharf building, which will provide a pedestrian bridge to improve pedestrian circulation along the wharf area.

- c. Planning Area 3 – The Dana Point Harbor Revitalization Plan provides for future replacement of the Marina Inn with a new facility located in the present hotel location or relocated closer to the waterfront to promote a stronger pedestrian connection with the promenade and Festival Plaza in front of the new Commercial Core area. The new hotel is planned to provide up to a maximum of 220 guest rooms with full-service amenities, including expanded lobby area with guest services, 2,750 square feet restaurant, 12,000 square feet of special function and meeting room areas, ancillary retail space, a 1,900 square feet health and fitness center, pool and other outdoor activity facilities (sand volleyball court, etc.). The hotel building design also emphasizes providing adequate parking for guests and convenient access to parking areas for boaters.
- d. Planning Area 4 – The improvements at the Dana Point Yacht Club and Dana West Yacht Club provides storage for kayaks, rowboats, and other small craft used by the yacht clubs, as well as increases the overall square footage. Additionally, the seven boater service buildings may be expanded by an additional 2,000 to 5,000 square feet each. The seasonal water taxi will have pick-up/drop-off locations along the Harbor Patrol Facility, Island Park, and the Dana Point Yacht Club. Plans also include a visitor parking lot. Additional public parking may also be provided through the reconfiguration of the existing parking areas, the implementation of a Construction Parking Management Plan, and a post-construction Parking Management Plan.
- e. Planning Area 5 – Planning Area 5 will include an expansion of the Youth and Group Facility, which currently offers meeting rooms for recreational activities, community events, and private parties, as well as sailing and ocean-related educational programs. The Youth and Group Facility may ultimately increase by approximately 6,000 square feet to a total of 17,000 square feet. There will be a seasonal water taxi pick-up/drop-off station adjacent to the Facility. The turn-around at Ensenada Place will be removed and reconfigured at the Youth and Group facility parking area to allow the current park areas to be consolidated and enlarged. Additional enhancements will include picnic area improvements, upgraded restrooms, reconfigured parking, and expansion of boater service buildings by 2,000 square feet each.



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

- f. Planning Area 8 – The Dana Point Harbor Revitalization Plan provides for the renovation of the marine portions of Baby Beach. Because of ongoing water quality concerns at Baby Beach, the form and function may be modified.
 - g. Planning Areas 9 and 10 – To meet boater needs, replacement of the existing slips within the East Marina will be made to accommodate larger boats. Proposed plans for the East Marina also include relocating a portion of the existing West Marina visitor slips into the East Marina, improving visitor access, and reducing boater vehicular parking needs in that area. Additionally, as part of the marina work, the docks' reconfiguration will include facilities compliant with the Americans with Disabilities Act (ADA) and will provide improved lighting, security, signage, and utilities.
 - h. Planning Areas 11 and 12 – The Revitalization Plan provides renovations to the Harbor entrance including several changes to improve access to the water and the circulation of boat traffic within the Harbor. The Revitalization Plan will increase the safety, efficiency, and recreational value of the channel. To improve boat/vessel circulation within the Harbor, the Revitalization Plan includes modernization of the docks in the shipyard area and sportfishing boat slips, and the potential relocation of the fuel dock facility.
6. Implementation of the proposed Project will provide substantial fiscal benefits to the County and its residents, including but not limited to the following:
- a. An estimated \$XX in annual net fiscal benefit to the City. **[NOTE TO COUNTY STAFF: PLEASE INSERT ANTICIPATED INCREASE IN TAX REVENUE]**
 - b. A provision of both temporary construction-related jobs, and permanent jobs.
7. The Project will enhance Dana Point Harbor's Coastal Act compliance as set forth in Appendix L (Relevant Planning Consistency) of the Draft EIR, including but not limited to:
- a. Establishing Planning Areas that better reflect Coastal Act goals and policies;
 - b. Establishing a land use plan that will serve as a framework for a Local Coastal Plan Amendment, which will reflect current Coastal Act compliance and will streamline consistent compliance review for future site-specific Coastal development Permits;
 - c. Enhanced pedestrian and vehicular and vehicular access and parking;
 - d. Improved infrastructure, including water quality;



Exhibit A

Dana Point Harbor
Revitalization Project
Program Environmental Impact Report No. 591

- e. Improved signage and landscaping;
 - f. Permanent preservation of coastal bluff face; and
 - g. Improved mixture and location of boater slips and guest slips.
8. The Project implements the goals of the 1999 Dana Point Harbor Task Force and over seven years of extensive public outreach with stakeholders, the general public and affected agencies.