

DRAFT ADDENDUM
TO
FINAL ENVIRONMENTAL IMPACT REPORT
NO. 591

DANA POINT HARBOR REVITALIZATION
PROJECT

SCH NO. 2003101142

Submitted to:

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September 2011

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LIST OF ACRONYMS AND ABBREVIATIONS

ac	acre/acres
° C	Degrees Celsius
° F	Degrees Fahrenheit
AB	Assembly Bill
ACMs	asbestos containing materials
ARB	California Air Resources Board
Basin	South Coast Air Basin
BMPs	Best Management Practices
Cal Green Code	California Green Building Standards Code
CalEEMod	California Emissions Estimator Model
CAT	Climate Action Team
CCC	California Coastal Commission
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CFCs	chlorofluorocarbons
CH ₄	methane
City	City of Dana Point
CMP	Construction Management Plan
CO ₂	carbon dioxide
CO ₂ e	CO ₂ equivalents
County	County of Orange
CUSD	Capistrano Unified School District
EIR	Environmental Impact Report
EO	Executive Order
FEIR	Final Environmental Impact Report
FS	Fire Station
ft	foot/feet
GCC	Global Climate Change
GHG	Greenhouse Gas
GWP	Global Warming Potential

Harbor	Dana Point Harbor
HFCs	Hydroflouorocarbons
HSA	hydrologic subarea
I-5	Interstate 5
IP	Implementation Plan
ITE	Institute of Transportation Engineers
LBP	lead based paint
lbs/day	pounds per day
LCP	Local Coastal Program
LCPA	Local Coastal Program Amendment
LOS	level of service
LUP	Land Use Plan
Mi	mile/miles
MMRP	Mitigation and Monitoring Program
MMTCO ₂ e/yr	million metric tons of CO ₂ e per year
MND	Mitigated Negative Declaration
MTCO ₂ e/yr	metric tons of CO ₂ e per year
N ₂ O	nitrous oxide
NO _x	nitrogen oxide
NRHP	National Register of Historic Places
O ₃	ozone
OCFA	Orange County Fire Authority
OCSD	Orange County Sheriff's Department
PA	Planning Area
PCBs	polychlorinated biphenyls
PDFs	Project Design Features
PFCs	Perflouorocarbons
pH	percentage of hydrogen
PM ₁₀	particulate matter less than 10 microns in diameter
PRC	Public Resources Code
R	Recreation Land Use
REAP	Rain Event Action Plan

ROG	reactive organic gas
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCH	State Clearing House
SCWD	South Coast Water District
SDG&E	San Diego Gas and Electric
sf	square foot/feet
SF ₆	Sulfur Hexafluoride
SMARTS	Storm Water Multi-Application and Report Tracking System
TDM	Transportation Demand Management
TMP	Traffic Management Plan
USGS	United States Geological Survey
WQMP	Water Quality Management Plan

1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

The County of Orange (County) – OC Dana Point Harbor (Harbor) proposes to revitalize and update the Dana Point Harbor facilities consistent with the goals and policies established for the Dana Point Harbor Revitalization Plan. The County began the master-planning process by concentrating on the Harbor's landside improvements in 1997 by creating the 23-member Dana Point Harbor Task Force. The project has evolved over the past several years with work completed as part of two principal planning processes: the Harbor Concept Plan and the Dana Point Harbor Commercial Core Concept Plan.

The primary goal of the Revitalization Plan is to renovate the Harbor as a popular destination for boaters, local residents, and tourists while maintaining the Harbor's small craft character. The plans include renovation of Harbor infrastructure; buildings; and improvements to parking and water-oriented recreational amenities.

The County of Orange, as Lead Agency under the California Environmental Quality Act (CEQA), prepared a Program Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project and released the document for a 45-day public review on September 27, 2005. The County Board of Supervisors approved the proposed project and certified the Dana Point Harbor Revitalization Plan Program Final Environmental Impact Report (FEIR) No. 591 (State Clearinghouse [SCH] No. 2003101142) on January 31, 2006. The FEIR was comprised of the Draft EIR, Response to Comments on the Draft EIR, the Mitigation and Monitoring Program (MMRP), the Technical Appendices, staff reports, and attachments.

Implementation of the Dana Point Harbor Revitalization Plan required a series of subsequent approvals by the City of Dana Point (City) and the California Coastal Commission (CCC) to modify existing regulatory documents, including the City's Local Coastal Program (LCP). The Revitalization Plan and District Regulations therefore required an LCP Amendment (LCPA). During the public and regulatory review and approval process with the City and the CCC, refinements to the Land Use Plan (LUP) in the form of various suggested modifications were made to the proposed LCPA. Due to the incorporation of additional policies, regulations, and development standards by the CCC as part of the LCPA review and certification process, the previously certified FEIR No. 591 prepared for the project required review to determine whether the previous conclusions remain valid. Therefore, consistent with the requirements of CEQA Guidelines Sections 15164 and 15162, this Addendum to FEIR No. 591 is being prepared to provide a record of the changes resulting from the LCPA approval process that occurred subsequent to the certification of FEIR No. 591. This Addendum to the FEIR is intended to provide an analysis of whether the project as modified was adequately addressed in FEIR No. 591. The Lead Agency for preparation of this Addendum is the County of Orange – OC Dana Point Harbor.

This Addendum addresses potential environmental impacts of the project as revised and completes the necessary environmental analysis as required pursuant to provisions of CEQA, Public Resources

Code Section 21000 et seq., and State CEQA Guidelines. This Addendum and the certified FEIR No. 591, together with the other environmental documents incorporated by reference herein, serve as the environmental review of the Dana Point Harbor Revitalization Project as modified.

FEIR No. 591, certified in January 2006, and the Findings adopted in support of the FEIR, found the following effects of the project to be significant unavoidable adverse impacts:

- Aesthetics: Long-term off-site impacts to some views due to the dry-stack boat storage building
- Air Quality: Temporary construction emissions (nitrogen oxide [NO_x] emissions)
- Noise: Construction noise impacts to sensitive land uses
- Noise: Cumulative noise impacts along several roadway segments

Scope of Addendum to FEIR No. 591

The scope of this Addendum to FEIR No. 591 is limited to examining environmental effects associated with differences between the project as reviewed in certified FEIR No. 591 and as revised as a result of the regulatory process. This Addendum will also analyze whether there are changes in circumstances or new information of substantial importance that would necessitate preparation of a Subsequent or Supplemental EIR.

Section 15164 of the CEQA Guidelines state that an addendum to a certified FEIR may be prepared if only minor technical changes or additions are necessary and none of the conditions described in Section 15162 of the CEQA Guidelines apply. Section 15162 of the CEQA Guidelines specifies the conditions for the preparation of a Subsequent EIR or Negative Declaration:

- (1) Substantial changes are proposed in the project, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Section 15164(a) of the CEQA Guidelines allows the Lead Agency to prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent EIR have occurred. An addendum need not be circulated for public review but can be included in or attached to the FEIR (Section 15164(c) of the CEQA Guidelines). An explanation of the decision not to prepare a Subsequent EIR pursuant to Section 15162 should be included in the addendum, in the Lead Agency's required findings on the project or elsewhere in the administrative record (Id. at Section 15164(e)). Further, the explanation must be supported by substantial evidence.

The purpose of this addendum is to determine whether the project as proposed triggers any of the conditions described in Section 15162 of the CEQA Guidelines which would otherwise require the preparation of a Subsequent EIR. Based on the analysis and the conclusions provided in this document, an addendum is the appropriate CEQA document pursuant to Section 15162 and 15164 of the CEQA Guidelines and the County finds that an Addendum to the previously certified FEIR No. 591 is appropriate. The rationale and the facts in support of this finding are provided in the body of this Addendum.

This Addendum reviews changes in the project that have occurred since the FEIR No. 591 was certified and compares environmental effects of development of the project as revised with those of the original project previously disclosed. It also assesses whether new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time FEIR No. 591 was certified has become available and evaluates whether there are new or more severe significant environmental effects associated with changes in circumstances under which project development is being undertaken. It further examines whether, as a result of any changes or any new information, a Subsequent or Supplemental EIR may be required. This examination includes an analysis of provisions of Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines and their applicability to the project.

Evaluation of Environmental Impacts

This Addendum compares anticipated environmental effects of the project as revised with those disclosed in FEIR No. 591 including the following areas:

- Land Use
- Aesthetics
- Geology and Soils

- Hydrology and Water Quality
- Traffic and Circulation
- Air Quality
- Biological Resources
- Public Health and Safety
- Noise
- Public Services and Utilities
- Cultural Resources
- Recreation

Amendments to the CEQA Guidelines to include thresholds for Greenhouse Gas (GHG) Emissions were adopted by the Natural Resources Agency on December 30, 2009. The amendments became effective on March 18, 2010. Proposed changes to the CEQA Guidelines included new checklist questions in Appendix G regarding GHG emissions. Therefore, in addition to the above topics, this Addendum includes a section on Greenhouse Gas Emissions, as now required by CEQA. Since the GHG thresholds were adopted after certification of the FEIR, this topic was not included in the original FEIR No. 591 analysis.

Chapter 2.0 of this Addendum contains a description of the proposed project as revised. Chapter 3.0 contains analyses and explanations of potential environmental impacts of the Dana Point Revitalization Project as revised.

1.2 FINDINGS OF THIS ADDENDUM

The County of Orange, through its OC Dana Point Harbor Department, is the Lead Agency under CEQA for the proposed Dana Point Harbor Revitalization Project. The OC Dana Point Harbor has determined that analyses of project environmental effects are best provided through use of an Addendum and that none of the conditions set forth in Public Resources Code (PRC) Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a Subsequent or Supplemental EIR have been met, including:

1. There are no substantial changes to the project that would require major revisions of FEIR No. 591 due to new significant environmental effects or a substantial increase in severity of impacts identified.
2. No substantial changes have occurred in the circumstance under which the project is being undertaken that will require major revisions to FEIR No. 591 to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified; and
3. There is no new information of substantial importance which was not known at the time FEIR No. 591 was certified, indicating that:
 - The project will have one or more significant effects not discussed in FEIR No. 591;

- There are no impacts that were determined to be significant in FEIR No. 591 that would be substantially more severe;
- There are no additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in FEIR No. 591; and
- There are no additional mitigation measures or alternatives that were rejected by the project proponent considerably different from those analyzed in the FEIR that would substantially reduce any significant impact identified in FEIR No. 591.

The complete evaluation of potential environmental effects of the project, including rationale and facts supporting County findings, is contained in Chapter 3.0 of this Addendum.

1.3 FORMAT OF ADDENDUM

This Addendum has been organized into three chapters, as described below:

Chapter 1.0: Introduction

Chapter 1.0 includes a description of the purpose and scope of the Addendum, findings of the Addendum, and existing documents incorporated by reference.

Chapter 2.0: Project Description

Chapter 2.0 describes the location and setting of the site, previous environmental documentation, project approvals and an overview of the Dana Point Harbor Revitalization Project as revised. Those proposed project revisions that have the potential to have a physical effect on the environment are addressed in Chapter 3.0 of this Addendum.

Chapter 3.0: Comparative Evaluation of Environmental Impacts

Chapter 3.0 addresses project changes with the potential to have a physical effect on the environment and includes analyses of impacts of the revised project compared with impacts analyzed in FEIR No. 591. This comparative analysis has been undertaken pursuant to provisions of CEQA to provide the County of Orange – OC Dana Point Harbor with a factual basis for determining whether proposed project revisions, changes in circumstances or new information since FEIR was certified require additional environmental review or preparation of a Subsequent or Supplemental EIR.

Appendix A: Project Requirement and Monitoring Program Table

Appendix A contains a comprehensive Dana Point Harbor Revitalization Project Requirement and Monitoring Program. In addition to the requirements contained in FEIR No. 591 (Project Design Features [PDFs], Standard Conditions, Mitigation Measures) and as a result of the approvals by the City of Dana Point and CCC related to certification of the LCPA, a comprehensive Dana Point Harbor Project Requirement and Monitoring Program has been prepared to provide the following information:

- Corrections, modifications and additions in a redline and strikeout format indicating the changes to the PDFs, Mitigation Measures and Standard Conditions of Approval in FEIR No. 591 as approved by the City of Dana Point and CCC;
- Certified Dana Point Harbor LUP Policies relevant to the implementation of projects that have implications to the CEQA process; and
- Certified Dana Point Harbor IP requirements and development standards that have implications to the CEQA process.

1.4 DOCUMENTS TO BE INCORPORATED BY REFERENCE

As provided for in Section 15150 of the State CEQA Guidelines, this Addendum has referenced several technical studies, analyses, and reports. Information from the documents that have been incorporated by reference has been briefly summarized in the appropriate sections of this Addendum. All documents incorporated by reference are available for review at the offices of OC Dana Point Harbor located at 24650 Dana Point Harbor Drive, Dana Point, CA; or the City of Dana Point Community Development Department, located at 33282 Golden Lantern, Dana Point, CA.

Documents incorporated by reference include but are not limited to:

- City of Dana Point, 2006. Dana Point Harbor Revitalization Plan and District Regulations, LCPA (LCPA 06-03). City of Dana Point, 2007;
- Dana Point Harbor Revitalization Plan and District Regulations – LUP Component, LCPA (LCPA 1-08). CCC, effectively certified on October 13, 2010; and
- Dana Point Harbor Revitalization Plan and District Regulations – Implementation Plan (IP) Component, LCPA (LCPA 1-10). CCC, effectively certified on January 12, 2011.

The three documents above were prepared to satisfy the requirements of the California Coastal Act for a Harbor LUP and to establish zoning regulations and other implementing actions required for ongoing implementation of improvements and management of Dana Point Harbor pursuant to procedures set forth in the Coastal Act. These documents replace the previous Harbor LCP and design guidelines.

- RBF Consulting, 2006. Dana Point Harbor Revitalization Project FEIR No. 591 (SCH No. 200310114).

The Program FEIR was certified by the County Board of Supervisors on January 31, 2006. The Program FEIR evaluated the entire Harbor Revitalization Plan at a program, or conceptual, level of detail and provided project- or construction-level EIR analysis where possible, consistent with CEQA Guidelines Sections 15146 and 15168.

- LSA Associates, Inc., 2005. Dana Point Harbor Boat Launch Ramp Renovation Mitigated Negative Declaration (MND).

An MND was prepared to provide environmental documentation and CEQA compliance for the Dana Point Harbor Boat Launch Ramp Renovation Project. The project includes replacement and

improvement of the existing deteriorated boat launch ramp and apron. The Boat Launch Ramp Renovation Project is located immediately adjacent to the proposed Marina Improvement Project area. Information contained within the MND primarily related to marine biology has been utilized for this Addendum to FEIR No. 591.

- Moffatt and Nichol, 2007. Dredge Material Evaluation. Dana Point Harbor Maintenance Dredging Report.

The “Dredge Material Evaluation” report provides sediment quality data for sediments within the proposed dredge area within the Harbor and provides an evaluation of dredging and disposal options. This report summarizes the physical, chemical, and biological data necessary to support dredging and disposal and provides a discussion of the results in terms of available guidelines. The intent of this report is to provide the regulators with enough data to make decisions on dredging and disposal suitability.

1.5 CONTACT PERSONS

The Lead Agency for the Addendum for the proposed revisions to the Dana Point Harbor Revitalization Plan Program FEIR No. 591 is County of Orange – OC Dana Point Harbor. Questions about preparation of this Addendum, its assumptions or its conclusions should be referred to:

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2.0 PROJECT DESCRIPTION

2.1 PROJECT HISTORY

Dana Point Harbor is located in Capistrano Bay on the Southern Orange County coastline within the City of Dana Point (Figure 1.0, Project Location) and offers recreational boaters, County residents, tourists, and others a number of water-oriented recreational activities and retail shopping and dining opportunities. The facility is operated by OC Dana Point Harbor, a County agency, and is owned by the County of Orange. The County was designated over 40 years ago by the Tidelands Act as the trustee of the Harbor for the people of the State of California.

The identification of design goals and priorities for the Harbor Revitalization Plan has evolved over the past several years. The County began the master-planning process by concentrating on the Harbor's landside improvements in 1997 by creating the Harbor Task Force.

The County, acting as Lead Agency under CEQA, landowner and project proponent, prepared a Program FEIR No. 591 to provide a comprehensive analysis of the proposed Harbor Revitalization Plan (the project, refer to Figure 2.0, Dana Point Harbor Revitalization Proposed Plan). The overall purpose of the project was to implement the Harbor Task Force goals, which focused on maintaining the Harbors' small craft character while renovating the Harbor infrastructure and buildings, improving parking and water-oriented recreational amenities.

FEIR No. 591 evaluated the entire Harbor Revitalization Plan at a program or conceptual level of detail and provided project- or construction-level EIR analysis where possible, consistent with CEQA Guidelines Sections 15146 and 15168. As illustrated on Figure 3.0, the Harbor was divided into 12 Planning Areas (PAs) for the purpose of establishing land use regulations and development standards in identified geographical areas. The planning and environmental analysis of the landside and waterside improvements were analyzed together in the Program FEIR, but are separate projects that can function independently of each other and will be reviewed and considered separately for planning, funding, future environmental analysis, and project implementation purposes. Portions of PA 1 and all of PA 2 (known as the "Commercial Core") were analyzed at a project level since project-specific construction-level details were available for those Planning Areas. The Program FEIR also provides a programmatic analysis of the remaining PAs 3–12 and the remaining portion of PA 1.



L S A



- Project Boundary
- Commercial Core

FIGURE 1.0

Dana Point Harbor Revitalization Project - Addendum to FEIR No.591

Project Location

N.T.S

SOURCE: Dana Point Harbor Revitalization Plan Program FEIR No. 591, 2006.

I:\PRO1101\G\Proj Loc.cdr (9/2/11)

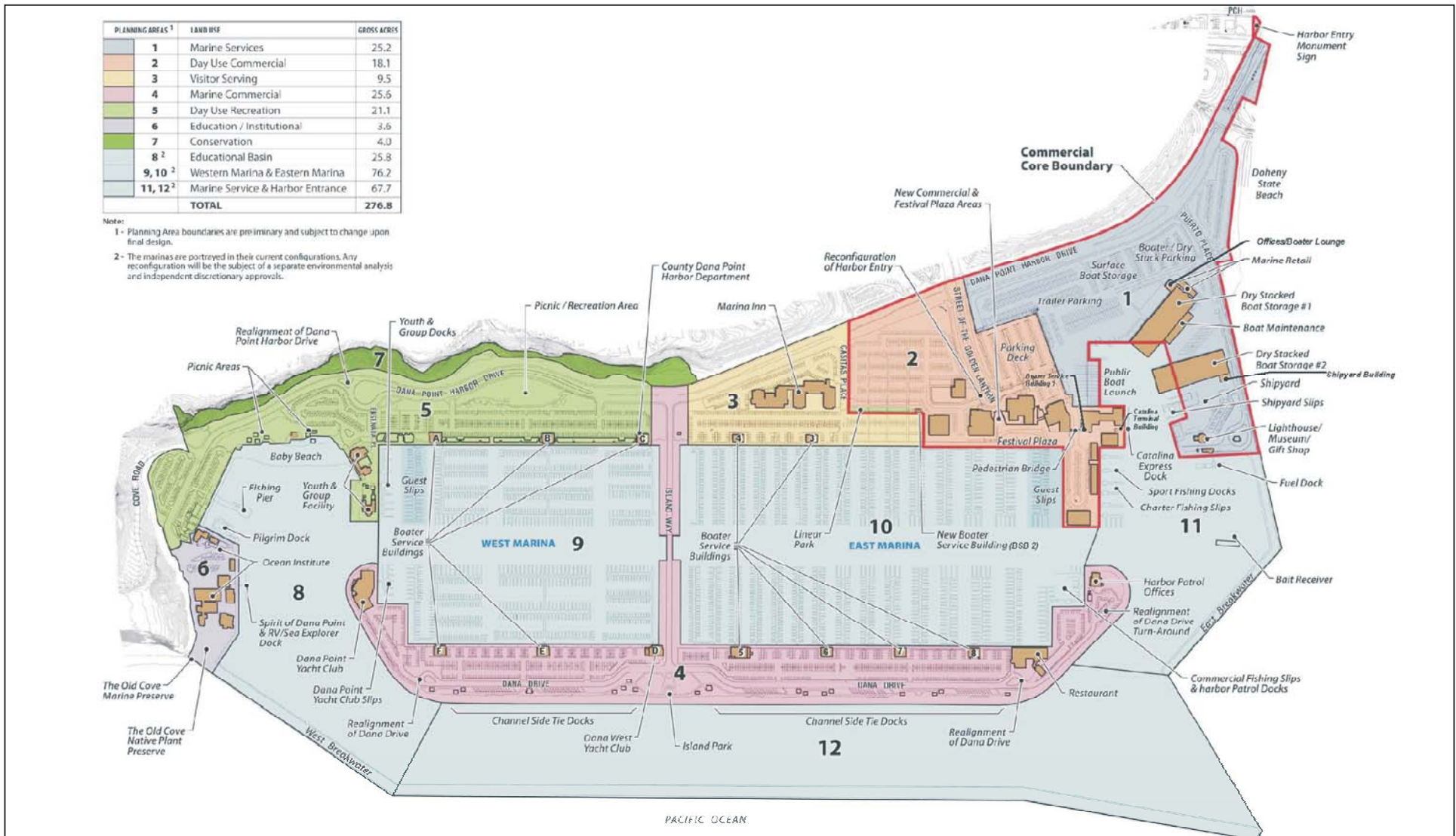
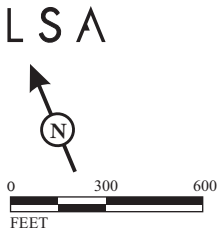


FIGURE 2.0



Dana Point Harbor Revitalization Project - Addendum to FEIR No. 591
 Proposed Revitalization Plan as Depicted in FEIR No. 591 (Exhibit 3-6)

SOURCE: Dana Point Harbor Revitalization Plan Program FEIR No. 591, 2006.

I:\PRO1101\G\ Project Plan.cdr (9/6/11)

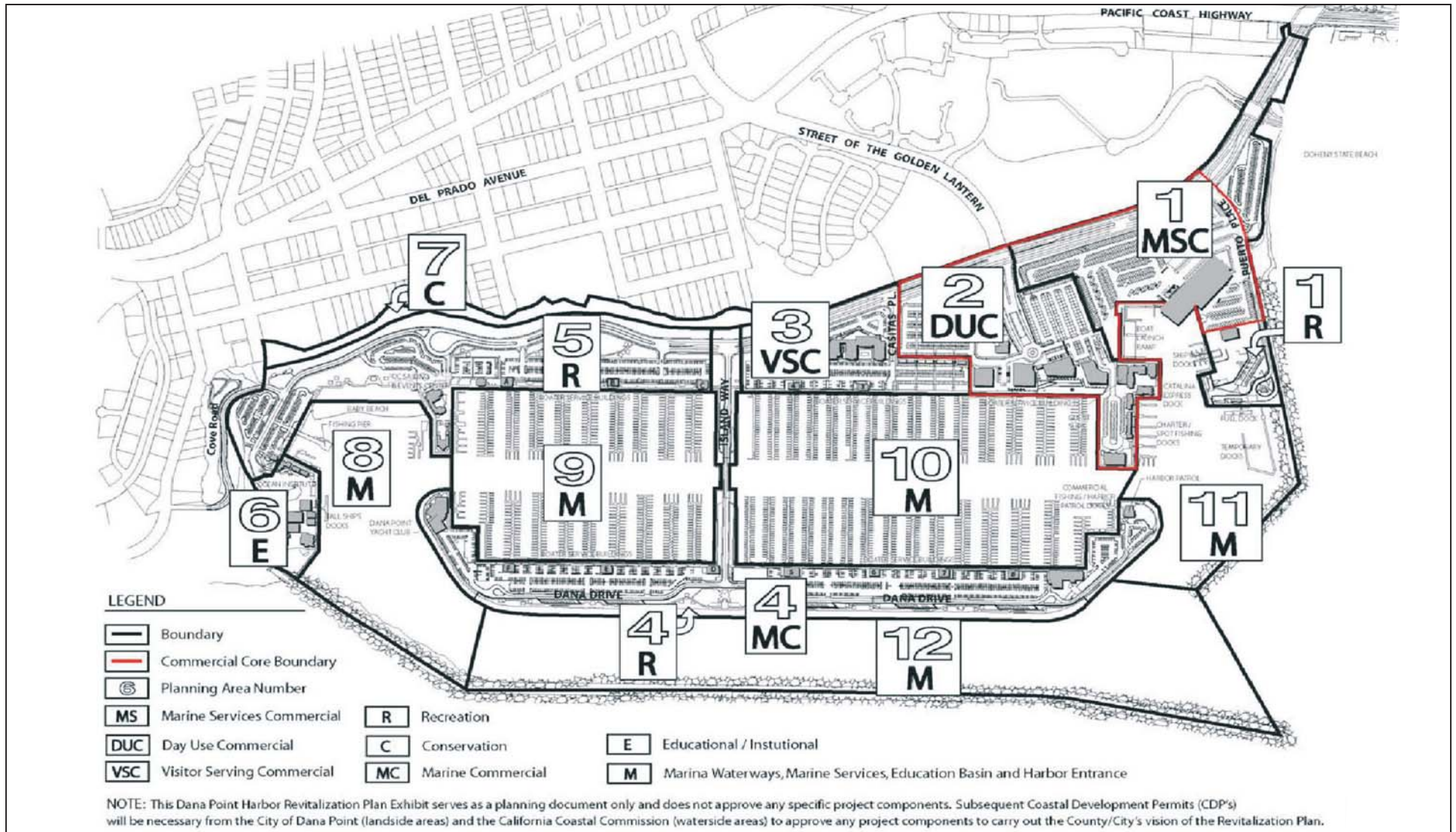
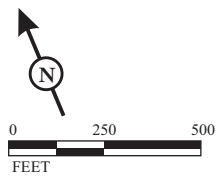


FIGURE 3.0

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Dana Point Harbor Revitalization Project - Addendum to FEIR No.591

Revitalization Plan as Depicted in LCPA - IP Chapter II-17

SOURCE: Dana Point Harbor Revitalization Plan and District Regulations - Implementation Plan Component, LPCA1-10, January 2011.

I:\PRO1101\G\Exist Harbor LO.cdr (9/6/11)

The project-level analysis for the Commercial Core in the Program FEIR (portions of PA 1 and all of PA 2) included the following components as stated in the Findings adopted for FEIR No. 591:

- Construction of the first dry-stack boat storage building (400 spaces)
- Construction of a two-level parking deck (610 spaces) and access ramps
- Reconfiguration of surface parking areas (net overall increase of 616 parking spaces)
- Net increase of approximately 6,200 square feet (sf) of commercial retail space
- Renovation of approximately 30,000 sf of existing commercial retail space
- Net increase of approximately 27,100 sf of restaurant space
- Relocation/replacement of various existing land uses
- Demolition of County Maintenance Yard and buildings
- Extensive infrastructure, access, landscape, and circulation improvements
- Potential utilization of two off-site areas for temporary and long-term parking and/or boat storage

The improvements associated with the remaining areas of the Harbor (PAs 3–12 and the remaining portion of PA 1) were analyzed in the Program FEIR at a programmatic level in order to provide a basis for future “tiered” environmental analysis as more detailed architectural and engineering plans are prepared for those areas. The components analyzed at a programmatic level, as stated in the Findings adopted for FEIR No. 591, included:

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

- Seasonal water taxi service
- Ensenada 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 as required

Implementation of the Harbor Revitalization Plan required a series of subsequent approvals by the City and the California Coastal Commission (CCC) to modify existing regulatory documents, including the City's Local Coastal Program (LCP). The Revitalization Plan and District Regulations therefore required an LCP Amendment (LCPA). During the public and regulatory review and approval process with the City and the CCC, refinements to the Land Use Plan (LUP) and Implementation Plan (IP) components in the form of various suggested modifications were made to the proposed LCPA. Due to the incorporation of additional policies, regulations, and development standards by the CCC, the previously certified FEIR prepared for the project required review to determine whether there have been changes in the project as it has gone through regulatory review that would change the conclusions in FEIR No. 591. Therefore, consistent with the requirements of the CEQA Guidelines Sections 15164 and 15162, this Addendum to FEIR No. 591 is being prepared to provide a record of the changes resulting from the LCPA approval process that occurred subsequent to the certification of FEIR No. 591. The Addendum to FEIR No. 591 provides an analysis of whether the project as modified was adequately addressed in FEIR No. 591.

2.2 PREVIOUS AND PROPOSED DISCRETIONARY ACTIONS

The following discretionary actions have been taken in association with the proposed project and FEIR No. 591:

- **January 31, 2006:** The County Board of Supervisors certified the Harbor Revitalization Plan Program FEIR No. 591 (SCH No. 2003101142) (Resolution No. 06-013) and approved the Harbor Revitalization Plan (Resolution No. 06-014).
- **September 27, 2006:** The City Council adopted the LCPA (LCPA 06-03) for the Revitalization Plan and District Regulations, thereby amending the City LCP and Zoning Code (Resolution No. 06-09-13-06 and Ordinance No. 06-08).
- **October 13, 2010:** The CCC effectively certified the LUP component of the LCPA with suggested modifications, which amended the City Specific Plan LCP to incorporate the proposed Harbor Revitalization Plan.
- **February 8, 2010:** The City approved the LUP component of the LCPA as modified by the CCC.
- **January 12, 2011:** The CCC effectively certified the IP portion of the LCPA (City LCP Amendment No. 1-10) with suggested modifications. The IP portion of the LCPA is the accompanying Implementing Actions Program to carry out the certified LUP.

- **June 13, 2011:** The City approved the IP component of the LCPA, as modified by the CCC.

Future discretionary actions required to implement the Harbor Revitalization Plan include, but are not limited to:

- Final certification of the complete LCPA by the CCC
- County and any other decision makers will consider this Addendum to FEIR No. 591 as part of the approval process of subsequent or related projects.
- Future CEQA environmental documentation for any projects analyzed at a programmatic level in FEIR No. 591
- City approval and issuance of Project Coastal Development Permits (CDPs) for any landside projects
- CCC approval and issuance of CDPs for all waterside projects
- Section 404 Permits for project actions within navigable waters (e.g., dock renovations and pile placement)
- Section 10 Permits for project actions within navigable waters (e.g., replacement of docks)
- Section 401 Certification Water Quality Permits

2.3 PROJECT OVERVIEW

The CCC approved the LCPA (consisting of the LUP and IP components) submitted by the City and the County with suggested modifications. The LUP serves as the City's General Plan for the Harbor and includes the kinds, locations, and intensity of all allowed land uses as well as providing applicable resource protections and development policies.

The changes to the Harbor LUP required by the CCC resulted in several modifications of the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a goal of "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6-acre (ac) shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project, but rather clarified or refined the description and/or locations of the proposed project components.

Modifications approved by the CCC also include the addition of requirements and development standards to the IP component of the LCPA. The Implementing Actions Program includes all the ordinances, regulations, or programs intended to implement the LUP for the Harbor, in addition to the policies of the California Coastal Act (CCA), more specifically Chapter 3, Coastal Resources Planning and Management Policies.

This Addendum is confined to review of the matters set forth in CEQA and the State CEQA Guidelines. It is limited to examining the environmental effects that are associated with any changes

between the project as reviewed in FEIR No. 591 and as it exists following modification during CCC review and approval process. Additions, deletions, and modifications to the project made by the City and/or CCC and not previously included in the environmental analysis in FEIR No. 591 are the subject of this Addendum.

Appendix A of this Addendum contains a table summarizing the additional LCPA policies and/or requirements relevant to the environmental topics covered by FEIR No. 591.

2.4 COMPARISON OF APPROVED AND REVISED REVITALIZATION PROJECT PLANS

This Addendum reviews changes to the project that have occurred since FEIR No. 591 was certified and compares environmental effects of development of the project as revised with those of the original project previously analyzed. It assesses whether new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time FEIR No. 591 was certified exists, and evaluates whether there are new or more severe significant environmental effects associated with changes in circumstances under which project development is being undertaken. Pursuant to CEQA and State CEQA Guidelines, OC Dana Point Harbor has prepared this Addendum to determine whether there are changes in circumstances or new information of substantial importance that would require preparation of a Subsequent or Supplemental EIR.

As previously stated, minor changes and modifications to the proposed project were incorporated during the public and regulatory review and approval process by the City of Dana Point and the CCC. Some specific changes made to the Revitalization Plan during the City's discretionary review process included reduction of Commercial Core area building heights, elimination of one dry stack storage building, reconfiguration of the remaining proposed boat storage structure, elimination of the lighthouse, and the general reconfiguration of the Marine Services Commercial area of the Harbor.

The CCC approved the LCPA subject to a number of suggested modifications to bring the amendment into conformity with the policies of Chapter 3 of the CCA. The key suggested modifications included the following:

- Provide protection for land uses that are considered as priority uses in the CCA (i.e., fishing, public access, water-oriented recreation and incidental commercial uses) that are consistent with the Tidelands Grant. The modifications also institute controls on the expansion of existing and potential construction of additional private (membership) yacht clubs on tidelands.
- Establish the goal for any dock replacement of "no net loss" of slips harborwide, or a maximum loss not to exceed 155 slips. In addition, priority is to be given to the provision of slips that accommodate boats less than 25 feet (ft) in length, with the average slip length not to exceed an overall average of 32 ft throughout.
- Ensure that land area and parking facilities are maintained, enhanced, and prioritized for coastal-dependent and coastal-related land uses.
- Encourage the provision and use of public transit by having the OC Dana Point Harbor cooperate with other local agencies to provide shuttle service (i.e., Tri-City Trolley, Harbor parking, special events shuttle service, and a seasonal water taxi).

- Establish tree-trimming policies and requirements to ensure bird breeding, roosting, and nesting protection under the Migratory Bird Treaty Act, the California Endangered Species Acts for California bird species of special concern, wading birds (herons and egrets), and owls/raptors.
- Institute provisions for the protection of low-cost visitor-serving facilities and overnight accommodations and prohibit the conversion of existing or the construction of new Limited Use Overnight Visitor Accommodations on public tidelands in the Harbor.
- Protect scenic and visual coastal resources.
- Incorporate miscellaneous revisions to the maps, tables, and figures.

Physical changes to the Harbor Revitalization Plan project are summarized in Table 2.A. In addition to these changes to the physical components in the Revitalization Plan, the CCC incorporated policies, regulations, and development standards as part of the suggested modifications to the LCPA. A list of these modifications and provisions is contained in Attachment A to this Addendum. The effects of these policies, regulations, and development standards imposed on the project have been summarized where appropriate in this Addendum.

2.5 SUGGESTED MODIFICATIONS THAT MAY HAVE A PHYSICAL EFFECT ON THE ENVIRONMENT

Physical changes to the project are summarized in Table 2A, and a parking summary comparison is provided in Table 2B. The revisions to the project resulting from the CCC's certification of the LCPA, with suggested modifications, that have the potential to affect the physical environment include the following.

1. Reallocation of Land Uses

- A. Removal of Lighthouse Land Use designation from PA 1
- B. Elimination of freestanding Marine Retail Store site in PA 1
- C. Maintain a minimum 1.6 ac full service shipyard in PA 1
- D. Maintain dry boat storage capacity for 493 boats in PA 1
- E. Designated boater parking to be located within 300 ft of the land/dock connection or a maximum of 600 ft

2. Modify Visitor-Serving and Day Uses

- A. Enhance dry boat storage areas and public launching facilities
- B. Establish a minimum of 334 parking spaces for vehicles with trailers
- C. Adopt a parking standard of 0.6 space per boat slip, and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations
- D. Prohibit new yacht clubs/sailing associations in tidelands areas of the Harbor
- E. Require OC Dana Point Harbor participation in local programs to promote and provide shuttle services to reduce traffic congestion and parking demand during peak periods of Harbor usage.

3. Preservation of Recreational Facilities

- A. Establish a Harbor marina replacement goal of “no net loss of slips” or no greater than 155 slip losses
- B. The average slip length shall not exceed 32 ft
- C. Maintain minimum of 42 guest slips
- D. Create Recreation (R) land use designation in PAs 1 and 4 to preserve the current size of park areas
- E. Expand and enhance low-cost hand launching and small vessel storage facilities where feasible

4. Preservation of Environmental Resources

- A. Establish requirements for the protection of:
 - Bird nesting and foraging habitat
 - Marine habitats
 - Water quality
 - Wetlands (if delineated in the future)
- B. Further define the requirements for the protection of scenic and visual resources
- C. Establish provisions to address Global Climate Change (GCC) and shoreline management

Table 2.A: Comparison between the Land Use Summary Analyzed in FEIR No. 591 and the Project Analyzed in the Addendum to FEIR No. 591

Dana Point Harbor Land Use	Planning Area	Gross Acreage	Existing	FEIR 591 Proposed (Maximum)	FEIR 591 Addendum Proposed (Maximum)	Change Yes/No	Comments
Marine Services Commercial (MSC) Marine Services Commercial Recreation (R)	1	25.2	N/A	25.2	24.0 1.2	Yes	The CCC created a Recreational (R) Land Use Designation to preserve the existing park area uses
Dry Stack Boat Storage • Offices/Boater Lounge • Marine Retail Store			0	85,700 sf* 5,600 sf 9,100 sf	50,000 sf ¹ 7,600 sf	Yes Yes Yes	The City modified the LUP to remove one of the two proposed Dry Stack Storage Buildings as part of the LCPA, reducing dry stack boat storage capacity from 800 to 400 boats; building may also include Office/Lounge/Retail area as accessory use
Shipyards Building			5,000 sf	2,500 sf	5,000 sf	Yes	CCC-certified LCPA retains allowed existing building square footages
Lighthouse Facility			0	2,500 sf	0	Yes	Is not included as a Permitted Use in the CCC-certified LCPA
Fuel Dock			750 sf	750 sf	750 sf	No	
County Maintenance Yard Buildings • Offices • Garage • Sheds			1,800 sf 1,800 sf 520 sf	0 0 0	0 0 0	No No No	Facility is removed/relocated as part of Revitalization Plan
Boater Service Building (BSB) • BSB X			5,000 sf	0	0	No	Existing building is removed as part of Revitalization Plan
Planning Area 1 Subtotals:		25.2	14,870 sf	106,150 sf	63,350 sf	Yes	Overall reduction in the maximum allowable square footage as shown in the CCC-certified LCPA for PA 1
Day Use Commercial (DUC)	2	18.1				No	
Boater Service Building (BSB) • BSB 1			4,000 sf	6,800 sf	6,800 sf	No	
Passenger Ferry Building			0	1,000 sf	1,000 sf	No	
Retail/Office			26,600 sf ¹	32,800 sf	32,800 sf	No	May include Marine Retail Store as part of Commercial Core
Restaurant			51,300 sf	78,400 sf	78,400 sf	No	
Planning Area 2 Subtotals:		18.1	81,900 sf	119,000 sf	119,000 sf	No	

Table 2.A: Comparison between the Land Use Summary Analyzed in FEIR No. 591 and the Project Analyzed in the Addendum to FEIR No. 591

Dana Point Harbor Land Use	Planning Area	Gross Acreage	Existing	FEIR 591 Proposed (Maximum)	FEIR 591 Addendum Proposed (Maximum)	Change Yes/No	Comments
Visitor Serving Commercial (VSC)	3	9.5				No	
Hotel							
• Guest Accommodations			136 rooms	220 rooms	220 rooms	No	
• Meeting Space			2,000 sf	12,000 sf	12,000 sf	No	
• Restaurant			0	2,750 sf	2,750 sf	No	
• Retail			0	500 sf	500 sf	No	
• Fitness Center			450 sf	1,500 sf	1,500 sf	No	
Boater Service Building (BSB)							
• BSB 2			3,600 sf	1,000 sf	1,000 sf	No	
• BSB 3			3,600 sf	6,600 sf	6,600 sf	No	
• BSB 4			5,000 sf	7,000 sf	7,000 sf	No	
Planning Area 3 Subtotals:		9.5	136 rooms/ 14,650 sf	220 rooms/ 31,350 sf	220 rooms/ 31,350 sf	No No	
Marine Commercial (MC)	4	25.6	N/A	25.6	21.2	Yes	The CCC created a Recreational (R) Land Use Designation to preserve the existing park area uses
Marine Commercial Recreation (R)					4.4		
County Sheriff Harbor Patrol			6,000 sf	7,500 sf	7,500 sf	No	
General Marine Commercial/Restaurant			10,000 sf	15,000 sf	15,000 sf	No	
Boater Service Building (BSB)							
• BSB D (Dana West Yacht Club)			3,600 sf	8,600 sf	8,600 sf	No	
• BSB E			3,600 sf	5,600 sf	5,600 sf	No	
• BSB F			3,600 sf	5,600 sf	5,600 sf	No	
• BSB 5			4,000 sf	6,600 sf	6,600 sf	No	
• BSB 6			3,600 sf	6,600 sf	6,600 sf	No	
• BSB 7			3,600 sf	6,600 sf	6,600 sf	No	
• BSB 8			3,600 sf	6,600 sf	6,600 sf	No	
Dana Point Yacht Club			12,400 sf	18,000 sf	18,000 sf	No	

Table 2.A: Comparison between the Land Use Summary Analyzed in FEIR No. 591 and the Project Analyzed in the Addendum to FEIR No. 591

Dana Point Harbor Land Use	Planning Area	Gross Acreage	Existing	FEIR 591 Proposed (Maximum)	FEIR 591 Addendum Proposed (Maximum)	Change Yes/No	Comments
Planning Area 4 Subtotals:		25.6	54,000 sf	86,700 sf	86,700 sf	No	
Recreation (R) Recreation/Baby Beach (R)	5	21.1	N/A	21.1	14.9 6.2	Yes Yes	The CCC created a specific Recreational (R) Land Use Designation to preserve the existing size of the sandy beach area (Baby Beach)
OC Sailing and Events Center (formerly the Youth and Group Center)			11,000 sf	17,000 sf	17,000 sf	No	
Boater Service Building (BSB)							
• BSB A			3,600 sf	5,600 sf	5,600 sf	No	OC Dana Point Harbor offices may be relocated to PA 2 with implementation of the Revitalization Plan
• BSB B			3,600 sf	5,600 sf	5,600 sf	No	
• BSB C (OC Dana Point Harbor Office)			3,600 sf	5,600 sf	5,600 sf	No	
Planning Area 5 Subtotals:		21.1	21,800 sf	33,800 sf	33,800 sf	No	
Educational/Institutional (E)	6	3.6				No	
Ocean Institute			32,000 sf	32,000 sf	32,000 sf	No	
Planning Area 6 Subtotals:		3.6	32,000 s.f	32,000 s.f	32,000 s.f	No	
Conservation (C)	7	4.0		4.0	4.0	No	
Education Basin, Marina, Marine Services and Harbor Entrance (M)	8, 9, 10, 11, 12	169.7				No	
Totals:		276.8	219,220 sf	323,300 sf/ 409,000 sf ^{1&3}	316,200 sf/ 366,200 sf ^{1&3}	Yes	

Notes:

- Square footage for both buildings is estimated based on preliminary architectural plans and is provided for comparative purposes; was not reported in the FEIR. New maximum square footage for the single dry boat storage building was included in CCC-certified LCPA
- Table 3-1, Existing and Proposed Land Use Summary in FEIR No. 591 contained a typographical error, stating the Existing square footage for Retail uses in PA 2 as 26,000 sf, whereas the actual number should have been 26,600 sf. All other computations related to this typographical error are correct throughout the original table.
- Overall square footage for Harbor land uses includes floor area calculations for the dry stack boat storage buildings.

CCC = California Coastal Commission FEIR = Final Environmental Impact Report LCPA = Local Coastal Program Amendment N/A = not applicable
OC = County of Orange PA = Planning Area sf = square feet

Table 2.B: Comparison between the Surface Boat Storage and Car Parking Summary Analyzed in FEIR No. 591 and the Project Analyzed in the Addendum to FEIR No. 591

Description	Planning Area	Existing Spaces	FEIR No. 591 Proposed Spaces	FEIR No. 591 Addendum Proposed	Change Yes/No	Comments
Marine Services Commercial (MSC)	1					
Car Parking		288	458	338	Yes	Reduce extra car parking to allow for increased launch ramp parking
Car with Trailer		183	230	334	Yes	Reflects increased launch ramp parking requirement by the California Coastal Commission
Surface Boat Storage		516	93	93	No	
Dry Boat Storage Building No. 1		0	400	400	No	
Dry Boat Storage Building No. 2		0	400	0	Yes	The City modified the LUP to remove one of the two proposed Dry Stack Storage Buildings as part of the LCPA, reducing dry stack boat storage building capacity from 800 to 400 boats
Day Use Commercial (DUC)	2					
Car Parking		900	1,303	1,303	No	
Car with Trailer		130	0	0	No	
Visitor Serving Commercial (VSC)	3					
Car Parking		623	666	666	No	
Marine Commercial (MC)	4					
Car Parking		1,295	1,295	1,295	No	
Surface Boat Storage						
Day Use Recreation (R)	5					
Car Parking		725	725	725	No	
Educational/Institutional (E)	6					
Car Parking		118	118	118	No	

Off-street parking standards for the approval of CDPs shall be based on the Standards for Individual Permitted Uses as described in the Harbor Revitalization Plan and District Regulations, Chapter II-14, Off-Street Parking Standards and Regulations (effectively certified by the CCC on January 12, 2011). Standards for marine-related recreation modified by the LCPA include the establishment of:

- 0.25 parking space per boat standard for dry boat storage
- 1.0 parking space per 3 passengers standard for sport fishing, charter boat concessions, and the passenger ferry in addition to allowing for seasonal scheduling and passenger ridership variations, vessel size, and passenger capacity to be considered as part of a Parking Management Plan
- 0.6 parking space per boat slip or side tie standard for recreational boat slips and end/side tie facilities

CCC = California Coastal Commission CDP = Coastal Development Permit FEIR = Final Environmental Impact Report LCPA = Local Coastal Plan Amendment
LUP = Land Use Plan

3.0 COMPARATIVE EVALUATION OF ENVIRONMENTAL IMPACTS

The following pages contain analyses of potential impacts of the modified Dana Point Harbor Revitalization Plan for the Harbor. The analyses compare potential impacts of the Dana Point Harbor Revitalization Plan analyzed in FEIR No. 591 to the currently modified Plan. As explained in Chapter 1.0 of this Addendum, this comparative analysis has been undertaken pursuant to provisions of CEQA to provide the County and City decision-makers with a factual basis for evaluating the specific environmental impacts associated with the proposed modified Revitalization Plan for the Harbor. This Addendum will also determine whether there are changes in circumstances or new information of substantial importance that would require preparation of a subsequent or supplemental EIR. The basis of each finding is explained in the analysis that follows.

3.1 LAND USE

Existing Environmental Setting

Dana Point Harbor is located in Capistrano Bay on the Southern Orange County coastline, approximately halfway between Los Angeles and San Diego Counties. The Harbor is bordered by the Pacific Ocean to the south; Dana Headlands and Dana Point State Marine Park to the west; Doheny State Beach to the east; and a variety of commercial, hotel, residential, and park uses to the north. Interstate 5 (I-5), located approximately 2 miles (mi) east of the Harbor, runs north-south through the City of Dana Point (City) and provides regional access to the Harbor. The Harbor is primarily accessible from Pacific Coast Highway and Street of the Golden Lantern via Dana Point Harbor Drive. Secondary access is provided by Cove Road.

Harborwide. The general configuration of the Harbor includes a Landside Area (Planning Areas [PAs] 1, 2, 3, 5, 6, and 7) adjacent to the bluffs, an Island Area (PA 4), and the Waterside areas (PAs 8, 9, 10, 11, and 12) that includes slips and docks such as the commercial fishing slips, the bait receiver, fuel dock and the Sea Explorer Dock (refer to Figure 3.0 in Chapter 2.0). The landside portion of the Harbor area provides a variety of recreational, commercial, retail, sporting, and commercial boating amenities within the Dana Wharf and Mariners' Village. Amenities to the east of Island Way include the Marina Inn (a 136-room hotel), numerous restaurants, and small retail and gift shops. West of Island Way are the Ocean Institute, Baby Beach, and the County-operated Youth and Group Facility. PA 4 (the Island) is accessed by a bridge extending across the Marina Area and includes the Dana Point Yacht Club, Dana West Yacht Club, vehicle parking and boat storage areas, and the Harbor Patrol facility. PA 4 also has a linear park with a meandering walk, grassy area, restrooms and park cabanas along the southern edge, providing picnicking opportunities for the public. PA 1 contains the boat launch and a boat storage and maintenance area. There is human-powered craft launching in PA 8 at Baby Beach. Portions of PAs 8 and 11 are federal anchorage areas, and PA 12 is a federal navigation channel.

Commercial Core. The Dana Point Harbor Revitalization Project (Revitalization Plan) establishes a Commercial Core (in a portion of PA 1 and all of PA 2) and includes the replacement and/or remodeling of all existing retail and restaurant buildings. The Commercial Core revitalization (Phase I) also includes the reconfiguration of all existing surface parking areas to provide additional parking, new boater loading and drop-off areas, the new dry-stack boat storage building, and improvements to boater service and public restroom buildings. The first phase of the proposed Revitalization Plan will provide for the relocation of certain yacht brokerage firms and other Harbor-related office uses to the Commercial Core area.

Refer to Section 4.1 of FEIR No. 591 for additional detail regarding the existing environmental setting for Land Use within the Harbor.

FEIR No. 591

The findings prepared for FEIR No. 591 determined that project implementation would be consistent with the Southern California Association of Governments (SCAG's) Regional Comprehensive Plan and Guide, 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. No mitigation was required and no significant unavoidable adverse impacts related to these planning issues would occur as a result of construction and operation of the proposed project.

The Findings prepared for FEIR No. 591 determined that project implementation would result in potentially significant adverse impacts related to land use and relevant planning due to temporary construction activities and/or long-term maintenance or operations that may conflict with existing or future land uses. Implementation of mitigation measures would reduce the above-cited project impact on land use and planning to less than significant. Mitigation measures include consistency with the California Coastal Act (CCA) and land use compatibility. The project required a Local Coastal Plan Amendment (LCPA) and subsequent Coastal Development Permits (CDPs) to ensure consistency with the California Coastal Act (CCA) and Local Coastal Plan (LCP). Preparation of a Construction Management Plan (CMP) and a signage program would ensure that impacts related to land use compatibility would be reduced to a less than significant level. There would be no significant unavoidable adverse project impacts related to consistency with the CAA and land use compatibility after the implementation of mitigation measures.

Refer to Section 4.1 of FEIR No. 591 for an analysis of the potential effects of the proposed project related to Land Use. Refer to Appendix A for a complete list of mitigation measures required for the project.

Proposed Project Changes Related to Land Use

Implementation of the Dana Point Harbor Revitalization Plan required a series of subsequent approvals by the City and the CCC to modify existing regulatory documents, including the City's LCP. The Revitalization Plan and District Regulations therefore required an LCPA. During the public and regulatory review and approval process for the LCPA with the City and the CCC, refinements to the Land Use Plan (LUP) in the form of various suggested modifications were made to the proposed LCPA. The LUP serves as the City's General Plan for the Harbor and includes the kinds, locations, and intensity of all allowed land uses and provides applicable resource protections and development policies. The modifications to the LUP resulted in additional policies, regulations, and development standards. Refer to Table A, Numbers 8 through 118, for a complete list of all the LUP policies related to land use (Appendix A).

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6-acre (ac) shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

Modifications approved by the CCC also included the addition of requirements and development standards to the Implementation Plan (IP) component of the LCPA. The implementing actions include

all the ordinances, regulations or programs intended to implement the LUP for the Harbor, in addition to the policies of the CCA; more specifically, Chapter 3, Coastal Resources Planning and Management Policies. The CCC approved the LCPA with suggested modifications to bring the amendment into conformity with the policies of Chapter 3 of the CCA. A complete list of these modifications and provisions is contained in Appendix A to this Addendum. The approved modifications related to land use accomplished the following:

- Provide protection for land uses that are preferred in the CCA and allow only development (i.e., fishing, public access, water-oriented recreation and incidental commercial uses) that is consistent with the Tidelands Grant. The modifications also institute controls on the expansion of existing and potential construction of additional private (membership) yacht clubs on tidelands.
- Establish the goal of the Harbor revitalization to be “no net loss” of slips in the Harbor or a maximum loss of 155 slips. In addition, priority is to be given to the provision of slips that accommodate boats less than 25 feet (ft) in length, with the average slip length not to exceed 32 ft throughout the Harbor.
- Ensure that land area and parking facilities are maintained, enhanced and prioritized for coastal-dependent and coastal-related land uses.
- Encourage the provision and use of public transit by having the County cooperate with the surrounding adjacent cities to determine the feasibility of and potentially contribute to the implementation of a Tri-City Trolley.
- Establish tree-trimming policies and requirements to ensure bird breeding, roosting and nesting protection under the Migratory Bird Treaty Act, the California Endangered Species Acts for California bird species of special concern, wading birds (herons and egrets) and owls/raptors.
- Institute provisions for the protection of low-cost visitor-serving facilities and overnight accommodations and prohibit the conversion of existing or the construction of new Limited Use Overnight Visitor Accommodations on public tidelands in the Harbor.
- Protect scenic and visual coastal resources
- Incorporate miscellaneous revisions to the maps, tables, and figures.

Modified Project Land Use Impacts

The suggested modifications to the Dana Point Harbor LUP have resulted in refinements of land uses, including the removal of the lighthouse land use designation, elimination of the freestanding Marine Retail Store, ensuring a minimum 1.6 ac full service shipyard, maintaining dry boat storage capacity for 493 boats, all in PA 1; and designating boater parking within 300 ft of the land/dock connection or a maximum of 600 ft in PAs 1, 2, 3, 4, and 5. These modifications result in an overall reduced land use intensity in PA 1, while still providing additional and improved recreational facilities. The reduced land use intensity associated with the LUP Amendment suggested modifications result in reduced or similar potential physical impacts to land use compared with FEIR No. 591.

Secondly, the suggested modifications resulted in enhancements to the dry boat storage areas and public launching facilities; established a minimum of 334 parking spaces for vehicles with trailers; adopted a parking standard of 0.6 space per boat slip, and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations; prohibited new yacht clubs/sailing associations in

tidelands areas of the Harbor; and required County participation in local programs to promote and provide shuttle services to reduce traffic congestion and parking demand in the Harbor and are within the envelope of land use impacts analyzed in FEIR No. 591.

Thirdly, the suggested modifications resulted in preservation of recreational facilities. For example, the CCC established a Harbor Marina replacement objective of “no net loss of slips” or no greater than 155 slip losses; maintain an overall average slip length of 32 feet Harborwide; maintain a minimum of 42 guest slips; create the Recreation (R) land use designation in PAs 1 and 4 to preserve the current size of park areas; and expand and enhance low-cost hand launching and small vessel storage facilities where feasible. These modifications result in improved public access to the Harbor facility and promote low-cost resources and preservation of existing resources to the maximum extent feasible. These modifications are within the envelope of land use impacts and in most cases are less than those analyzed in FEIR No. 591.

Lastly, the modifications resulted in the preservation of environmental resources. For example, the CCC established requirements for the protection of bird nesting and foraging habitat, marine habitats, water quality, and wetlands (if delineated in the future). In addition, the CCC established additional requirements for the protection of scenic and visual resources, established provisions to address global climate change (GCC) and shoreline management. Overall, these modifications result in additional environmental protection and are within the envelope of land use impacts analyzed in FEIR No. 591.

In conclusion, the LCPA approved by the CCC is consistent with FEIR No. 591 and may result in a slight reduction in overall land use impacts. The proposed changes do not require revisions of the analysis or conclusions of FEIR No. 591 and will not result in any new significant land use impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Land Use

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions of FEIR No. 591. Project modifications will not result in new significant environmental impacts to Land Use, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Land Use that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not

reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Land Use requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Land Use identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.2 AESTHETICS

Existing Environmental Setting

The Harbor is bordered by the Pacific Ocean to the south; Dana Headlands and Old Cove Marine Preserve to the west; Doheny State Beach to the east; and a variety of commercial, residential, and recreational land uses to the north. The Harbor consists of the East and West Marinas and includes a County-operated park with picnic and beach areas adjacent to the waterside areas of the Marina. The Harbor is located in the vicinity of regionally recognized natural features and/or recreation areas.

The Harbor Marinas are characterized by open and expansive views of the horizon, bluffs, jetty, and the island bridge within the Marinas; the sky and dense urban development in the surrounding area. The Harbor is visually divided into landside and waterside attributes. The existing Harbor area is fully developed, being comprised of buildings of varying height, surface parking areas, meandering walkways, large open space grass areas with picnicking facilities, native and nonnative vegetation, rock and concrete jetties, seawalls and breakwaters, and boat slips and docks. The waterside areas are visually delineated as the East and West Marinas.

Refer to Section 4.2 of FEIR No. 591 for additional detail regarding the existing environmental setting for Aesthetics within the Harbor by Planning Area.

FEIR No. 591

The findings prepared for FEIR No. 591 determined that project implementation would not obstruct views of scenic resources. The findings determined that the proposed project would introduce additional view corridors (i.e., improved views from the Street of the Golden Lantern), would not cumulatively deteriorate the aesthetic value of the area, and would preserve coastal views. Cumulative impacts were determined to be less than significant, and no mitigation was required.

The findings prepared for FEIR No. 591 determined that construction and operation activities associated with project implementation would significantly impact the existing visual character and quality of the project site and its surroundings, and may create a new source of light and glare, which may adversely affect day and/or nighttime views in the area. Implementation of mitigation measures would reduce the above-cited significant aesthetic, visual, and glare impacts to a less than significant level. Mitigation measures include preparation of a construction staging plan and screening of all construction activities with fencing. The requirement for preparation of a Landscaping Plan as part of any CDP application is intended to ensure the implementation of cohesive and attractive landscaping throughout the Harbor that will screen views of buildings and enhance sidewalks and roadways. Implementation of the recommended mitigation measures was determined to reduce impacts to less than significant levels.

The findings prepared for FEIR No. 591 determined that project implementation would 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. Complete mitigation was not deemed possible to avoid the significant adverse project impacts related to long-term off-site aesthetic impacts. No feasible 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 to

provide dry storage and 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 (revenue-generating and nonrevenue generating land uses); and providing additional public restroom and shower facilities near docks. The project impacts were overridden by the project benefits. A Statement of Overriding Considerations was adopted in conjunction with certification of FEIR No. 591.

Refer to Section 4.2 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Aesthetics.

Proposed Project Changes Related to Aesthetics

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to aesthetics. Refer to Table A, Numbers 144 through 157, for a complete list of all the LUP policies related to aesthetics (Appendix A). The approved modifications related to aesthetics accomplish the following:

- Provide for the additional protection and enhancement of public views.
- Provide for additional consistency with the character of the community in architectural form, bulk, and height.
 - Building height maximums of 35 ft; exceptions to the 35 ft height limit include the Dry Stack Storage building shall have a maximum building height of 65 ft; Commercial Core area (PA 2) buildings fronting on the Festival Plaza or structures fronting the East Marina Boat Basin (PA 10) shall be a maximum of 60 ft high; Visitor-Serving Commercial (PA 3) building(s) shall have a maximum height of 50 ft.
- Preserve Dana Point's bluffs as a natural and scenic resource
- Implement programs for appropriate signage.

Modified Project Aesthetics Impacts

The LUP Amendment modifications that could have a potential effect on aesthetic resources are the CCC's elimination of the marine retail and lighthouse buildings. The elimination of these buildings would not lessen a significant and unavoidable impact, but would contribute to lessening the overall impact to the existing visual character and quality of the project site and its surroundings. FEIR No. 591 determined that project implementation would result in significant and unavoidable long-term off-site aesthetic impacts due to the development of the dry-stack boat storage buildings, which would partially obstruct views from surrounding roadways, parks, and State beaches. The project analyzed in FEIR No. 591 analyzed implementation of two dry boat storage buildings. Elimination of one of the dry boat storage buildings would reduce the significant and unavoidable impact from the second dry boat storage building, but not from the first building. As a result, some of the surrounding roadways, parks, and State beaches are not likely to be impacted to the same degree as previously disclosed. Nonetheless, while the removal of one dry-stack boat storage building and the LUP Amendment modifications result in an overall aesthetic impacts decrease, the reduction of the one building is not considered sufficient to reduce the significant and unavoidable impacts of the second building to below a level of significance.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that public views are protected and enhanced. Overall, the development standards added to the LUP component would ensure that the project would have less of an aesthetic impact than previously identified in FEIR No. 591.

There are no other modifications that would result in alterations of the aesthetic resources on site. Therefore, the LUP Amendment modifications that could have a potential effect on aesthetic resources are consistent with certified FEIR No. 591, do not require a major change to certified FEIR No. 591, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Aesthetics

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to aesthetics, nor would there be a substantial increase in the severity of impacts described in certified FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Aesthetics that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Aesthetics requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Aesthetics identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.3 GEOLOGY AND SOILS

Existing Environmental Setting

The Harbor is a coastal reentrant (cove) protected by the Headlands at Dana Point. This cove is bordered on the north by steep, highly eroded sandy cliffs or bluffs that are approximately 100–200 ft in elevation. The existing Harbor topography gently slopes from the northwest to the southeast, with a grade change of approximately 20 ft from Dana Point Harbor Drive to the top of the bulkhead.

Orange County, like most regions that border the Pacific Ocean, is a region of high seismic activity, and therefore is subject to potentially destructive earthquakes. Earthquakes are the result of an abrupt release of energy stored in the earth. Major earthquakes are commonly accompanied by foreshocks and aftershocks, which are usually less intense and represent local yielding and adjustments of rock masses along the main zone of faulting. Earthquakes create two types of hazards: primary and secondary. Primary seismic hazards include ground shaking, ground displacement, subsidence, and uplift due to seismic episodes. Primary hazards can, in turn, induce secondary hazards. These include the following: ground failure (lurch cracking, lateral spreading, and slope failure), liquefaction, seismically induced water waves (tsunamis and seiches), movement on nearby independent faults (sympathetic fault movement), and dam failure.

Active or potentially active faults of seismic concern in the region include the Dana Cove Fault, Newport-Inglewood Fault Zone/South Coast Offshore Zone of Deformation, San Joaquin Hills Fault, Oceanside Blind Thrust Faults, Whittier-Elsinore Fault, San Andreas Fault, Palos Verdes Fault, San Clemente Fault, and Rose Canyon Fault.

Refer to Section 4.3 of FEIR No. 591 for additional detail regarding the existing environmental setting for Geology and Soils within the Harbor.

FEIR No. 591

The findings prepared for FEIR No. 591 determined that project implementation would result in increased short-term impacts such as erosion and sedimentation and long-term seismic impacts within the area. 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 significant unavoidable adverse project impacts related to cumulative geology, soils, and seismicity impacts will occur as a result of construction and operation of the project.

The Findings prepared for FEIR No. 591 determined that project implementation would significantly impact soil conditions such as collapsible and expansive soils, soil erosion, and subsidence. In addition, because the proposed project is located in a seismically active region, the proposed project would expose people and structures to the effects associated with seismic activity (i.e., earthquakes). Implementation of mitigation measures would reduce the above-cited proposed project's significant geology, soils, and seismicity impacts to less than significant. Mitigation measures require preparation of a final geotechnical report identifying any adverse geologic and soil conditions and mitigation measures that would reduce all geologic, soils, and seismic impacts to less than significant. Project design features (PDFs) 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.

Refer to Section 4.3 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Geology and Soils.

Proposed Project Changes Related to Geology and Soils

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to geology and soils. Refer to Table A, Numbers 180 through 187, for a complete list of all the LUP policies related to geology and soils (Appendix A). The approved modifications related to geology and soils accomplish the following:

- Require geotechnical studies for developments proposed on or adjacent to coastal or inland bluff tops and where geological instability is suspected (CCA Section 30253).
- Assure stability and structural integrity and neither creates nor contributes significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way requires the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs (CCA Section 30253).
- Ensure that adequate evacuation can occur should the Island bridge become incapacitated.
- Require new development to include a geologic/soils and geotechnical study to identify geologic hazards affecting the proposed project site and any necessary mitigation measures and contains a statement that the project site is suitable for the proposed development in a manner consistent with the County of Orange Grading and Excavation Code.
- Mitigation of earthquake groundshaking shall be incorporated into the design and construction in accordance with Uniform Building Code requirements and site-specific design.

Modified Project Geology and Soils Impacts

There are no LUP Amendment modifications that would result in alterations of the existing or planned geologic conditions of the site. The relocation of the freestanding marine retail store and the elimination of one dry stack storage building are changes that will occur on the same project site analyzed in FEIR No. 591. While the LUP Amendment included retention of the existing shipyard building square footages, which is greater (additional 2,500 sf) than what was discussed in FEIR No. 591, this is an existing use that would not exacerbate geology and soils impacts with project implementation. In other words, there would be no greater impact than exists today. There are no new structures proposed with the modified project that could result in new or substantial geological conditions such as seismic-related impacts, collapsible or expansive soils, or soil erosion. The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that geological conditions such as seismic-related impacts, collapsible or expansive soils, or soil erosion are less than significant. Overall, the development standards added to the LUP component would ensure that the project would have less of a Geology and Soils impact than previously identified in FEIR No. 591.

Therefore, the LUP Amendment modifications that could have a potential effect on Geology and Soils are consistent with FEIR No. 591, do not require a major change to FEIR No. 591, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a subsequent EIR have been met.

Findings Related to Geology and Soils

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Geology and Soils, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Geology and Soils that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Geology and Soils requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Geology and Soils identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.4 HYDROLOGY AND WATER QUALITY

Existing Environmental Setting

The Harbor is within the Dana Point hydrologic subarea (HSA) (901.14) of the San Juan hydrologic unit (901) within the San Diego Basin. The Dana Point Harbor Revitalization Plan Project lies within the San Juan Creek Watershed, which ultimately drains to the Pacific Ocean. More specifically, the Dana Point Harbor Revitalization Plan Project lies within the Dana Point Coastal Streams Watershed, a sub-watershed of the San Juan Creek Watershed. The Dana Point Coastal Streams receiving water is the Harbor.

The Harbor is bordered by the Pacific Ocean to the south; Dana Headlands and Dana Point Marine Life Refuge to the west; Doheny State Beach to the east; and a variety of commercial, hotel, residential, and park uses to the north.

The San Juan Creek Watershed covers 133.9 square miles and includes portions of the Cities of Dana Point, Laguna Hills, Laguna Niguel, Mission Viejo, Rancho Santa Margarita, and San Juan Capistrano. Its main tributary, San Juan Creek, originates in the Santa Ana Mountains district of the Cleveland National Forest in the easternmost part of Orange County. A number of coastal drains discharge to the Pacific Ocean through Dana Point Harbor. San Juan Creek and its main tributaries, Arroyo Trabuco Creek and Oso Creek, flow into the Pacific Ocean, south of the Harbor. Salt Creek and its tributaries Arroyo Salado Creek and San Juan Canyon Creek discharge to Salt Creek Beach, north of the Harbor.

The Dana Point Coastal Streams Watershed is almost fully developed. Remaining undeveloped areas include open space within Aliso and Wood Canyons Regional Park in the upper watershed and the Salt Creek Corridor Regional Park in the eastern part of the Watershed.

Refer to Section 4.4 of FEIR No. 591 for additional detail regarding the existing environmental setting for Hydrology and Water Quality within the Harbor.

FEIR No. 591

The Findings prepared for FEIR No. 591 determined that project implementation (along with 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 was required and no significant unavoidable adverse impacts related to drainage and runoff, water quality and cumulative hydrology and drainage would occur as a result of construction and operation of the proposed project.

The Findings prepared for FEIR No. 591 determined that the project site may be subject to potential flood hazards from San Juan Creek. Implementation of mitigation measures would reduce the above-cited project's significant flooding impact to less than significant. Mitigation measures require an assessment of flooding from San Juan Creek and seiche impacts on all proposed structures in the Harbor. Standard Conditions of Approval require all structures to be built 1 ft above the base flood elevation. In addition, a PDF would ensure that all new buildings include storm water collection systems. Implementation of the prescribed mitigation measures, project design features and standard conditions of approval would reduce potentially significant impacts to a less than significant level.

There would be no significant unavoidable adverse project impacts related to flood hazards after implementation of mitigation measures.

Refer to Section 4.4 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Hydrology and Water Quality.

Proposed Project Changes Related to Hydrology and Water Quality

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to water quality and hydrology. Refer to Table A, Numbers 207 through 259, for a complete list of all the LUP policies related to hydrology and water quality (Appendix A). The approved modifications related to hydrology and water quality accomplish the following:

- Provide protection against the spillage of crude oil, gas, petroleum products, or hazardous substances.
- Promote pollution prevention and elimination methods that minimize the introduction of pollutants into coastal waters and the generation of polluted runoff and nuisance flows.
- Provide protection against degradation of the water quality of coastal surface waters, including the ocean, coastal streams, or wetlands and groundwater basins.
- Promote the use of Best Management Practices (BMPs) or combination of BMPs to reduce pollutant loading.
- Promote infiltration of runoff to protect the natural hydrologic cycle.
- Minimize the creation of, and increases in, impervious surfaces.
- Require landscaping and revegetation of graded or disturbed areas.
- Require the use of efficient irrigation practices and native or noninvasive and drought-tolerant plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation practice.
- The preferred material for pilings used for construction of piers, docks, or slips is concrete or steel coated with a nontoxic material. Timber piles preserved with creosote (or similar petroleum-

derived products) are not allowed. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g., polyvinyl chloride [PVC] Pilewrap) and reinforced plastic for pilings (e.g., high-density polyethylene [HDPE] pile armor) shall conform to certain requirements.

Modified Project Hydrology and Water Quality Impacts

Refer to Appendix B for the Drainage and Water Quality Memorandum prepared for the Dana Point Harbor Revitalization Project.

Modified Project Construction Impacts. Construction impacts would be less than those identified in FEIR No. 591 due to the elimination of certain project components. For example, the project refinements removed construction of the second dry stack storage building, thereby reducing the construction activities and impacts. Overall, this component was the largest identifiable change in terms of construction impacts. The project modification to keep the existing shipyard building size of 5,000 sf, rather than reducing the size to 2,500 sf, would not result in a greater impact than what was identified in FEIR No. 591. Since 5,000 sf is an existing condition, no additional water quality impacts would occur from this project component change. Therefore, impacts associated with construction of the modified project are anticipated to be similar and/or slightly less than the impacts disclosed in FEIR No. 591.

FEIR No. 591 required compliance with the Construction General Permit that was in effect at that time. Since FEIR No. 591 has been certified, a new Construction General Permit has since been adopted and would apply to construction activities for the proposed project. The requirements of the Construction General Permit are now based on the risk level of the project. The overall risk level is based on two factors: (1) receiving water risk, and (2) sediment risk. Runoff from the project site would not discharge to a 303(d) listed waterbody impaired for sediment, but does discharge to a waterbody with designated beneficial uses of SPAWN and MIGRATORY; therefore, the receiving water risk is considered high.

Based on the anticipated construction schedule of approximately 7 years, the project sediment risk would be high (soil loss = 616 tons/ac). Therefore, the project would be Risk Level 3. Risk Level 3 projects are required to implement Good Housekeeping, Erosion Control, and Sediment Control BMPs; perform quarterly nonstorm water discharge observations; weekly, prestorm, daily storm, and poststorm inspections; prepare and implement a Rain Event Action Plan (REAP); prepare and submit, via Storm Water Multi-Application and Report Tracking System (SMARTS), an Annual Report; collect storm water samples; and comply with the percentage of hydrogen (pH) and turbidity Numeric Action Levels and Numeric Effluent Limitations specified in the Construction General Permit. In addition, Risk Level 3 requires macroinvertebrate sampling since the project discharges to a waterbody with designated beneficial uses of SPAWN and MIGRATORY.

Modified Project Post-construction Impacts. The operation impacts associated with the project modifications result in impacts similar to those disclosed in FEIR No. 591. For example, as shown in Table B (Chapter 2.0), the revised project preserves the existing park area uses in the Marine Commercial Areas and Marine Service Commercial and preserves the existing size of the sandy

beach area (Baby Beach). This project modification would result in preservation of existing pervious areas.

The project modification to keep the existing shipyard building size of 5,000 sf, rather than reduce the size to 2,500 sf, may result in a slightly greater impact than what was identified in FEIR No. 591. However, because this is an existing condition, no additional water quality impacts would occur from this project component change. In addition, future improvements to the shipyard building will likely require implementation of water quality treatment control best management practices (BMPs) to reduce the amount of pollutants entering the waterways from the site (refer to the additional requirements and development standards related to water quality in Table A of Appendix A).

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that water quality impacts are less than significant. Overall, the development standards added to the LUP component would ensure that the project would have less of a Hydrology and Water Quality impact than previously identified in FEIR No. 591. Therefore, impacts associated with operation of the modified project are anticipated to be similar and/or slightly less than the impacts disclosed in FEIR No. 591.

Findings Related to Hydrology and Water Quality

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions to FEIR No. 591. Project modifications will not result in new significant environmental impacts to Hydrology and Water Quality, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Hydrology and Water Quality that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Hydrology and Water Quality requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Hydrology and Water Quality identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the prescribed mitigation measures, project design features, and standard conditions of approval contained therein. Based on the analysis and information above, no changes to the prescribed mitigation measures, project design features, and standard conditions of approval found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.5 TRAFFIC AND CIRCULATION

Existing Environmental Setting

To determine the existing operation of the project area intersections, existing weekday morning (a.m.) and afternoon (p.m.) peak-hour traffic volumes were counted in 2005 immediately after Memorial Day weekend, while existing weekend midday and p.m. peak-hour traffic volumes were counted during the Memorial Day weekend. Weekend a.m. counts were not taken during Memorial Day weekend since midday counts are moderate, and the analysis focused on peak event times. These weekend volumes represent a worst-case scenario weekend condition.

To calculate trips generated by a project site, transportation planners and engineers utilize published trip generation rate sources such as the *Institute of Transportation Engineers (ITE) Trip Generation*. Table 3.5.A summarizes ITE trip generation rates applicable to the Harbor.

Table 3.5.A: Dana Point Harbor ITE Trip Rates

Land Use (ITE Code)	Units	AM Peak-Hour Rates			PM Peak-Hour Rates			ADT
		In	Out	Total	In	Out	Total	
420	Boat Berths	0.03	0.05	0.08	0.11	0.08	0.19	2.96
710	tsf	1.36	0.19	1.55	0.25	1.24	1.49	11.01
814	tsf	0.00	0.00	0.00	1.19	1.52	2.71	44.32
942	tsf	1.91	1.03	2.94	1.69	1.69	3.38	15.86 ¹
590	tsf	0.76	0.30	1.06	3.40	3.69	7.09	54.00
932	tsf	5.99	5.53	11.52	6.66	4.26	10.92	127.15
310	Occupied Rooms	0.39	0.28	0.67	0.34	0.36	0.70	8.92
931	tsf	0.66	0.15	0.81	5.02	2.47	7.49	89.95
495	tsf	0.99	0.63	1.62	0.48	1.16	1.64	22.88

Source: FEIR No. 591, RBF Consultants, 2006.

¹ Saturday Daily Rate.

ADT = Average Daily Trips

ITE = Institute of Transportation Engineers

tsf = thousand square feet

Existing trip generation (Harborwide and Commercial Core) was calculated using existing Harbor uses. The trips projected were obtained by applying the trip generation rates provided in Table 3.5.A. According to the analysis, the Harbor currently generates approximately 19,198 daily trips, which includes approximately 1,016 a.m. peak-hour trips and approximately 1,441 p.m. peak-hour trips.

The existing weekday a.m. and p.m. peak-hour volume-to-capacity (v/c) ratio and corresponding level of service (LOS) of the study intersections was calculated based on the existing peak-hour intersection volumes.

As shown in the analysis, the study intersections are currently operating at an acceptable LOS during weekday a.m. and p.m. peak-hour conditions, according to performance criteria, except for the Camino Capistrano/Stonehill Drive intersection (a.m. peak hour).

The existing weekend noon and p.m. peak-hour v/c ratio and corresponding LOS of the study intersections was calculated based on existing peak-hour intersection volumes. As shown in the

analysis, the study intersections are currently operating at an acceptable LOS during weekday a.m. and p.m. peak-hour conditions, with the exception of the Camino Capistrano/Stonehill Drive intersection (p.m. peak hour).

Refer to Section 4.5 of FEIR No. 591 for existing weekday and weekend peak-hour volumes at the study intersections and for additional detail regarding the existing environmental setting for Traffic and Circulation within the Harbor.

FEIR No. 591

The Findings prepared for FEIR No. 591 determined that construction activities associated with project implementation would generate additional vehicle trips on adjacent roadways and significantly impact existing parking facilities, thus affecting the LOS at intersections, roadways, and parking capacities. Short-term traffic and parking impacts would be mitigated to a less than significant level with preparation of a construction signage program indicating additional parking areas and a construction Traffic Management Plan (TMP) that includes locations for shuttle drop-off areas, relocation of public transit facilities, and provisions for valet service.

The proposed project would generate additional long-term parking demand, resulting in a significant parking impact. Implementation of mitigation measures would reduce the above-cited significant traffic and parking impacts to less than significant. A Parking Management Plan would also be required that would identify additional parking areas during peak Harbor use periods, as well as a queuing analysis to ensure that adequate access is designed into the proposed parking structure. Implementation of the prescribed 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.

Refer to Section 4.5 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Traffic and Circulation.

Proposed Project Changes Related to Traffic and Circulation

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the

LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to traffic and circulation. Refer to Table A, Numbers 279 through 324, for a complete list of all the LUP policies related to traffic and circulation (Appendix A). The approved modifications related to traffic and circulations accomplish the following:

- Promote Harbor improvements that are designed to: (1) facilitate provision or extension of transit service; (2) provide on-site commercial and recreational facilities to discourage midday travel; and (3) provides nonautomobile circulation to and within the Harbor (CCA Sections 30213 & 30252).
- Provide a convenient shuttle service to link Dana Point Harbor with the Town Center.
- The implementation of restrictions on public parking along Dana Point Harbor Drive and Street of the Golden Lantern that would impede or restrict public access to the Harbor, trails, or recreation areas shall be prohibited except where such restrictions are needed to protect public safety.
- Bike racks shall be incorporated into the design of the Harbor wherever feasible.
- Transit service and pedestrian/bicycle trails shall be maintained and enhanced wherever possible in order to reduce the demand for parking.
- Promote ridesharing and public transportation through publicity and provision of information to the public.
- Ensure accessibility of public transportation for elderly and disabled persons.
- Encourage the provision of safe, attractive, and clearly identifiable transit stops and related high-quality pedestrian facilities throughout the Harbor (CCA Section 30252).
- Determine the feasibility of the Tri-City Trolley being operational prior to or concurrent with buildout and occupancy of the Commercial Core.
- A seasonal water taxi service may be incorporated throughout the Harbor to reduce average daily trips (ADTs) during peak Harbor usage days.
- Promote the safety of pedestrians and bicyclists; maintain existing pedestrian facilities and require new development to provide pedestrian walkways between facilities.
- Dedicated boater parking areas shall be located as close as possible to the land/dock connection point of the docks they serve. Typically, the boater parking spaces should be within 300 ft of the land/dock connection point of the docks they serve, but in unusual cases where adherence to this standard isn't feasible, the parking spaces shall be within a maximum of 600 ft of the land/dock connection point of the docks they serve.
- Require preparation of a construction-phase Parking Management Plan (PMP) to ensure that public access will be retained and to reduce construction congestion/conflicts.
- Require preparation of a TMP to include a provision for use of off-site locations for parking for peak Harbor use periods.

Modified Project Traffic and Circulation Impacts

The LCPA modifications that may have a potential to impact Traffic and Circulation include the reallocation of land uses, changes to visitor-serving uses, and public access to the coast. A summary of the revised project land uses and revised trip generation is shown in Tables 2.A and 2.B in Chapter 2. As shown in Tables 2.A and 2.B, there have been minor changes in the land uses within the various Planning Areas. For example, within PA 1, there has been an overall reduction in the maximum allowable square footage; suggested modifications also made by the CCC reduced retail square footage in PA 1 from 9,100 sf to a maximum of 2,000 sf, thereby also reducing the parking demand for the PA overall. In addition, the City modified the LUP to remove one of the two proposed Dry Stack Storage Buildings as part of the LCPA, reducing dry stack boat storage capacity from 800 to 400 boats.

Land use changes resulting from the approved modifications to the LUP Amendment will slightly change the trip generation within the traffic analysis Planning Areas utilized in the previous traffic study; however, no significant differences in traffic impacts to the study area intersections are anticipated. Since the LUP Amendment modifications resulted in a reduced land use intensity on site, trip generation would fall within (if not below) the total trip generation calculated for the prior project, and additional trip generation is not anticipated. The overall reduced land use intensity associated with the LUP Amendment modifications indicate that the modifications would result in reduced or similar potential impacts to traffic and circulation compared with FEIR No. 591.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that transportation impacts are less than significant. Overall, the development standards added to the LUP component would ensure that the project would have less of a Traffic and Transportation impact than previously identified in FEIR No. 591.

The LUP Amendment modifications do not require major revisions to the FEIR No. 591 analysis and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in previous FEIR No. 591 support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a subsequent EIR have been met.

Findings Related to Traffic and Circulation

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions to FEIR No. 591. Project modifications will not result in new significant environmental impacts to Traffic and Circulation, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in

circumstances pertaining to Traffic and Circulation that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Traffic and Circulation requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in the Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Traffic and Circulation identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.6 AIR QUALITY

Existing Environmental Setting

The City is located in the South Coast Air Basin (Basin), a 6,600-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Basin includes all of Orange County and the nondesert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Gorgonio Pass area of Riverside County. The Basin's terrain and geographical location, a coastal plain with connecting broad valleys and low hills, determine its distinctive climate.

The extent and severity of the air pollution problem in the Basin is a function of the area's natural physical characteristics (weather and topography), as well as human-made influences (development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall and topography all affect the accumulation and/or dispersion of air pollutants throughout the Basin.

The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. As a result, the climate is mild, tempered by cool sea breezes. The climate is characterized as Mediterranean: a semiarid environment with mild winters, warm summers, moderate temperatures and comfortable humidity. Precipitation is limited to a few winter storms. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana Winds.

Refer to Section 4.6 of FEIR No. 591 for additional detail regarding the existing environmental setting for Air Quality within the Harbor.

FEIR No. 591

Long-Term Impacts. The findings prepared for FEIR No. 591 determined that project implementation would add an overall increase in the local and regional pollutant load, resulting in significant long-term air quality impacts. Implementation of mitigation measures would reduce the above-cited significant long-term air quality impact to less than significant. The project would be required to comply with Title 24 of the California Code of Regulations (CCR) regarding energy conservation standards. A Transportation Demand Management (TDM) Plan will be prepared to 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. PDFs would further reduce long-term air emissions by including a dust collection system in the dry boat stack storage buildings to reduce the amount of particulates released into the atmosphere. Implementation of the recommended Mitigation Measures and PDFs would reduce impacts to a less than significant level.

Construction Impacts. Findings prepared for the Final EIR determined that project implementation would result in significant and unavoidable impacts regarding construction emissions (NO_x emissions). Mitigation measures will be implemented and require compliance with the South Coast Air Quality Management District's (SCAQMD's) Rules 402, 403, and 1113, along with minimizing reactive organic gas (ROG) emissions and coordinating the times that construction equipment/activities are conducted. However, these measures are unable to reduce long-term off-site impacts to a less than significant level due the length of time of construction. No other feasible mitigation

measures were identified to further reduce impacts. 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 (revenue-generating and nonrevenue generating land uses); and providing additional public restroom and shower facilities near docks. The project impacts were overridden by the project benefits, and a Statement of Overriding Considerations was adopted by the County in conjunction with certification of FEIR No. 591.

Refer to Section 4.6 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Air Quality.

Proposed Project Changes Related to Air Quality

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to air quality. Refer to Table A, Numbers 336 through 344, for a complete list of all the LUP policies related to air quality (Appendix A). The approved modifications related to air quality accomplish the following:

- Encourage patterns of development necessary to minimize air pollution and vehicle miles traveled (CCA Section 30250).
- Provide commercial areas that are conducive to pedestrian and bicycle circulation.
- Encourage bicycle/trail systems to reduce air pollution.
- Assure the development of shuttle systems and train or transit facilities to help reduce vehicular trips and air pollution.
- Implement energy conservation measures.
- The design of the dry-stack boat storage building includes covered areas for boat maintenance, where dust collection systems may be used to reduce the amount of particulates released into the atmosphere.
- Reduction of vehicle trips is achieved by implementing the TMP.

Modified Project Air Quality Impacts

As described in Section 3.5 of this Addendum, the LUP Amendment modifications are anticipated to reduce or have a generally similar trip generation within the traffic analysis planning areas utilized in the previous traffic study; as a result, no significant differences in traffic impacts are anticipated. Since the LUP Amendment modifications resulted in an overall reduced project and land use intensity, trip generation would fall within (if not below) the total trip generation calculated for the prior project. Therefore, project-related vehicular emissions are anticipated to be comparable to or less than the levels evaluated in the previous EIR.

In addition, since adoption of FEIR No. 591, California Green Building Standards Code (Cal Green Code) (CCR, Title 24, part 11) was adopted by the California Building Standards Commission in 2010 and became effective in January 2011. The Cal Green Code applies to all new constructed residential, nonresidential, commercial, mixed-use, and State-owned facilities as well as schools and hospitals. Cal Green Code is comprised of Mandatory Residential and Nonresidential Measures and more stringent Voluntary Measures. Mandatory measures are required to be implemented on all new construction projects and are comprised of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. Therefore, the Dana Point Harbor Revitalization Project would be required to implement green measures to reduce overall project emissions.

The project modification to keep the existing shipyard building size of 5,000 sf, rather than reducing the size to 2,500 sf, may result in a slightly greater impact than what was identified in FEIR No. 591. However, because this is an existing condition, no additional air quality impacts would occur from this project component change. In addition, future improvements to the shipyard building will also be required to implement Cal Green Code to reduce overall project emissions. Therefore, impacts associated with operation of the modified project are anticipated to be similar to the impacts disclosed in FEIR No. 591.

FEIR No. 591 determined that project implementation would result in significant and unavoidable impacts regarding construction emissions (NO_x emissions). The elimination of the dry boat storage building and the preservation of the existing sandy beach area and park area uses will result in a smaller grading envelope and therefore will create slightly reduced construction-related air emissions. While the LUP Amendment modifications result in a slight overall decrease in anticipated air emissions, the reduction is not considered sufficient to reduce project or cumulative impacts to below a level of significance.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that air quality impacts are less than significant. Overall, the development standards added to the LUP component would ensure that the project would have less of an air quality impact than previously identified in FEIR No. 591.

In conclusion, the LUP Amendment modifications are consistent with FEIR No. 591 and may result in a slight reduction in overall air quality impacts. The proposed changes do not require a major change to FEIR No. 591 and will not result in any new significant air quality impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts

disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Air Quality

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Air Quality, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Air Quality that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Air Quality requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Air Quality identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.7 BIOLOGICAL RESOURCES

Existing Environmental Setting

The topography of the Harbor is generally flat, gently sloping toward the Pacific Ocean. The elevation of the Harbor ranges from approximately 0 ft to 50 ft above mean sea level. It is located on the United States Geological Survey (USGS) *Dana Point, California* 7.5-minute topographic quadrangle in Sections 22 and 23 of Township 8South, Range 8West.

FEIR No. 591 describes the biological character of the Harbor in terms of vegetation, flora, wildlife, wildlife habitats, and marine resources and analyzes the biological significance of the Harbor in relation to federal, State, and local laws and policies.

Most of the Harbor is covered with asphalt parking lots, commercial buildings, and scattered ornamental landscaping. The vegetation community subtypes in the developed areas are nonurban, commercial, and ornamental landscaping. Ornamental landscaping consists of planted and maintained trees, shrubs, flowers, and turf grass.

The literature review resulted in a list of 19 sensitive plant species that have the potential to occur on or within the vicinity of the Harbor or Off-Site areas. The literature review and assessment of the various habitat types within the Harbor and Off-Site areas identified 69 sensitive wildlife species that could potentially occur in the vicinity of the Harbor or Off-Site areas. Fifteen of these species are listed as federally and/or State-endangered or threatened, or proposed endangered or threatened. Of the 69 sensitive wildlife species, 6 were present (5 of which are listed species), 2 have a high potential to occur, 10 have a moderate potential to occur, and 53 have a low potential to occur.

In the Harbor, large ornamental trees and bushes, riprap boulders, sandy and mudflat beaches, calm shallow waterways, and low docks provide habitats for birds with a wide variety of preferences for feeding, resting, and nesting. The Harbor supports a population of year-round residents as well as seasonal visitors that may utilize the area for resting and foraging during migrations. A limited number of migratory nesters may also occur. The Harbor avifauna is characterized by a large seasonal fluctuation in number of species and individuals, with the greatest diversity and numbers generally occurring during spring and fall migrations.

The Harbor modifications have changed the type of habitat available for marine organisms. These modifications have created artificial habitats that support a wide diversity of biological communities. Because of dredging and filling, very little sandy-beach and shallow-water habitats remain. Benthic (at the bottom of a body of water) habitat has also been altered. However, the deep-water habitat for fish has expanded because of the emplacement of bulkheads, riprap for shoreline breakwaters, and pier pilings. The riprap provides refuge and foraging habitat for fish and birds, and the protected, open waters of the Harbor maintain a diverse fish community, which in turn provides food for several species of birds.

Refer to Section 4.7 of FEIR No. 591 for additional detail regarding the existing environmental setting for Biological Resources within the Harbor.

FEIR No. 591

The Findings prepared for FEIR No. 591 determined that project implementation may impact marine biological resources and species identified as special-status unless mitigated. Impacts to sensitive 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 original footprint of the seawalls. The project will be required to implement BMPs to ensure no impacts to water quality that may affect the marine environment. Preparation of a landscape concept plan that provides a design to minimize the loss of native trees within the Harbor boundaries is required. Implementation of the prescribed mitigation measures, PDFs, and Standard Condition of Approval identified in FEIR No. 591 would reduce impacts to less than significant levels. There were no significant unavoidable adverse impacts to biological resources after implementation of mitigation measures.

Refer to Section 4.7 of FEIR No. 591 for further analysis of the potential effects of the proposed project and/or a complete list of mitigation measures related to Biological Resources.

Proposed Project Changes Related to Biological Resources

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to biological resources. Refer to Table A, Numbers 354 through 392, for a complete list of all the LUP policies related to biological resources (Appendix A). The approved modifications related to biological resources accomplish the following:

- Provide additional protections to Environmentally Sensitive Habitat Areas and endangered species,
- Provide additional protections to the marine life refuge to avoid detrimental impacts to the resources of the refuge (CCA Section 30230),
- Ensure the protection of bird-nesting habitat protected by the Migratory Bird Treaty Act (MBTA) and the long-term protection of breeding, roosting, and nesting habitat of bird species listed

pursuant to the federal or California Endangered Species Acts (ESA), California bird species of special concern, and wading birds (herons or egrets).

- Allow shoreline or ocean-protective devices such as revetments, breakwaters, groins, harbor channels, seawalls, cliff-retaining walls and other such construction that alters shoreline processes when required to serve coastal-dependent uses or to protect existing structures or adverse impacts on local shoreline sand supply and minimize adverse impacts on public use Baby Beach (CCA Section 30210-12, 30235).
- Preserve, maintain, enhance, and where feasible, restore marine resource areas and coastal waters.
- Maintain and where feasible, restore the biological productivity and the quality of coastal waters, creeks, and groundwater, appropriate to maintain optimum populations of marine organisms and to protect human health.
- Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into current suitable long shore systems (CCA Section 30233).
- Prior to the potential disturbance to shallow water marine substrate, OC Dana Point Harbor will ensure that a preconstruction survey will be conducted to determine the presence of eelgrass (*Zostera marina*) to be taken during the active growth period if possible. If eelgrass is determined to be present within the project area, when feasible, the project shall be redesigned to avoid impacts to eelgrass. If nearby eelgrass is impacted, it shall be mitigated in conformance with the Control Protocol adopted by the National Marine Fisheries Service.
- Recognize and protect wetlands for their recreational, water quality and habitat value.

Modified Project Biological Resources

Revisions to the project resulting from the CCC's certification of the LCPA, with suggested modifications, have resulted in the preservation of environmental resources, including bird nesting and foraging habitat, marine habitats, water quality, and wetlands (if delineated in the future). In addition, the LUP modifications established tree trimming policies and requirements to ensure bird breeding, roosting, and nesting protection under the MBTA, the ESA for California bird species of special concern, wading birds (herons and egrets), and owls and raptors.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that biological resources are further protected. Overall, the development standards added to the LUP component would ensure that the project would have less of a biological resources impact than previously identified in FEIR No. 591.

There are no other LUP Amendment modifications that could potentially result in alterations of biological resources on site. The proposed changes will not increase an impact previously identified or result in a new adverse impact related to biological resources. The project changes, including relocation of the freestanding marine structure and reassignment of parking, are still located within fully developed areas on site. Therefore, the LUP Amendment modifications that could have a potential effect on biological resources are consistent with FEIR No. 591 regarding project and

cumulative effects to biological resources, do not require a major change to FEIR No. 591, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the LUP Amendment modifications with the impacts disclosed in previous certified FEIR No. 591 support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Biological Resources

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Biological Resources, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Biological Resources that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Biological Resources requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Biological Resources identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.8 PUBLIC HEALTH AND SAFETY

Existing Environmental Setting

This section addresses potential impacts related to the physical condition of the Dana Point Harbor Revitalization Project area and adjacent areas due to past and present activities and uses involving hazardous materials.

The term “hazardous material” includes both hazardous substances and hazardous waste. A material is defined as “hazardous” if it appears on a list of hazardous materials prepared by a federal, State, or local regulatory agency, or if it has characteristics defined as hazardous by such an agency. A “hazardous waste” is a “solid waste” that exhibits toxic or hazardous characteristics. The EPA defines “solid waste” as material that is discarded or has served its intended purpose, unless the material is specifically excluded from regulation; such materials are considered waste whether they are discarded, reused, recycled, or reclaimed. The EPA classifies a material as hazardous if it has one or more of the following characteristics at specific thresholds: ignitability, corrosivity, reactivity, and toxicity.

Dana Point Harbor provides a diverse range of recreational and commercial amenities. The Marina includes a variety of recreational, sporting, and commercial boating amenities in addition to recreational fishing. Marine services such as shipyards, boat slips, boat maintenance facilities, and a boat fuel dock are located within the Harbor. Two hazardous material disposal stations are located near the Harbor Patrol Office and the Anchor Marine Center. Other prominent land uses are Dana Wharf, Mariner’s Village, the Marina Inn (a 136-room hotel), numerous restaurants, small retail and gift shops, the Ocean Institute, Baby Beach, and the County-operated Youth and Group Facility. PA 4 (accessed by a bridge extending across the Marina) includes the Dana Point and Dana West Yacht Clubs, restaurants, a commercial fishing fleet area, the Harbor Patrol facilities, and boat storage.

In addition to the physical facilities, there are also ongoing boat-related maintenance practices that may contribute either indirectly or directly to a hazardous material condition within the Harbor, such as:

- Oil and fuel spills
- Boat cleaning, painting, and maintenance
- Underground storage tanks
- Hazardous material disposal stations

Refer to Section 4.8 of FEIR No. 591 for additional detail regarding the existing environmental setting for Public Health and Safety within the Harbor.

FEIR No. 591

The Findings prepared for FEIR No. 591 determined that project implementation would not result in significant impacts to emergency response plans 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.

Compliance with federal, state, and local requirements on a project-by-project basis will reduce cumulative impacts to less than significant levels. No mitigation is required, and no significant unavoidable adverse impacts related to emergency response plans and cumulative public health and safety impacts would occur as a result of project implementation.

The Findings prepared for FEIR No. 591 determined that project implementation would have the potential to create a significant hazard to the public or the environment related to hazardous materials; would potentially create odors or foster disease vectors associated with the implementation of BMPs; would have 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 demolition and construction activities of the project; and would 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. Implementation of mitigation measures would reduce the above-cited significant impacts related to hazardous materials, odors and vectors, ACMs, and LBPs to less than significant. The impacts associated with hazardous materials would be mitigated through preparation of Phase II and Phase III Environmental Site Assessments, 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 CCR Title 22. Therefore, there are no significant unavoidable adverse impacts regarding hazardous materials, vectors and odors, ACMs, and LBPs after implementation of mitigation measures.

Refer to Section 4.8 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Public Health and Safety.

Proposed Project Changes Related to Public Health and Safety

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to public health and safety. Refer to Table A, Numbers 415 through 434, for a complete list of all the LUP policies related to public health and safety (Appendix A). The approved modifications related to public health and safety accomplish the following:

- Consider and avoids potential threats from sea level rise and coastal and other hazards for all new development.
- Establish building code, setback, site design, and landscaping requirements that assure adequate fire protection to minimize risks to life and property.
- Support the efforts of water and sewer agencies to encourage recycling of wastes and proper disposal of household wastes and waste oil.
- Require coordination with the Orange County Flood Control District in ensuring the adequacy of regional storm drainage facilities.
- Require coordination with the Orange County Sheriff's Department (OCSD) and Orange County Fire Authority (OCFA) for the continued provision of adequate law enforcement and fire protection.
- Require new utilities to be located underground to the extent feasible as part of the new development projects. Utility undergrounding activities will be coordinated with utility providers to ensure that service to adjoining utility customers is not interrupted.

Modified Project Public Health and Safety

The CCC made the following LUP Amendment modifications that affect existing hazardous materials on the project site: retention of the existing shipyard building square footages; removal of one of the two proposed Dry Stack Storage Buildings and anticipated parking spaces as part of the LCPA, reducing dry stack boat storage capacity from 800 to 400 boats, and preservation of the existing park area uses (including Baby Beach).

According to FEIR No. 591, the shipyard component would be reduced by 2,500 sf. Based on CCC LUP Amendments, the existing building square footage of 5,000 sf is to be retained (i.e., no loss of existing building square footage). While this would be greater (additional 2,500 sf) than what was considered in FEIR No. 591, this is the existing condition impact that would not be exacerbated by project implementation. In other words, there would be no greater impact than exists today. In addition, with implementation of the Water Quality Management Plan (WQMP) and additional water quality policies, as improvements are implemented, runoff from these areas will likely be captured and treated prior to discharge, thereby improving the quality of runoff from this site as compared to existing conditions.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that public health and safety are further protected. Overall, the development standards added to the LUP component would ensure that the project would have less of a public health and safety impact than previously identified in FEIR No. 591.

The LUP Amendment modifications approved by the CCC will not increase the severity of potential project and cumulative impacts previously identified or result in a new adverse impact related to public health and safety. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous FEIR No. 591 support the required

CEQA Findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related To Public Health and Safety

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Public Health and Safety, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Public Health and Safety that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Public Health and Safety requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Public Health and Safety identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.9 NOISE

Existing Environmental Setting

The existing noise environment is defined as the ambient noise levels presently experienced in the project area. The existing acoustical environment around the project site is typical of urban and suburban communities. The primary sources of noise throughout the community are stationary and mobile sources. Mobile sources typically include the various modes of transportation, such as automobiles, trucks, motorcycles, trains, and aircraft. The community locations directly adjacent to the roadways experience noise dominated by vehicles and boat usage.

Sensitive populations are more susceptible to the effects of noise impacts than are the general population. Sensitive populations (sensitive receptors) that are near to localized sources of noise are of particular concern. Land uses considered sensitive receptors are residences, schools, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent center, and retirement homes. The project site is surrounded by a number of sensitive receptors within a 1 mi radius, as shown in Table 3.9A.

Table 3.9.A: Sensitive Noise Receptors in the Project Area

Sensitive Receptor	Name	Distance (miles)	Direction
Residential	Live aboard boats ¹	N/A	N/A
	Various	0.4–1.0	North
School	Dana Hills High School	1.0	North
	R. H. Dana Elementary School	0.4	West
	Ocean Institute ¹	N/A	N/A
	Youth and Group Facility ¹	N/A	N/A
Parks	Strand Vista Park	0.5	West
	Headlands Conservation Park	0.25	West
	Harbor Point Park	0.2	West
	Hilltop Park and Greenbelt Linkages	0.25	West
	Salt Creek Beach Park	0.7	Northwest
	Sea Terrace Community Park	0.8	Northwest
	Community Gardens Park	0.8	North
	Stonehill/Selva Park	0.8	North
	La Plaza Park	0.3	North
	Shipwreck Park	0.35	North
	Crystal Knoll Cove Park	0.3	North
	Sea View Park	0.35	North
	Heritage Park	0.1	North
	Lantern Bay County Park	0.1	North
Del Obispo Park	0.3	East	

Source: FEIR No. 591.

¹ Sensitive receptor within the project area.

N/A = not applicable

Refer to Section 4.9 of FEIR No. 591 for additional detail regarding the existing environmental setting for Noise within the Harbor.

FEIR No. 591

Long-Term Impacts. Findings prepared for FEIR No. 591 determined that long-term mobile noise impacts would be less than significant for roadway segments under build-out traffic scenarios. In addition, stationary source impacts would be reduced to less than significant levels with adherence to the County 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.

Construction Impacts. Findings prepared for FEIR No. 591 determined that project implementation would result in significant and unavoidable impacts regarding exposure to construction noise due to the duration of construction activities. In addition, the Findings prepared for FEIR No. 591 determined that the project would result in significant and unavoidable impacts regarding exposure to cumulative noise along several of the local roadway segments due to build out of the General Plan. Mitigation measures were incorporated into the project, but complete mitigation to avoid the significant adverse project impacts related to construction and cumulative noise was not possible. The mitigation measures require limiting the type and amount of construction activities within 1,000 ft 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 (revenue-generating and nonrevenue generating land uses); and providing additional public restroom and shower facilities near docks. The project impacts were overridden by the project benefits, and a Statement of Overriding Considerations was adopted by the County in conjunction with the certification of FEIR No. 591.

Refer to Section 4.9 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Noise.

Proposed Project Changes Related to Noise

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the

LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to the noise environment. Refer to Table A, Numbers 442 and 443, for a complete list of all the LUP policies related to noise (Appendix A). The approved modifications related to noise accomplish the following:

- Require preparation of an acoustical analysis report and appropriate plans to demonstrate that the noise levels generated by Harbor land uses during their operation shall be controlled in compliance with the Orange County Codified Ordinance, Division 6 (Noise Control).
- Noise impacting underwater marine life shall be minimized to the greatest extent feasible during construction activities and be conducted in accordance with all applicable requirements of the Marine Mammal Protection Act (16 U.S.C. 1361 et seq.) and any state or local regulations protecting marine life in effect at the time of construction.
- Stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.

Modified Project Noise

Long-Term Impacts. As described in Section 3.5 of this Addendum, the LUP Amendment modifications are anticipated to slightly change the trip generation within the traffic analysis planning areas utilized in the previous traffic study; however, no significant differences in traffic impacts are anticipated. Since the LUP Amendment modifications resulted in a reduced project, trip generation would fall within (if not below) the total trip generation calculated for the prior project. Therefore, project-related vehicular noise levels will be comparable to or less than the levels evaluated in the prior EIR. In addition, the Findings prepared for FEIR No. 591 determined the project would result in significant and unavoidable impacts regarding exposure to cumulative noise along several of the local roadway segments due to build out of the General Plan. The incremental reduction in the amount of structure square footage is not considered to be enough to significantly reduce previously identified cumulative noise levels on local roadway segments.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that the noise environment is further protected. Overall, the development standards added to the LUP component would ensure that the project would have less of an adverse noise impact than previously identified in FEIR No. 591.

Construction Impacts. FEIR No. 591 determined that project implementation would result in significant and unavoidable impacts regarding exposure to construction noise due to the duration of construction activities. Elimination of the dry boat storage building and preservation of existing sandy beach area and park area uses will result in a smaller grading and/or disturbance envelope and therefore will create slightly reduced construction-related noise activities. While the LUP Amendment modifications result in a slight overall decrease in anticipated noise levels from construction activities due to a less intense building plan, the reduction is not considered sufficient to reduce significant and unavoidable impacts to below a level of significance.

In conclusion, the LUP Amendment modifications are consistent with FEIR No. 591 and may result in similar or a slight reduction in overall project noise impacts on both long-term and construction operations. The LUP Amendment modifications do not require a major change to FEIR No. 591 and will not result in any new significant noise impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA Findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Noise

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to noise, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to noise that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to noise requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to noise identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.10 PUBLIC SERVICES AND UTILITIES

Existing Environmental Setting

Fire Protection. Three OCFA fire stations serve the Harbor and are located less than 7 mi from the project site. The two closest stations are Fire Station (FS) 29 (26111 Victoria Boulevard) and FS 30 (23831 Stonehill Drive) within the City. The third station, FS 07, is in the City of San Juan Capistrano.

Police Protection. Police service for the Harbor is provided by the OCSD. The OCSD provides contract law enforcement services to the City through the County's Aliso Viejo Sheriff's Station (at 11 Journey, Aliso Viejo). OCSD also has an office located in Dana Point City Hall. The branch of the OCSD that serves the City is referred to as the Dana Point Police Services and responds to calls for routine police services, investigating criminal matters, apprehending criminal offenders, handling noncriminal matters, enforcing parking and traffic regulations, and investigating traffic accidents.

Library Service. Dana Point is served by the County Library System, which is composed of 31 branches. The County library nearest the project site is the Dana Point Branch (33841 Niguel Road), approximately 0.5 mi northwest of the project site. The approximately 11,000 sf facility provides readers with advisory references, public programs, and materials such as books, monographs, references, videos, and periodicals. County Branch libraries in Laguna Niguel and San Juan Capistrano also serve residents of Dana Point.

Education. Dana Point Harbor is within the jurisdictional boundaries of the Capistrano Unified School District (CUSD). The project area lies within the attendance boundaries of the following schools:

- Richard Henry (R.H.) Dana Elementary School (24242 La Cresta Drive, City of Dana Point)
- Marco Forster Middle School (25601 Camino del Avion, City of San Juan Capistrano)
- Dana Hills High School (33333 Golden Lantern, City of Dana Point)

Solid Waste. Nonhazardous solid and liquid wastes within the City (including Dana Point Harbor) are currently deposited in the Prima Deshecha Landfill, located in an unincorporated area of the County, adjacent to the City of San Juan Capistrano. It is one of three landfills operated by the County Integrated Waste Management Department.

Gas. The Southern California Gas Company provides natural gas service to the project site.

Water. The South Coast Water District (SCWD) provides water to the project site through a system of pressurized water lines that are fed by two pressure-reducing stations.

Sewer and Reclaimed Water. The SCWD provides sewer services and reclaimed water to the project site.

Cable Television. The cable television service provider for the area is Cox Communications; currently, service is provided throughout the entire Harbor using a multiple conduit coaxial cable.

Electricity. The electricity provider for the project area is San Diego Gas and Electric (SDG&E), which has multiple-conduit, high-voltage cable systems feeding through various transformers.

Refer to Section 4.10 of certified FEIR No. 591 for additional detail regarding the existing environmental setting for Public Services and Utilities within the Harbor.

FEIR No. 591

Findings prepared for FEIR No. 591 determined that project implementation would not result in significant impacts to education 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 service and utilities would occur as a result of project construction and operation.

The findings prepared for FEIR No. 591 determined that project implementation would require fire protection services; would increase demand for natural gas facilities; and would require additional cable television facilities. However, the project would not require new police facilities due to an increased need for police services; and would not result in a significant increase in demands on existing electrical facilities. The proposed project, combined with cumulative impacts, would not result in a significant impact on the demand for public services. Implementation of mitigation measures would reduce impacts to fire protection, police protection, gas, cable television, electricity, and cumulative impacts to less than significant levels. Fire impacts would be reduced upon compliance with OCFA's requirement of fire sprinklers for all buildings, adequate emergency response access, preparation of a Study of Life Safety and Evacuation for PA 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 PAs 8–12. Electrical, natural gas, and cable television services and equipment locations will be coordinated with the applicable utility providers. Therefore, there are no significant unavoidable adverse police protection, fire protection, gas, cable television, electricity, and cumulative impacts after implementation of mitigation measures.

Refer to Section 4.10 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Public Services and Utilities.

Proposed Project Changes Related to Public Services and Utilities

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a

freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to public service and utilities. Refer to Section 3.8, Public Health and Safety, for a complete list of all the LUP policies related to public service and utilities (Appendix A).

Modified Project Public Services and Utilities Impacts

The LUP Amendment modifications included an overall reduction in the maximum allowable square footage for marine commercial services, preservation of recreational land, and “no net loss of slips,” or no greater than a 155 slip loss. These modifications are not expected to result in an appreciable change in the demand for public services and utilities beyond what was disclosed in FEIR No. 591. However, the overall reduction in land use intensity will result in fewer impacts to public services and utilities.

The project modification to keep the existing shipyard building size of 5,000 sf, rather than reducing the size to 2,500 sf, may result in a slightly greater impact than what was identified in FEIR No. 591. However, because this is an existing condition, no additional public service and utilities impacts would occur from this project component change. In addition, future improvements to the shipyard building will also be required to implement Cal Green Code to reduce overall consumption of resources. Therefore, impacts associated with operation of the modified project are anticipated to be similar to the impacts disclosed in FEIR No. 591.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that public services and utilities are further protected. Overall, the development standards added to the LUP component would ensure that the project would have less of a public services and utilities impact than previously identified in FEIR No. 591.

The LCPA modifications that could have a potential effect on the provision of public services are consistent with FEIR No. 591 regarding project and cumulative effects to public services, do not require a major change to FEIR No. 591, and will not result in any new significant environmental impacts to public services. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a Subsequent EIR have been met.

Findings Related to Public Services and Utilities

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Public Services and Utilities, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Public Services and Utilities that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Public Services and Utilities requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Public Services and Utilities identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.11 CULTURAL AND PALEONTOLOGICAL RESOURCES

Existing Environmental Setting

Historic and Archaeological Resources. A cultural resources records search was conducted by the staff of the South Central Coastal Information Center (SCCIC) at California State University, Fullerton, on February 5, 2003. The records search provided information on archaeological sites, historic resources, and cultural resources investigations recorded within 0.5 mi of the project area.

The historical property data file at the SCCIC listed 28 properties in the vicinity of the City that have been evaluated for their potential historical significance. None of the sites is located within or directly adjacent to the project area. Four archaeological sites have been documented within 0.5 mi of the project area. The records search showed that at least 32 cultural resources field investigations have been conducted within 1 mi of the project site. A search of the Sacred Lands File at the Native American Heritage Commission failed to identify any traditional cultural properties. No specific Native American resources of cultural value have been identified. Two shipwrecks have been recorded near Dana Point: The *Ace #1* and *New Saturina*. The *Ace #1*, built in 1944, was lost in 1948 “off Dana Point.” It is likely not eligible for the National Register of Historic Places (NRHP). The *New Saturina*, sunk in 1955 “west of Dana Point,” is also likely not eligible for the NRHP. Neither of the shipwrecks occurred within the Harbor.

Paleontological Resources. The Paleontology Literature and Records Review obtained from the San Bernardino County Museum indicates that the Harbor portion of the project area is underlain by sediments of the Capistrano Formation and marine terrace deposits. The Capistrano Formation has yielded fossil remains of foraminifera, echinoids, and marine vertebrates, including sharks and whales. The marine terrace deposits have yielded marine invertebrate fossils (mollusks, crustaceans, and echinoids) and marine vertebrate fossils (sharks, rays, and bony fish). Marine terrace deposits underlie the Selva parking lot and SCWD parking lot portions of the project area, with the San Onofre Breccia and/or Monterey Formation below them. The San Onofre Breccia has yielded fossil marine gastropods and some marine vertebrate fossil remains. The Monterey Formation has yielded abundant foraminifera (large protozoan), fish, and marine mammal fossils.

Refer to Section 4.11 of FEIR No. 591 for additional detail regarding the existing environmental setting for Cultural and Paleontological Resources within the Harbor.

FEIR No. 591

Findings prepared for FEIR No. 591 determined that project implementation would not result in impacts to archaeological, historical, paleontological, and cumulative cultural resources with implementation of the Standard Conditions of Approval requiring that a County-certified archaeologist/paleontologist observe grading activities and salvage and catalogue archaeological/paleontological resources as necessary. No mitigation is required, and no significant unavoidable adverse impacts related to archaeological, historical, paleontological, and cumulative cultural resources would occur.

Findings prepared for FEIR No. 591 determined that project implementation may impact unknown locations of human remains. Implementation of a mitigation measure related to human remains would

reduce the proposed project's significant impacts to previously unrecorded or unknown burial sites to less than significant.

Refer to Section 4.11 of FEIR No. 591 for further analysis of the potential effects of the proposed project related to Cultural and Paleontological Resources.

Proposed Project Changes Related to Cultural and Paleontological Resources

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a "no net loss" or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to cultural resources. Refer to Table A, Numbers 472, 474, and 475, for a complete list of all the LUP policies related to cultural resources (Appendix A). The approved modifications related to cultural resources accomplish the following:

- Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required (CCA Section 30244).

Modified Project Cultural and Paleontological Resources

Historic and Archaeological Resources. FEIR No. 591 stated that no archaeological and/or historical resources were found within the project area. As no archaeological and/or historical resources were observed within the area, no impacts are anticipated, and no mitigation is required.

Paleontological Resources. FEIR No. 591 stated that the Harbor portion of the project area is underlain by sediments of the Capistrano Formation and marine terrace deposits and have the potential to produce paleontological resources, which may be exposed during grading and other earth-clearing construction activities. FEIR No. 591 concluded that these potential impacts can be reduced to below a level of significance through implementation of standard conditions. Modifications to the project have been scaled back with the CCC's elimination of the freestanding marine retail store and one of the dry boat storage buildings. In addition, none of the changes result in disturbance outside of the previously identified disturbance area. The reduced grading and disturbance envelope associated

with the LUP Amendment modifications indicate that the modifications would result in reduced or similar potential impacts to paleontological resources compared with FEIR No. 591.

The addition of requirements and development standards to the LUP component of the LCPA by the CCC results in stricter development standards for the Revitalization Project components. The suggested modifications would ensure that cultural and paleontological resources are further protected. Overall, the development standards added to the LUP component would ensure that the project would have less of a cultural and paleontological resources impact than previously identified in FEIR No. 591.

There are no other modifications that would result in alterations of the cultural and paleontological resources on site. Therefore, the LUP Amendment modifications that could have a potential effect on cultural and paleontological resources are consistent with FEIR No. 591, do not require a major change to FEIR No. 591, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA Findings below. Specifically, none of the conditions set forth in Section 15162 of the *State CEQA Guidelines* that would require preparation of a subsequent EIR have been met.

Findings Related to Cultural and Paleontological Resources

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to Cultural and Paleontological Resources, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to Cultural and Paleontological Resources that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to Cultural and Paleontological Resources requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to Cultural and Paleontological Resources identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures or standard conditions of approval found in FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.12 RECREATION

Existing Environmental Setting

Dana Point Harbor contains a variety of recreational facilities and activities within the Commercial Core area, along the beaches, and within the Harbor itself. The project has 12 Planning Areas, each providing regional recreation activities and facilities to meet the diverse needs of existing and future residents of the entire County. Signs of physical deterioration of existing recreational facilities are common, and demands for additional recreational opportunities are abundant. The following briefly describes the recreation resources within each planning area.

- PA 1 (Marine Service Commercial): includes boat services and storage
- PA 2 (Day Use Commercial): includes day use commercial
- PA 3 (Visitor Serving Commercial): includes visitor services
- PA 4 (Marine Commercial): includes the Dana West Yacht Club and the Dana Point Yacht Club.
- PA 5 (Recreation): dedicated to open space recreational activities and educational uses.
- PA 6 (Educational/Institutional): includes the Ocean Institute
- PA 7 (Conservation): reserved for conservation. The area includes bluff land with native and nonnative habitat. Hiking trails traverse the area, and there are small park areas for resting and picnicking.
- PA 8 (Marine Waterways): includes the Pilgrim Dock and Sea Explorer Dock adjacent to the Ocean Institute and the marine portions of Baby Beach
- PA 9 (West Marina) and PA 10 (East Marina): consist of 2,260 boat slips
- PA 11 (Marine Waterways): includes the Catalina Express dock, the Embarcadero Boat Rental Docks, Sport Fishing Docks, Charter Fishing Slips, Bait Receiver, and the Shipyard docks.
- PA 12 (Marine Waterways): inlet to the Harbor from the Pacific Ocean.

Refer to Section 4.12 of FEIR No. 591 for additional detail regarding the existing environmental setting for Recreation within the Harbor.

FEIR No. 591

Findings prepared for FEIR No. 591 determined that project implementation would not result in significant impacts to proposed recreation activities and facilities, would be consistent with the County General Plan, and would not contribute to significant cumulative recreation impacts. PDFs 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 Master Plan of Regional Recreation Facilities (Master Plan). In addition, compliance with the County's park fee and land dedication requirements would further reduce any potential 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 activities and facilities, regarding consistency with the County General Plan, nor cumulative recreation impacts would result.

Findings prepared for FEIR No. 591 determined that project implementation would increase the use of existing neighborhood and regional parks and other nearby recreational facilities, thereby creating the potential for physical deterioration of each facility. However, the proposed project will improve and expand the existing recreational facilities within the Harbor, thereby minimizing impacts to these and other recreational facilities. Implementation of PDFs as well as mitigation measures was included to ensure less than significant impacts as a result of the proposed project. PDFs include providing adequate pedestrian access between the parking areas to the commercial core and recreational facilities. Various amenities would also be provided to the waterside areas, including 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. Implementation of mitigation measures would 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. Implementations of PDFs and recommended mitigation measures would reduce impacts to a less than significant level. No significant unavoidable adverse impacts to recreational facilities would occur after implementation of the mitigation measures.

Refer to Section 4.12 of the certified FEIR No. 591 for further analysis of the potential effects of the proposed project related to recreation resources.

Proposed Project Changes Related to Recreation

The changes to the Harbor LUP certified by the CCC resulted in several physical changes to the plan as proposed, including removal of the lighthouse land use designation; the elimination of a freestanding Marine Retail store in PA 1; a “no net loss” or maximum of 155 slip-loss policy for boat slips; a requirement to maintain a minimum 1.6 ac shipyard; a requirement to provide dry storage for 493 boats; a minimum of 334 parking spaces for vehicles with trailers; and adoption of a parking standard of 0.6 space per boat slip; and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations. The suggested modifications by the CCC did not intensify the proposed project or its impacts, but rather clarified or refined the description and/or locations of the proposed project components. Refer to Chapter 2.0, Project Description, for more information regarding the LUP Amendment modifications. Refer to Table 2.A for a comparison between the land use summary analyzed in FEIR No. 591 and the project analyzed in this Addendum to FEIR No. 591.

As previously stated, refinements to the LUP in the form of various suggested modifications were made to the proposed LCPA during the public and regulatory review and approval process for the LCPA with the City and the CCC. The modifications to the LUP resulted in additional policies, regulations, and development standards related to recreation resources. Refer to Table A, Numbers 472, 474, and 475, for a complete list of all the LUP policies related to recreation resources (Appendix A). The approved modifications related to recreation resources accomplish the following:

- Encourage the provision of a range of recreational facilities and programs to meet the needs of lower-cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Harbor facilities providing public recreational opportunities are preferred (CCA Section 30213).

- Encourage pedestrian linkages between Harbor amenities, such as the Pedestrian Promenade and linear park.
- Development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts that would significantly degrade those areas and shall be compatible with the continuance of those parks and recreation areas (CCA Section 30240).
- Coastal water areas suited for water-oriented recreation activities shall be protected for such uses (CCA Section 30220).
- Maintain, enhance, and where feasible, expand places to hand-launch small nonmotorized watercraft and provide necessary parking; as well as opportunities to rent and store such watercraft.
- Temporary events shall minimize impacts to public access, recreation, and coastal resources.
- Ensure accessibility of pedestrian facilities to the elderly and disabled.
- Design guardrails on piers, trails, and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs.
- Provide appropriately located handicap parking spaces in designated boater parking areas to allow access to gangways and boat docks designed to accommodate wheelchairs.

Modified Project Recreation Impacts

The LCPA modifications did not increase the demand for recreational users, but increased the preservation of existing R land use designations and number of boat slips compared to the plan analyzed in FEIR No. 591. Preserving existing park area uses, the sandy beach, and “no net loss of slips” are consistent with the California Coastal Act because these changes have a positive impact of preserving existing coastal resources. Reducing the total loss of slips from the Harbor ensures greater access for the public to these recreational resources. As a result, the modified project will further improve the recreational facilities within the project area. Therefore, the LCPA modifications are consistent with FEIR No. 591, do not require a major change to FEIR No. 591, and will not result in any new significant environmental impact.

Findings Related to Recreation

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to recreation, nor is there a substantial increase in the severity of impacts described in FEIR No. 591.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to recreation that would require revisions of the analysis or conclusions to FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to recreation requiring major revisions to FEIR No. 591.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to recreation identified in and considered by FEIR No. 591.

Mitigation Measures

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the mitigation measures contained therein. Based on the analysis and information above, no changes to the mitigation measures found in certified FEIR No. 591 are required. Refer to Appendix A for a complete list of mitigation measures required for the project.

3.13 GREENHOUSE GASES

Existing Environmental Setting

Global Climate Change. GCC is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. The Earth's average near-surface atmospheric temperature rose $0.6 \pm 0.2^\circ$ Celsius ($^\circ\text{C}$) or $1.1 \pm 0.4^\circ$ Fahrenheit ($^\circ\text{F}$) in the 20th Century. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities and lead to an increase in the greenhouse effect.

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The six gases that are widely seen as the principal contributors to GCC are as follows:

- CO_2
- Methane (CH_4)
- Nitrous oxide (N_2O)
- Hydroflourocarbons (HFCs)
- Perflourocarbons (PFCs)
- Sulfur Hexaflouride (SF_6)

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing the natural greenhouse effect, which is believed to be causing global warming. While humanmade GHGs include naturally occurring GHGs such as CO_2 , CH_4 , and N_2O , some gases, such as HFCs, PFCs, and SF_6 , known collectively as chlorofluorocarbons (CFCs), are completely new to the atmosphere.

Some gases such as water vapor are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes such as oceanic evaporation. For the purposes of this analysis, the term "GHGs" will refer collectively to the above six gases only.

These six gases vary considerably in terms of global warming potential (GWP): the relative effectiveness of a gas to absorb infrared radiation, remain in the atmosphere, and contribute to global warming. The GWP of each gas is measured relative to CO_2 , the most abundant GHG; thus, GHG emissions are typically measured in terms of pounds or tons of "CO₂ equivalents" (CO_2e). Table 3.13-A shows the GWPs for each type of GHG. For example, SF_6 is 22,800 times more potent in contributing to global warming than CO_2 .

Table 3.13.A: Global Warming Potentials

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-year Time Horizon)
Carbon Dioxide (CO ₂)	50–200	1
Methane (CH ₄)	12	25
Nitrous Oxide (N ₂ O)	114	298
HFC-23	270	14,800
HFC-134a	14	1,430
HFC-152a	1.4	124
PFC: Tetrafluoromethane (CF ₄)	50,000	7,390
PFC: Hexafluoromethane (C ₂ F ₆)	10,000	12,200
Sulfur Hexafluoride (SF ₆)	3,200	22,800

Source: Global Climate Change Related to FEIR No. 591, Dana Point Revitalization Project in Dana Point, California, LSA Associates, Inc., August 2011.

HFC = Hydroflouocarbon

PFC = Perflouocarbon

FEIR No. 591

Because CEQA did not have thresholds addressing climate change or GHG emissions at the time FEIR No. 591 was prepared, an analysis of GHG emissions was not included in FEIR No. 591. Therefore, a technical memorandum was prepared as part of this Addendum to FEIR No. 591 to analyze the GHG emissions resulting from the entire construction process and from future long-term operation of the project (refer to Appendix C, GCC). CEQA requires that Lead Agencies consider the reasonably foreseeable adverse environmental effects of projects considered for approval. According to a recent letter from California’s Office of the Attorney General¹ and other State guidance, GCC can be considered an “effect on the environment,” and an individual project’s incremental contribution to GCC can have a cumulatively considerable impact.

Cumulative impacts are the collective impacts of one or more past, present, or future projects that when combined, result in adverse changes to the environment. Climate change is a global environmental problem in which: (a) any given development project contributes only a small portion of any net increase in GHGs, and (b) global growth is continuing to contribute large amounts of GHGs across the globe. Therefore, climate change is addressed herein primarily as a cumulative impact.

GHG Thresholds

In accordance with Senate Bill (SB) 97 (Chapter 185, 2007), the Natural Resources Agency adopted amendments to the *State CEQA Guidelines* on December 30, 2009, which includes criteria for evaluating GHG emissions. Specifically, Appendix G of the *State CEQA Guidelines* (Environmental Checklist Form) lists the following thresholds under which a project may be deemed to have a significant impact on air quality if it would:

¹ State of California, Department of Justice, 2008. Comment letter to the City of Concord re “Concord Community Reuse Plan Draft Environmental Impact Report – SCH #2007052094.” August 8.

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Under CEQA, “the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data.” CEQA grants agencies with the general authority to adopt criteria for determining whether a given impact is “significant.” When no guidance exists under CEQA, the agency may look to and assess general compliance with comparable regulatory schemes.

While a wide array of thresholds and standards have been presented, the amendments to the *State CEQA Guidelines* reaffirm that the Lead Agency has the discretion to determine how to evaluate a project’s significance under CEQA. The *State CEQA Guidelines* include a new Section 15064.4, which states that, when making a determination of the significance of GHG emissions, a Lead Agency shall have discretion to determine whether to use a model or methodology to quantify GHG emissions and/or rely on a qualitative analysis or performance-based standards.

This section analyzes whether the project would make a cumulatively significant contribution to the impact of GCC under the following qualitative standard:

- The proposed project would result in a significant GCC impact if it would conflict with or obstruct the implementation of GHG reduction goals under AB 32 or other State regulations.

If a project implements reduction strategies identified in Assembly Bill (AB 32), the Governor’s Executive Order (EO) S-3-05, or other strategies to assist in reducing GHGs to the level proposed by the Governor, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of GCC.

Modified Project GHG Impacts

The following section is based on the following memorandum prepared for the project

- Global Climate Change Related to FEIR No. 591, Dana Point Revitalization Project in Dana Point, August 2011.

Refer to Appendix B for the GCC Memorandum prepared for the Dana Point Harbor Revitalization Project.

GHG emissions associated with the project would occur over the short term from construction activities, primarily emissions from equipment exhaust. There would be long-term regional emissions associated with project-related vehicular trips and stationary source emissions such as natural gas used for heating. GHG emissions generated by the proposed project would predominantly consist of CO₂. In comparison to criteria air pollutants such as ozone (O₃) and particulate matter less than 10 microns in diameter (PM₁₀), CO₂ emissions persist in the atmosphere for a substantially longer period

of time. While emissions of other GHGs such as CH₄ are important with respect to GCC, emission levels of other GHGs are less dependent on the land use and circulation patterns associated with the proposed land use development project than are levels of CO₂.

Construction Impacts. During construction, the principle source of GHG emissions is the exhaust of heavy-duty equipment and vehicles. The emission rates will vary during the day as equipment is turned on and off, and from day-to-day as construction activities change. Table 3.13-B shows a probable peak day of equipment use and the resulting emissions of GHGs.

Table 3.13.B: Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Commercial Core						
Demolition	0	6,800	6,800	0.65	0	6,800
Site Preparation	0	5,500	5,500	0.66	0	5,500
Grading	0	7,500	7,500	0.81	0	7,500
Building Construction	0	3,900	3,900	0.43	0	3,900
Architectural Coating	0	300	300	0.04	0	300
Paving	0	2,100	2,100	0.34	0	2,100
Harborwide						
Demolition	0	7,000	7,000	0.62	0	7,000
Site Preparation	0	5,600	5,600	0.64	0	5,600
Grading	0	7,500	7,500	0.76	0	7,500
Building Construction	0	6,400	6,400	0.51	0	6,400
Architectural Coating	0	530	530	0.04	0	530
Paving	0	2,100	2,100	0.29	0	2,100

Source: LSA Associates, Inc., August 2011

Bio-CO₂ = biologically generated CO₂ lbs/day = pounds per day
 CH₄ = methane N₂O = nitrous oxide
 CO₂ = carbon dioxide NBio-CO₂ = Non-biologically generated CO₂
 CO₂e = carbon dioxide equivalent

The California Emissions Estimator Model (CalEEMod) was used to calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The most recent version of this model (Version 2011.1.1), was used to calculate the construction emissions, as shown in Table 3.13-B. The emissions rates shown in Table 3.13-B are from the CalEEMod output tables listed as “Mitigated Construction,” even though the only mitigation that has been applied to the analysis are the required construction emissions control measures. They are also the combination of the on- and off-site emissions. Details of the emission factors and other assumptions are included in the GHG technical memorandum (Appendix C).

During construction, as much as up to 7,500 lbs/day of CO₂e will be generated. This is much higher than the average daily emission rate, as it includes a maximum set of equipment that will not often all operate on one day, as well as representing a maximum day in terms of overall activity level. Thus, this represents a worst-case estimate. The expected maximum annual emission of CO₂e is 775 tons per year.

Long-Term Project-Related Emission Impacts. Long-term operation of the proposed project would generate GHG emissions from area and mobile sources, and indirect emissions from stationary sources associated with energy consumption. Mobile-source emissions of GHGs would include vehicle trips associated with vehicle and boat use. Area-source emissions would be associated with activities such as landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Increases in stationary-source emissions would also occur at off-site utility providers as a result of demand for electricity, natural gas, and water by the proposed uses.

The GHG emission estimates presented in Table 3.13-C show the emissions associated with operation of the proposed project. Appendix C includes the CalEEMod modeling output for these GHG emissions.

Table 3.13.C: Long-Term Regional Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, MT/year					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Commercial Core						
Construction emissions amortized over 30 years	0	39	39	0.0043	0	39
Area	0	0	0	0	0	0
Energy	0	2,200	2,200	0.07	0.03	2,200
Mobile	0	10,000	10,000	0.47	0	10,000
Waste	210	0	210	12	0	460
Water	0	160	160	0.91	0.02	190
Total Project Emissions	210	12,000	13,000	13	0.05	13,000
Harborwide						
Construction emissions amortized over 30 years	0	110	110	0.0087	0	110
Area	0	0	0	0	0	0
Energy	0	3,500	3,500	0.11	0.06	3,600
Mobile	0	11,000	11,000	0.48	0	11,000
Waste	96	0	96	5.7	0	220
Water	0	130	130	0.64	0.02	150
Total Project Emissions	96	15,000	15,000	6.9	0.08	15,000

Source: LSA Associates, Inc., August 2011

Note: The CalEEMod modeling was performed specifying a land use of "Supermarket". Of the available land use categories in the CalEEMod model, this best represents this project.

Bio-CO₂ = biologically generated CO₂

MT = metric tons

CH₄ = methane

N₂O = nitrous oxide

CO₂ = carbon dioxide

NBio-CO₂ = Non-biologically generated CO₂

CO₂e = carbon dioxide equivalent

As shown in Table 3.13-C, the Commercial Core will produce 13,000 metric tons of CO₂e per year (MTCO₂e/yr) and Harborwide will produce 15,000 MTCO₂e/yr, which is 0.013 and 0.015 million metric tons of CO₂e per year (MMTCO₂e/yr), respectively. These both include short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 MMTCO₂e/yr and approximately 496.95 MMTCO₂e/yr for the entire State.

The levels of GHG emissions shown in Table 3.13-C are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under Assembly Bill (AB) 32 or other State regulations. The Climate Action Team (CAT) and the California Air Resources Board (ARB) have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table 3.13-D, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets.

In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. After the application of regulatory requirements, the project would implement appropriate GHG reduction strategies and would not conflict with or impede implementation of reduction goals identified in AB 32, the Governor's EO S-3-05, and other strategies to help reduce GHGs to the levels proposed by the Governor.

Findings Related to Greenhouse Gases

No New Significant Effects Requiring Major EIR Revisions. Based on the foregoing analysis and information, there is no evidence that project modifications require revisions of the analysis or conclusions in FEIR No. 591. Project modifications will not result in new significant environmental impacts to GHGs.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances pertaining to GHGs that would require revisions of the analysis or conclusions of FEIR No. 591.

No New Information Showing Greater Significant Effects than FEIR No. 591. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time FEIR No. 591 was certified, indicating that a new significant effect not reported in that document may occur. Based on the information and analyses above, there is no substantial new information indicating that there will be a new significant impact to greenhouse gases requiring major revisions to FEIR No. 591.

Table 3.13.D: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
<i>Mandatory Code</i>	
<p>California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.</p>	<p>Compliant. The project would be required to adhere to the nonresidential mandatory measures as required by the California Green Building Standards Code (Cal Green Code).</p>
<i>Energy Efficiency Measures</i>	
<p>Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).</p> <p>Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.</p> <p>Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California’s new and existing inventory of buildings.</p>	<p>Compliant with Mitigation Incorporated. The proposed project will comply with updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required.</p>
<i>Water Conservation and Efficiency Measures</i>	
<p>Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.</p>	<p>Compliant with Mitigation Incorporated. The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code, including measures to increase water use efficiency.</p>
<i>Solid Waste Reduction Measures</i>	
<ul style="list-style-type: none"> • Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. • Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero-waste policies that would require manufacturers to design products to be fully recyclable may be necessary. 	<p>Compliant with Mitigation Incorporated. The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code, including measures to increase solid waste diversion, composting, and recycling.</p>
<i>Transportation and Motor Vehicle Measures</i>	
<p>Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.</p> <p>Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are</p>	<p>Compliant. The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.</p>

Table 3.13.D: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
<p>properly inflated can both reduce GHG emissions and improve fuel efficiency.</p> <p>Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.</p> <p>Low Carbon Fuel Standard. The ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020.</p>	
<p>Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.</p>	<p>Compliant. Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the County of Orange.</p>
<p>Measures to Reduce High Global Warming Potential (GWP) Gases.</p> <ul style="list-style-type: none"> The ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. The ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak. 	<p>Compliant. New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.</p>

Source: LSA Associates, Inc., July 2011.

AB = Assembly Bill
GHG = greenhouse gas

ARB = California Air Resources Board

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more significant impacts pertaining to GHGs identified in and considered by FEIR No. 591.

Mitigation Measures

Table 3.13-D lists strategies that are either part of the project design or requirements under local or State ordinances. With implementation of these strategies/measures, the project’s contribution to cumulative GHG emissions would be reduced. No mitigation measures are required.

APPENDIX A

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE

APPENDIX A

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PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE					
No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible For Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
Land Use and Relevant Planning					
1	PDF 4.1-1	Construction phasing for the Harbor Revitalization Plan has been new <u>development shall be</u> designed to minimize the disruption of vehicular and pedestrian access routes and parking availability throughout the Harbor. In the event of temporary closures, alternate routes and clear directional signage will be provided.	County of Orange – <u>OC</u> Dana Point Harbor Department	In the event of temporary closures during construction	LUP I-8.1.1-34
2	SCA 4.1-1	If the County proposes changes regarding the location or alteration of any use or structure, the County shall submit a revised plan to the Director of the County's Planning Division.	County of Orange - <u>OC</u> Dana Point Harbor Department	Grading and Building Permits	
3	SCA 4.1-2	Provision for continuous maintenance of a Landscape Maintenance Program shall be assured.	County of Orange – OC Dana Point Harbor	During operation	
4	SCA 4.1-3	Prior to the issuance of any Precise Grading Permit, a Site Plan delineating the capacity, number and location of all proposed solid waste and recyclable collection areas shall be approved.	Manager, RDMD <u>OC</u> <u>Public Works</u> /Current Planning County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development and Grading Permits	
5	MM 4.1-1a	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. <u>Land uses and new development in Dana Point Harbor shall be consistent with the Dana Point Harbor Land Use Plan and all applicable policies and regulations contained in the Dana Point Harbor Revitalization Plan and District Regulations.</u>	County of Orange – <u>OC</u> Dana Point Harbor Department City of Dana Point California Coastal Commission	Coastal Development Permits	LUP I-2.3.1-1
6	MM 4.1-3a	Access to the Marina Services Commercial areas shall be maintained during all construction phases. A Construction Management Plan shall be prepared identifying the configuration of construction staging areas, temporary access routes and parking areas and will be submitted in <u>in</u> conjunction with review of Coastal and/or Site Development Permits permit <u>for each phase of development applications.</u>	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development Permits	LUP I-4.4.1-6
7	MM 4.1-3b MM 4.2-8	A comprehensive signage program for public access shall be implemented in conjunction with the construction of the Commercial Core Area and	County of Orange – <u>OC</u> Dana Point Harbor	Coastal Development and	LUP I-8.5.3-10

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		subsequent Planning Areas within the Harbor to inform the public of the availability of and provide direction to, public parking areas, coastal access and on-site recreational amenities.	Department	Sign Permits	
8	LUP Policy I-3.2.1-1	Administer the use of the tidelands and submerged lands in a manner consistent with the tidelands trust and all applicable laws.	County of Orange – OC Dana Point Harbor City of Dana Point California Coastal Commission	Coastal Development Permits	
9	LUP Policy I-3.2.1-2	Promote the use of the Harbor for navigation, fishing, public access, water-oriented recreation and the provision of coastal-dependent uses adjacent to the water in leasing or re-leasing of publicly owned land. Commercial uses, incidental to the above uses are also allowed.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
10	LUP Policy I-3.2.1-3	Evaluate and ensure the consistency of the proposed use with the public trust restrictions and the public interest at the time any tideland lease is re-negotiated or renewed.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
11	LUP Policy I-3.2.1-4	New boating/yacht clubs or associations that require membership and/or fees for enrollment/initiation and/or other recurrent fees (e.g., member dues, assessments, etc.) or any other facilities that operate similarly on public tidelands are prohibited. Any expansion of existing legally established boating/yacht clubs, associations and/or such clubs that renew or renegotiate their lease on public tidelands shall be required to: (1) remove any existing impediments to public access to and along the bulkhead/ waterfront that exist due to the presence of the club; (2) where the club has facilities for banquets, receptions, meetings, luncheons, conferences, seminars and other similar events, make significant portions of the facilities available at all reasonable times to the public (member and non-member) groups and market the availability of such facilities to the public; (3) within their existing capacity, provide activities at the facilities accessible to the general public throughout the year such as, but not limited to, sailing and navigation classes; sailing and boat racing events and boating safety classes; (4) offer sailing, navigation and boating safety classes and boat use and equipment for free and low-cost to economically disadvantaged families (to the extent the club has access to such equipment); (5) prohibit membership requirements that discriminate against anyone on the basis of	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		race, color, religion, sex, national origin, sexual orientation or disability.			
12	LUP Policy I-3.2.1-5	The County shall offer a program to include, but not be limited to sailing, navigation and boating safety classes and boat and equipment use for free to youths (up to age 18) of economically disadvantaged families with any proposal to expand or improve County operated facilities (e.g., OC Sailing & Events Center) that offer water oriented recreational opportunities to the public.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
13	LUP Policy I-4.1.1-1	Coastal-dependent development, as defined in Chapter 9.75 of the City of Dana Point Zoning Code shall have priority over other developments on or near the shoreline. Except as provided for in Conservation and Open Space Element Policy 3.6, coastal-dependent developments shall not be sited in a wetland. Coastal-related developments should be accommodated within the closest feasible proximity to the coastal-dependent uses they support. (Coastal Act Section 30255)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
14	LUP Policy I-4.1.1-2	Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses. (Coastal Act Section 30220)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
15	LUP Policies I-4.1.1-3 I-6.1.1-1	Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Coastal Act Section 30221)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
16	LUP Policy I-4.1.1-4	Protect irreplaceable beaches and coastal bluffs from development and natural erosion processes to provide for the replenishment of beach sands when feasible and to strive for increased public access to the Harbor beaches and the coastline.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
17	LUP Policy I-4.1.1-5	Maintain and enhance boating use through the provision of various amenities to the waterside areas, including, but not limited to improved boater drop-off areas, designated boater parking, upgraded boater service buildings and restrooms and dinghy docks planned to be relocated adjacent to Planning Area 2.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
18	LUP Policy I-4.1.1-7	Increased recreational boating use of Dana Point Harbor shall be encouraged by maintaining and enhancing dry storage areas, maintaining	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		and increasing public launching facilities, maintaining and enhancing berthing space within the Harbor and limiting non-water-dependent land uses that may congest access corridors and preclude boating support facilities. (Coastal Act Section 30224)	City of Dana Point	Permits	
19	LUP Policy I-4.2.1-1	Protect and where feasible, expand and enhance vessel-launching facilities in Dana Point Harbor. Provide low-cost use of such facilities.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
20	LUP Policy I-4.2.1-2	Protect and where feasible expand and enhance low-cost public boating facilities, such as providing a dedicated hand launch area at Baby Beach during peak usage periods; make publicly accessible areas of the docks available for hand launching; and providing adequate locations for vendors renting kayaks, paddleboards or other similar small vessels. Storage for hand launch vessels shall be provided as close to hand launch areas as feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
21	LUP Policy I-4.2.2-1	Provide a variety of berthing opportunities reflecting State and regional demand for slip size throughout Dana Point Harbor.	County of Orange – OC Dana Point Harbor California Coastal Commission	Coastal Development Permits	
22	LUP Policy I-4.2.2-2	Protect and where feasible enhance and expand berthing, dry boat storage facilities and hand launch vessel storage opportunities.	County of Orange – OC Dana Point Harbor California Coastal Commission	Coastal Development Permits	
23	LUP Policy I-4.2.2-3	Maintain existing quantity of anchorage space and where feasible provide new anchorages in areas of the Harbor that minimize interference with navigation <u>channels</u> and where shore access and support facilities are available. <u>Changes in anchorage space to provide new berthing or mooring space may be allowed, subject to a CDP and other applicable regulatory review.</u>	County of Orange – OC Dana Point Harbor California Coastal Commission	Coastal Development Permits	IP II-11-11.5(j)
24	LUP Policy I-4.2.2-4	Continue to enforce requirements that moored and docked vessels are seaworthy and navigable, thereby preserving the safe and positive image of Dana Point Harbor and promoting public use of the water.	County of Orange – OC Dana Point Harbor California Coastal	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			Commission		
25	LUP Policies I- 4.2.2-5 I-4.3.1-3	Protect and where feasible expand and enhance facilities and services for visiting vessels, including public mooring and docking facilities, dinghy docks, guest slips, club guest slips, pump-out stations and other facilities. A minimum of 42 guest slips shall be maintained in the Harbor.	County of Orange – OC Dana Point Harbor California Coastal Commission	Coastal Development Permits	
26	LUP Policy I-4.2.2-6	Protect and enhance berthing opportunities in Dana Point Harbor. The goal for any dock replacement should be no net loss of slips harbor-wide. <u>Removal of any existing boat slips prior to construction and full operation of the dry boat storage facility shall only occur pursuant to an approved CDP for revitalization of the marinas that addresses impacts associated with any temporary or permanent loss of slips.</u> However, if conformance with current engineering and Americans with Disabilities Act (ADA) design requirements and/or the provision of larger slips to meet demands requires a reduction in the quantity of slips in existing berthing areas, those slips should be replaced if feasible in new berthing areas elsewhere in the Harbor (e.g., within a portion of the ‘safe harbor’ area near the east breakwater). Priority shall be given to provision of slips that accommodate boats less than 25 feet in length. The average slip length shall not exceed 32 feet. If new berthing areas are not available or are limited in size, the net loss of slips harbor-wide shall be minimized and shall not exceed 155 slips.	County of Orange – OC Dana Point Harbor California Coastal Commission	Coastal Development Permits	IP II-12-12.5(o)
27	LUP Policy I-4.2.2-7	Design and site new development to avoid impacts to existing coastal-dependent and coastal-related developments. When reviewing new development proposals, give full consideration to the impact on coastal-dependent and coastal-related land uses including not only the proposed development on the subject property, but also the potential to limit existing coastal-dependent and coastal-related land uses on adjacent properties.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
28	LUP Policy I-4.2.2-8	Maintain the Marine Commercial (MC) and Marine Services Commercial (MSC) designation in area on or near the water to encourage a continuation of coastal-dependent and coastal-related uses.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
29	LUP Policy I-4.2.2-9	Encourage and maintain marine-related businesses and industries unless the demand for such facilities no longer exists. A shipyard shall be maintained in Planning Area 1 and shall be no less than 1.6 acres in size <u>excluding any water area. The expansion, modification or renewal of the shipyard lease shall be required to demonstrate that the proposed size of</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-4-4.5(p) IP II-4-4.5(w)

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>the lease area is adequate to maintain a full-service shipyard facility that includes boat haul-out and repair services. Boater-owner self-repair areas are encouraged. As part of any redesign and/or significant new development within the Marine Services Commercial Planning Area (PA 1) an area shall be [provided for boat owners to maintain their own vessels in compliance with all applicable regulations pertaining to self-maintenance activities. The boat-owner self-repair area shall be located in proximity to the shipyard or dry boat storage facilities where access and support facilities are available.</u></p>			
30	LUP Policies I-4.2.2-10 I-5.1.1-9	<p>Ensure that the redevelopment of Dana Point Harbor maintains and enhances the following coastal-dependent and coastal related uses:</p> <ul style="list-style-type: none"> • Redesign and expand the existing 5.7 acre boat launch facility to maximize the number of vehicle with trailer parking spaces meeting minimum Department of Boating and Waterway guidelines (10 x 40 feet). Some larger and smaller vehicle with trailer parking spaces shall also be provided in adequate amount to meet demand as determined through the coastal development permit process; • Maintain space for at least 493 boats to be stored on dry land in Planning Area 1; 400 of these spaces may be provided in a dry stack storage facility. Maintain a minimum of 93 surface boat storage spaces, that can accommodate vessels that can not be stored in a dry stack storage building, within the Harbor at all times; additional spaces shall be provided where feasible; • Removal of any existing slips prior to construction and full operation of the boat storage facility shall only occur pursuant to an approved CDP for marina redevelopment that addresses impacts associated with any loss of slips; and • Maintain designated boater parking at a minimum ratio of 0.60 parking spaces per boat slip or side tie. <u>Parking for 2,409 boat slips shall be provided at the minimum ratio unless a net loss of slips is authorized by a CDP.</u> 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-14-14.2(j)
31	LUP Policy I-4.3.1-2	<p>Ensure the distribution of support facilities and services in Dana Point Harbor considers the amount of public use.</p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
32	LUP Policy I-4.3.1-4	Protect and where feasible expand and enhance existing harbor support uses serving the needs of existing waterfront uses, recreational boaters, the boating community and visiting vessels.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
33	LUP Policy I-4.3.1-5	Maintain the ability to distribute, remove and relocate support facilities and services in Dana Point Harbor in response to changes in land uses and recreational interests while continuing to provide comparable facilities and levels of service.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
34	LUP Policy I-4.3.1-6	Coordinate with the California State Department of Parks and Recreation to expand and enhance support facilities and access opportunities between Dana Point Harbor and Doheny State Beach.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
35	LUP Policy I-4.4.1-1	Facilities serving the commercial fishing and recreational boating industries shall be protected and where feasible, upgraded. Existing commercial fishing and recreational boating shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry. (Coastal Act Section 30234)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
36	LUP Policy I-4.4.1-2	Renovation of the southern portion of the Marine Services Commercial area of the Harbor (southern portion of Planning Area 1) may include reconfiguration of the areas presently used for non-shipyard related activities such as boat storage, boat brokerages, jet-ski rentals and sales and kayak rentals to include a future boat storage area.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
37	LUP Policy I-4.4.1-3	To provide enhancements to boater facilities and services in the Marine Services Commercial area (Planning Area 1) one (1) dry stack boat storage facility building may be constructed with a capacity to store up to 400 boats generally ranging in size from 20 to 40 feet. The existing functionality and mode of use of surface boat storage by boaters should be provided within any dry stack boat storage facility to the maximum extent possible. Other services may include ancillary marine-related administrative, professional and business offices, marine retail store, a boater lounge area, a hoist, boat maintenance area, and potentially other boat maintenance and support facilities. The existing public launch ramp and associated vehicle and trailer parking facilities shall be enhanced and maintained. There shall be no net loss of the existing 334 vehicle with trailer parking spaces. The existing	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		vehicle with trailer parking spaces shall be reconfigured such that spaces are maximized and meet the minimum California Department of Boating and Waterways guidelines of 10 x 40 feet to the greatest extent feasible while taking into consideration the demand for larger and smaller spaces. An adequate amount of larger and smaller vehicle with trailer parking spaces shall also be provided for the type of tow vehicles and vessels that use the launch ramp facility, as determined through the Coastal Development Permit process.			
38	LUP Policy I-4.4.1-5	Renovation of the Marine Commercial area (Planning Area 4) may include the potential expansion of the two existing yacht clubs, restaurant upgrades and modifications to the Harbor Patrol offices to provide additional meeting rooms and staff office space. Additional new private (membership) yacht clubs are prohibited. Public access parking shall not be reduced as a result of new development.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
39	LUP Policies I-4.5.1-1 I-6.1.1-11 I-8.1.1-3	Wherever appropriate and feasible, public facilities, including parking areas or facilities shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise of overcrowding or overuse by the public of any single area. (Coastal Act Section 30212.5)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
40	LUP Policy I-5.1.1-1	Future visitor serving facilities shall be located in those areas designated as Visitor Serving Commercial and Day Use Commercial by the Dana Point Harbor Land Use Plan.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
41	LUP Policy I-5.1.1-2	Continue to provide commercial uses including eating and drinking establishments, recreation and entertainment establishments as a means of providing public access to the waterfront.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
42	LUP Policy I-5.1.1-3	The Commercial Core area shall include a public Pedestrian Promenade, located immediately adjacent to the waterfront and extending from Casitas Place to Dana Wharf that will vary in width from 15 to 50 feet.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
43	LUP Policy I-5.1.1-4	Design of the Commercial Core buildings and facilities shall improve the water orientation of these visitor serving land uses through the integration with the Festival Plaza, the Pedestrian Promenade and the merchants located on Dana Wharf.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
44	LUP Policy I-5.1.1-5	As a part of planned new development, visitor serving commercial and restaurant uses may be integrated into a two-level podium structure with	County of Orange –	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		visitor serving commercial and restaurant uses and parking on each level.	OC Dana Point Harbor City of Dana Point	Permits	
45	LUP Policy I-5.1.1-6	The two-level parking deck in the Commercial Core area shall be designed to provide direct access from the Street of the Golden Lantern and adjacent Harbor surface parking areas.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
46	LUP Policy I-5.1.1-7	Cluster and phase new commercial development in the Harbor to minimize significant adverse individual or cumulative impacts on public recreational areas and the ability to provide adequate land area and support facilities for higher priority public access, public recreational and coastal dependent uses.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
47	LUP Policy I-5.1.1-8	Phase new commercial development such that sufficient parking for higher priority uses (e.g., slips, boat launch, surface boat storage) is provided prior to construction of the new commercial development.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
48	LUP Policies I-5.2.1-1 I-5.2.1-4	Harbor visitor serving and overnight accommodations (Planning Area 3) will be enhanced by potential replacement and/or remodeling of the hotel complex to include conference and recreational facilities in addition to providing up to 220 new guest rooms and amenities.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
49	LUP Policy I-5.2.1-2	If demolition of the existing lower cost overnight accommodations (presently called the Marina Inn) in the Harbor is proposed, all demolished units shall be replaced in the area designated as visitor serving commercial by the Dana Point Harbor Land Use Plan with units that are of equal or lower cost than the existing lower cost units to be demolished. Conversion of any existing units to high cost, replacement of any existing units with anything other than lower cost and construction of any new/additional units that are anything other than lower cost units shall require a Local Coastal Program Amendment to address Coastal Act issues associated with such proposals.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
50	LUP Policy I-5.2.1-3	The conversion of any existing overnight accommodations located on public tidelands to timeshares or condominium/hotel units or any other type of Limited Use Overnight Visitor Accommodations shall be prohibited. The construction of new timeshares or condominium-hotel units or any other type of Limited Use Overnight Visitor Accommodation on public tidelands shall be prohibited. Limited Use Overnight Visitor Accommodations are any hotel, motel or other similar facility that provides overnight visitor accommodations	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		wherein some or all of the units, rooms, lots or parcels or other segment of the facility may be sold to a subsequent purchaser who receives the right in perpetuity for life or a term of years to the recurrent, exclusive use or occupancy of a lot, parcel, unit, room(s) or segment of the facility, annually or on some other seasonal or periodic basis for a period of time that has been or will be allotted from the use or occupancy periods into which the facility has been divided and shall include, but not be limited to timeshare, condominium/hotel, fractional ownership hotel or uses of a similar nature.			
51	LUP Policy I-5.2.1-5	The design of any renovated or new hotel in addition to traditional guest accommodations may encourage longer visitor stays, particularly for families with children by providing up to twenty percent (20%) of the total number of rooms with guest amenities in addition to a bedroom that include a living area, dining room, kitchen, clothes washers and dryers.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
52	LUP Policy I-5.2.1-6	Some hotel rooms may provide accommodations for larger groups by offering connections to adjoining rooms, allowing multiple bedroom suites.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
53	LUP Policy I-5.2.1-7	The design of hotel rooms shall incorporate wherever possible the use of private decks or balconies to allow guests to take advantage of the Harbor views and enjoy the oceanfront climate.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
54	LUP Policy I-5.2.1-8	The design of the hotel will be compatible with the California Coastal design theme of the Commercial Core area and terraced levels of buildings in various configurations to maximize public views and break up building massing as viewed from the surrounding public vantage points shall be encouraged as part of the design.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
55	LUP Policy I-5.2.1-9	The hotel building design shall emphasize providing adequate parking for guests and maintaining convenient access to parking areas for boaters.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
56	LUP Policy I-5.2.1-10	A parking deck with access directly from Dana Point Harbor Drive, Casitas Place or the Commercial Core area may be considered as part of the overall hotel design to separate the main guest entrances from service and delivery functions.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
57	LUP Policy I-5.2.1-11	Future facilities providing overnight accommodations will be located in the area designated as Visitor Serving Commercial (Planning Area 3) by the	County of Orange –	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		Dana Point Harbor Land Use Plan.	OC Dana Point Harbor City of Dana Point	Permits	
58	LUP Policy I-6.1.1-3	Preserve, maintain and enhance existing public accessways and existing areas open to the public. Create new public access opportunities where feasible. (Coastal Act Sections 30210, 30212)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
59	LUP Policy I-6.1.1-4	Existing, new or improved public access shall be well posted. A comprehensive signage plan shall be implemented in conjunction with new development to inform the public of the availability of and provide direction to coastal accessways, on-site recreational amenities and public parking areas. The County shall coordinate an access signing system to facilitate regional access from Interstate 5 and Pacific Coast Highway.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
60	LUP Policy I-6.1.1-5	Public access will continue to be provided to the marine life refuge.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
61	LUP Policy I-6.1.1-6	Existing access trails will be managed for controlled access if use is excessive and contributing to the deterioration of highly sensitive habitat areas. Management mechanisms shall be maintained and where necessary modified in conjunction with the State Department of Fish and Game.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
62	LUP Policy I-6.1.1-7	Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. (Coastal Act Section 30211)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
63	LUP Policy I-6.1.1-8	Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development except where it is inconsistent with public safety, military security needs or the protection of fragile coastal resources or where adequate access exists nearby. (Coastal Act Section 30212)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
64	LUP Policy I-6.1.1-9	Public access, which shall be conspicuously posted and public recreational opportunities, shall be provided to the maximum extent feasible for all the people to access the coastal zone area and shoreline consistent with public safety needs and the need to protect public rights and natural resource	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		areas from overuse. (Coastal Act Section 30210)			
65	LUP Policy I-6.1.1-10	Public access and views of the waterfront shall be enhanced through the creation of a large, centralized outdoor Festival Plaza (approximately 35,000 sq. ft.) and located at the southern terminus of the Street of the Golden Lantern that provides a combination of landscaping, special paving and informal seating opportunities serving as a central gathering place for events, activities and celebrations.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
66	PDF 4.5-5	Enhanced lighting for streets, parking lots and pedestrian walkways will be implemented with new development.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	LUP I-6.1.1-12
67	LUP Policy I-6.2.4-3	Maintain existing pedestrian facilities and require new development to provide pedestrian walkways between facilities.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
68	LUP Policy I-6.2.4-5	Develop stronger pedestrian, bicycle and visual linkages between public spaces and along the shoreline and bluffs. (Coastal Act Sections 30210, 30212)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
69	LUP Policy I-6.2.4-6	Support and coordinate the development and maintenance of bikeways in conjunction with the County of Orange Master Plan of Countywide Bikeways to assure that local bicycle routes will be compatible with routes of neighboring jurisdictions.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
70	LUP Policy I-6.2.4-7	Require the provision of showers, changing rooms and an accessible and secure area for bicycle storage at all new and existing developments and public places whenever feasible. (Coastal Act Section 30213)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
71	LUP Policy I-6.2.4-9	Provide public access consistent with the exhibit entitled Dana Point Harbor Coastal Access (LUP, Chapter 6, Exhibit 6-1).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
72	LUP Policy I-6.2.4-10	Maximize public access to and along the waterfront and bulkhead. As a goal, maintain and where necessary establish continuous, uninterrupted public access along the waterfront and bulkhead, except along those segments of the bulkhead in the Marine Service Commercial area where	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		provision of such access would interfere with boat launch and repair operations (in which case connecting detours shall be provided around those areas). Remove existing obstructions to public access along the waterfront and bulkhead and establish new public accessways through those areas.			
73	LUP Policy I-6.2.4-11	Pedestrian walkways and trails shall provide connection points to off-site, existing or proposed walkways/trails, including integration with the California Coastal Trail. <u>The design of new pedestrian walkways and trails shall be in accordance with County of Orange design standards and shall be coordinated with the appropriate City, County and state agencies to enhance connections with existing and proposed open space and/or regional/local bicycle and hiking trails to the extent feasible.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP37
74	LUP Policy I-6.2.4-12	Provide public access onto harbor jetties, including provisions for public fishing, wherever feasible and to the extent such access can be safely provided.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
75	LUP Policy I-6.3.3-1	Temporary events shall minimize impacts to public access, recreation and coastal resources. A Coastal Development Permit shall be required for temporary events that meet all of the following criteria: (1) held between Memorial Day and Labor Day; (2) occupy any portion of a public sandy beach; and (3) involve a charge for general public admission where no fee is currently charged for use of the same area. A Coastal Development Permit shall also be required for temporary events that do not meet all of these criteria but have the potential to result in significant adverse impacts to public access and/or coastal resources. (Coastal Act/30212)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
76	LUP Policy I-6.3.3-2	Special Event Permits and Coastal Development Permits (as required above) for temporary events shall be required to provide details on event characteristics, including duration (from set up/assembly to break-down/dismantling and clean-up times), event hours, per day estimated attendance, parking management and shuttle arrangements, traffic control, noise control, waste removal, insurance, equipment to be used, food service, entertainment, sponsorships and advertising/marketing plans.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
77	LUP Policy I-6.3.4-1	Ensure accessibility of pedestrian facilities to the elderly and disabled.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
78	LUP Policy I-6.3.4-2	Ensure that planned public facilities include provisions for adequate access for persons with disabilities and that to the extent feasible, existing facilities are appropriately retrofitted to include such access as required by the Americans with Disabilities Act (ADA) in a manner consistent with the protection of coastal resources.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
79	LUP Policy I-6.3.4-3	Design guardrails on piers, trails and public viewing areas to take into consideration the views at the eye level of persons in wheelchairs.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
80	LUP Policy I-6.3.4-4	Provide appropriately located handicap parking spaces in designated boater parking areas to allow access to gangways and boat docks designed to accommodate wheelchairs.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
81	LUP Policy I-6.4.1-1	Continue to consider the need for multi-purpose meeting rooms and space for community events.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
82	LUP Policy I-6.4.1-2	Encourage public support of Ocean Institute and OC Sailing and Events Center activities and programs.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
83	LUP Policy I-7.1.2-1	Manage public access to the shore of the marine life refuge to avoid detrimental impacts to the resources of the refuge. (Coastal Act Section 30230)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
84	LUP Policies I-7.2.1-3 I-8.6.1-7	Shoreline or ocean protective devices such as revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls and other such construction that alters shoreline processes shall only be permitted when required to serve coastal-dependent uses or to protect existing structures or adverse impacts on local shoreline sand supply and minimize adverse impacts on public use Baby Beach. (Coastal Act Sections 30210-12, 30235)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
85	LUP Policy I-7.2.1-12	Construction phasing for the reconstruction and reconfiguration of the marina docks shall minimize the loss or disruption of the existing docks to the extent feasible and may involve the use of temporary floating, staging and/or imported prefabricated docks to minimize construction time.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
86	LUP Policy I-7.2.1-13	Renovations to the Marina channels shall emphasize improved access to the water and circulation of boat traffic in the Harbor.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
87	LUP Policy I-7.2.1-14	To improve boat/vessel circulation in the Harbor, the Revitalization Plan includes modernization of the docks in the Marine Services Commercial area and the sport fishing boat docks.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
88	LUP Policy I-7.5.2-7	Any required beach area closures for sand replenishment shall be minimized to the maximum extent practicable (generally within two-hundred (200) feet of the pipeline and deposition area) and shall be re-opened for public use as soon as feasible upon completion of sand placement.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	
89	LUP Policy I-8.1.1-1	Work closely with the County of Orange to plan for the future development within the Harbor and to assure that additional development is compatible with existing uses and enhances the scenic, recreational and visitor opportunities for the area. (Coastal Act Sections 30220-224, 30233, 30234, 30250, 30252, 30255)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
90	LUP Policy I-8.1.1-2	New development shall minimize energy consumption and vehicle miles traveled. (Coastal Act Section 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
91	LUP Policy I-8.1.1-4	Assure that land use intensities are consistent with capacities of existing and planned public service facilities. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land uses, essential public services and basic industries vital to the economic health of the region, state or nation, public recreation, commercial recreation and visitor-serving land uses shall not be precluded by other development. (Coastal Act Sections 30250, 30254)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
92	LUP Policy I-8.1.1-5	The development of unified or clustered commercial centers shall be encouraged. (Coastal Act Sections 30250, 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
93	LUP Policy I-8.1.1-6	Consider the impacts on surrounding land uses and infrastructure when reviewing proposals for new development in the Harbor. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
94	LUP Policy I-8.1.1-7	Encourage site and building design that takes advantage of the City's excellent climate to maximize indoor-outdoor spatial relationships. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
95	LUP Policy I-8.1.1-8	Encourage buildings and exterior spaces that are carefully-scaled to human size and pedestrian activity.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
96	LUP Policy I-8.1.1-9	Encourage outdoor pedestrian spaces, sidewalks and usable open space in all new development.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
97	LUP Policy I-8.1.1-10	Encourage aesthetic roof treatment as an important architectural design feature.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
98	LUP Policy I-8.1.1-11	Consolidate adjacent parking lots without reducing the number of parking stalls in order to decrease the number of ingress and egress points onto arterials. (Coastal Act Sections 30210, 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
99	LUP Policy I-8.1.1-12	Encourage innovative site and building designs and orientation techniques which minimize energy use by taking advantage of sun/shade patterns, prevailing winds, landscaping and building materials.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
100	LUP Policy I-8.1.1-13	Maintain local legislation to establish, update and implement energy performance building code requirements established under State Title 24 Energy Regulations and to minimize energy consumption. (Coastal Act Sections 30250, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
101	LUP Policy I-8.1.1-14	The Dana Point Harbor Revitalization Plan has been developed with the specific intent of promoting Coastal Act compliance by enhancing public access opportunities, providing updated visitor serving commercial and marine recreational amenities and promoting coastal resource preservation throughout the Harbor.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
102	LUP Policy I-8.1.1-23	Landscape and irrigation plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size and quantity) an and irrigation plan systems	County of Orange – OC Dana Point Harbor	Coastal Development, Grading and Building	IP II-16-16.4-18

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<u>(including method, installation details, recommended watering schedule and water conservation measures incorporated into the design, if appropriate)</u> , a grading plan, an approved site plan and a copy of the entitlement conditions of approval.	City of Dana Point	Permits	
103	LUP Policy I-8.1.1-33	Interior and exterior water conservation measures will be incorporated into all Harbor projects as development occurs to the extent possible. Measures will include (but are not limited to) low-flush toilets, low-flow faucets and the installation of efficient irrigation systems to minimize runoff and evaporation.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits and Building Permits	
104	LUP Policy I-8.2.1-2	<p>New development shall be sited and designed on the most suitable portion of the Harbor while ensuring protection and preservation of natural and sensitive site resources by providing for the following:</p> <ul style="list-style-type: none"> • Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss; • Analyzing the natural resources and hazardous constraints of planning areas and individual development sites to determine locations most suitable for development; • Promoting clustering of development on the most suitable portions of a site taking into account geologic constraints, sensitive resources and natural drainage features; • Preserving and protecting riparian corridors, wetlands and buffer zones; • Minimizing disturbance of natural areas, including significant trees, native vegetation and root structures; • Using natural drainage as a design element, maximizing the preservation of natural contours and native vegetation; and • Limiting land disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss and avoiding steep slopes, unstable areas and erosive soils. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
105	LUP Policy I-8.3.1-1	After certification of the LCP, require a Coastal Development Permit for all development within the Coastal Zone subject to exceptions provided for under the Coastal Act.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
106	LUP Policy I-8.3.1-2	Applications for Coastal Development Permits for Dana Point Harbor Planning Areas 1 through 7 (landside areas) shall be in accordance with the Dana Point Harbor District Regulations and the City of Dana Point Zoning	County of Orange – OC Dana Point Harbor	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		Code, Chapter 9.69, Coastal Development Permit application.	City of Dana Point		
107	LUP Policy I-8.3.1-3	Applications for Coastal Development Permits for Dana Point Harbor Planning Areas 8 through 12 (waterside areas) shall be made to the California Coastal Commission in a form consistent with Chapter 5, Coastal Development Permits Issued by the California Coastal Commission.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
108	LUP Policy I-8.3.1-4	Prior to approval of any Coastal Development Permit by the City of Dana Point for landside areas, the City shall make a finding that the development conforms to the policies and requirements contained in the Dana Point Harbor Revitalization Plan and District Regulations.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
109	LUP Policy I-8.5.2-5	No development will be permitted on the bluff face, except for drainpipes as follows. Drainpipes will be allowed only where no other less environmentally damaging drain system is feasible and the drainpipes are designed and placed to minimize impacts to the bluff face, toe and beach and visual treatment of the drain system is incorporated (e.g., color to match adjacent soil/vegetation, screening with native vegetation, etc.). Drainage devices extending over the bluff face will not be permitted if the property can be drained away from the bluff face.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
110	LUP Policy I-8.5.2-6	Development adjacent to coastal bluffs shall minimize hazards to owners, occupants, property and the general public; be environmentally sensitive to the natural coastal bluffs; and protect the bluffs as a scenic visual resource.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
111	LUP Policy I-8.5.2-7	For purposes of this section, bluff edge shall be defined as the upper termination of a bluff, cliff or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff. In a case where there is a step-like feature at the top of the cliff face, the landward edge of the topmost riser shall be taken to be the cliff edge.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
112	LUP Policy I-8.6.1-10	Limit the use of protective devices to the minimum required to protect existing development and prohibit their use to enlarge or expand areas for new development. Such devices shall be located as far landward as possible. "Existing development" for purposes of this policy shall consist only of a principle structure, e.g., a commercial building existing at the time	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		of certification of Local Coastal Program Amendment No. 1-08 and shall not include accessory or ancillary structures such as decks, patios, stairs, landscaping, etc.			
113	LUP Policy I-8.6.1-11	Site and design new structures to avoid the need for new shoreline and bluff protective devices during the economic life of the structure (75 years).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
114	LUP Policy I-8.6.1-17	Consider the constraints of natural and man-made hazards in determining the location, type and intensities of new development. (Coastal Act Sections 30240, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
115	LUP Policy I-9.1-1	Consider the environmental impacts of development decisions. (Coastal Act Sections 30240, 30241, 30242, 30243 & 30244)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
116	LUP Policy I-9.1-2	Review all new development proposals subject to California Environmental Quality Act (CEQA) and Coastal Development Permit requirements in accordance with the principles, objectives and criteria contained in CEQA, the State CEQA Guidelines, those contained in the Dana Point Harbor Revitalization Plan and District Regulations and any environmental review guidelines adopted by the County of Orange and/or City of Dana Point.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
117	LUP Policy I-9.1-3	Integrate CEQA procedures into the review procedures for all new development in the Coastal Zone.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
118	LUP Policy I-9.1-4	Require a qualified County and/or City staff member, advisory committee designated by the County and/or City or a consultant approved by and under the supervision of the County and/or City to review all environmental documentation submitted as part of an application for new development and provide recommendations to the appropriate decision-making official or body.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
Aesthetics, Visual and Glare					
119	PDF 4.2-1	<u>All new buildings in the Harbor shall be consistent with the character of the community in architectural form, bulk and height of the community, including other structures located within one-half mile of the Dana Point Harbor LCP</u>	County of Orange – OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.5.1-4 IP II-3-GR3

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>boundary. New development within the Harbor shall provide a scale and setting for retail merchants and restaurants that encourages pedestrian opportunities through the use of widened sidewalks, outdoor plazas, promenades, courtyards and landscape design.</u> The appearance of long, continuous row structures will be avoided through the provision of open spaces, varied roof treatments, staggered exterior building facades and incorporation of a variety of building designs, materials and colors.</p>			
120	PDF 4.2-2	All signage shall be of a consistent architectural style. Commercial signage shall be externally illuminated and lighting sources shall be hidden by vegetation or installed flush with the grade. Signage shall be designed to complement the architecture of the building and shall emphasize natural materials.	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development and Building Permits	LUP I-8.5.3-7
121	PDF 4.2-3	Existing aboveground utilities will be removed and placed underground wherever and whenever possible.	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development, Grading and Building Permits	LUP I-8.7.1-13
122	PDF 4.2-4	All fences and walls within the Harbor will be designated to have a minimum impact on coastal and scenic views from public areas. Enclosures used to shelter outside eating areas will be designed using clear materials with awnings or covers that are integrated into the architectural design of the buildings.	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u> City of Dana Point	Coastal Development and Building Permits	LUP I-8.1.1-16
123	PDF 4.2-5	Architectural and building articulation will have a form that complements the Harbor area and natural setting, when viewed from within the Harbor or the surrounding area (both from land and sea). High, uninterrupted wall planes are to be avoided.	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development and Building Permits	LUP I-8.1.1-17
124	PDF 4.2-6	All accessory buildings and structures will be consistent with the main structure in materials, color palette, roof pitch and form.	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development and Building Permits	LUP I-8.1.1-18
125	PDF 4.2-7	All roof-mounted mechanical equipment and communication devices that are visible from the Harbor will be hidden behind building parapets or screening materials from both ground level and elevated areas to the extent feasible. Ground-level mechanical equipment, storage tanks and other similar	County of Orange – <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development and Building Permits	LUP I-8.1.1-19

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		facilities shall be screened from view with dense landscaping and/or walls of materials and finishes compatible with the adjacent areas. In addition, service, storage, maintenance, utilities, loading and refuse collection areas would be located generally out of view of public right-of-ways and uses adjacent to the development area.			
126	PDF 4.2-8	All new solid waste (refuse/trash collection areas) will be screened from public view.	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.1.1-20
127	PDF 4.2-9	The design and layout of the future developments shall be consistent with the approved Dana Point Harbor Revitalization Plan and preserve views of the bluff area.	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.2.1-7 LUP I-8.5.2-2
128	PDF 4.2-10	The Dana Point Harbor Revitalization Plan provides for the protection of the natural bluffs (PA 7) by restricting the siting of any structures adjacent to the bluffs with the exception of drainage control structures and recreational structures (e.g., picnic areas) to be allowed in this area.	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development Permits	LUP I-8.5.2-8
129	PDF 4.2-11	Textured paving will be used to identify lookouts, pathway crossings and edge treatments. All landscape areas will be planted consistent with the Revitalization Landscape Plan to preserve and enhance distant ocean Views.	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development Permits	LUP I-8.4.1-4
130	PDF 4.2-12	In areas that abut PA 7, a landscape buffer will be maintained. All plant material will be native, non-invasive and drought tolerant species to provide a transition between natural and ornamental areas.	County of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development Permits	LUP I-8.4.1-5
131	PDF 4.2-13	The planting of trees within the Dana Point Harbor Revitalization Plan will provide a visually soft and natural backdrop while framing and protecting significant public view opportunities.	County of Orange - <u>OC</u> Dana Point Harbor Department	Coastal Development Permits	LUP I-8.4.1-6
132	PDF 4.2-14	Vertical landscape elements and setbacks between buildings are incorporated into the project design to and break up building massing.	County of Orange - <u>OC</u> Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.4.1-7
133	PDF 4.2-15	Street and parking lot lighting shall be positioned to enhance the vehicular and pedestrian safety. Lighting shall be concentrated on intersections and pedestrian crosswalks and shall be directed downward.	County of Orange - <u>OC</u> Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.4.1-8

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
134	PDF 4.2-16	Architectural elements (including roof overhangs, awnings, dormers, etc.) will be integrated into the building design to shield windows from the sun and reduce the effects of glare.	County of Orange - OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.1.1-21
135	PDF 4.2-17	The project will utilize minimally reflective glass and other materials used on the exteriors of the buildings and structures will be selected with attention to minimizing reflective glare.	County of Orange - OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.1.1-22
136	PDF 4.2-18	Roof-mounted solar panels, metal panels and skylights should incorporate non-reflective materials and be designed to point away from roadways.	County of Orange - OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.1.1-26
137	PDF 4.2-19	All exterior lighting will be designed and located to avoid intrusive effects on the adjacent uses atop the bluffs and Doheny State Beach. New light fixtures will be designed to direct light on-site and away from other areas.	County of Orange - OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.4.1-9
138	PDF 4.2-20	The parking deck design shall include a light well that separates the upper deck area, allowing light and/or installation of landscaping elements to enhance its visual appearance.	County of Orange - OC Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.1.1-27
139	SCA 4.2-1	<p>The eContractors shall install landscaping, equipment for irrigation and improvements in all areas of the Harbor in accordance with an approved plan as stated below the following:</p> <p>a) <u>Detailed Plan</u>: Prior to the issuance of any Building Coastal Development Permit(s), a detailed Landscape Plan showing the detailed irrigation and landscaping design shall be submitted to the City of Dana Point as part of a CDP application for approval. Harbor Review Board for approval, in consultation with the County of Orange – Dana Point Harbor Department. Plans shall show the detailed irrigation and landscaping design, the County Standard Plans for landscape areas, adopted plant palette guides, applicable scenic and specific plan requirements, water conservation measures contained in Board Resolution 90-487 (Water Conservation Measures), and Board Resolution 90-1341 (Water Conservation implementation Plan).</p> <p>b) <u>Installation Certification</u>: Prior to the issuance of Certificates of Use and Occupancy, said improvements shall be installed and shall be certified by a licensed landscape architect or licensed landscape contractor as having been installed in accordance with the approved detailed plans. Said certification, including an irrigation management report for each landscape irrigation system and any other required implementation</p>	<p>Harbor Review Board</p> <p>Manager, RDMDOC Public Works/Building and Grading Inspection Services Division</p> <p>Manager, RDMD/Construction</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits, Certificates of Use and Occupancy	LUP I-8.1.1-28

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>report determined applicable, shall be submitted to the Manager, RDMD/Construction, and the Manager, RDMD/County of Orange/Building and Grading Inspection Services Division and the County of Orange Dana Point Harbor Department, prior to the issuance of any certificates of use and occupancy.</p>			
140	MM 4.2-1	<p>Prior to issuance of Grading Permits, a Construction Staging Plan shall be provided to the Manager, RDMD/Subdivision and Grading, or his designee for review and approval prepared. The contractor's construction equipment and supply staging areas shall be established away from existing marina operations, to the extent feasible. The Plan shall specify the following:</p> <ul style="list-style-type: none"> a) During construction and grading, the Contractor shall keep the site clear of all trash, weeds and debris. b) The grading contractor shall not create large stockpiles of debris or soils, but shall seek to place smaller piles adjacent to each other to minimize visual impacts. c) <u>Staging areas shall be located where impacts upon public access, water quality, and sensitive biological resources are avoided.</u> 	<p>Manager, RDMD/Subdivision and Grading</p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Grading Permits	LUP I-8.1.1-29
141	MM 4.2-2	<p>Prior to issuance of a Grading Permit for <u>new</u> development within the Commercial Core, the Manager, RDMD/Subdivision and Grading, or his designee shall require the County of Orange Dana Point Harbor Department to provide screened construction fencing around construction area boundaries to temporarily screen views of <u>the construction activities site.</u></p>	<p>Manager, RDMD/Subdivision and Grading</p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Grading Permits	LUP I-8.1.1-30
142	MM 4.2-3	<p>All new landscaped areas in the Harbor shall be planted in accordance with the Revitalization Plan Master Landscape Plan and approved planting palette as approved in a Coastal Development Permit. The Master Landscape Plan shall be subject to review and approval by the County of Orange Dana Point Harbor Department and the Harbor Review Board.</p>	<p><u>Dana Point Harbor Review Board</u></p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Coastal Development, Grading and Building Permits	LUP I-8.1.1-31
143	MM 4.2-4	<p>Prior to the issuance of a Building Permit, an Exterior Lighting Plan (including outdoor recreation areas) for all proposed improvements shall be prepared. The lighting plan shall indicate the location, type and wattage of all light fixtures and include catalog sheets for each fixture. The Lighting</p>	<p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		Plan shall demonstrate that all exterior lighting has been designed and located so that all direct rays are confined to the property. The Lighting Plan shall be subject to review and approval by the County of Orange OC Dana Point Harbor Department .			
144	LUP Policy I-8.4.1-1	Protect and enhance public views to and along the coast through open space designations and innovative design techniques. (Coastal Act Section 30251)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
145	LUP Policy I-8.4.1-2	Ensure land uses within designated and proposed scenic corridors are compatible with scenic enhancement and preservation. (Coastal Act Section 30251)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
146	LUP Policy I-8.4.1-3	Site and architectural design shall respond to the natural landform whenever possible to minimize grading and visual impact. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
147	LUP Policy I-8.5.1-1	New building architecture shall encourage irregular massing of structures.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
148	LUP Policy I-8.5.1-2	Building massing should be asymmetrical and irregular with offsets in plan, section and roof profile.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
149	LUP Policy I-8.5.1-3	All new development in the Harbor shall not exceed a maximum building height of thirty-five (35) feet; exceptions to the 35 foot height limit include the following: <ul style="list-style-type: none"> • Dry Stack Boat Storage building in the Marine Services Commercial area (Planning Area 1) shall have a maximum building height of sixty-five (65) feet • Commercial Core area (Planning Area 2) buildings fronting on the Festival Plaza or structures fronting the East Marina Boat Basin (Planning Area 10) shall be a maximum of sixty (60) feet high; • Visitor-Serving Commercial (Planning Area 3) building(s) shall have a 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	IP II-3-GR6

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>maximum height of fifty (50) feet;</p> <ul style="list-style-type: none"> Elevators, appropriately screened mechanical units and chimneys that do not exceed the ten percent (10%) of the total roof area for all new and existing/remodeled structures, should conform to the applicable height limit, but may exceed that height limit by no more than five (5) additional feet. <p>These heights are only allowed to the extent that significant coastal public views through scenic corridors and form scenic viewpoints are protected and enhanced. <u>Any exceptions to the 35 foot height limitation shall be required to demonstrate that: (1) significant coastal public views through scenic corridors and from scenic viewpoints are protected and enhanced; (2) adequate facilities have been provided to enhance boating use, including but not limited to designated boater parking; (3) public/boater access to dry boat storage/public launching facilities are maintained and enhanced; (4) design features have been incorporated into the buildings to promote a village atmosphere and maintain the existing community character of the area; and (5) elevated public viewing areas of the waterfront are provided.</u> The height of the buildings, excluding the dry stack storage building should be consistent with the community character.</p> <p>The limitations on height for the Marine Services Commercial area (Planning Area 1) shall not apply to shipyard cranes and/or other equipment necessary to provide for boat maintenance and repair.</p>			
150	LUP Policy I-8.5.2-1	Preserve significant natural features as part of new development. Permitted development shall be sited and designed to minimize the alteration of natural landforms. Improvements adjacent to beaches shall protect existing natural features and be carefully integrated with landforms. (Coastal Act Section 30240, 30250, 30251, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
151	LUP Policy I-8.5.2-3	Preserve Dana Point's bluffs as a natural and scenic resource and avoid risk to life and property through responsible and sensitive bluff top development, including, but not limited to, the provision of drainage which directs runoff away from the bluff edge and towards the street, where feasible and the prohibition of permanent irrigation systems and the use of water intensive landscaping within the setback area to prevent bluff erosion. (Coastal Act Sections 30251, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
152	LUP Policy I-8.5.2-4	Bluff repair and erosion control measures such as retaining walls and other similar devices shall be limited to those necessary to protect coastal-dependent uses or existing structures in danger from erosion to minimize risks to life and property and shall avoid causing significant alteration to the natural character of the bluffs. For the purposes of this policy, "existing" shall mean structures existing at the time of certification of Local Coastal Program Amendment No. 1-08 (Coastal Act Sections 30251, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
153	LUP Policy I-8.5.3-1	Design and site signs to minimize visual impacts to coastal resources.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
154	LUP Policy I-8.5.3-2	Implement programs to remove illegal signs and amortize legal nonconforming signs.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
155	LUP Policy I-8.5.3-3	Prohibit new billboards and roof top signs and regulate the bulk and height of other freestanding signs that affect public coastal views.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
156	LUP Policy I-8.5.3-4	Encourage the reasonable regulation of signs to preserve the character of the community. (Coastal Act Section 30251)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
157	LUP Policy I-8.5.3-5	Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of any commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations that ensure that signs are visually compatible with surrounding areas and protect scenic views. Roof signs or flashing signs shall not be permitted.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
Geology, Soils and Seismicity					
158	PDF 4.3-1	Creation of the Festival Plaza and Pedestrian Promenade along the waterfront's edge also provides for extended structural setbacks from the bulkhead area.	County of Orange - <u>OC</u> Dana Point Harbor <u>Department</u>	Coastal Development and Building Permits	LUP I-8.6.7-5
159	PDF 4.3-2	All new structures and the Commercial Core area parking deck will be supported with piles to provide adequate resistance to long-term settlement	County of Orange - <u>OC</u> Dana Point Harbor	Coastal Development and	LUP I-8.6.7-6

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		if recommended.	Department	Building Permits	
160	PDF 4.3-3	Foundation setback requirements will be implemented for proposed Project improvements, as specified in the geotechnical report. Setback distances will reflect geologic and structural engineering evaluations of the site and recommendations included in the geotechnical report, subject to the review and approval of the Manager, RDMD/Subdivision and Grading County of Orange and the City of Dana Point.	County of Orange - OC Dana Point Harbor Department	Building Permits	LUP I-8.6.7-7
161	SCA 4.3-1	Prior to the issuance of a Grading Permit, submit a Geotechnical Report shall be submitted to the Manager, RDMD/Subdivision and Grading County of Orange for approval The report and shall include the information and be in the form as required by the County Grading Code and Manual.	Manager, RDMD/ Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	LUP I-8.6.7-8
162	MM 4.3-1	The Project shall conduct site-specific subsurface investigations, to be verified by the Manager, RDMD OC Public Works /Subdivision and Grading, to quantify the potential for lateral spreading (because the variable fill soils appear to be predominantly clayey and may not be as susceptible to lateral spreading as the mapping of the Project area may indicate). If the potential for lateral spreading to occur is identified, SCA's shall be included to reduce impacts to a less than significant level.	Manager, RDMD OC Public Works / Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	
163	MM 4.3-2	Further sampling and testing during the design phase is recommended to confirm the preliminary geotechnical findings. If results from further testing indicate the possibility for soil erosion, expansive/collapsible soils or subsidence. Mitigation Measures shall be included to reduce impacts to a less than significant level.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	
164	MM 4.3-3	The County of Orange - OC Dana Point Harbor Department shall submit Erosion Control Plans for project grading and site preparation for review and approval by the Manager, RDMD OC Public Works /Subdivision and Grading. The OC Dana Point Harbor Department shall exercise special care	Manager, RDMD OC Public Works /Subdivision and Grading	Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>during the construction phase of the Project to prevent off-site siltation. The OC Dana Point Harbor Department shall provide erosion control measures as approved by the County of Orange, RDMD Manager, RDMD OC Public Works/Subdivision and Grading. The erosion control measures shall be shown and specified on the Grading Plan and shall be construction to the satisfaction of the County of Orange, RDMD Manager, OC Public Works/Subdivision and Grading prior to the start of any other grading operations. Prior to the removal of any erosion protected by additional drainage facilities, slope erosion control measures and other methods as may be required by the County of Orange, RDMD OC Public Works, The OC Dana Point Harbor Department shall maintain the erosion control devices shall remain in place until the County of Orange, RDMD OC Public Works approves of the removal of said facilities.</p>	<p>County of Orange – OC Dana Point Harbor Department</p>		
165	MM 4.3-4	<p>Site safety requirements shall address specifications of the Occupational Safety and Health Administration (OSHA). Applicable specifications prepared by OSHA related to earth resources consist of Section 29 CFR Part 1926, which are focused on worker safety in excavations.</p>	<p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	
166	MM 4.3-5	<p>Paved lot structural sections shall be constructed with a minimum of 3-inches of asphaltic concrete over a minimum of 6-inches of aggregate base in accordance with the recommendations of a soils engineer and as approved by the Manager, RDMD OC Public Works/Subdivision and Grading.</p>	<p>Manager, RDMD OC Public Works/Subdivision and Grading Manager, RDMD OC Public Works/Building Permits County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	
167	MM 4.3-6	<p>If cranes and pile-driving equipment are required, adequate setbacks shall be observed from bulkhead areas to prevent failures due to increased lateral and surcharge loads.</p>	<p>County of Orange – OC Dana Point Harbor Department</p>	Coastal Development, Grading and Building Permits	LUP I-8.6.7-9

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
168	MM 4.3-7	The project shall assess the likely extent of the potential for soil liquefaction at individual sites to be verified by the Manager, RDMD OC Public Works/Subdivision and Grading . If the potential for liquefaction to occur is identified, Project Design Features (PDFs) shall be included that reduce impacts to a less than significant level.	Manager, RDMD OC Public Works/Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
169	MM 4.3-8	Additional ground-motion assessment of the project area shall be conducted prior to Grading Permit approval. Possible alternative models of a system of faults consisting of the Newport-Inglewood, SCOZD and Rose Canyon Fault Zones, the San Joaquin Hills Blind Thrust and the Oceanside Blind Thrust shall be reflected within the analysis.	Manager, RDMD OC Public Works/Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
170	MM 4.3-9	Conformance with the latest Uniform Building Code, California Building Code or International Building Code and County Ordinances can be expected to satisfactorily mitigate the effect of seismic groundshaking. Conformance with applicable codes and ordinances shall occur in conjunction with the issuance of Building Permits in order to insure that over excavation of soft, broken rock and clayey soils within sheared zones will be required where development is planned.	Manager, RDMD OC Public Works/Subdivision and Grading Manager, RDMD OC Public Works/Building Permits County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-8.6.7-13
171	MM 4.3-10	All grading and improvements on the subject property shall be made in accordance with the Orange County Grading Ordinance and to the satisfaction of the Manager, RDMD OC Public Works/Subdivision and Grading . Grading plans shall be in substantial conformance with the approved Dana Point Harbor Revitalization Plan.	Manager, RDMD OC Public Works/Subdivision and Grading County of Orange – OC Dana Point Harbor	Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
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172	MM 4.3-11	Prior to issuance of a Grading Permit, the County of Orange - OC Dana Point Harbor Department shall provide a plan showing the placement of applicable underground storage tanks for the approval of the County Manager, RDMA OC Public Works /Building Permits in consultation with the Manager, RDMD OC Public Works /Environmental Planning.	<p>Department</p> <p>Manager, RDMD OC Public Works/Building Permits</p> <p>Manager, RDMD OC Public Works/Environmental Planning</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading Permits	
173	MM 4.3-12	The potential damaging effects of regional earthquake activity shall be considered in the design of each structure. The preliminary seismic evaluation shall be based on basic data including the Uniform Building Code Seismic Parameters. Structural design criteria shall be determined in consideration of building types, occupancy category, seismic importance factors and possibly other factors.	<p>Manager, RDMD OC Public Works/Subdivision and Grading</p> <p>Manager, RDMD OC Public Works/Building Permits</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	
174	MM 4.3-1 3	The descriptions of proposed Project activities and governing measures described in this section refer to the requirements of the currently adopted Uniform Building Code (UBC) (ICBO, 1997, as updated by subsequent adoptions) and especially those sections of the UBC dealing with seismic design and construction requirements, site grading, site drainage, soils properties and soils removal and recompaction. Adherence to the requirements of the UBC is assumed in this analysis to render less than significant any potential environmental impacts related to geology and soils that will otherwise expose people or structures to potential substantial adverse effects, including risk of loss, injury or death.	<p>Manager, RDMD OC Public Works/Subdivision and Grading</p> <p>Manager, RDMD OC Public Works/Building Permits</p> <p>County of Orange – OC Dana Point Harbor</p>	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
175	MM 4.3-14	Engineering design for all structures shall be based on the probability that the Project area <u>new structures</u> will be subjected to strong ground motion during the lifetime of development. Construction plans shall be subject to County of Orange review and shall include applicable standards, which address seismic design parameters.	Department Manager, RDMD <u>OC</u> <u>Public Works</u> /Building Permits County of Orange – <u>OC</u> Dana Point Harbor	Grading and Building Permits	LUP I-8.6.7-14
176	MM 4.3-15	Mitigation of earthquake ground shaking shall be incorporated into design and construction in accordance with Uniform Building Code requirements and site-specific design.	Manager, RDMD <u>OC</u> <u>Public Works</u> /Building Permits County of Orange – <u>OC</u> Dana Point Harbor	Grading and Building Permits	LUP I-8.6.7-15
177	MM 4.3-16	Construction work performed within public roadways or public properties adjacent to the project site will require compliance with specifications presented in the latest edition of Standard Specifications for Public Works Construction (the Greenbook).	Manager, RDMD <u>OC</u> <u>Public Works</u> /Building Permits County of Orange – <u>OC</u> Dana Point Harbor Department	Grading Permits	LUP I-8.6.7-10
178	MM 4.3-19 ¹	Further investigation and detailed characterization of the existing fill conditions is required to identify the extent of potential liquefaction shall include: <ul style="list-style-type: none"> ▪ Recommended new building setback distances from the quay wall ranging from 2 to 3 times the height of the bulkhead wall for localized liquefaction and lateral spreading failure to several times the height of the revetment slope and bulkhead system for global seismic instability, to be considered during the master planning and conceptual design phase of the project; ▪ Supporting proposed structures on deep foundations extending into bedrock; ▪ Stiffened floor slab designs; 	Manager, RDMD <u>OC</u> <u>Public Works</u> /Subdivision and Grading Manager, RDMD <u>OC</u> <u>Public Works</u> /Building Permits County of Orange – <u>OC</u> Dana Point Harbor Department	Grading and Building Permits	LUP I-8.6.7-11

¹ Sequence numbering note: MM 4.3-17 refers to MM's 4.3-1 through MM 4.3-6 and MM 4.3-18 refers to MM's 4.3-7 through 4.3-16.

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<ul style="list-style-type: none"> ▪ Total or partial removal of the potentially liquefiable soils and replacement with compacted fill; and ▪ Soil remediation and site improvement. 			
179	MM 4.3-20	<p>Further evaluation of lateral spreading potential is required. If it is found that the lateral spreading potential is high, then Mitigation Measures shall include:</p> <ul style="list-style-type: none"> ▪ New building setback distances from the quay wall ranging from 2 to 3 times the height of the bulkhead wall; ▪ Repair or replacement of existing seawall for site containment; ▪ Total/partial removal of the potentially liquefiable soils and replacement with compacted fill; and/or ▪ Soil remediation and site improvement. 	<p>Manager, RDMD_OC Public Works/Subdivision and Grading</p> <p>Manager, RDMD_OC Public Works/Building Permits</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	
180	LUP Policy I-8.2.1-5	Require new development to assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
181	LUP Policy I-8.2.1-6	Require new development to be setback from slopes sufficiently to assure a minimum factor of safety against sliding of 1.5 (static) or 1.1 (pseudostatic, k=0.15) for the economic life of the development which shall normally be assumed to be a minimum of 75 years.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
182	LUP Policy I-8.6.7-1	Geotechnical studies are required for developments that are proposed on or adjacent to coastal or inland bluff tops and where geological instability is suspected. (Coastal Act Section 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
183	LUP Policy I-8.6.7-2	Applications for Grading and Building Permits will be reviewed for adjacency to threats from and impacts on geologic hazards arising from seismic events, tsunami run-up, landslides, beach and bluff erosion or other geologic hazards such as expansive soils and subsidence areas. In areas of known geologic hazards a geologic report shall be required. Require such reports be signed by a licensed Certified Engineering Geologist or Geotechnical Engineer and subject to review and approval by the City. Mitigation	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		measures will be required where necessary.			
184	LUP Policy I-8.6.7-3	New development shall: a) Minimize risks to life and property in areas of high geologic, flood and fire hazard; and b) Assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (Coastal Act Section 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
185	LUP Policy I-8.6.7-4	A study of Life Safety and Evacuation shall be conducted for Planning Area 4 to ensure that adequate evacuation can occur should the Island bridge become incapacitated.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
186	LUP Policy I-8.6.7-7	Foundation setback requirements will be implemented for proposed Harbor improvements as specified in the geotechnical report. Setback distances will reflect geologic and structural engineering evaluations of the site and recommendations included in the geotechnical report, subject to the review and approval of the County of Orange and the City of Dana Point.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
187	LUP Policy I-9.1-9	Require applications for new development, where applicable to include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures and contains statements that the project site is suitable for the proposed development and that the development will be safe from geologic hazard for its economic life <u>in a manner consistent with the County of Orange Grading and Excavation Code</u> . For Coastal Development Permits including coastal bluff areas (for public works projects, including maintenance of pedestrian walkways, drainage improvements, flood control improvements and other infrastructure and/or utilities permitted in Planning Area 8), such reports shall include a slope stability analyses and estimates of the long-term bluff stability affecting the development proposal. Reports are to be signed by an appropriately licensed professional and subject to review and approval by a qualified County and/or City staff member(s) and/or contracted employee(s).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	LUP I-8.6.7-12

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
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Drainage and Water Quality

188	PDF 4.4-1	New building design will include storm water collection systems (e.g., roof-to drainage directed into storm sewer system)	County of Orange - OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	LUP I-8.6.1-13
189	PDF 4.4-2	Parking areas will be designed to direct surface run-off away from the Harbor.	County of Orange - OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	LUP I-8.6.1-14
190	SCA 4.4-1	<p>As required for obtaining a Grading Permit, the following drainage studies shall be prepared:</p> <p>Prior to the issuance of any grading permits, the following drainage studies shall be submitted to and approved by the Manager, RDMD/Subdivision and Grading:</p> <ul style="list-style-type: none"> a) A drainage study of the project, including diversions, off-site areas that drain onto and/or through the project and justification of any diversions; and b) When applicable, a drainage study evidencing that proposed drainage patterns will not overload existing storm drains; and c) Detailed drainage studies indicating how the project grading, in conjunction with the drainage conveyance systems including applicable swales, channels, street flows, catch basins, storm drains and flood water retarding will allow building pads to be safe from inundation from rainfall runoff which may be expected from all storms up to and including the theoretical 100-year flood. 	<p>Manager, RDMD/Subdivision and Grading</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading Permits	LUP I-8.6.1-15
191	SCA 4.4-2	<p>Prior to the issuance of any Grading Permits, OC Dana Point Harbor shall:</p> <p>Prior to the issuance of any grading permits, the County of Orange – Dana Point Harbor Department shall, in a manner meeting the approval of the Manager, RDMD/Subdivision and Grading:</p> <ul style="list-style-type: none"> a) Design provisions for surface drainage; and b) Design all necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff; and c) Dedicate the associated easements to the County of Orange, if 	<p>Manager, RDMD/Subdivision and Grading</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading Permits	LUP I-8.6.1-16

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		determined necessary.			
192	SCA 4.4-3	Prior to the issuance of any Building Permits, the County of Orange – OC Dana Point Harbor Department shall participate in the applicable Master Plan of Drainage in a manner meeting the approval of the Manager, RDMD OC Public Works /Subdivision and Grading, including construction of the necessary facilities.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	
193	SCA 4.4-4	The County of Orange OC Dana Point Harbor Department shall obtain coverage under the NPDES Statewide Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit approval must be presented to the Manager, RDMD/Subdivision and Grading prior to the issuance of a Grading Permit.	Manager, RDMD/Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	LUP I-7.6.1-2
194	SCA 4.4-5	Prior to the issuance of As required for obtaining any Grading or Building Permits, the County of Orange OC Dana Point Harbor Department shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, RDMD/Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPP shall be kept at the project site and be available for County review on request.	Manager, RDMD/Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-7.6.1-3
195	SCA 4.4-6	Prior to the issuance of any Grading Permits, County of Orange – OC Dana Point Harbor Department shall submit a Runoff Management Plan (RMP) to the Manager, RDMD OC Public Works /Subdivision and Grading for review and approval.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor	Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
196	SCA 4.4-7	Prior to the issuance of any Grading or Building Permits, the County of Orange – <u>OC Dana Point Harbor Department</u> shall submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the Manager, <u>RDMD OC Public Works/Building Permit Services</u> to demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris and stockpiles of soil, aggregates, soil amendments, etc., shall be properly covered, stored and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the County will ensure that all BMP's will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for County review on request.	<u>Department</u> Manager, <u>RDMD OC Public Works/</u> Subdivision and Grading County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	
197	SCA 4.4-8	Prior to the issuance of any As required for obtaining any Grading or Building Permit (whichever comes first) and Coastal Development Permit, the County of Orange OC Dana Point Harbor Department shall submit for review and approval by the Manager, RDMD/Inspection Services Division, prepare a Water Quality Management Plan (WQMP) and/or a project-specific amendment specifically identifying Best Management Practices (BMPs) that will be used on-site to minimize the volume, velocity and pollutant load of runoff, including measures to prevent, eliminate and/or otherwise effectively address dry weather nuisance flow. control predictable pollutant runoff. The WQMP shall follow the model WQMP as outlined in Exhibit 7.1-1 of the 2003 Drainage Area Master Plan, prepared by the County of Orange Flood Control District July 1 2003 or the most recent version available. This WQMP or amendment thereto shall also demonstrate conformance with the policies and provisions governing Water Quality and Hydrology identified in Chapter 2 of the Dana Point Harbor Revitalization Plan, Resource Protection section, including applicable provisions from the Project Design Features and Requirements section. shall identify, at a minimum, the routine structural and non-structural measures specified in the current Drainage Area Management Plan (DAMP). The WQMP may include one or more of the following: <ul style="list-style-type: none">▪ Discuss regional water quality and/or watershed programs (if available for the Project);	Manager, RDMD/Subdivision and Grading County of Orange – <u>OC Dana Point Harbor Department</u>	Coastal Development and Building Permits	LUP I-7.6.1-5

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<ul style="list-style-type: none"> Address Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas and conserving natural areas; Include the applicable Routine Source Control BMPs <u>and where necessary, Treatment Control BMPs</u> as defined in the DAMP; <u>and</u> Demonstrate how surface runoff and subsurface drainage shall be managed and directed to the nearest acceptable drainage facility (as applicable), via sump pumps if necessary. 			
198	SCA 4.4-9	<p>Prior to the issuance of <u>As required for obtaining</u> any Grading or Building Permit (whichever comes first) and Coastal Development Permit, the County of Orange OC Dana Point Harbor Department shall include in the WQMP the following additional Priority Project information in a manner meeting the approval of the Manager, Inspection Services Division:</p> <ul style="list-style-type: none"> Include post-construction Structural Treatment Control BMP(s) as defined in the DAMP; Include a conceptual Operation and Maintenance (O&M) Plan that: (1) describes the long-term operation and maintenance requirements for the post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the proposed mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s). 	<p>Manager, RDMD/Inspection Services</p> <p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	Coastal Development, Grading and Building Permits	LUP I-7.6.1-6
199	SCA 4.4-10	<p>Prior to the issuance of <u>As required for obtaining</u> Certificates of Use and Occupancy, the County of Orange OC Dana Point Harbor Department shall demonstrate confirm compliance with the WQMP in a manner meeting the satisfaction of the Manager, RDMD/Inspection Services, including:</p> <ul style="list-style-type: none"> Demonstrate that all structural Best Management Practices (BMPs) described in the Project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications; Demonstrate that the County of Orange Dana Point Harbor Department has complied with all non-structural BMPs described in the Project's WQMP; Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and 	<p>Manager, RDMD/Inspection Services</p> <p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	Certificates of Use and Occupancy	LUP I-7.6.1-7

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<ul style="list-style-type: none"> Demonstrate that copies of the Project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants. 			
200	SCA 4.4-11	Prior to the approval of a Grading Permit, the County of Orange – OC Dana Point Harbor Department shall submit an Elevation Certificate to the Manager, RDMD OC Public Works /Current Planning Services identifying the base flood elevation and certifying that the planned elevation of the lowest floor, including basements is at least one (1) foot above the Base Flood Elevation (BFE). To eliminate FEMA requirements for flood insurance, the lowest elevation of any part of the structure, not only the lowest floor must be above the BFE.	Manager, RDMD OC Public Works /Current Planning Services County of Orange – OC Dana Point Harbor Department	Grading Permits	
201	SCA 4.4-12	Prior to the issuance of Certificates of Use and Occupancy for any building, the County of Orange – OC Dana Point Harbor Department shall complete Section "E" of the Elevation Certificate, identifying the Base Flood Elevation (BFE) and certifying the as-built lowest floor, including basements, as constructed, is at least one (1) foot above the BFE, in a manner meeting the approval of the Manager, RDMD OC Public Works /Building Inspection. To eliminate FEMA requirements for flood insurance, the lowest elevation of any part of the structure, not only the lowest floor must be above the BFE.	Manager, RDMD OC Public Works /Building Inspection County of Orange – OC Dana Point Harbor Department	Certificates of Use and Occupancy	
202	SCA 4.4-13	Prior to the issuance of any Grading Permits, County of Orange – OC Dana Point Harbor Department shall delineate on the Grading Plan the floodplain which affects the property, in a manner meeting the approval of the Manager, RDMD OC Public Works /Subdivision and Grading.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	
203	MM 4.4-1	During the design phase, the Project OC Dana Point Harbor shall assess the potential impacts of inundation from a tsunami on the existing and proposed building structures along the seawall and submit the assessment to the County of Orange RDMD, for verification.	Manager, RDMD/Current Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-8.6.2-9

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
204	MM 4.4-2	During the design phase, the Project OC Dana Point Harbor shall prepare an assessment of the potential of wave run-up from a seiche or tsunami near the Harbor during a major seismic event, and submit the assessment to the County of Orange RDMD, for verification including but not limited to an event on the Newport-Inglewood Fault and/or San Jacinto Mountains Faults prior to submittal of the first Coastal Development Permit for development of the Commercial Core.	Manager, RDMD/Current Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-8.6.3-6
205	MM 4.4-3	During the design phase, the project shall study the potential impacts of flooding of San Juan Creek on the existing or proposed structures along the seawall and submit the study to the County of Orange RDMD <u>Manager, OC Public Works/Subdivision and Grading</u> for verification.	Manager, RDMD/Current Planning <u>OC Public Works/Subdivision and Grading</u> County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
206	MM 4.4-5 ²	Should any structures be developed by the County of Orange on the South Coast Water District Lot as part of the project, the County of Orange shall, during the design phase assess the potential impacts of inundation from a sieche, tsunami and flooding on the SCWD Lot.	County of Orange – OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	
207	LUP Policy I-4.4.1-4	To aid and enhance water quality improvements a materials and recycling disposal station will be installed to facilitate boater drop-off of materials such as oil absorbing bilge pads.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
208	LUP Policy I-7.2.1-11	The non-motorized craft launching area and picnic and park area within Baby Beach shall remain, but the configuration may be modified to accommodate mitigation for water quality-related improvements.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
209	LUP Policy I-7.2.1-16	OC Dana Point Harbor shall require that standard BMP's be utilized in order to ensure impacts to water quality or the marine environment are minimized and include: <ul style="list-style-type: none">▪ Erosion to be controlled by landscaping (leave existing vegetation in place where possible), paving and drainage structures;	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

² Sequence numbering note: MM 4.4-4 refers to MM's 4.4-1 through 4.4-3

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<ul style="list-style-type: none"> ▪ Perimeter barriers, such as berms or sand bags around all construction sites to catch run-off; ▪ Tracking controls, such as rumble strips and gravel strips will be used to minimize dirt being tracked into and out of the project site; ▪ Harbor basin inlets shall be protected by placing sediment barriers, such as a wire mesh and gravel filter to intercept debris and soil runoff; and ▪ Appropriate housekeeping activities to minimize the potential for pollutants from material storage or construction activities. 			
210	LUP Policy I-7.3.1-2	Promote pollution prevention and elimination methods that minimize the introduction of pollutants into coastal waters and the generation of polluted runoff and nuisance flows.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
211	LUP Policy I-7.3.1-3	Development shall not result in the degradation of the water quality of coastal surface waters including the ocean, coastal streams or wetlands and of groundwater basins. To the maximum extent feasible, ensure that pollution from urban runoff not be discharged or deposited such that it adversely impacts groundwater, the ocean, coastal streams or wetlands.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
212	LUP Policy I-7.3.1-4	Development shall be designed to minimize to the maximum extent feasible, the introduction of pollutants that may result in significant impacts to surface waters, groundwater or coastal waters. In order to meet these requirements, applicants shall prepare a post-development phase drainage and pollutant runoff control plan that incorporates a Best Management Practice (BMP) or the combination of BMP's best suited to reduce pollutant loading to the maximum extent feasible. BMP's may include site design, source control and treatment control BMP's.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
213	LUP Policy I-7.3.1-5	Promote infiltration of runoff, including storm water and nuisance flow runoff to protect the natural hydrologic cycle. Incorporate site drainage and landscape designs that minimize increases in peak runoff by promoting infiltration, filtration and attenuation over landscaped areas or through permeable surfaces. Where possible, include infiltration BMP's (e.g., permeable pavements, dry wells, etc.) and apply techniques consistently over drainage areas. Where infiltration of runoff would exacerbate geologic hazards, include equivalent BMP's that do not require infiltration.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
214	LUP Policy I-7.3.1-6	New development shall minimize where feasible the development footprint and directly connected impervious surfaces as well as the creation of and	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		increases in impervious surfaces.	City of Dana Point	Permits	
215	LUP Policy I-7.3.1-7	New development shall protect the absorption, purification and retention functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed areas of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored, where feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
216	LUP Policy I-7.3.1-8	New development shall be sited and designed on the most suitable portion of the site while ensuring protection and preservation of natural and sensitive site resources by providing for the following: <ul style="list-style-type: none"> • Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss; • Analyzing the natural resources and hazardous constraints of Planning Areas and individual development sites to determine locations most suitable for development; • Promoting clustering of development on the most suitable portions of a site taking into account geologic constraints, sensitive resources and natural drainage features; • Preserving and protecting riparian corridors, wetlands and buffer zones; • Minimizing disturbance of natural areas, including significant trees, native vegetation and root structures; • Using natural drainage as a design element, maximizing the preservation of natural contours and native vegetation; and • Limiting land disturbance activities such as clearing and grading, limiting cut-and-fill to reduce erosion and sediment loss and avoiding steep slopes, unstable areas and erosive soils. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
217	LUP Policy I-7.3.1-9	Management practices that enhance infiltration and help maintain the natural hydrologic cycle will be preferred except where site conditions make the use of enhanced infiltration unsafe. In these instances other management practices that provide similar water quality protection shall be used.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
218	LUP Policy I-7.3.1-10	Commercial development shall incorporate BMP's designed to minimize or avoid the runoff of pollutants from structures, landscaping, parking and	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		loading areas.	City of Dana Point	Permits	
219	LUP Policy I-7.3.1-11	Gasoline and marine repair facilities shall incorporate BMP's designed to minimize runoff of oil and grease, solvents, car battery acid, coolant, gasoline and other pollutants to storm water system.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
220	LUP Policy I-7.3.1-12	Storm drain stenciling and signage shall be provided for new storm drain construction in order to discourage dumping into drains.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
221	LUP Policy I-7.3.1-13	Permits for new development shall be conditioned to require on-going maintenance where maintenance is necessary for effective operation of required BMP's.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
222	LUP Policy I-7.3.1-14	New development shall include construction phase erosion control and polluted runoff control plans. For example, such plans may include controls on timing of grading, BMP's for storage and disposal of construction materials or design specifications of sedimentation basins.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
223	LUP Policy I-7.3.1-15	New development that requires a grading/erosion control plan shall include landscaping and revegetation of graded or disturbed areas.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
224	LUP Policy I-7.3.1-16	The use of efficient irrigation practices and native or non-invasive and drought-tolerant plants to minimize the need for fertilizer, pesticides, herbicides and excessive irrigation practices shall be required for all areas. The use of rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) is prohibited.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
225	LUP Policy I-7.3.1-17	All structural BMPs shall be inspected on an annual basis and cleaned and/or repaired as necessary, ensuring proper function in accordance with the Model Maintenance Procedures of the County's Local Implementation Plan (LIP).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
226	LUP Policy I-7.3.1-18	The use of water conservation irrigation systems and practices, such as weather based or sensor controlled shall be required throughout the Harbor.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
227	LUP Policy I-7.3.2-1	<p>Boat maintenance and operation practices to be encouraged by OC Dana Point Harbor include:</p> <ul style="list-style-type: none"> a) Continue to provide restrooms with showers and laundry facilities in close proximity to the marinas thereby reducing the need for boaters to utilize on-board facilities; b) Limit the number of live-aboard permits in the Harbor to not exceed more than ten percent (10%) of the total vessels on any one dock and no more than three percent (3%) of the total allowed in the Harbor overall; c) Require live-aboard permittees to have their vessel thoroughly inspected by the U.S. Coast Guard Auxiliary on an annual <u>a periodic</u> basis to ensure the vessel has proper safety equipment aboard, waste holding tanks are in good operating condition with locking overboard diversion valves secured in the closed (inboard) position; d) Continue enforcement prohibiting all waste disposal discharges in the Harbor; e) Continue to provide pump-out stations to facilitate proper disposal of waste from vessels <u>serve individual boat slips to the maximum extent feasible and an adequate number of conveniently located dump stations to serve small boats, shall be incorporated into any new marina. The location and amount of all disposal facilities shall be determined based on site-specific data related to vessel size and record of use, among other things;</u> f) Ensure an adequate supply of primary clean-up and containment materials including oil absorbent pads and oil absorbent booms are conveniently located and easily accessible in the event of a spill; g) Continue to prohibit the rebuilding of vessels, hull painting and other major repairs while a boat is moored in the Harbor; h) Continue enforcement of regulations restricting maintenance practices that involves sanding, painting and use of chemicals on a boat moored in the Harbor; i) Continue to prohibit the dumping of fish waste into Harbor waters; j) Continue to prohibit the cleaning of fish on Harbor docks; k) Continue to require passing vessel entry inspections (USCGA Vessel Safety Inspection) for all new slip tenants to ensure all vessels appear to be sound and functional and are in compliance with Dana Point Harbor environmental and safety regulations 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP30 IP II-11-11.5p)

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>(passing said inspection does not necessarily deem the vessel adequate for open ocean transit. Such determination remains the sole responsibility of the vessel operator); and</p> <p>l) Continue to require the use of only biodegradable soaps, cleaners and teak cleaners approved for ocean waters.</p>			
228	LUP Policy I-7.3.2-2	Encourage the use of less polluting, cleaner running engines in all motorized watercraft (e.g., jet skis, motor boats, etc.).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
229	LUP Policy I-7.3.2-3	<p>The preferred material for pilings used for construction of piers, docks or slips is concrete or steel coated with a non-toxic material. Pilings treated with Ammoniacal Copper Arsenate (ACA), Ammoniacal Zinc Arsenate (ACZA) or Chromated Copper Arsenate (CCA) wrapped or coated prior to installation with a water tight plastic sleeve or similar sealant can also be used, but are not preferred over concrete piles or steel piles coated with a non-toxic material. Timber piles preserved with creosote (or similar petroleum-derived products) are not allowed. To prevent the introduction of toxins and debris into the marine environment, the use of plastic wrapped pilings (e.g., PVC Pilewrap) and reinforced plastic for pilings (e.g., high density polyethylene (HDPE) pile armor) shall conform to the following requirements:</p> <p>a) The material used shall be durable and a minimum of one-tenth of an inch thick;</p> <p>b) All joints shall be sealed to prevent leakage;</p> <p>c) Measures shall be taken to prevent ACA, CCA and/or ACZA from dripping over the top of plastic wrapping into Harbor waters. These measures may include wrapping pilings to the top or installing collars to prevent dripping;</p> <p>d) The plastic sleeves shall extend a minimum of eighteen (18) inches below the mud line;</p> <p>e) Plastics used to protect concrete or timber piers and docks or for flotation shall be subject to regular inspection to prevent sloughing of plastics into the waterway. A comprehensive inspection and maintenance plan shall be a requirement of any approval for projects involving plastic or similar material wrapped piles;</p> <p>f) The marina operator shall be made responsible for removal and</p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		disposal of failed docks or materials; and g) If federal or state regulatory agencies, through new or better scientific information, determine that less environmentally damaging materials or methods are available for new piles or piling replacement, the least environmentally damaging materials and/or methods should be required for such projects, as feasible.			
230	LUP Policy I-7.5.2-5	All routine maintenance dredging operations shall be conducted in accordance with Regional Water Quality Control Board (RWQCB) requirements to ensure that dredging does not result in increases in water turbidity or that dissolved oxygen in the receiving waters is being depressed below established standards.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
231	LUP Policy I-7.5.2-6	Dredging activities shall comply with the following construction-related practices: a) No construction materials, debris, waste, oil or liquid chemicals shall be placed or stored where it may be subject to wave erosion and dispersion, storm water or where it may contribute to or come in contact with nuisance flows; b) Temporary impacts due to turbidity and sediment color differences during sediment placement activities will occur. However, if turbid conditions exceed allowable jurisdictional thresholds during the dredging or beach replenishment operations, a BMP such as a silt curtain shall be utilized to minimize and control turbidity to the maximum extent practicable; c) The discharge of any hazardous materials into the Harbor or any receiving waters shall be prohibited; and d) Floating booms used to contain debris discharged into coastal waters. Any debris discharged will be removed as soon as possible, but no later than the end of each working day.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
232	LUP Policy I-7.6.1-1	Coordinate with the appropriate Regional Water Quality Control Board, the County of Orange and other agencies and organizations in the implementation of the National Pollution Discharge Elimination System Permits (NPDES) regulations to minimize adverse impacts on the quality of coastal waters. (Coastal Act Section 30231)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
233	LUP Policy I-7.6.1-4	As required for obtaining any Grading or Building Permit, OC Dana Point Harbor shall prepare an Erosion and Sediment Control Plan (ESCP) to	County of Orange – OC Dana Point Harbor	Coastal Development,	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		demonstrate compliance with local and state water quality regulations for grading and construction activities. The ESCP shall identify how all construction materials, wastes, grading or demolition debris and stockpiles of soil, aggregates, soil amendment, etc. shall be properly covered, stored and secured to prevent transport into local drainages or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP shall also describe how the applicant will ensure that all Best Management Practices (BMP's) will be maintained during construction of any future public right-of-ways. A copy of the current ESCP shall be kept at the project site and be available for review on request.	City of Dana Point	Grading and Building Permits	
234	LUP Policy I-8.6.1-2	Retain, protect and enhance local drainage courses, channels and creeks in their natural condition, where feasible and desirable, in order to maximize their natural hydrologic functioning so as to minimize adverse impacts from storm water run-off. (Coastal Act Section 30231)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
235	LUP Policy I-8.6.1-3	Control erosion during and following construction through proper grading techniques, vegetation replanting and the installation of proper drainage and erosion control improvements. (Coastal Act Section 30243)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
236	LUP Policy I-8.6.1-4	Require the practice of proper soil management techniques to reduce erosion, sedimentation and other soil-related problems. (Coastal Act Section 30243)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
237	LUP Policy I-8.6.1-5	Lessen beach erosion by minimizing any human-caused activities which would reduce the replenishment of sand to the beaches. (Coastal Act Section 30235)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
238	LUP Policy I-8.6.1-6	Whenever feasible, the material removed from erosion control and flood control facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of the Local Coastal Program and where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a Coastal Development Permit for such purposes are the characteristics of the material (grain size and color), potential contamination), method of placement, time of year of placement and	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		sensitivity of the placement area. (Coastal Act Sections 30233, 30607.7)			
239	LUP Policy I-8.6.1-8	Maintain existing jetties and modify as necessary to eliminate or mitigate adverse effects on shoreline processes.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	
240	LUP Policy I-8.6.1-9	Design and site protective devices to minimize impacts to coastal resources, minimize alteration of natural shoreline processes, provide for coastal access, minimize visual impacts, adapt to sea level rise and eliminate or mitigate adverse impacts on local shoreline sand supply.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
241	LUP Policy I-8.6.2-1	Periodically review tsunami preparation and response policies/practices to reflect current development conditions and available tools and information for preparedness and response.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
242	LUP Policy I-8.6.2-2	Periodically review inundation maps and design standards, update identification of susceptible areas, evacuation routes and building codes as new information on tsunami and design standards becomes available.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
243	LUP Policy I-8.6.2-3	Participate in any regional effort to develop and implement workable response plans that the County and City emergency services personnel can incorporate into evacuation plans in the case of tsunami warnings.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
244	LUP Policy I-8.6.2-4	Review local and distant tsunami inundation maps for Dana Point and adjacent coastal communities to identify susceptible areas and plan evacuation routes.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
245	LUP Policy I-8.6.2-5	Include tsunami evacuation route information as part of any overall evacuation route sign program implemented in the City. Evacuation routes out of the Harbor should be clearly posted. An evacuation route traffic monitoring system that provides real-time information on the traffic flow at critical roadways should be considered.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
246	LUP Policy I-8.6.2-6	Continue projects that maintain beach width. Wide beaches provide critical protection against tsunami run-up for structures along the oceanfront.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
247	LUP Policy I-8.6.2-7	Develop and implement a tsunami educational program for residents, visitors, and people who work in the susceptible areas.	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			City of Dana Point	Permits	
248	LUP Policy I-8.6.2-8	Require overnight visitor-serving facilities in susceptible areas to provide tsunami information and evacuation plans.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
249	LUP Policy I-8.6.2-10	Regulate the construction of non-recreational uses on coastal stretches with high predicted storm wave run-up to minimize risk of life and property damage. Take projected sea-level rise into account when evaluating storm wave run-up. (Coastal Act Section 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
250	LUP Policy I-8.6.3-1	Prepare and periodically update (every 5 years) a Shoreline Management Plan for Dana Point Harbor to assess seasonal and long-term shoreline changes and the potential for flooding or damage from erosion, sea-level rise, waves, storm surge or seiches and provide recommendations for protection of existing and proposed development, public improvements, coastal access, public opportunities for coastal recreation and coastal resources. <u>The Shoreline Management Plan shall also evaluate evacuation routes (including Marine Commercial Planning Area 4 in the event of incapacitation of the Island Bridge) and Plan must also evaluate the feasibility of hazard avoidance, planned retreat, retrofitting existing or proposing new protection devices and restoration of the sand supply and beach nourishment in appropriate areas of the Harbor, if needed as required.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits, ongoing reporting	IP II-3-SP11
251	LUP Policies I-8.6.3-2 I-8.6.5-1	Siting and design of new shoreline development anywhere in Dana Point Harbor and the siting and design of new or replacement shoreline protective devices shall take into account anticipated future changes in sea level.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
252	LUP Policy I-8.6.3-3	New or modified shoreline or ocean protective devices such as revetments, breakwaters, groins, Harbor channels, seawalls, cliff retaining walls and other such construction that alters shoreline processes shall be designed to minimize impacts to coastal resources, minimize alteration of natural shoreline processes, provide for coastal access and minimize visual impacts.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
253	LUP Policy I-8.6.3-4	Require all Coastal Development Permit applications for new development on a beach or other waterfront area or on a coastal bluff property with the potential to be subject to wave action to assess the potential for flooding or	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		damage from sea level rise, waves, storm surge or seiches, through a wave uprush and impact reports prepared by a licensed civil engineer with expertise in coastal processes. The conditions that shall be considered in a wave uprush study are: a seasonally eroded beach combined with long-term (75 years) erosion; high tide conditions, combined with long-term (75 year) projections for sea level rise; storm waves from a 100 year event or a storm that compares to the 1982/83 El Niño event.	City of Dana Point	Permits	
254	LUP Policy I-8.6.3-5	Encourage the use of non-structural methods, such as dune restoration and beach nourishment as alternatives to static shoreline protective structures.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
255	LUP Policy I-8.6.5-2	Due to the uncertainties about future sea level rise, a range of likely and extreme rises in sea level shall be used in the planning phase to assess project sensitivity to future water levels, identify possible consequences to the development and the surrounding area if the anticipated sea level is exceeded and determine the minimum acceptable amount of future sea level rise that can be used for design purposes.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
256	LUP Policy I-8.6.5-3	OC Dana Point Harbor shall study the potential impacts of sea level rise and flooding of San Juan Creek on the existing or proposed structures along the seawall.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
257	LUP Policy I-8.6.6-1	Pursuant to the City of Dana Point Local Implementation Plan, all private and public works construction projects are required at a minimum to implement and be protected by an effective combination of erosion and sediment controls and water and materials Best Management Practices.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
258	LUP Policy I-8.6.6-2	Protect irreplaceable beaches and coastal bluffs from development and natural erosional processes to provide for the replenishment of beach sands when feasible and to strive to increase public access to the Harbor, beaches and the coastline.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
259	LUP Policy I-8.6.6-3	Encourage retention of natural vegetation and require re-vegetation of graded areas.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
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Traffic and Parking

260	PDF 4.5-1	The construction phasing plan for the Commercial Core includes early construction of the parking deck and ramp, augmenting parking for Harbor visitors and boaters.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits	
261	PDF 4.5-2	A seasonal water taxi service may be incorporated throughout the Harbor to reduce average daily trips (ADTs) during peak Harbor usage periods.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits	LUP I-6.2.3-11
262	PDF 4.5-3	Dana Point Harbor Drive at the west end of the Harbor in front of Youth & Group Facility OC Sailing and Event Center may be realigned in the future providing improved road circulation.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits for street improvements	
263	PDF 4.5-4	Dedicated boater drop-off areas and parking are provided in the Commercial Core.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits	LUP I-6.2.5-11
264	PDF 4.5-6	Existing surface parking may be re-striped to improve efficiencies in parking stall configuration.	County of Orange – OC Dana Point Harbor Department	Coastal Development and Building Permits	
265	PDF 4.5-7	The Dana Point Harbor Revitalization Signage Plan includes recommendations on signage throughout the Harbor to reduce pedestrian/vehicle conflicts (i.e., no crossing signs)	County of Orange – OC Dana Point Harbor Department	Master Sign Program, Coastal Development Permits	
266	SCA 4.5-1	Prior to the approval of any Coastal Development Permit or Grading Permit for Revitalization Plan Improvements, the County of Orange OC Dana Point Harbor Department shall prepare a construction-phase Parking Management Plan (PMP) that ensures public access to the Selva Lot will be retained to the extent it can be safely provided and to reduce construction congestion/conflicts.	County of Orange – OC Dana Point Harbor Department	Coastal Development and Grading Permits	LUP I-6.2.5-13
267	SCA 4.5-2 MM 4.5-1	The County of Orange OC Dana Point Harbor Department shall prepare and process an Encroachment Permits for any project work (e.g., street widening, emergency access improvements, storm drain construction, street	County of Orange – OC Dana Point Harbor Department	Coastal Development and Grading Permits (for	LUP I-8.7.1-14 IP II-3-SP36

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		connections, etc.) occurring in any City of Dana Point rights-of-way <u>located within the Harbor boundary</u> .	City of Dana Point	infrastructure construction)	
268	SCA 4.5-3	Prior to the issuance of any Grading Permits, the County shall provide adequate sight distance per Standard Plan 1117 at all street intersections in a manner meeting the approval of the Manager, <u>RDMD OC Public Works/Subdivision and Grading</u> . The County shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the Manager, <u>RDMD OC Public Works/Subdivision and Grading-Services</u> .	Manager, <u>RDMD OC Public Works/Subdivision and Grading</u> County of Orange – <u>OC Dana Point Harbor Department</u>	Coastal Development and Grading Permits	
269	SCA 4.5-4	The County shall install all underground traffic signal conduits (e.g., signals, phones, power, loop detectors, etc.) and other appurtenances (e.g., pull boxes, etc.) needed for future traffic signal construction and for future interconnection with adjacent intersections, all in accordance with plans and specifications meeting the approval of the Manager, <u>RDMD OC Public Works/Subdivision and Grading</u> .	Manager, <u>RDMD OC Public Works/Subdivision and Grading</u> County of Orange – <u>OC Dana Point Harbor Department</u>	Grading Permits	LUP I-8.7.1-15
270	MM 4.5-2	The County of Orange OC Dana Point Harbor Department shall provide a construction sign program to direct Harbor visitors and boaters to available parking.	County of Orange – <u>OC Dana Point Harbor Department</u>	Coastal Development, Grading and Building Permits	LUP I-8.5.3-9
271	MM 4.5-3	The County of Orange – <u>OC Dana Point Harbor Department</u> shall prepare a Construction Management Plan that includes the locations for shuttle drop-off areas, the relocations 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 Management Plan shall also establish access locations for construction equipment, separate from those used by the general public.	County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	
272	MM 4.5-4	Del Obispo Street/Pacific Coast Highway – Prior to issuance of the first building permit in planning Areas 3 through 12 (subsequent to development of the Commercial Core), the County of Orange – <u>OC Dana Point Harbor Department</u> shall enter into an agreement to conduct a study to and potentially fund (on a fair share basis) the re-striping of the eastbound	County of Orange – <u>OC Dana Point Harbor Department</u>	First Building Permit (associated with the Revitalization Plan) in Planning Areas 3 through 12	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		Pacific Coast Highway approach from one left-turn lane, two through lanes and one de-facto right-turn lane to consist of one left-turn lane, two through lanes and one shared through/right-turn lane; to widen the westbound Pacific Coast Highway approach from two left-turn lanes, one through lane and one shared through/right-turn lane to consist of two left-turn lanes, two through lanes and one shared through/right-turn lane.			
273	MM 4.5-5	Doheny Park Plaza/Pacific Coast Highway - Prior to issuance of the first Building Permit in Planning Areas 3 through 12 (subsequent to development of the Commercial Core), the County of Orange – <u>OC Dana Point Harbor Department</u> shall enter into an agreement to conduct a study to and potentially fund (on a fair share basis) the widening of the eastbound Pacific Coast Highway approach from one left-turn lane and two through lanes to consist of one left-turn lane and three through lanes; and to widen the westbound Pacific Coast Highway approach from one left-turn lane, one through lane and one shared through/right- turn lane to consist of one left-turn lane, two through lanes and one shared through/right-turn lane.	County of Orange – <u>OC Dana Point Harbor Department</u>	First Building Permit (associated with the Revitalization Plan) in Planning Areas 3 through 12	
274	MM 4.5-6	Puerto Place/Dana Point Harbor Drive – Six months following completion of the Commercial Core improvements (Planning Areas 1 and 2), the County of Orange – <u>OC Dana Point Harbor Department</u> will initiate a traffic intersection study to determine if a traffic signal and/or other capacity improvements are needed at the intersection of Puerto Place and Dana Point Harbor Drive. If a traffic signal or capacity improvements are warranted, the County of Orange will be responsible for installing the signal or capacity improvements in a manner meeting the approval of the Manager, <u>RDMD OC Public Works</u> /Subdivision and Grading in consultation with the City of Dana Point Public Works Director.	County of Orange – <u>OC Dana Point Harbor Department</u> <u>City of Dana Point Public Works Director.</u>	Six months following the completion of the Commercial Core improvements	
275	MM 4.5-7	The County of Orange <u>OC Dana Point Harbor Department</u> shall prepare a Traffic Management Plan (TMP) to include a provision for use of off-site locations for parking for peak Harbor use periods <u>as necessary</u> .	Manager, <u>RDMD OC Public Works</u> /Road Division County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	LUP I-6.2.5-14

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
276	MM 4.5-10 ³	Street of the Golden Lantern/Dana Point Harbor Drive - During a typical summer weekday/weekend (at least 12 months following completion of the Commercial Core improvements [Planning Areas 1 and 2]), the County of Orange – OC Dana Point Harbor Department will initiate a traffic intersection study to determine if capacity improvements are needed at the intersection of Street of the Golden Lantern and Dana Point Harbor Drive. The study shall investigate whether adequate queuing storage lengths are provided (i.e., ensure that vehicles entering into a left turn movement do not spill out onto the through traffic lanes). If capacity improvements are warranted, the County of Orange – OC Dana Point Harbor Department will be responsible for implementing the improvements in a manner meeting the approval of the Manager, RDMD <u>OC Public Works</u> /Road Division in consultation with the City of Dana Point Public Works Director.	Manager, RDMD <u>OC Public Works</u> /Road Division County of Orange – <u>OC</u> Dana Point Harbor Department <u>City of Dana Point Public Works Director</u>	12 months following the completion of the Commercial Core improvements	
277	MM 4.5-12 ⁴	Upon final design of the Commercial Core improvements, the County of Orange – OC Dana Point Harbor Department shall prepare a queuing analysis for the parking deck located at Street of the Golden Lantern and Dana Point Harbor Drive. The queuing analysis shall be based on the Crommelin Methodology and analyze all ingress/egress points to recommend the appropriate number of inbound/outbound lanes, lane storage requirements and access controls.	County of Orange – <u>OC</u> Dana Point Harbor Department	Last Certificate of Use and Occupancy for Commercial Core area improvements (Planning Areas 1 and 2)	
278	LUP Policy I-6.2.1-1	Promote Harbor improvements that are designed in a manner that: (1) facilitates provision or extension of transit service; (2) provides on-site commercial and recreational facilities to discourage mid-day travel; and (3) provides non-automobile circulation to and within the Harbor. (Coastal Act Section 30213 & 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
279	LUP Policy I-6.2.1-2	The City of Dana Point and OC Dana Point Harbor shall cooperate to the maximum extent feasible to provide a convenient shuttle service to link Dana Point Harbor with the Town Center and reduce energy consumption and vehicle miles traveled wherever feasible. (Coastal Act 30252, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
280	LUP Policy I-6.2.1-4	Prior to Coastal Development Permit approval for development within the Commercial Core, plans shall be prepared indicating the use of Transportation Demand Management Plan (TMP) measures such as	County of Orange – OC Dana Point Harbor	Coastal Development Permits	

³ Sequence numbering note: MM 4.5-8 refers to MM's 4.5-1 through MM 4.5-3; MM 4.5-9 refers to MM 4.5-6.

⁴ Sequence numbering note: MM 4.5-11 refers to MM 4.5-7

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		preferential parking for vanpooling/carpooling, employee subsidy for transit passes or vanpooling/carpooling, flextime work schedules, etc. A TMP shall be required for implementation as part of the Coastal Development Permit process.	City of Dana Point		
281	LUP Policy I-6.2.1-5	Bike racks shall be incorporated into the design of the Harbor wherever feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
282	LUP Policy I-6.2.3-1	Transit service and pedestrian/bicycle trails shall be maintained and enhanced wherever possible in order to reduce the demand for parking.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
283	LUP Policy I-6.2.3-2	Require the implementation of employer Transportation Demand Management (TDM) requirements included in the Southern California Air Quality Management District’s Regulation XV of the Air Quality Management Plan. Participate in regional efforts to implement (TDM) requirements.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
284	LUP Policy I-6.2.3-3	Promote ridesharing and public transportation through publicity and provision of information to the public.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
285	LUP Policy I-6.2.3-4	Ensure accessibility of public transportation for elderly and disabled persons.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
286	LUP Policy I-6.2.3-5	Require employers to reduce vehicular trips by offering employee incentives.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
287	LUP Policy I-6.2.3-6	Provide for a non-vehicular circulation system that encourages mass-transit, bicycle transportation, pedestrian circulation. (Coastal Act Section 30252, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
288	LUP Policy I-6.2.3-7	Encourage the provision of safe, attractive and clearly identifiable transit stops and related high quality pedestrian facilities throughout the Harbor. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
289	LUP Policy I-6.2.3-8	Work with the Orange County Transit Authority (OCTA) and other appropriate agencies to provide express transportation to regional airports.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
290	LUP Policy I-6.2.3-9 I-6.2.3-10	<p><u>Coastal Development Permits for Day Use Commercial and Visitor Serving Commercial development (Planning Areas 2 and 3) shall incorporate measures to reduce To promote energy conservation- consumption and vehicle trips in order to decrease exhaust emissions generated by Harbor users and visitors over time. These measures shall include coordination mass-transit services located throughout the Harbor; the planning and constructing of new pedestrian walkways, bikeways and bus stops that encourage alternative forms of transportation; and providing shuttle and/or seasonal water taxi services during peak Harbor usage periods.</u></p> <p><u>Where feasible, Coastal Development Permits shall incorporate the following types of specific measures:</u></p> <p><u>a) Educational and Information – Provide computer information on available transportation alternatives, route schedules and maps; provide public transit use and ridesharing incentives for employees and advertise the availability of these employee incentives through promotional material placed in one or more convenient locations in the Marine Services Commercial, Day Use Commercial and Visitor Serving Commercial Planning Areas and/or distributed along with employee paychecks. Additionally, information shall be made available on a periodic basis to boaters and Harbor user groups to promote ride sharing and public transportation usage.</u></p> <p><u>b) Bicycle Transportation – Encourage bicycle commuting and recreational activities through the provision of amenities that address unique aspects of bicycle usage, including maintaining existing bicycle paths and providing access to showers and changing rooms where feasible and the provision of safe and secure bicycle racks throughout the Harbor.</u></p> <p><u>c) Shuttle & Seasonal Water Taxi Services – Reduce traffic congestion and parking demand within the Harbor and enhance connectivity between other areas of high public use such as Dana Point’s Town Center area, Doheny State Beach, local hotels and other beach amenities by as part of new development, OC Dana Point Harbor in</u></p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP13

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>cooperating with other local agencies to provide shuttle services (i.e., the County and adjacent cities will determine the feasibility of the Tri-City Trolley, Harbor parking and special events shuttle service and a seasonal water taxi) when anticipated rider-ship suggests demand for such services are appropriate. Where shuttle service implementation and/or expansion is determined to be necessary to offset the impacts of new development to participate in the provision of such service. The implementation of a shuttle service from on-site and/or off-site Harbor parking areas shall be offered to the public free of charge for any temporary event requiring a Coastal Development Permit that identifies shuttle service as a requirement. being operational prior to or concurrent with build-out and occupancy of the Commercial Core. Funding mechanisms and the option to serve Dana Point Town Centre as an activity center will be evaluated.</p>			
291	LUP Policy I-6.2.4-8	Consider the provision of unique non-motorized circulation methods for special events.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
292	LUP Policy I-6.2.5-1	All parking facilities shall be designed to include safe and secure parking for bicycles.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
293	LUP Policy I-6.2.5-2	Provide opportunities for and encourage the shared use of parking facilities to improve public access to the coast where feasible and where such shared use does not substantially and adversely impact the primary use for which the parking was intended. (Coastal Act Sections 30212.5 & 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
294	LUP Policy I-6.2.5-3	Adequate parking will be provided in close proximity to the use the parking is intended to support.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
295	LUP Policy I-6.2.5-4	Maintain public access to the coast by providing better transit and parking opportunities. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
296	LUP Policy I-6.2.5-5	Provide sufficient off-street parking. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
297	LUP Policy I-6.2.5-6	Designated boater parking areas shall be located as close as possible to the land/dock connection point of the docks they serve. Typically, the boater parking spaces should be within 300-feet of the land/dock connection point of the docks they serve, but where adherence to this standard is infeasible, the parking spaces shall be within a maximum of 600-feet of the land/dock connection point of the docks they serve. Mitigation measures should be provided to assist boaters with transport of passengers, equipment and provisions from parked vehicles to the land/dock connection point of the docks they serve in cases where the distance between parking spaces and the docks exceeds 300-feet and/or where there are other factors present which make such transport difficult.	City of Dana Point County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
298	LUP Policy I-6.2.5-7	As part of any application for a Coastal Development Permit for Revitalization Plan improvements in the Commercial Core, a Parking Management Program shall be developed which assesses current and anticipated future parking demands throughout the Harbor, taking into account weekday, weekend and seasonal variations in the use of Harbor facilities and develops a plan which makes the best possible use of the parking while prioritizing and avoiding adverse impacts on designated boater parking and boat launch ramp parking (i.e., vehicle with boat trailer) opportunities. The parking needs of the general public visiting the Harbor for boat and non-boat related recreational purposes shall also be considered, especially with regard to any underutilized parking that may exist in Planning Area 4. <u>Required designated boater parking shall not be used in joint-use or shared parking plans. The public boat launch ramp facility may be included as part of a joint-use or shared parking when the criteria as established in IP Chapter 14, Off-Street Parking Standards and Regulations is satisfied.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-14-14.2(c)
399	LUP Policy I-6.2.1-3	Parking shall be maintained throughout the Dana Point Harbor Revitalization Plan area to support public lower-cost recreational uses (e.g., Baby Beach, picnicking and park uses in Planning Areas 1, 4 and 5). The implementation of restrictions on public parking along Dana Point Harbor Drive and Street of the Golden Lantern that would impede or restrict public access to the Harbor, trails or recreation areas (including, but not limited to the posting of “no parking” signs, red curbing and placement of physical barriers) shall be prohibited except where such restrictions are needed to protect public safety	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP26

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		and where no other feasible alternative exists to provide public safety. Changes to existing time limits or hours of operation and substantial changes to parking fees shall require approval of a Coastal Development Permit. A substantial change is a twenty-five percent (25%) or greater change in fees in one (1) year period or a fifty percent (50%) change in a three (3) year period.			
300	LUP Policy I-6.2.5-8	The parking ratios will be contained in the off-street parking standards section of the Implementation Plan once certified by the California Coastal Commission. Any changes to these standards shall require a Local Coastal Program Amendment.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
301	LUP Policy I-6.2.5-9	Separate pedestrian sidewalks will be provided as part of the ramp design to minimize pedestrians using parking aisles to access the Commercial Core area businesses.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
302	LUP Policy I-6.2.5-10	Prioritize construction of proposed parking facilities in new development to augment parking for Harbor visitors and boaters.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
303	LUP Policy I-6.2.5-12	Existing surface parking may be re-striped to improve efficiencies in parking stall configuration.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
304	LUP Policy I-6.2.5-15	Existing parking in Planning Area 4 that supports access to recreational amenities (e.g. walkways, picnic areas, green space) shall not be reduced. Those parking spaces shall not be used to support other uses in Planning Area 4 (e.g., expanded yacht clubs, restaurant, harbor patrol, etc.). Consideration shall be given to opening up existing underutilized parking areas that are closed to public use for use by the visiting public.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
305	LUP Policy I-6.2.6-1	Design safe and efficient vehicular access to streets to ensure efficient vehicular ingress and egress. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
306	LUP Policy I-6.2.6-2	Improve the visual character of major street corridors.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
307	LUP Policy I-6.2.6-3	Preserve public views from streets and public places. (Coastal Act Section 30251)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
308	LUP Policy I-6.2.6-4	Develop circulation system standards for roadway and intersection classifications, right-of-way width, pavement width, design speed, capacity, maximum grades and associated features such as medians and bicycle lanes. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
309	LUP Policy I-6.2.6-5	Develop a program to identify, monitor and make recommendations for improvement to Harbor roadways and intersections that are approaching or have approached unacceptable levels of service or are experiencing higher than expected accident rates.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
310	LUP Policy I-6.2.6-6	Provide for the safe transport of hazardous materials. <u>Any activity conducted in Dana Point Harbor that involves the handling of hazardous materials shall be required to comply with all applicable local, state and federal laws and regulations regarding the handling, storage or transportation of these materials. Additionally, during major construction operations, a Storm Water Pollution Prevention Plan (SWPPP) shall be implemented that specifies hazardous spill prevention, remediation and management practices.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP32
311	LUP Policy I-6.2.6-7	Policies related to Harbor roadway circulation: a) All roadways shall be designed to minimize landform alterations; b) Existing Cove Road will be retained as a means of access to Dana Point Harbor and Doheny State Beach; c) Convenient pedestrian access shall be provided to transit stops; and d) Turnouts, benches and shelters shall be provided, as appropriate, at bus stops in order to maximize the safety, comfort and convenience of transit passengers.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
312	LUP Policy I-6.2.6-8	Require that proposals for major new developments include a future traffic impact analysis which identifies measures to mitigate any identified project impacts. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
313	LUP Policy I-6.2.6-9	Minimize pedestrian and vehicular conflicts. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			City of Dana Point		
314	LUP Policy I-6.2.6-10	Establish landscaping buffers and building setback requirements along all roads where appropriate. (Coastal Act Section 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
315	LUP Policy I-6.2.6-11	Provide appropriately designed and maintained roadways for the primary truck routes. (Coastal Act Section 30254)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
316	LUP Policy I-6.2.6-12	Provide loading areas and accessways that are designed and located so as to avoid conflicts with efficient traffic circulation.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
317	LUP Policy I-6.2.6-13	The maintenance and enhancement of public non-vehicular access to the shoreline will be of primary importance when evaluating future improvements in the coastal zone, both public and private.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
318	LUP Policy I-6.2.6-14	Circulation enhancements, including the provision of additional visitor parking, potential replacement of the existing vehicle turn-around at the east end of Dana Drive and adjacent to OC Sailing and Events Center will resolve large vehicle and emergency access constraints.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
319	LUP Policy I-6.3.3-3	A Special Event Permit shall be required for all events that necessitate the temporary closure of a public roadway and shall be reviewed and approved by the Orange County Sheriff's Department prior to permit issuance.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
320	LUP Policy I-6.3.3-4	Shuttle service from off-site parking areas and available to the public free of charge shall be required to serve any temporary event requiring a Coastal Development Permit.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Special Event Permits	
321	LUP Policy I-8.2.1-1	The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service; (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads; (3) providing non-automobile circulation within the development; (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation; (5) assuring	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		the potential for public transit for high intensity uses; and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of on-site recreational facilities to serve the new development. (Coastal Act Section 30252)			
322	LUP Policy I-8.5.3-8	Signage throughout the Harbor shall be designed to reduce pedestrian/vehicle conflicts (i.e., no crossing signs).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
323	LUP Policy I-8.5.3-11	Remove existing signs and prohibit new signs that adversely impact public access.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
Air Quality					
324	PDF 4.6-1	To reduce long-term operation emissions from area sources (by implementing energy conservation measures and by reducing motor vehicle emissions) the follow measures shall be implemented: <ul style="list-style-type: none"> ▪ Install energy-efficient street lighting on the site; and ▪ Landscape with native or drought-resistant species to reduce water consumption and provide passive solar benefits, where feasible. 	County of Orange – <u>OC Dana Point Harbor</u> <u>Department</u>	Coastal Development Permits	
325	PDF 4.6-2	The design of the dry stack boat storage buildings include covered areas for boat maintenance, where dust collection systems will be used to reduce the amount of particulates released into the atmosphere.	County of Orange – <u>OC Dana Point Harbor</u> <u>Department</u>	Coastal Development, Grading and Building Permits	
326	PDF 4.6-3	Reduction of vehicle trips is achieved by implementing the Traffic Management Plan, including: <ul style="list-style-type: none"> ▪ Shuttle service to off-site (remote) parking areas; ▪ Regional visitor attractions and for hotel; ▪ Shuttle service to regional visitor attractions and for hotel guests; ▪ Seasonal water taxi service; ▪ Visitor boat slips and dingy docks located near restaurants and retail areas; and ▪ Phased construction of the Revitalization Plan improvements to minimize the size of areas subject to disruption from construction activities. 	County of Orange – <u>OC Dana Point Harbor</u> <u>Department</u>	Coastal Development Permits and Traffic Management Plan approval	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
327	MM 4.6-1	<p>Prior to approval of the project plans and specifications, the Chief Engineer or Director, DPHD-OC Dana Point Harbor or his designee, in consultation with the Manager, RDMD-OC Public Works/Environmental Planning shall confirm that the plans and specifications stipulate that, in compliance with SCAQMD Rule 403, excessive fugitive dust emissions shall be controlled by regular watering or other dust preventive measures as specified in the South Coast Air Quality Management Districts Rules and Regulations. In addition, SCAQMD Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site. Implementation of the following measures will reduce short-term fugitive dust impacts on nearby sensitive receptors:</p> <ul style="list-style-type: none"> ▪ All active portions of the construction site shall be watered to prevent excessive amounts of dust; ▪ On-site vehicles speed shall be limited to 15 miles per hour (mph); ▪ All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust; watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day; ▪ If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes; and ▪ All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust. 	<p>Manager, RDMD-OC Public Works/Environmental Planning</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	
328	MM 4.6-2	<p>Prior to approval of the project plans and satisfactions, the Chief Engineer or Director, DPHD-OC Dana Point Harbor or his designee, in consultation with the Manager, RDMD-OC Public Works/Environmental Planning shall confirm that the plans and specifications stipulate that in compliance with SCAQMD Rule 403, ozone precursor emissions from construction equipment vehicles shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturer's specifications, using catalytic converters on gasoline powered equipment and using reformulated, low-emission diesel fuels. -to the satisfaction of the Resident Engineer. The County inspector will be responsible for ensuring that contractors comply with this measure during construction.</p>	<p>Manager, RDMD-OC Public Works/Environmental Planning</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading and Building Permits	IP II-3-SP12

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
329	MM 4.6-3	<p>Prior to issuance of Grading Permits, the County Grading and Building Permits shall include in the construction contract standard specifications a written list of instructions to be carried out by the construction manager specifying measures to minimize Manager, RDMD_OC Public Works/Environmental Planning emissions by heavy equipment for approval by the Manager, RDMD_OC Public Works/Subdivision and Grading, in consultation with the Manager, RDMD_OC Public Works/Environmental Planning. Measures shall include provisions for proper maintenance of equipment engines, measures to avoid equipment idling more than two minutes and avoidance of unnecessary delay of traffic on off-site access roads by heavy equipment blocking traffic.</p>	<p>Manager, RDMD_OC Public Works/Environmental Planning</p> <p>Manager, RDMD_OC Public Works/Subdivision and Grading</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading Permits	
330	MM 4.6-4	<p>In compliance with SCAQMD Rule 1113, ROG emissions from architectural coating will be reduced by using pre-coated/natural colored building materials, water-based or low-ROG coating and using coating transfer or spray equipment with high transfer or spray equipment with high transfer efficiency.</p>	<p>County of Orange – OC Dana Point Harbor Department</p>	Building Permits	
331	MM 4.6-5	<p>Prior to the issuance of Grading Permits, the contractor shall include the following measures on construction plans to the satisfaction of the Chief Engineer and the DPHD Director, OC Dana Point Harbor or his designee in consultation with the Manager, RDMD_OC Public Works/Environmental Planning:</p> <ul style="list-style-type: none"> ▪ The General Contractor shall organize construction activities so as not to interfere significantly with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways; ▪ The General Contractor shall provide ridesharing and transit incentives for the construction crew, such as free bus passes and preferred carpool parking; ▪ The General Contractor shall utilize electric- or diesel-powered stationary equipment in lieu of gasoline powered engines where feasible; and ▪ The General Contractor shall state in construction Grading Plans that work crews will shut off equipment when not in use. 	<p>Manager, RDMD_OC Public Works/Environmental Planning</p> <p>County of Orange – OC Dana Point Harbor Department</p>	Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
332	MM 4.6-6	In order to reduce operational energy usage and reduce energy production air emissions, the project is required to comply with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservations standards.	County of Orange – OC Dana Point Harbor Department	Building Permits	LUP I-8.9.1-11
333	MM 4.6-7	Prior to project plan approval, plans shall be submitted to the satisfaction of the Chief Engineer, DPHD Director, OC Dana Point Harbor , or his designee, in consultation with the Manager, RDMD OC Public Works /Environmental Planning, indicating the use of Traffic Management Plan (TMP) such as preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flextime work schedule, and bike racks shall be incorporated into the design of the Harbor. A TMP plan shall be prepared and reviewed for implementation prior to issuance of Building Permits.	DPHD, Chief Engineer Manager, RDMD OC Public Works /Environmental Planning County of Orange – OC Dana Point Harbor Department	Coastal Development and Building Permits	
334	MM 4.6-9 ⁵	Should asbestos be determined to be present within the existing structures of the Commercial Core, the project removal shall <u>be done by a licensed removal contractor in compliance</u> comply with SCAQMD Rule 1403, Asbestos Emissions From Demolition/Renovation Activities during the demolition process <u>and all applicable state and federal requirements</u> .	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-8.9.1-5 IP II-3-SP16
335	LUP Policy I-8.1.1-15	All new development within the Harbor shall be designed in conformance with all County of Orange and City of Dana Point Greenhouse Gas Emissions and Green Building Requirements applicable to new development that are in place at the time an application for Building Permit(s) are submitted.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
336	LUP Policy I-8.9.1-1	Encourage patterns of development necessary to minimize air pollution and vehicle miles traveled. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point t	Coastal Development Permits	
337	LUP Policy I-8.9.1-2	Provide commercial areas that are conducive to pedestrian and bicycle circulation.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

⁵ Sequence number note: MM 4.6-8 refers to MM 4.6-6 through 4.6-7.

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
338	LUP Policy I-8.9.1-3	Encourage bicycle/trail systems to reduce air pollution.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
339	LUP Policy I-8.9.1-4	Assure the development of shuttle systems, train or transit facilities to help reduce vehicular trips and air pollution.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
340	LUP Policy I-8.9.1-7	All finishing products used on-site shall meet applicable SCAQMD regulations for solvent content, as required by SCAQMD Rules 1102 and 1171.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
341	LUP Policy I-8.9.1-8	To reduce long-term operation emissions from area sources (by implementing energy conservation measures and by reducing motor vehicle emissions) the following measures shall be implemented: <ul style="list-style-type: none"> • Install energy-efficient street lighting on the site; and • Landscape with native or non-invasive and drought-tolerant species to reduce water consumption and provide passive solar benefits, where feasible. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
342	LUP Policy I-8.9.1-9	The design of the dry-stack boat storage building includes covered areas for boat maintenance, where dust collection systems may be used to reduce the amount of particulates released into the atmosphere.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
343	LUP Policy I-8.9.1-10	Reduction of vehicle trips is achieved by implementing the Transportation Management Plan, including: <ul style="list-style-type: none"> • Shuttle service to off-site (remote) parking areas when necessary; • Shuttle service to regional visitor attractions and for hotel guests; • Seasonal water taxi service; • Visitor boat slips and dingy docks located near restaurants and retail areas; and • Phased construction of new development will minimize the size of areas subject to disruption from construction activities. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
Biological Resources					
344	PDF 4.7-1	The Landscape Concept Plan provides a design to minimize the loss of native trees within the Harbor. Trees that are removed during construction	County of Orange – OC Dana Point Harbor	Coastal Development	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		will be replanted on at least a 1:1 ratio. The landscape replanting program provides a preferential use of native species and vegetation.	Department	Permits	
345	SCA 4.7-1	The County of Orange – OC Dana Point Harbor Department shall prepare a final landscape and irrigation plan for review by the Harbor Review Board Director, OC Dana Point Harbor . The plan shall be prepared by a State licensed landscape architect and shall include all proposed and existing plant materials (location, type, size and quantity), an irrigation plan, a grading plan, an approved site plan and a copy of the entitlement conditions of approval.	Harbor Review Board County of Orange – OC Dana Point Harbor Department	Grading Permits	
346	MM 4.7-1	If project construction activities within Planning Areas 3 and 5 are anticipated during the breeding season of the California gnatcatcher (March 1 to August 15), surveys of the area within 500 feet of the site by a qualified biologist shall be required prior to start of Project construction activities. If nesting gnatcatchers are identified, project construction activities must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that, with or without noise attenuation measures project activity noise levels would not exceed 60 decibels (dB) (hourly average) within gnatcatcher-occupied portions of the surveyed area. The qualified biologist shall monitor active nest sites. If the biologist notes that the nest fails, or the young fledge from the nest, then the noise restriction near the nest is no longer required.	Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
347	MM 4.7-2	The following measures shall be utilized to protect the nesting habitat of the black-crowned night herons and snowy egrets: • If construction activities are performed during the breeding season (February 1 through August 15), a preconstruction survey within 500 feet of the site for nests shall be performed by a qualified biologist to document the presence/absence of all these species; • If nesting black-crowned night herons or snowy egrets are identified, Project construction activities within 500 feet of the nest site must cease for the remainder of the breeding season unless a qualified acoustician can demonstrate that with or without noise attenuation measures, construction noise levels would not exceed 60 dBA within 500 feet of the occupied nests. The qualified biologist shall monitor active nest sites on a weekly basis. If the biologist notes that all young have fledge from the nest, then the noise restriction near the nest is no longer required.	Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits (for work being completed during the breeding season – February 1 through August 15)	LUP I-7.1.2-4

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>If an active nest of any bird species listed pursuant to the federal or California Endangered Species Act, California bird species of special concern, or a wading bird (herons or egrets) as well as owls or raptors is found, construction activities within 300 feet (500 feet from any identified raptor nest) shall not exceed noise levels of 65 dB peak until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Surveys for the above bird species during their breeding season shall be conducted by a qualified biologist prior to commencement of construction.</p>			
348	MM 4.7-3	<p>The following measures shall be utilized to protect nesting habitat of the raptors (red tailed hawk, Cooper's hawk, osprey, etc):</p> <ul style="list-style-type: none"> • If work is scheduled to be performed during the breeding season of any raptor (February 1 through August 15), a preconstruction survey within 500 feet of the site for raptor nests shall be performed by a qualified biologist to document the presence/absence of all nesting raptors; and • If active raptor nests are found, a buffer of 500 feet in diameter should be established around the nest and no construction activity shall occur within that buffer until the young have fledged. <p><u>In accordance with the acknowledgement that the City of Dana Point, County of Orange and OC Dana Point Harbor have an obligation to protect the public health and safety, while ensuring the long-term protection of wading bird heronries; breeding, roosting and nesting habitat of birds protected by the Fish and Game Code, the Migratory Bird Treaty Act; and in acknowledgement that the City of Dana Point, County of Orange and owls, raptors and all bird species of special concern, the following Tree Trimming Procedures for Harbor Bird Habitat have been developed. These provisions govern the trimming or removal of any tree that is part of a heronry that has been used in the last five (5) years or of any tree that has been used for roosting, breeding and nesting within the past five (5) years as determined by a qualified biologist. Further, these provisions shall be undertaken in compliance with all applicable codes or regulations of the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act. Tree trimming or removal activities can be accomplished through a Harbor-wide Program Coastal Development Permit that incorporates the following parameters:</u></p> <ul style="list-style-type: none"> <u>a) Tree maintenance operations (including regularly conducted trimming</u> 	<p>Manager, RDMD/Environmental Planning</p> <p><u>County of Orange – OC Dana Point Harbor Department</u></p> <p><u>City of Dana Point</u></p> <p><u>Executive Director, California Coastal Commission</u></p>	Coastal Development Permits	IP II-3-SP21

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>or removal) shall be prohibited during the breeding and nesting season of the bird species referenced above (January through September) unless the Director, OC Dana Point Harbor in consultation with a qualified arborist determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away. The City/County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season. Trees or branches with a nest that has been active anytime within the last five (5) years shall not be removed or disturbed unless a health and safety danger exists.</u></p> <p>b) <u>In the event that a tree providing habitat for the above species is identified as causing a danger to public health and safety by OC Dana Point Harbor and is removed, mitigation at a 2:1 ratio shall be required. Any trees recently removed on or before January 12, 2011 that provided habitat for the above species shall be mitigated at a 2:1 ratio (two trees replaced for every one tree removed) within the Harbor. Eucalyptus trees shall not be used as replacement trees. Replacement trees shall consist of native or non-native, non-invasive tree species. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size, planting specifications and a five (5) year monitoring program with specific performance standards. An annual monitoring report for tree replacement shall be submitted for the review of the Director, OC Dana Point Harbor and the City of Dana Point and shall be on file as a public record.</u></p> <p><u>Tree Maintenance During the Non-Breeding and Non-Nesting Season (October through December)</u></p> <p>a) <u>Prior to conducting regular tree maintenance activities, a qualified biologist or ornithologist shall conduct a survey of the trees to be trimmed or removed to detect nests of bird species identified by these provisions to identify specific trees with nests and submit the survey report(s) to the Director, OC Dana Point Harbor. OC Dana Point Harbor shall maintain a database of survey reports that includes a</u></p>			

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>record of nesting trees that is made available as public information and shall be used as a basis for future tree trimming and removal decisions. Tree trimming and/or removal, if necessary may proceed if a nest is present but no courtship or nesting behavior or evidence of that behavior is observed.</u></p> <p>b) <u>Any trimming of trees containing a nest(s) of species contained in these provisions shall be supervised by a qualified biologist or ornithologist and a qualified arborist to ensure that adequate nest support and foliage coverage is maintained in the tree, to the maximum extent feasible, in order to preserve the nesting habitat. Trimming of any protected nesting trees shall occur in such a way that the support structure of existing nests will not be trimmed and existing nests will be preserved, unless the City of Dana Point or OC Dana Point Harbor, in consultation with a qualified arborist, determines that such trimming is necessary to protect the health and safety of the public. The amount of trimming at any one time shall be limited to preserve the suitability of the nesting tree for breeding and/or nesting habitat.</u></p> <p>c) <u>In the event that any birds continue to occupy trees during the non-nesting season, trimming shall not take place until a qualified biologist or ornithologist has assessed the site, determined that courtship behavior has ceased and given approval to proceed with maintenance operations.</u></p> <p><u>Tree Maintenance During Breeding and Nesting Season (January through September) – If tree trimming or removal activities cannot feasibly avoid the breeding season because a health and safety danger exists, the following guidelines must be followed:</u></p> <p>a) <u>A qualified biologist or ornithologist shall conduct surveys and submit a report at least one week prior to the trimming or removal of a tree (only if it is posing a health or safety danger) to detect any breeding or nesting behavior in or within 300 feet of the work area. A tree trimming and/or removal plan shall be prepared by an arborist in consultation with the qualified biologist or ornithologist. The survey report and tree trimming and/or removal plan shall be submitted for the review and approval of the City of Dana Point, the Department of Fish and Game, the U.S. Fish and Wildlife Service. The County of Orange shall maintain the plans on file as public information and to be used for future</u></p>			

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>tree trimming and removal decisions. The plan shall incorporate the following:</u></p> <ol style="list-style-type: none"> 1. <u>A description of how work will occur.</u> 2. <u>Work must be performed using non-mechanized hand tools to the maximum extent feasible.</u> 3. <u>Limits of tree trimming and/or removal shall be established in the field with flagging and stakes or construction fencing.</u> 4. <u>Steps shall be taken to ensure that tree trimming will be the minimum necessary to address the health and safety danger while avoiding or minimizing impacts to breeding and nesting birds and their habitat.</u> <p>b) <u>Prior to commencement of tree trimming and/or removal the City of Dana Point or the County of Orange shall notify in writing the Executive Director of the Coastal Commission, the Department of Fish and Game, and the U.S. Fish and Wildlife Service of the intent to commence tree trimming or removal.</u></p> <p><u>All tree trimming and tree removal shall be conducted in strict compliance with these provisions. All trimmings must be removed from the site at the end of the business day and disposed of at an appropriate location. Any proposed change or deviation from these requirements must be submitted to the Executive Director of the Coastal Commission to determine whether an amendment to the Local Coastal Program is required or the proposed changes(s) should be submitted to the City of Dana Point as an amendment to the Coastal Development Permit.</u></p>			
349	IP II-3-SR22	<p>Construction During the Breeding and Nesting Season (January through September) Survey(s) for the bird species protected by Tree Trimming Procedures for Harbor Habitat shall be conducted during their breeding season by a qualified biologist prior to the commencement of construction. If an active nest of any bird species listed pursuant to federal or state endangered species acts, California bird species of special concern or a wading bird (herons or egrets) as well as owls or raptors is identified, construction activities within three-hundred (300) feet from any identified raptor nest shall not exceed noise levels of sixty-five (65) dB peak until the nest(s) is/are vacated and juveniles have fledged and there is no longer</p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		evidence of a second attempt at nesting.			
350	MM 4.7-4	<p>In order to minimize indirect impacts on biological resources that may be related to noise and construction activity, the County of Orange – <u>OC</u> Dana Point Harbor Department shall implement the following Best Management Practices (BMPs) prior to or during construction activities.</p> <ul style="list-style-type: none"> ▪ Limit construction and all project activities to a well-defined area; and ▪ Construction limits shall be fenced or flagged adjacent to preserved trees and/or sensitive habitats to avoid direct impacts. 	<p>Manager, RDMD/Environmental Planning</p> <p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	Grading and Building Permits	
351	MM 4.7-5	<p>Future waterside improvements to the east and west breakwaters (Planning Areas 8, 11, and 12) shall be reconstructed within the seaward footprint of the existing structures except as necessary to provide for public safety or public access. Construction activities taking place below the mean higher high water (MHHW) mark shall prepare a focused marine biological survey to determine if sensitive species are present.</p>	<p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	Coastal Development Permits	
352	MM 4.7-6	<p>The County of Orange – <u>OC</u> Dana Point Harbor Department shall require that standard BMPs be utilized in order to ensure impacts to water quality or the marine environment are minimized. Standard BMPs include:</p> <ul style="list-style-type: none"> ▪ Erosion to be controlled by landscaping (leave existing vegetation in place where possible), paving and drainage structures; ▪ Berms (sand bags) around all construction sites to catch runoff; ▪ Roads of gravel to minimize dirt being tracked into and out of the project site; ▪ During wet, weather, Harbor basin inlets shall be protected by placing a wire mesh and gravel filter to intercept debris and soil runoff; and ▪ Appropriate housekeeping activities to minimize the potential for pollutants-from material storage or construction activities. 	<p>Manager, RDMD <u>OC</u> <u>Public</u> <u>Works/Subdivision and</u> <u>Grading</u></p> <p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	Grading and Building Permits	
353	LUP Policy I-7.1.1-1	<p>The Dana Point Harbor Revitalization Plan has a wide range of biological resources which may include Environmentally Sensitive Habitat Areas (ESHAs) including important plant communities, wildlife habitats, marine refuge areas and significant tree stands, all of which shall be appropriately preserved and protected depending upon their designation. Development in areas adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade those areas through such methods as, the practice of creative site planning and vegetative buffers and shall be compatible with the continuance of those</p>	<p>County of Orange – OC Dana Point Harbor City of Dana Point</p>	Coastal Development and Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		habitat areas. A definitive determination of the existence of Environmentally Sensitive Habitat Areas on a specific site shall be made through the Coastal Development Permit process. (Coastal Act Sections 30230, 30240)			
354	LUP Policy I-7.1.1-2	Environmentally Sensitive Habitat Areas (ESHAs) shall be protected against any significant disruption of habitat values and only uses dependent on those resources shall be allowed within those areas. (Coastal Act Section 30240) <u>Development in any areas determined to be ESHAs, including those containing important plant communities, wildlife habitats, delineated wetlands, marine refuge areas or significant tree stands shall be limited to uses dependent on those resources and shall be designated to avoid any significant disruption of habitat values. Development adjacent to designated ESHAs shall be sited and designed to prevent impacts which would significantly degrade those areas through such methods as creative site planning, usage of vegetative buffers, incorporation of appropriate setbacks and techniques for controlling public access as determined through the CDP process. A definitive determination of the existence of ESHA areas on a specific site shall be made through the CDP process.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP23
355	IP II-3-SP24	<u>Prior to the potential disturbance to shallow water marine substrate, OC Dana Point Harbor shall insure that a pre-construction eelgrass (Zostera marina) survey is completed in conformance with the most currently approved Southern California Eelgrass Mitigation Policy as adopted by the National Marine Fisheries Service, in consultation with the California Department of Fish and Game. The survey will be conducted during the active growth period (typically March through October) if possible and make recommendations to avoid areas of eelgrass if determined to be present and/or provide recommendations for appropriate mitigation.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
356	LUP Policy I-7.1.1-3	Endangered species shall be protected within their existing habitat from harassment and molestation by among other measures, controlling access by regulations and enforcement measures. Wherever feasible, the habitat of endangered species shall be enhanced consistent with the resource protection policies of the LCP and the Coastal Act.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
357	LUP Policy I-7.1.2-1	Manage public access to the shore of the marine life refuge to avoid detrimental impacts to the resources of the refuge. (Coastal Act Section 30230)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
358	LUP Policy I-7.1.2-2	<p>While evaluations of the trees located throughout Dana Point Harbor do not rise to the level of ESHA, they do provide important habitat which should be protected. The purpose of these tree trimming policies is to ensure the long-term protection of bird breeding, nesting and roosting habitat for bird species listed pursuant to the Federal or California Endangered Species Acts, California bird species of special concern and wading birds (herons or egrets) as well as owls and raptors which have an especially valuable role in the overall coastal ecosystem.</p> <p>Ensure the protection of bird nesting habitat protected by the Migratory Bird Treaty Act and the long-term protection of breeding, roosting and nesting habitat of bird species listed pursuant to the federal or California Endangered Species Acts, California bird species of special concern and wading birds (herons or egrets) as well as owls or raptors. The trimming and/or removal of any trees that have been used for breeding and nesting by the above identified species within the past five (5) years, as determined by a qualified biologist or ornithologist shall be undertaken in compliance with all applicable codes and regulations of the California Department of Fish and Game, the U.S. Fish and Wildlife Service and the U.S. Migratory Bird Treaty Act and shall be conducted under the parameters described in the Dana Point Harbor Tree Maintenance Procedures as approved by the Coastal Commission as a part of the Implementation Plan.</p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	
359	LUP Policy I-7.1.2-3	<p>OC Dana Point Harbor shall prepare Tree Maintenance Procedures for the trimming and/or removal of trees consistent with Policy 7.1.2-2 above. The procedures shall include, but not be limited to, the following provisions:</p> <ul style="list-style-type: none"> • Tree trimming, or tree removal when necessary, shall be conducted only during the non-breeding and non-nesting season (October through December) of the identified bird species unless the County of Orange in consultation with a qualified arborist and with review and comment from the Audubon Society determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away. The County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season. • Trees or branches with a nest of a state or federal listed species, a California bird species of special concern or a wading bird (heron or 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>egret) as well as owls or raptors that has been active anytime within the last five years shall not be removed or disturbed unless a health and safety danger exists.</p> <ul style="list-style-type: none"> The removal of any tree shall require mitigation at a 1:1 ratio. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size (no less than 36 inch box size), planting specifications, and a five (5) year monitoring program with specific performance standards. 			
360	LUP Policy I-7.1.2-3	<p>OC Dana Point Harbor shall prepare Tree Maintenance Procedures for the trimming and/or removal of trees consistent with Policy 7.1.2-2 above. The procedures shall include, but not be limited to, the following provisions:</p> <ul style="list-style-type: none"> Tree trimming, or tree removal when necessary, shall be conducted only during the non-breeding and non-nesting season (October through December) of the identified bird species unless the County of Orange in consultation with a qualified arborist and with review and comment from the Audubon Society determines that a tree causes danger to public health and safety. A health and safety danger shall be considered to exist if a qualified arborist determines that a tree or branch is dead, diseased, dying or injured and said tree or branch is in imminent danger of collapse or breaking away. The County shall be proactive in identifying and addressing diseased, dying or injured trees as soon as possible in order to avoid habitat disturbances during the nesting season. Trees or branches with a nest of a state or federal listed species, a California bird species of special concern or a wading bird (heron or egret) as well as owls or raptors that has been active anytime within the last five years shall not be removed or disturbed unless a health and safety danger exists. The removal of any tree shall require mitigation at a 1:1 ratio. A tree replacement planting plan for each tree replacement shall be developed to specify replacement tree location, tree type, tree size (no less than 36 inch box size), planting specifications, and a five (5) year monitoring program with specific performance standards. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
361	LUP Policy I-7.1.2-4	<p>If an active nest of any bird species listed pursuant to the federal or California Endangered Species Act, California bird species of special concern, or a wading bird (herons or egrets) as well as owls or raptors is found, construction activities within 300 feet (500 feet from any identified</p>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		raptor nest) shall not exceed noise levels of 65 dB peak until the nest(s) is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Surveys for the above bird species during their breeding season shall be conducted by a qualified biologist prior to commencement of construction.			
362	LUP Policy I-7.2.1-1	Marine resources shall be maintained, enhanced and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Use of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes. (Coastal Act Section 30230)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
363	LUP Policy I-7.2.1-2	Coastal water areas suited for water-oriented recreation activities shall be protected for such uses. (Coastal Act Section 30220)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
364	LUP Policy I-7.2.1-4	Preserve, maintain, enhance and where feasible restore marine resource areas and coastal waters. Special protection shall be given to areas and species of special biological or economic significance. Restore general water quality and biological productivity as necessary to maintain optimum populations of marine organisms and for the protection of human health. (Coastal Act Section 30230)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
365	LUP Policy I-7.2.1-5	Maintain and where feasible, restore the biological productivity and the quality of coastal waters, creeks and groundwater, appropriate to maintain optimum populations of marine organisms and to protect human health. Measures including, but not limited to minimizing the adverse effects of waste water discharges, controlling runoff, preventing the depletion of ground water supplies, preventing substantial interference with surface water flow, maintaining vegetation buffer areas protecting riparian habitats, minimizing alteration of natural streams and street sweeping, shall be implemented to accomplish the objectives of this policy. (Coastal Act Section 30231)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
366	LUP Policy I-7.2.1-6	The biological productivity and quality of coastal waters, streams, wetlands, estuaries and lakes and the restoration of optimum populations of marine organisms shall be ensured by, among other means, minimizing adverse	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		effects of waste water discharges. Any specific plans and/or planned development district policies and specific development proposals, site plans and subdivision maps shall control runoff, prevent depletion of ground water supplies and substantial interference with surface water flow, encourage waste water reclamation, maintain natural vegetation buffer areas that protect riparian habitats and minimize alteration of natural streams. (Coastal Act Section 30231)			
367	LUP Policy I-7.2.1-7	Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems. (Coastal Act Section 30233)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
368	LUP Policy I-7.2.1-8	The diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes shall only be permitted in accordance with Section 30233 of the Coastal Act. (Coastal Act Section 30233)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
369	LUP Policy I-7.2.1-9	Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes. (Coastal Act Section 30230)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
370	LUP Policy I-7.2.1-10	Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
371	LUP Policy I-7.2.1-15	Future waterside improvements to the east and west of the breakwaters (Planning Areas 8, 11 & 12) shall be reconstructed within the seaward footprint of the existing structures except as necessary to provide for public safety or public access. Construction activities taking place below the mean higher high water (MHHW) mark shall prepare a focused marine biological survey to determine if sensitive species are present.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
372	LUP Policy I-7.2.1-17	Reduce underwater noise impacts to marine mammals and fish from construction to the maximum extent feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
373	LUP Policy I-7.3.3-1	Prior to the potential disturbance to shallow water marine substrate, OC Dana Point Harbor will insure that a pre-construction survey will be conducted to determine the presence of Eelgrass (<i>Zostera marina</i>) to be taken during the active growth period if possible. If Eelgrass is determined to be present within the project area, when feasible, the project shall be redesigned to avoid impacts to Eelgrass. If nearby Eelgrass is impacted, it shall be mitigated in conformance with the Control Protocol adopted by the National Marine Fisheries Service.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Grading Permits	
374	LUP Policy I-7.3.3-2	Avoid impacts to eelgrass (<i>Zostera marina</i>) to the greatest extent possible. Mitigate losses of eelgrass at a 1.2 to 1 mitigation ratio and in accordance with the <i>Southern California Eelgrass Mitigation Policy</i> .	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
375	LUP Policy I-7.4.1-1	Recognize and protect wetlands for their recreational, water quality and habitat value.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
376	LUP Policy I-7.4.1-2	Protect, maintain and where feasible, restore the biological productivity and the quality of coastal waters, streams, wetlands, estuaries and lakes.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
377	LUP Policy I-7.4.2-1	A “wetland” is defined as: a land which may be covered periodically or permanently with shallow water and includes saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
378	LUP Policy I-7.4.2-2	Require a survey and analysis with the delineation of all wetland areas when an initial site survey indicates the presence or potential for wetland species or indicators. Wetland delineations will be conducted in accordance with the definitions of wetland boundaries contained in Section 13577(b) of Title 14 of the California Code of Regulations. <u>Any required wetlands survey shall also include recommendations for appropriate mitigation measures to protect the wetland, including the establishment of vegetated wetland buffer areas to protect areas if delineated. Wetland buffer areas are typically one hundred (100) feet in width but may be reduced on a case-by-case basis in consultation with the California Department of Fish and Game if a smaller buffer is proposed to protect the wetland from significant adverse impacts.</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP33

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
379	LUP Policy I-7.4.2-3	Require buffer areas around wetlands of a sufficient size to ensure the biological integrity and preservation of the wetland that they are designated to protect.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
380	LUP Policy I-7.5.1-1	The diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes shall only be permitted in accordance with Section 30233 of the Coastal Act and other applicable provisions of this Local Coastal Program <u>the Dana Point Harbor Revitalization Plan and District Regulations</u> , where there is no feasible less environmentally damaging alternative and where feasible mitigation measures have been provided to minimize adverse environmental effects pursuant to the policies found within Section 30233 of the Coastal Act.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP34
381	LUP Policy I-7.5.1-2	Require dredging and dredged material disposal to be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
382	LUP Policy I-7.5.1-3	Require at least the following mitigation measures for dredging projects in Dana Point Harbor: a) Dredging and spoils disposal must be planned and carried out to limit turbidity and to avoid significant disruption to marine and wildlife habitats and water circulation. b) Maintenance dredging shall be encouraged where the dredging enhances commercial or recreational use of the Harbor. When dredged material is of an appropriate grain size and grain percentage, this material may be used to restore or replace natural sandy sloping beaches in order to retain the current profiles of Dana Point Harbor. Maintenance dredging activity shall have the approval of the U.S. Army Corps of Engineers and shall meet applicable U.S. Environmental Protection Agency standards. c) Dredged material not suitable for beach nourishment or other permitted beneficial reuse shall be disposed of offshore at a designated U.S. Environmental Protection Agency disposal site or at an appropriate upland location. d) Temporary dewatering of dredged spoils may be authorized within the Harbor's drainage if adequate erosion controls are provided and the spoils are removed. A bond or a contractual arrangement shall be a precondition to dredging of the material and final disposal of the	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>dewatered material on the approved dump site shall be accomplished within the time period specified in the permit.</p> <p>e) Dredged spoils shall not be used to fill riparian areas, wetlands or natural canyons.</p> <p>f) Other mitigation measures may include opening areas to tidal action, removing dikes, improving tidal flushing, restoring eelgrass vegetation or other restoration measures.</p> <p>g) Dredge spoils suitable for beach nourishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems provided that the placement is permitted by a Section 404 Permit and by a Coastal Development Permit pursuant to Coastal Act Section 30607.7.</p>			
383	LUP Policy I-7.5.2-1	Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
384	LUP Policy I-7.5.2-2	Monitor dredging projects within the region to identify opportunities to reduce disposal costs and utilize dredge spoils for beach nourishment.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
385	LUP Policy I-7.5.2-3	Dredged materials suitable for beneficial reuse shall be transported for such purposes to appropriate areas and placed in a manner that minimizes adverse effects on the environment. Provide onsite monitoring and supervision during the implementation of any permitted beach nourishment activities.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
386	LUP Policy I-7.5.2-4	All routine maintenance dredging operations involving the dredging of one-hundred thousand (100,000) cubic yards or more of material within a twelve (12) month period; the placement of dredged spoils within an ESHA, on any sandy area, within fifty (50) feet of the edge of a coastal bluff or ESHA or within twenty (20) feet of coastal waters or streams; or the removal, sale or disposal of dredge spoils that would be suitable for beach nourishment in an area the California Coastal Commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use shall require a Coastal Development Permit approved by the California Coastal Commission prior to	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		the commencement of dredging operations.			
387	LUP Policy I-8.6.1-12	Future waterside improvements to the east and west of the breakwaters (Planning Areas 8, 11 & 12) shall be reconstructed within the seaward footprint of the existing structures except as necessary to provide for public safety or public access. Construction activities taking place below the mean higher high water (MHHW) mark shall prepare a focused marine biological survey to determine if sensitive species are present.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
388	LUP Policy I-9.1-5	Require the County and/or City staff member(s) and/or contracted employee(s) responsible for reviewing site specific surveys and analyses to have technical expertise in biological resources, as appropriate for the resource issues of concern (e.g., marine/coastal, arboreal habitat, water quality, etc.) and be knowledgeable in the operational practices of the County and City of Dana Point.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
389	LUP Policy I-9.1-6	Where development is proposed within or adjacent to a sensitive resource or ESHA (if delineated), require the County and/or City staff member(s) and/or contracted employee(s) to consider the individual and cumulative impacts of the development, define the least environmentally damaging alternative and recommend modifications or mitigation measures to avoid or minimize the anticipated impacts.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
390	LUP Policy I-9.1-7	Where development is proposed within or adjacent to a sensitive resource or ESHA (if delineated), require the County and/or City staff member(s) and/or contracted employee(s) to include the following in any recommendations of approval: an identification of the preferred project alternative, required modifications or mitigation measures necessary to ensure conformance with the Dana Point Harbor Revitalization Plan and District Regulations. The decision making body (Director, OC Dana Point Harbor, City of Dana Point Community Development Director, Planning Commission or City Council) shall make findings relative to the project's conformance to the recommendations of the County and/or City staff member(s) and/or contracted employee(s).	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
391	LUP Policy I-9.1-8	Coordinate with the California Department of Fish and Game, U.S. Fish and Wildlife Service, National Marine Fisheries Service and other identified resource management agencies as applicable, in the review of development applications in order to ensure that impacts to sensitive resources or an ESHA (if delineated), including rare, threatened or endangered species are	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		avoided or minimized such that the sensitive resource is not significantly degraded, habitat values are not significantly disrupted and the biological productivity and quality of coastal waters is preserved.			
Public Health and Safety					
392	PDF 4.8-1	If asbestos-containing materials (ACM's) are located, abatement of asbestos shall be completed prior to any demolition activities that will disturb ACM's or create an airborne asbestos hazard.	County of Orange – OC Dana Point Harbor Department	Coastal Development and Grading Permits (for demolition of site structures)	
393	SCA 4.8-1	Prior to the issuance of any Grading Permits, the County of Orange – OC Dana Point Harbor Department shall provide evidence to the Manager, RDMD OC Public Works /Subdivision and Grading, that the Vector Control District has surveyed the site to determine if vector control measures are necessary. If the District determines measures are warranted, the DPHD Director, OC Dana Point Harbor shall conduct such measures in a manner meeting the approval of the Manager, RDMD OC Public Works /Subdivision and Grading.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	
394	SCA 4.8-2	Prior to issuance of Certificates of Use and Occupancy, the County of Orange – OC Dana Point Harbor Department shall provide plans or identify 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. Further, a copy of the approved "UFC Implementation Plan" shall be furnished to the Manager, RDMD OC Public Works /Building Inspection, prior to the issuance of any Certificates of Use and Occupancy.	Fire Chief, OCFA Manager, RDMD OC Public Works /Inspection Services County of Orange – OC Dana Point Harbor Department	Certificates of Use and Occupancy	
395	MM 4.8-1	Prior to authorization of Demolition Permits, a qualified hazardous materials consultant with Phase II and Phase III assessment experience shall review groundwater documents regarding former subsurface releases on the project site at 24501 Dana Drive and 24705 Dana Drive.	Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
396	MM 4.8-2	The interior of individual on-site structures within the project area shall be visually inspected prior to demolition or renovation, with particular attention to all industrial uses. If hazardous materials are encountered at any on-site structure, the materials shall be tested and properly disposed of in accordance with State and Federal regulatory requirements. Any stained soils or surfaces underneath the removed materials shall be sampled and tested for contaminants. Based on the results of the analytical testing, the appropriate level of remediation shall be undertaken.	<p>Manager, RDMD/Environmental Planning</p> <p>Manager, <u>RDMD_OC Public Works/Building Permits</u></p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Grading and Building Permits	
397	MM 4.8-3	Hydraulic fluids associated with any hydraulic lifts on-site shall be tested to determine the presence or absence of PCBs. Additional samples shall be collected around the pistons to determine whether a subsurface release of hydraulic fluids has occurred. If found, appropriate remedial measures should be implemented to the satisfaction of the County.	<p>Manager, RDMD/Environmental Planning</p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Grading and Building Permits	
398	MM 4.8-4	Any transformers to be relocated during site construction/demolition should be conducted under the purview of the local utility purveyor to identify property handling procedures regarding potential PCBs.	<p>Manager, RDMD/Environmental Planning</p> <p>County of Orange – <u>OC Dana Point Harbor Department</u></p>	Grading and Building Permits	
399	MM 4.8-5	Any underground storage tanks to be removed/relocated during site construction/demolition should be conducted under the purview of the local regulatory agency to identify property handling procedures. Also, due to the urbanized nature of the project site, the presence of septic tanks is considered unlikely. However, Building Department Records should be reviewed to indicate any documented septic tanks and/or chemical storage tanks. If present, the tanks should be removed and properly disposed of at an approved landfill facility. Once the tank is removed, a visual inspection of the areas beneath and around the removed tank should be performed. Any stained soils observed underneath the septic tank should be sampled.	<p>Manager, RDMD/Environmental Planning</p> <p>Manager, RDMD/Building Permits</p> <p>County of Orange – <u>OC Dana Point Harbor</u></p>	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		Results of the sampling (if necessary) will indicate the level of remediation efforts that may be required.	Department		
400	MM 4.8-6	Prior to demolition activities, Building Department Records shall be reviewed to verify the presence of septic tanks and/or chemical storage tanks onsite. If present, the tanks shall be removed and properly disposed of at an approved landfill facility. Once removed, exposed soils shall be visually observed to confirm the presence/absence of staining. in the event stained soils are observed, soils shall be tested to identify appropriate remedial activities.	Manager, RDMD/Environmental Planning Manager, <u>RDMD_OC Public Works</u> /Building Permits County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	
401	MM 4.8-7	Prior to the issuance of Building Permits for any tank or pipeline, the uses of said tank or pipeline shall be identified and the applicant shall submit a Chemical Management Plan in addition to a WQMP with all appropriate measures for chemical management (including, but not limited to, storage, emergency response, employee training, spill contingencies and disposal) in a manner meeting the satisfaction of the Manager, <u>OC Public Works/Building Permits Services</u> , in consultation with the Resources and Development Management Department , the Orange County Fire Authority, the Orange County Health Care Agency and wastewater agencies, as appropriate, to ensure implementation of each agency's respective requirements. A copy of the approved "Chemical Management Plans" shall be furnished to the Manager, <u>RDMD_OC Public Works</u> /Inspection Services, prior to the issuance of any Certificates of Use and Occupancy.	Manager, RDMD/Environmental Planning Manager, <u>RDMD_OC Public Works</u> /Building Permits County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	
402	MM 4.8-8	All stained concrete/asphalt should be removed and disposed of to an appropriate permitted facility. Once removed, exposed soils should be visually observed to confirm the presence/absence of staining (an indication of contamination migration into the subsurface). If observed, stained soils should be tested to identify appropriate remedial activities (if necessary).	Manager, RDMD/Environmental Planning County of Orange – <u>OC Dana Point Harbor Department</u>	Grading and Building Permits	
403	MM 4.8-9	If unknown wastes or suspect materials are discovered during construction that the contractor believes may be or contain hazardous waste or materials,	County of Orange – <u>OC Dana Point Harbor</u>	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		the contractor shall: <ul style="list-style-type: none"> ▪ Immediately stop work in the vicinity of the suspected contaminant, and remove workers and the public from the area; ▪ Notify the Project Engineer of the implementing agency; ▪ Secure the area as directed by the Project Engineer; and ▪ Notify the implementing agency's hazardous waste/materials coordinator. 	Department		
404	MM 4.8-10	The County of Orange – OC Dana Point Harbor Department or its designee shall store, manifest, transport and dispose of all on-site generated waste that meets County shall keep storage, transportation and disposal hazardous waste criteria in accordance with California Code of Regulations Title 22 and in a manner to the satisfaction of the Manager, HCA/Hazardous Materials Program. The County shall keep storage, transportation and disposal records on site and open for inspection to any government agency upon request.	County of Orange – OC Dana Point Harbor Department	Ongoing Operations	
405	MM 4.8-11	During the design phase of the BMPs, the following methods shall be investigated to reduce 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.	County of Orange – OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	
406	MM 4.8-12	The National Emissions Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of asbestos containing materials (ACMs) prior to the commencement of any remedial work, including demolition. Prior to demolition work, it is recommended that areas be sampled as part of an asbestos survey. Any demolition of the existing buildings must comply with State law, which requires a contractor, where there is asbestos related work involving 100 square feet or more of ACMs, to be certified and that certain procedures regarding the removal of asbestos to be followed.	Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
407	MM 4.8-13	Prior to demolition activities an asbestos survey shall be required to determine the presence or absence of asbestos. The results of the survey shall be submitted to the Manager, RDMD/Environmental Planning Director, OC Dana Point Harbor.	Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
408	MM 4.8-14	Asbestos removal shall be performed by a State-certified asbestos containment contractor in accordance with SCAQMD Rule 1403 and monitored by the County of Orange RDMD. Rule 1403 regulations require the following measures: <ul style="list-style-type: none"> ▪ A survey of the facility shall be conducted prior to issuance of a permit by SCAQMD; ▪ SCAQMD shall be notified prior to construction activity; ▪ ACMs shall be removed in accordance with prescribed procedures; ▪ ACMs shall be placed in leak-tight containers or wrapping; and ▪ ACMs shall be properly disposed of. 	Department Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
409	MM 4.8-15	If during demolition of the structures, paint is separated from the building material (e.g., chemically or physically), the paint waste should be evaluated independently from the building material to determine its proper management. According to the Department of Toxic Substances Control, if paint is not removed from the building material during demolition (and is not chipping or peeling), the material could be disposed of as construction debris (a non-hazardous waste). It is recommended that the landfill Grading and Building Permits operator be contacted in advance to determine any specific requirements they may have regarding the disposal of lead-based paint materials.	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
410	MM 4.8-16	Lead-based paint removal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which that provides for <u>worker exposure limits, exposure monitoring and respiratory protection</u> and mandates good working practices by workers exposed to lead. <u>Removal of lead-based paints from boats moored in the water through sanding or other means shall be prohibited.</u>	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	LUP I-8.9.1-6 IP II-3-SP15
411	MM 4.8-17	Contractors performing lead-based paint removal shall provide evidence of certified training for lead-related construction work.	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
412	MM 4.8-18	All finishing products used on site shall meet applicable SCAQMD regulations for solvent content. As required by SCAQMD Rules 1102 and 1171.	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
413	MM 4.8-19	All uses of solvents shall be conducted in adherence to California OSHA regulations for exposure of workers during construction activities as required by CCR Title 8.	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
414	LUP Policy I-8.2.1-3	Review all applications for new development to determine potential threats from sea level rise, coastal and other hazards.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
415	LUP Policy I-8.2.1-4	Design and site new development to avoid hazardous areas and minimize risks to life and property from sea level rise, coastal and other hazards.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
416	LUP Policy I-8.6.1-1	Identify flood hazard areas (taking into account riverine and coastal flooding sources and sea level rise) and provide appropriate land use regulations, such as but not limited to the requirement that new habitable development shall have the lowest floor, including basement, elevated to or above the base flood elevation, for areas subject to flooding in order to minimize risks to life and property. (Coastal Act Sections 30235, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
417	LUP Policy I-8.6.8-1	Establish building code, setback, site design and landscaping requirements that assure adequate fire protection to minimize risks to life and property. (Coastal Act Section 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
418	PDF 4.10-1	Dana Point Harbor is not located within the very high fire hazard severity zone per the OCFA maps. However, exposed building construction shall meet all requirements for exposed sides, per OCFA requirements. Additionally, automatic sprinklers shall be provided in all applicable structures, per OCFA requirements.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	LUP I-8.6.8-2
419	LUP Policy I-8.6.8-3	OC Dana Point Harbor shall confirm the following items are included as part of development design: <ul style="list-style-type: none"> • All applicable building plans shall indicate by note that the interior fire sprinkler system is required for the structure(s). Plans for the fire sprinkler systems shall be submitted for review and approval by the Fire Chief. • A supervised fire alarm system with an enunciator, per the requirements of the California Fire Code shall be installed in an accessible location. 	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<ul style="list-style-type: none"> • Access to and around all structures shall meet the OCFA and California Fire Code requirements. • A water supply system to supply fire hydrants and automatic fire sprinkler systems shall be installed. • Turning radii and access in and around the Harbor and other facilities shall be designed to accommodate large fire department vehicles and their weight. • Emergency access shall be maintained during construction. • All service roads and fire lanes, as determined by the Fire Chief shall be posted and marked accordingly. 			
420	LUP Policy I-8.7.1-1	Require new development to contribute its share of the cost of providing necessary public services and facilities through equitable development fees and exactions. (Coastal Act Section 30250)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
421	LUP Policy I-8.7.1-2	New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the certified Local Coastal Program. Special districts which include the Coastal Zone shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with the City of Dana Point certified Local Coastal Program. (Coastal Act Section 30254)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
422	LUP Policy I-8.7.1-3	Work closely with local-serving water and sewer districts in determining future area needs. (Coastal Act Sections 30250, 30255, 30254)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
423	LUP Policy I-8.7.1-4	Require the use of native and non-native, non-invasive drought tolerant landscaping to reduce overall water use.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
424	LUP Policy I-8.7.1-5	Support public education programs for water conservation.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
425	LUP Policy I-8.7.1-6	Support the appropriate regional agencies in developing and utilizing reclaimed water facilities.	County of Orange – OC Dana Point Harbor	Coastal Development and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			City of Dana Point		
426	LUP Policy I-8.7.1-7	Support the efforts of water and sewer agencies to encourage recycling of wastes and proper disposal of household wastes and waste oil.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
427	LUP Policy I-8.7.1-8	Evaluate the varying levels of service provided by the water and sewer districts serving the City and support increased coordination among these districts in order to provide consistent service levels.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
428	LUP Policy I-8.7.1-9	Identify local storm drainage deficiencies and develop a capital improvements program for the correction and replacement of aging or inadequate drainage system components. (Coastal Act Sections 30233, 30235, 30236, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development and Building Permits	
429	LUP Policy I-8.7.1-10	Work with the Orange County Flood Control District in ensuring the adequacy of regional storm drainage facilities. (Coastal Act Sections 30235, 30236, 30253)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
430	LUP Policy I-8.7.1-11	Periodically OC Dana Point Harbor shall periodically evaluate services and service criteria to ensure the City has adequate police, fire and emergency medical services. (Coastal Act Section 30254)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	IP II-3-SP35
431	LUP Policy I-8.7.1-12	Coordinate with the Orange County Sheriff’s Department and Orange County Fire Authority for the continued provision of adequate law enforcement and fire protection.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
Noise					
432	SCA 4.9-1	Prior to approval of the project plans and specifications by the DPHD, Chief Engineer, Director, OC Dana Point Harbor or his designee, in consultation with the Manager RDMD/Environmental Planning , shall confirm that the plans and specifications stipulate that construction activities shall be limited to 7:00 a.m. to 8:00 p.m. on weekdays, including Saturdays and no construction on Sundays and holidays. The County inspector will be responsible for ensuring that contractors comply with these measures during construction.	DPHD, Chief Engineer, Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
433	SCA 4.9-2	Prior to the issuance of any Building or Grading Permits, the County of Orange – OC Dana Point Harbor Department shall prepare or obtain an	County of Orange – OC Dana Point Harbor	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by this project during its operation shall be controlled in compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified Acoustical Consultant and shall describe the noise generation potential of the project during its operation and the noise Mitigation Measures, i.e., needed, which shall be included in the plans and specifications of the project to assure compliance with Orange County Codified Ordinance, Division 6 (Noise Control).	Department		
434	SCA 4.9-3	Prior to approval of the project plans and specifications by the DPHD, Chief Engineer Director, OC Dana Point Harbor, or his designee, in consultation with the Manager, RDMD/Environmental Planning and County of Orange Dana Point Harbor Department, shall confirm that the plans and specifications stipulate that stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive sensitive receptors during construction activities.	RDMD, Chief Engineer Manager, RDMD/Environmental Planning County of Orange – OC Dana Point Harbor Department	Coastal Development, Building and Grading Permits	
435	SCA 4.9-4	OC Dana Point Harbor shall confirm that Grading and Drainage Plans are reviewed with a geotechnical report and that the plans include the following notes: The County of Orange Dana Point Harbor Department shall submit a Grading and Drainage Plan with a geotechnical soils report for review and approval by the Manager, RDMD/Subdivision and Grading. The following notes shall be included: a) All construction vehicles and equipment, fixed or mobile operated within 1,000 feet of a dwelling, shall be equipped with properly operating and maintained mufflers. b) All operations shall comply with the County's Noise Ordinance. c) Stockpiling and/or vehicle staging areas shall be located as far as practicable from dwellings.	Manager, RDMD/Subdivision and Grading County of Orange – OC Dana Point Harbor Department	Grading Permits	LUP I-8.1.1-32
436	MM 4.9-1	Residences within 1,000 feet of a construction area shall be notified of the construction schedule in writing, prior to construction. The contractor shall designate a noise disturbance coordinator who would be responsible for responding to complaints regarding construction noise. The coordinator shall	County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		determine the cause of the complaint and ensure that reasonable measures are implemented to correct the problem. A contact number for the noise disturbance coordinator shall be conspicuously placed on construction site fences and written into the construction notification schedule sent to nearby residences.			
437	MM 4.9-2	For projects within 1,000 feet of sensitive receptors, impact equipment (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrical powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used.	County of Orange – <u>OC Dana Point Harbor</u> <u>Department</u>	Grading and Building Permits	
438	MM 4.9-3 ⁶	For projects within 1,000 feet of sensitive receptors, sonic or vibratory pile drivers shall be used instead of impact pile drivers (sonic pile drivers are only effective in some soils) whenever possible. If sonic or vibratory pile drivers are not feasible, acoustical enclosures shall be provided as necessary to ensure that pile-driving noise does not exceed speech interference criterion at the closest sensitive receptor. Engine and pneumatic exhaust controls on pile drivers shall be required as necessary to ensure that exhaust noise from pile driver engines is minimized to the extent feasible. Where feasible, pile holes shall be predrilled to reduce potential noise and vibration impacts.	County of Orange – <u>OC Dana Point Harbor</u> <u>Department</u>	Grading and Building Permits	
439	LUP Policy I-8.1.1-24	Prior to the issuance of any Grading or Building Permits, OC Dana Point Harbor shall prepare or obtain an acoustical analysis report and appropriate plans which demonstrate that the noise levels generated by Harbor land uses during their operation shall be controlled in compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). The report shall be prepared under the supervision of a County-certified acoustical consultant and shall describe the noise generation potential of the use during its operation and the noise mitigation measures, if needed which shall be included in the plans and specifications for the project to assure compliance with the Orange County Codified Ordinance, Division 6 (Noise Control). <u>Noise impacting underwater marine life shall be minimized to the greatest extent feasible during construction activities and be conducted in accordance with all applicable requirements of the Marine Mammal</u>	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	II-3.1-GR4

⁶ Sequence numbering note: MM 4.9-4 refers to MM's 4.9-1 through MM 4.9-3.

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<u>Protection Act (16 U.S.C. 1361 et seq.) and any state or local regulations protecting marine life in effect at the time of construction.</u>			
440	LUP Policy I-8.1.1-25	Prior to approval of project plans, OC Dana Point Harbor shall confirm that the plans and specifications stipulate that stockpiling and vehicle staging areas shall be located as far as practical from noise-sensitive receptors during construction activities.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development, Grading and Building Permits	
Public Services and Utilities					
441	PDF 4.10-2	New utilities will be located underground to the extent feasible as part of the project development. Utility undergrounding activities will be coordinated with the utility providers to ensure that service to adjoining utility customers is not interrupted.	County Of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development and Building Permits	LUP I-8.7.1-16
442	PDF 4.10-3	Interior and exterior water conservation measures will be incorporated into all projects as development occurs. Measures will include (but not be limited to) low-flush toilets, low-flow faucets, <u>planting of native or non-invasive and drought tolerant plant species as identified by California Department of Water Resources that are also non-problematic/non-invasive plant species as defined by the California Native Plant Society, the California Invasive Plant Council or as may be identified from time to time by the State of California</u> and the installation of efficient irrigation systems to minimize runoff and evaporation.	County Of Orange – <u>OC</u> Dana Point Harbor Department	Coastal Development, Grading and Building Permits	IP II-3-SP4
443	SCA 4.10-1	Prior to the issuance of a Building Permit, the County of Orange – <u>OC</u> Dana Point Harbor Department shall submit evidence of the on-site fire hydrant system to the Fire Chief and indicate whether it is public or private. If the system is private, it shall be reviewed and approved by the Fire Chief prior to building permit issuance, and provisions shall be made for the repair and maintenance of the system in a manner meeting the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Building Permits	
444	SCA 4.10-2	Prior to the issuance of any Certificate of Use and Occupancy, all fire hydrants shall have a blue reflective pavement marker indicating the hydrant location on the street as approved by the Fire Chief and must be maintained in good condition.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Prior to the issuance of Certificates of Use and Occupancy	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
445	SCA 4.10-3	Prior to the issuance of a Building Permit, the County of Orange – <u>OC</u> Dana Point Harbor Department shall submit plans for any required automatic fire sprinkler system in any structure to the Fire Chief for review and approval. Prior to the issuance of a certificate of use and occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Building Permits	
446	SCA 4.10-4	Prior to the issuance of any Grading Permits or the issuance of a Building Permit (whichever occurs first), the County of Orange – <u>OC</u> Dana Point Harbor Department shall provide evidence of adequate fire flow. The "Orange County Fire Authority Water Availability for Fire Protection" form shall be signed by the applicable water district and submitted to the Fire Chief for approval. If sufficient water to meet fire flow requirements is not available, an automatic fire extinguishing system may be required in each structure affected.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Grading and Building Permits	
447	SCA 4.10-5	Prior to issuance of any Grading or Building Permits, the County of Orange – <u>OC</u> Dana Point Harbor Department shall submit plans and obtain approval from the Fire Chief for fire lanes on required fire access roads that are less than 36 feet in width. The plans shall indicate the locations of red curbs and signage and include a detail of the proposed signage, including the height, style and colors of the lettering and its contrasting background.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Grading and Building Permits	
448	SCA 4.10-6	Prior to the issuance of any Certificate of Use and Occupancy, the fire lanes shall be installed in accordance with the approved fire lane plan.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Certificates of Use and Occupancy	
449	SCA 4.10-7	Prior to the issuance of any Grading Permits or the issuance of a Building Permit, whichever occurs first, the County of Orange – <u>OC</u> Dana Point Harbor Department shall obtain approval of the Fire Chief for all fire protections access roads to within 150 feet of all portions of the exterior of every structure on site.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Grading and Building Permits	
450	SCA 4.10-8	Prior to the issuance of a Grading Permit or Building Permit, the County of Orange – <u>OC</u> Dana Point Harbor Department shall submit and obtain	Fire Chief, Orange County Fire Authority	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		approval of the Fire Chief and the Manager, RDMD OC Public Works /Subdivision and Grading Services of plans for all public or private access roads, streets and courts. The plans shall include plan and sectional views and indicate the grade and width of the access road measured from flow-line to flow-line. When a dead end street exceeds 150 feet or when otherwise required, a clearly marked fire apparatus access turn-around must be provided and approved by the Fire Chief.	Manager, RDMD OC Public Works /Subdivision and Grading County of Orange – OC Dana Point Harbor Department		
451	SCA 4.10-9	A note shall be placed on the fire protection access easement plan indicating that all street/road signs shall be designed and maintained to be either internally or externally illuminated in a manner meeting the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Building Permits	
452	SCA 4.10-10	Prior to the issuance of any Grading Permits, the County of Orange – OC Dana Point Harbor Department shall obtain approval from the Fire Chief for the construction of any gate across required fire department access roads.	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Grading Permits	
453	SCA 4.10-11	Prior to the issuance of a Building Permit for combustible construction, the County of Orange – OC Dana Point Harbor Department shall submit a letter on company letterhead stating that water for firefighting purposes and all-weather fire protection access roads will be in place and operational before any combustible material is placed on site. Building Permits will not be issued without Orange County Fire Authority approval, obtained as a result of an on-site inspection.	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Building Permits	
454	SCA 4.10-12	Prior to the issuance of a Grading or Building Permit, the County of Orange – OC Dana Point Harbor Department shall submit to the Fire Chief a list of all hazardous, flammable and combustible liquids, solids or gases to be stored, used or handled on site. These materials shall be submitted to the Fire Chief with a summary sheet listing the total amounts for storage and use for each hazard class.	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
455	SCA 4.10-13	Prior to the issuance of a Building Permit, the County of Orange – <u>OC</u> Dana Point Harbor Department shall submit architectural plans for the review and approval of the Fire Chief if required per the “Orange County Fire Authority Plan Submittal Criteria Form.”	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Building Permits	
456	SCA 4.10-14	Prior to the issuance of a Building Permit, plans for the fire alarm system shall be submitted to the Fire Chief for review and approval. This system shall be operational prior to the issuance of a Certificate of Use and Occupancy. Additionally, a detailed letter of intended use for each building on site shall be submitted to the Fire Chief for review and approval.	Fire Chief, Orange County Fire Authority County of Orange – <u>OC</u> Dana Point Harbor Department	Building Permits	
457	SCA 4.10-15	Prior to issuance of a Certificates of Use and Occupancy, the County of Orange – <u>OC</u> Dana Point Harbor Department shall provide plans or identity 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. Further, a copy of the approved "UFC Implementation" shall be forwarded to the Manager, <u>RDMD OC Public Works</u> /Building Inspection Services, prior to the issuance of any Certificates of Use and Occupancy.	Fire Chief, Orange County Fire Authority Manager, <u>RDMD OC Public Works</u> /Building Inspection County of Orange – <u>OC</u> Dana Point Harbor Department	Certificates of Use and Occupancy	
458	MM 4.10-1	Traffic signals in or adjacent to the Harbor shall be installed with an optical pre-emption device. If such a unit is installed with a system incompatible with OCFA vehicle emitters, a compatible emitter shall be provided to OCFA.	Fire Chief, Orange County Fire Authority Manager, <u>RDMD OC Public Works</u> /Road Division County of Orange – <u>OC</u> Dana Point Harbor Department	Building Permits	
459	MM 4.10-2	In Planning Area 1, the proposed dry stack boat storage buildings shall be equipped with sprinklers and in-rack sprinklers.	Fire Chief, Orange County Fire Authority	Coastal Development and Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			County of Orange – OC Dana Point Harbor Department		
460	MM 4.10-3	A Study of Life Safety and Evacuation shall be conducted for Planning Area 4 to ensure that adequate evacuation can occur should the island bridge become incapacitated.	Manager, RDMAOC Public Works /Current Planning County of Orange – OC Dana Point Harbor Department	Coastal Development and Building Permits	
461	MM 4.10-4	The following items shall be considered for inclusion into the project design: <ul style="list-style-type: none"> ▪ All applicable building plans shall indicate by note that the interior fire sprinkler system is required for the structure(s). Plans for the fire sprinkler systems shall be submitted for review and approval by the Fire Chief. ▪ A supervised fire alarm system with an annunciator, per the requirements of the California Fire Code, shall be installed in an accessible location. ▪ Access to and around all structures shall meet the OCFA and California Fire Code requirements. ▪ A water supply system to supply fire hydrants and automatic fire sprinkler systems shall be installed. ▪ Turning radii and access in and around the Project site and buildings shall be designed to accommodate large fire department vehicles and their weight. ▪ Emergency access shall be maintained during construction. ▪ All service roads and fire lanes, as determined by the Fire Chief, shall be posted and marked accordingly. 	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	
462	MM 4.10-5	All fire hydrants shall have a "Blue Reflective Pavement Marker" indicating the location on the street or drive, per OCFA standards. Fire hydrant spacing shall be 300 feet between hydrants.	Fire Chief, Orange County Fire Authority County of Orange – OC Dana Point Harbor Department	Building Permits	
463	MM 4.10-6	Prior to the issuance of a building permit, the County of Orange – OC Dana Point Harbor Department shall submit a fire hydrant location plan to the Fire Chief for review and approval.	Fire Chief, Orange County Fire Authority	Building Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
			County of Orange – OC Dana Point Harbor Department		
464	MM 4.10-7	Construction shall not block the main navigational channels of Planning Areas 8 through 12.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits	LUP I-4.1.1-6
465	MM 4.10-8	The emergency alley behind the Harbor Patrol office shall not be blocked during construction activities.	Orange County Sheriff, Harbor Patrol County of Orange – OC Dana Point Harbor Department	Grading and Building Permits	
466	MM 4.10-9	The County of Orange shall continue to comply with the Building Code and Title 24 of the California Administrative Code relating to energy conservation.	County of Orange – OC Dana Point Harbor Department	Building Permits	
467	MM 4.10-10	Electrical, natural gas and cable television services and equipment locations shall be coordinated with the applicable utility providers.	County of Orange – OC Dana Point Harbor Department	Coastal Development, Grading and Building Permits	
Cultural Resources					
468	SCA 4.1.1-1	Prior <u>In accordance with the Orange County Grading and Excavation Code, prior</u> to the issuance of any Grading Permit, the County of Orange – OC Dana Point Harbor Department shall provide written evidence to the Manager, RDMD <u>OC Public Works</u> /Subdivision and Grading, that a County-certified archaeologist has been retained to observe grading activities and prepare a mitigation plan if determined salvage and catalogue architectural resources as necessary. The archaeologist shall be present at the pre-grading conference, shall establish procedures for archaeological resource surveillance and shall establish, in cooperation with the applicant, OC Dana Point Harbor, procedures for temporarily halting or redirecting work to permit the sampling, identification of evaluation of artifacts as appropriate. If the <u>The archaeological resources are found to be significant, the</u> archaeological observer shall determine appropriate actions, in cooperation with the County of Orange OC Dana Point Harbor Department, for exploration and/salvage	Manager, RDMD <u>OC Public Works</u> /Subdivision and Grading Manager, RDMD <u>OC Parks /Harbors, Beaches and Parks (HBP/Coastal and Historic Resources Facilities)</u> County of Orange – OC Dana Point Harbor Department	Grading Permits	LUP I-8.8.1-2 IP II-3-SP17

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p><u>and the State Office of Historic Preservation. Any Coastal Development Permit approved in areas of Dana Point Harbor that are identified as having a reasonable probability of containing archaeological resources shall include standards for archaeological and Native American grading monitoring and the preparation and implementation of a mitigation plan, in consultation with the NAHC in a manner meeting the approval of the Manager, OC Parks/Coastal and Historic Facilities.</u></p>			
469	IP II-3-SP18	<p>In accordance with Orange County Grading and Excavation Code, prior to the issuance of a Grading Permit, written evidence shall be provided that a County-certified paleontologist has been retained to observe grading activities and prepare a salvage and catalogue fossils report and/or mitigation plan, if determined necessary. The paleontologist shall be present at the pre-grading conference, shall establish procedures for paleontological resource surveillance and shall establish, in cooperation with the contractor, procedures for temporarily halting or redirecting work to permit sampling, identification and evaluation of the fossils. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the OC Dana Point Harbor and the State Office of Historic Preservation. Any Coastal Development permit approved in areas of Dana Point Harbor that are identified as having a reasonable probability of containing archaeological resources shall include standards for archaeological and Native American grading monitoring and the preparation and implementation of a mitigation plan, in consultation with the NAHC in a manner meeting the approval of the Manager, OC Parks/Coastal and Historic Facilities.</p> <p>At the completion of grading operations, OC Dana Point Harbor shall obtain approval of a paleontologist's follow-up report from the Manager, OC Parks/Coastal and Historical Facilities. The report shall include the period of inspection, a catalogue and analysis of the fossils found and the present repository of the fossils. Excavated finds shall be made available for curatorial purposes to the County of Orange, or its designee, on a first refusal basis. These actions, as well as final mitigation and disposition of the resources shall be subject to approval of the Manager, Manager, OC Parks/Coastal and Historical Facilities.</p>	<p>Manager, OC Public Works/Subdivision and Grading</p> <p>Manager, OC Parks/Coastal and Historic Facilities</p> <p>County of Orange – OC Dana Point Harbor</p>	Grading Permits	
470	MM 4.11-1	<p>If human remains are encountered, <u>State Health and Safety Code Section 7050.5 requires that no further during earth removal or disturbance activities,</u></p>	Orange County Sheriff, Corners Office	Grading Permits	LUP I-8.8.1-3

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
		<p>the contractor shall cease all further earth disturbance shall occur 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. <u>The County Coroner must be notified of the find immediately.</u> If the remains are determined to be prehistoric, the Coroner shall notify the Native American Heritage Commission (NAHC) which will determine and notify a Most Likely Descendent (MLD). <u>With the permission of the owner of the land or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend preservation in place, scientific removal and non-destructive analysis of human remains and items associated with Native American burials..</u></p>	<p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>		
41	LUP Policy I-8.8.1-1	<p>Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. (Coastal Act Section 30244)</p>	<p>County of Orange – OC Dana Point Harbor City of Dana Point</p>	<p>Coastal Development and Grading Permits</p>	
Recreation					
472	PDF 4.12-1	<p>Separate pedestrian sidewalks will be provided as part of the ramp design to minimize pedestrians using parking aisles to access the Commercial Core businesses.</p>	<p>County of Orange – OC Dana Point Harbor</p>	<p>Coastal Development and Building Permits</p>	
473	PDF 4.12-2	<p>Pedestrian linkages will be created between Harbor amenities, such as the Pedestrian Promenade and linear park.</p>	<p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	<p>Coastal Development Permits</p>	
474	PDF 4.12-3	<p>Various amenities will be provided to the waterside areas, including improved boater drop-off areas, dedicated boater parking, upgraded boater service buildings and restrooms and convenient seasonal water taxi drop-off and pick-up areas throughout the Harbor.</p>	<p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	<p>Coastal Development Permits</p>	
475	MM 4.12-1	<p>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.</p>	<p>County of Orange – <u>OC</u> Dana Point Harbor Department</p>	<p>Grading and Building Permits</p>	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
476	MM 4.12-2	Should the Selva Parking Lot be used as an overflow parking lot and boat storage facility, the County of Orange DPHD OC Dana Point Harbor shall establish a Parking Management Plan (PMP) to ensure that public access to the Selva Parking Lot is retained at its level of demand.	County of Orange – OC Dana Point Harbor Department	Coastal Development Permits	
477	LUP Policy I-4.3.1-1	Protect public coastal access recreational opportunities through the provision of adequate support facilities and services.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
478	LUP Policy I-6.2.4-1	Coordinate with appropriate City and County Park, Recreation and Harbor agencies to enhance Open Space trails and bike paths. (Coastal Act Sections 30210-212.5)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
479	LUP Policy I-6.2.4-2	Promote the safety of pedestrians and bicyclists by adhering to national standards and uniform practices.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
480	LUP Policy I-6.2.4-4	Encourage safe and convenient bicycle and pedestrian access throughout the community. (Coastal Act Sections 30210-212.5, 30250, 30252)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
481	LUP Policy I-6.3.1-1	Encourage the provision of a range of recreational facilities and programs to meet the needs of Harbor visitors.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
482	LUP Policy I-6.3.1-2	Lower-cost visitor and recreational facilities shall be protected, encouraged and where feasible, provided. Harbor facilities providing public recreational opportunities are preferred. (Coastal Act Section 30213)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
483	LUP Policy I-6.3.1-3	Pedestrian linkages shall be created between Harbor amenities, such as the Pedestrian Promenade and linear park.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
484	LUP Policy I-6.3.1-4	Development in areas adjacent to parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas through, among other methods, creative site planning and minimizing visual impacts and shall be compatible with the continuance of those parks and recreation areas. (Coastal Act Section 30240)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

PROJECT REQUIREMENT AND MONITORING PROGRAM TABLE (continued)

No.	Reference	Requirements/Conditions/Mitigation Measures LCPA LUP Policies/IP Provisions	Responsible for Implementation	Time of Verification	Consistent with, Modified or Supplemented by LCPA
485	LUP Policy I-6.3.1-5	Coastal water areas suited for water-oriented recreation activities shall be protected for such uses. (Coastal Act Section 30220)	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
486	LUP Policy I-6.3.1-6	Maintain, enhance and where feasible, expand places to hand launch small non-motorized watercraft and provide necessary parking; as well as opportunities to rent and store such watercraft. Storage for hand launch vessels shall be provided as close to hand launch areas as feasible.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	
487	LUP Policies I-8.5.3-6 I-4.2.1-3 I-4.3.1-7	A comprehensive Dana Point Harbor Sign Program shall include provisions for providing clear and conspicuous notice to assist the public in locating and recognizing trail access points, recreation areas and other visitor recreational amenities. In areas containing sensitive habitat or safety hazards, signs shall be posted with a description of the sensitive habitat or safety hazard and limitation on entry to those areas.	County of Orange – OC Dana Point Harbor City of Dana Point	Coastal Development Permits	

APPENDIX B

WATER QUALITY TECHNICAL MEMORANDUM



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MEMORANDUM

DATE: August 3, 2011

TO: Craig Hoffman, Project Dimensions

FROM: Laura Rocha, CPSWQ

SUBJECT: Drainage and Water Quality Memorandum–Dana Point Harbor Revitalization Project

INTRODUCTION

The County of Orange (County) OC Dana Point Harbor Department proposes to revitalize and update the Dana Point Harbor facilities consistent with the goals and policies established for the Dana Point Harbor Revitalization Plan. The County, as Lead Agency under the California Environmental Quality Act (CEQA), prepared a Program Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project and released the document for a 45-day public review on September 27, 2005. The County Board of Supervisors approved the proposed project and certified the Dana Point Harbor Revitalization Plan Program Final Environmental Impact Report (FEIR) No. 591 (State Clearinghouse No. 2003101142) on January 31, 2006.

The Dana Point Harbor Revitalization Plan required a series of subsequent approvals by the City of Dana Point (City) and the California Coastal Commission (CCC) to modify existing regulatory documents, including the City's Local Coastal Program (LCP). The Revitalization Plan and District Regulations therefore required an LCP Amendment (LCPA). During the public and regulatory review and approval process, the City and the California Coastal Commission (CCC), incorporated refinements in the Land Use Plan (LUP) in the form of various suggested modifications. Due to the incorporation of additional policies, regulations, and special provisions by the CCC as part of the suggested modifications to the LCPA, the previously certified FEIR No. 591 required review to determine whether the previous conclusions remained valid. This Water Quality Assessment Memorandum provides an analysis of whether the project, as modified, remains adequately addressed in FEIR No. 591 in regards to Hydrology and Water Quality.

Therefore, the purpose of this Water Quality Assessment Memorandum is to analyze the environmental effects associated with differences between the project as currently revised and the project reviewed in FEIR No. 591. This analysis determines whether construction and operation of the proposed project would have adverse impacts on water quality. The determination of impacts is based on the anticipated change in pollutant loads due to changes in land use and/or changes in the impervious area (from existing condition to post-project condition). This assessment also discusses changes to water quality regulations and standard methods of complying with those regulations that have occurred subsequent to certification of FEIR No. 591.

AFFECTED ENVIRONMENT

Dana Point Harbor (Harbor), located within the City of Dana Point (City) is in the Dana Point hydrologic subarea (HSA) (901.14) of the San Juan hydrologic unit (901) within the San Diego Basin. The Dana Point Revitalization Plan lies within the San Juan Creek Watershed (Watershed), which ultimately drains to the Pacific Ocean. More specifically, the Dana Point Revitalization Plan lies within the Dana Point Coastal Streams Watershed, a subwatershed of the San Juan Creek Watershed. The Dana Point Coastal Streams receiving water is the Harbor. The Harbor is bordered by the Pacific Ocean to the south, Dana Headlands and Dana Point Marine Life Refuge to the west; Doheny State Beach to the east; and a variety of commercial, hotel, residential, and park uses to the north.

The San Juan Creek Watershed covers 133.9 square miles and includes portions of the Cities of Dana Point, Laguna Hills, Laguna Niguel, Mission Viejo, Rancho Santa Margarita, and San Juan Capistrano. Its main tributary, San Juan Creek, originates in the Santa Ana Mountains district of the Cleveland National Forest in the easternmost part of the County. A number of coastal drains discharge to the Pacific Ocean through Dana Point Harbor. San Juan Creek and its main tributaries, Arroyo Trabuco Creek and Oso Creek, flow into the Pacific Ocean south of the Harbor. Salt Creek and its tributaries, Arroyo Salado Creek and San Juan Canyon Creek, discharge to Salt Creek Beach, north of Dana Point Harbor.

The Dana Point Coastal Streams watershed is almost fully developed. Remaining undeveloped areas include open space within the Aliso and Wood Canyons Regional Park in the upper watershed and the Salt Creek Corridor Regional Park in the eastern part of the watershed.

Refer to Section 4.4 of FEIR No. 591 for additional detail regarding the existing environmental setting for Hydrology and Water Quality within the Harbor.

List of Impaired Water Bodies

According to the State Water Board-approved 2010 Integrated Report, Dana Point Harbor is impaired for copper, toxicity, and zinc. The Pacific Ocean shoreline at Baby Beach is impaired for enterococcus and total coliform (both are pathogens). Table A summarizes the receiving waters and their classifications by Regional Water Quality Control Board (RWQCB) Region 9.

Table A: 303(d) Impairments of Downstream Water Bodies

Receiving Water	Hydrologic Unit Code	303(d) Impairment	Size Affected	TMDL
Dana Point Harbor: Bay and Harbor	901.14	Copper Toxicity Zinc	119 acres	2019 2021 2019
Pacific Ocean Shoreline: Dana Point HSA at Dana Point Harbor (Baby Beach)	901.14	Enterococcus Total Coliform	0 miles	2012

Source: California's 2010 Integrated Report, approved by the United States Environmental Protection Agency on November 12, 2010.

HSA = hydrologic subarea

TMDL = Total Maximum Daily Load

There are no Total Maximum Daily Loads (TMDLs) currently approved for Dana Point Harbor that could regulate contributions of surface runoff into impaired water bodies; TMDLs for Baby Beach and Dana Point Harbor are pending.

REGULATORY ENVIRONMENT

The FEIR No. 591 identified that the project must satisfy the requirements of several federal and State regulatory agencies and permits, most notably, the following:

- The State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activity General Permit, under the Federal Clean Water Act;
- California's Nonpoint Source (NPS) Pollution Control Program; and
- San Diego Regional Water Quality Control Board (SDRWQCB) Municipal NPDES Order No. R9-2002-0001.

Since FEIR No 591 certification, in January 2006, the SWRCB and SDRWQCB have adopted new permits that are now in effect and now apply to the project, as described further below.

State Requirements under Section 402 of the Clean Water Act (CWA)

Construction of the proposed project is subject to requirements of the following State permit.

Construction General Permit. On September 2, 2009, the SWRCB adopted the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, NPDES No. CAS000002). In accordance with NPDES regulations, the State of California requires that any construction activity disturbing 1 acre (ac) or more of soil comply with the Construction General Permit. To obtain authorization for proposed storm water discharges pursuant to this permit, the landowner (discharger) is required to submit Permit Registration Documents, including a risk assessment, site map, Storm Water Pollution Prevention Plan (SWPPP), annual fee, and signed certification statement to the SWRCB. Dischargers are required to implement Best Management Practices (BMPs) meeting the technological standards of Best Available Technology (BAT) and Best Control Technology (BCT) to reduce or eliminate storm water pollution. BMPs include programs, technologies, processes, practices, and devices that control, prevent, remove, or reduce pollution. Permittees must also maintain BMPs and conduct inspection and sampling programs as required by the permit. Dischargers are also required to comply with monitoring and reporting requirements to verify that discharges comply with the numeric action levels and numeric effluent limitations specified in the permit. The proposed project is subject to the requirements of the Construction General Permit because it would disturb a combined total of more than 1 acre (ac) of soil during construction.

Local Requirements under Section 402 of the CWA

Construction and operation of the proposed project is subject to requirements of the following local permit and regulations.

Municipal NPDES Permit. The County of Orange is the principal permittee for the Municipal NPDES Permit for the San Diego Region, Order No. R9-2009-0002 (NPDES No. CAS0108740), titled “Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds of the County of Orange, the Incorporated Cities of Orange County, and the Orange County Flood Control District within the San Diego Region.” The NPDES Permit prohibits discharges, sets limits on pollutants being discharged into receiving waters, and requires implementation of technology-based pollution control standards.

Under the NPDES permit, the County and City are responsible for the management of storm drain systems within their jurisdictions. The County is required to implement management programs, monitoring programs, implementation plans, and all BMPs outlined in the Orange County Drainage Area Management Plan (DAMP) and to take any other actions as may be necessary to protect water quality to the maximum extent practicable (MEP).

ENVIRONMENTAL CONSIDERATIONS

FEIR No. 591

The findings prepared for FEIR No 591 determined that project implementation (along with Standard Conditions of Approval [SCAs]) would reduce impacts related to drainage and runoff, short-term and long-term water quality, and cumulative hydrology and drainage impacts. No additional mitigation was required beyond the SCAs, and no significant unavoidable adverse impacts related to drainage and runoff, water quality, and cumulative hydrology and drainage impacts would occur as a result of construction and operation of the proposed project.

The findings prepared for FEIR No. 591 determined that portions of the project site may be subject to potential flood hazards from San Juan Creek. Implementation of mitigation measures would reduce the project’s significant flooding impact to a less than significant level. Mitigation measures require an assessment of flooding from San Juan Creek and seiche impacts on all proposed structures in the Harbor. Standard Conditions of Approval (SCA) require all structures to be built 1 foot (ft) above the base flood elevation. In addition, a Project Design Feature (PDFs) would ensure that all new buildings include storm water collection systems. Implementation of the recommended Mitigation Measures, PDFs, and SCAs would reduce impacts to a less than significant level. There are no significant unavoidable adverse project impacts related to flood hazards after implementation of the proposed Mitigation Measures.

The listed PDFs, SCAs, and Mitigation Measures are restated below verbatim as included in FEIR No. 591. However, during the subsequent approval process, several of these measures were modified and incorporated as LUP Policies. Where applicable, the wording has been revised to be consistent with the approved Policy, as indicated in parenthesis.

Project Design Features (PDFs), Standard Conditions of Approval (SCAs), and Mitigation Measures (MMs)

- SCA 4.4-4** OC Dana Point Harbor Department shall obtain coverage under the NPDES Statewide Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit approval must be presented prior to the issuance of a Grading Permit. (LUP Policy 7.6.1-2)
- SCA 4.4-5** As required for obtaining any Grading or Building Permits, OC Dana Point Harbor shall demonstrate compliance under California's General Permit for Stormwater Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing in a manner meeting the satisfaction of the Manager, RDMD/Building Permit Services. Projects subject to this requirement shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). A copy of the current SWPPP shall be kept at the project site and available for review on request. (LUP Policy 7.6.1-3)
- SCA 4.4-8** As required for obtaining any Grading or Building Permit (whichever comes first), OC Dana Point Harbor shall prepare a Water Quality Management Plan (WQMP) and/or a project-specific amendment specifically identifying Best Management Practices (BMPs) that will be used onsite to minimize the volume, velocity and pollutant load of runoff, including measures to prevent, eliminate and/or otherwise effectively address dry weather nuisance flow. The WQMP shall follow the model WQMP prepared by the County Flood Control District, July 1, 2003 or the most recent version available. This WQMP or amendment thereto shall also demonstrate conformance with the policies and provisions governing Water Quality and Hydrology identified in Chapter 2 of the Dana Point Harbor Revitalization Plan, Resource Protection section including applicable provisions from the Project Design Features and Requirements section. The WQMP may include one or more of the following:
- Discuss regional water quality and/or watershed programs (if available for the Harbor);
 - Address and include Site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or "zero discharge" areas, and conserving natural areas;
 - Include the applicable Routine Source Control BMPs and where necessary Treatment Control BMPs as defined in the DAMP; and;
 - Demonstrate how surface runoff and subsurface drainage shall be managed and directed to the nearest acceptable drainage facility (as applicable), via sump pumps if necessary. (LUP Policy 7.6.1-5)

SCA 4.4-9 As required for obtaining any Grading or Building Permits (whichever comes first), OC Dana Point Harbor shall include in the WQMP the following additional Priority Project information:

- Include post-construction Structural Treatment Control BMP(s) as defined in the DAMP; and
- Include a conceptual Operation and Maintenance (O&M) Plan that (1) describes the long-term operation and maintenance requirements for the post-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); and (3) describes the proposed mechanism for funding the long-term operation and maintenance of the referenced Treatment Control BMP(s). (LUP Policy 7.6.1-6)

SCA 4.4-10 As required for obtaining a Certificate of Use and Occupancy, OC Dana Point Harbor shall confirm compliance with the WQMP, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the project's WQMP have been implemented, constructed and installed in conformance with approved plans and specifications;
- Demonstrate that the County of Orange Dana Point Harbor Department has complied with all non-structural BMPs described in the project's WQMP;
- Submit for review and approval an Operations and Maintenance (O&M) Plan for all structural BMPs for attachment to the WQMP; and
- Demonstrate that copies of the project's approved WQMP (with attached O&M Plan) are available for each of the incoming occupants (LUP Policy 7.6.1-7)

MM 4.4-1 OC Dana Point Harbor shall prepare an assessment of the potential impacts of inundation from a tsunami taking into account future sea-level rise on the existing and proposed building structures along the seawall. (LUP Policy 8.6.2-9)

MM 4.4-2 OC Dana Point Harbor shall prepare an assessment of the potential wave run-up from a seiche or tsunami near the Harbor during a major seismic event including but not limited to an event on the Newport-Inglewood Fault and/or San Jacinto Mountains Faults prior to submittal of the first Coastal Development Permit for development of the Commercial Core. (LUP Policy 8.6.3-6)

No unavoidable significant impacts related to Hydrology and Water Quality were identified in FEIR No. 591. Refer to Section 4.4 of FEIR No. 591 for an analysis of the potential effects of the proposed project related to Hydrology and Water Quality.

Project Changes

FEIR No. 591 evaluated the entire Harbor Revitalization Plan at a program or conceptual level of detail and provided project- or construction-level EIR analysis where possible, consistent with CEQA

Guidelines Sections 15146 and 15168. Minor changes and modifications to the proposed project were incorporated during the public and regulatory review and approval process of the LCPA. The CCC approved the amendment to the LUP, with suggested modifications. The changes to the LUP certified by the Commission resulted in several physical changes to the LUP as proposed, including removal of the lighthouse land use designation, the elimination of a freestanding Marine Retail building in Planning Area 1, a policy of “no net loss” or maximum of 155 slip loss for boat slips, a requirement to maintain a minimum 1.6 acre shipyard, a requirement to provide 493 dry boat storage spaces, a minimum of 334 parking spaces for vehicles with trailers, and adoption of a parking standard of 0.6 space per boat slip and 1 space per 3 passengers for sport fishing, charter boat, and passenger ferry operations.

However, the modifications imposed by the CCC did not intensify the proposed project, but rather clarified or refined the description and/or locations of the proposed project components. Physical changes to the Dana Point Harbor Revitalization Plan Project are summarized in Tables B and C.

Current Project Construction Impacts

Construction impacts would be less than what was identified in FEIR No. 591 due to the elimination of implementation of certain project components. For example, the project refinements removed construction of the second dry stack storage building and lighthouse, reducing the construction activities and impacts. Overall, these components were the largest identifiable changes in terms of construction impacts. Therefore, impacts associated with construction of the modified project are anticipated to be similar and/or slightly less than the impacts disclosed in FEIR No. 591.

The FEIR No. 591 required compliance with the Construction General Permit that was in effect at that time. Since the FEIR No. 591 has been certified, a new Construction General Permit has since been adopted and would apply to construction activities for the proposed project. The requirements of the Construction General Permit are now based on the risk level of the project. The overall risk level is based on two factors: (1) receiving water risk, and (2) sediment risk. Runoff from the project site would not discharge to a 303(d) listed waterbody impaired for sediment, but does discharge to a waterbody with designated beneficial uses of SPAWN and MIGRATORY; therefore, the receiving water risk is considered high.

Based on the anticipated construction schedule of approximately 7 years, the project sediment risk would be high (soil loss = 616 tons/acre). Therefore, the project would be Risk Level 3. Risk Level 3 projects are required to implement Good Housekeeping, Erosion Control, and Sediment Control BMPs; perform quarterly non-storm water discharge observations; weekly, prestorm, daily storm, and poststorm inspections; prepare and implement a Rain Event Action Plan (REAP); prepare and submit, via Storm Water Multi-Application and Report Tracking System (SMARTS), an Annual Report; collect storm water samples; and comply with the percentage of hydrogen (pH) and turbidity Numeric Action Levels and Numeric Effluent Limitations specified in the Construction General Permit. In addition, Risk Level 3 requires macroinvertebrate sampling since the project discharges to a waterbody with designated beneficial uses of SPAWN and MIGRATORY.

Current Project Postconstruction Impacts

The operation impacts associated with the project modifications result in similar impacts as disclosed in FEIR No. 591. For example, as shown in Table B, the revised project preserves the existing park area uses in the Marine Commercial Areas and Marine Service Commercial and preserves the existing size of the sandy beach area (Baby Beach). This project modification would result in a preservation of existing pervious areas. Therefore, the modifications would likely result in a greater area of pervious surface compared to what was identified in FEIR No. 591.

The project modification to keep the existing shipyard building size of 5,000 square feet (sf), rather than reduce the size to 2,500 sf, may result in a slightly greater impact than what was identified in FEIR No. 591. However, because this is already the existing condition today, no additional impact to water quality would occur. Therefore, impacts associated with operation of the modified project are anticipated to be similar and slightly less than the impacts disclosed in FEIR No. 591.

MITIGATION MEASURES

In light of the modifications to the Revitalization Plan, FEIR No. 591 was reviewed to determine whether or not changes to the project would affect the Mitigation Measures contained therein. Based on the analysis and information provided, no changes to the listed PDFs, SCAs, and Mitigation Measures identified above are needed.

APPENDIX C

GREENHOUSE GASES TECHNICAL MEMORANDUM



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MEMORANDUM

DATE: August 3, 2011
TO: Mr. Jon Conk, Project Dimensions
FROM: Ronald Brugger, LSA Associates, Inc.
SUBJECT: Global Climate Change Related to the FEIR No. 591, Dana Point Revitalization Project in Dana Point, California

INTRODUCTION

LSA Associates, Inc. (LSA) has prepared this memorandum to discuss the effect of building the proposed Dana Point Revitalization Project on global climate change (GCC) and the total greenhouse gas (GHG) emissions. The primary goal of the Revitalization Plan is to renovate the Harbor as a popular destination for boaters, local residents and tourists while maintaining the Harbor's small craft character. The plans include renovation of Harbor infrastructure and buildings and improvements to parking and amenities.

The County of Orange, as Lead Agency under the California Environmental Quality Act (CEQA), prepared a Program Environmental Impact Report (EIR) for the Dana Point Harbor Revitalization Project, which was certified on January 31, 2006.

Implementation of the Dana Point Harbor Revitalization Plan required a series of subsequent approvals by the City of Dana Point (City) and the California Coastal Commission (CCC) to modify existing regulatory documents, including the City's Local Coastal Program (LCP). The Revitalization Plan and District Regulations therefore required an LCP Amendment (LCPA). Due to the incorporation of additional policies, regulations and development standards by the CCC as part of the LCPA review and certification process, the previously certified FEIR No. 591 prepared for the project required review to determine whether the previous conclusions remain valid. Therefore, consistent with the CEQA Guidelines, an Addendum to FEIR No. 591 is being prepared to provide a record of the changes resulting from the LCPA approval process that occurred subsequent to the certification of FEIR No. 591. Because CEQA did not have thresholds addressing climate change or GHG emissions at the time FEIR No. 591 was prepared, an analysis of GHG emissions was not included in FEIR No. 591. Therefore, this memo is being prepared to discuss the GHG emissions resulting from the entire construction process and from future long-term operation of the project.

Increasing public awareness and general scientific consensus that GCC is occurring have placed a new focus on CEQA as a means to address a project's effects on GHG emissions. This memo evaluates the proposed project's potential effects on GCC. CEQA requires that Lead Agencies consider the reasonably foreseeable adverse environmental effects of projects considered for

approval. According to a recent letter from California's Office of the Attorney General¹ and other State guidance, GCC can be considered an "effect on the environment" and an individual project's incremental contribution to GCC can have a cumulatively considerable impact.

Cumulative impacts are the collective impacts of one or more past, present, or future projects that when combined, result in adverse changes to the environment. Climate change is a global environmental problem in which: (a) any given development project contributes only a small portion of any net increase in GHGs and (b) global growth is continuing to contribute large amounts of GHGs across the globe. Therefore, climate change is addressed herein primarily as a cumulative impact.

METHODOLOGY

This analysis begins by providing general background information on climate change and meteorology. It then discusses the regulatory framework for GCC, provides data on the existing global climate setting and evaluates potential global climate-related emissions associated with the proposed project. Modeled project emissions are estimated using similar methodology as that used in the FEIR No. 591 Air Quality analysis and is based on the project land uses, vehicle data, and project trip generation, among other variables. The cumulative impact of the project is analyzed by determining whether the project conflicts with or obstructs the implementation of GHG reduction measures under Assembly Bill (AB) 32 and/or other applicable State regulations.

AFFECTED ENVIRONMENT

The following discussion provides an overview of GCC, its causes, and its potential effects. The regulatory framework relating to GCC is also summarized.

Global Climate Change Background. A description of GCC and its sources are provided below.

(1) Global Climate Change. GCC is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. The Earth's average near-surface atmospheric temperature rose $0.6 \pm 0.2^\circ$ Celsius ($^\circ\text{C}$) or $1.1 \pm 0.4^\circ$ Fahrenheit ($^\circ\text{F}$) in the 20th century. The prevailing scientific opinion on climate change is that most of the warming observed over the last 50 years is attributable to human activities. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities, and lead to an increase in the greenhouse effect.

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The six gases that are widely seen as the principal contributors to GCC are as follows:

- CO_2
- Methane (CH_4)

¹ State of California, Department of Justice, 2008. Comment letter to the City of Concord re "Concord Community Reuse Plan Draft Environmental Impact Report – SCH #2007052094." August 8.

- Nitrous oxide (N₂O)
- Hydroflourocarbons (HFCs)
- Perflourocarbons (PFCs)
- Sulfur Hexaflouride (SF₆)

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing the natural greenhouse effect, which is believed to be causing global warming. While manmade GHGs include naturally occurring GHGs such as CO₂, CH₄, and N₂O, some gases, like HFCs, PFCs, and SF₆, known collectively as chlorofluorocarbons (CFCs), are completely new to the atmosphere.

Some gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this analysis, the term “GHGs” will refer collectively to the above six gases only.

These six gases vary considerably in terms of Global Warming Potential (GWP): the relative effectiveness of a gas to absorb infrared radiation, remain in the atmosphere, and contribute to global warming. The GWP of each gas is measured relative to CO₂, the most abundant GHG; thus, GHG emissions are typically measured in terms of pounds or tons of “CO₂ equivalents” (CO₂e). Table A shows the GWPs for each type of GHG. For example, sulfur hexaflouride is 22,800 times more potent in contributing to global warming than CO₂.

Table A: Global Warming Potentials

Gas	Atmospheric Lifetime (Years)	Global Warming Potential (100-year Time Horizon)
Carbon Dioxide (CO ₂)	50-200	1
Methane (CH ₄)	12	25
Nitrous Oxide (N ₂ O)	114	298
HFC-23	270	14,800
HFC-134a	14	1,430
HFC-152a	1.4	124
PFC: Tetrafluoromethane (CF ₄)	50,000	7,390
PFC: Hexafluoromethane (C ₂ F ₆)	10,000	12,200
Sulfur Hexafluoride (SF ₆)	3,200	22,800

Source: IPCC, 2007. *Climate Change 2007: The Physical Science Basis*. Contribution of Working Group I to the Fourth Assessment Report of the IPCC.

The following discussion summarizes the characteristics of the six GHGs listed above.

Carbon Dioxide. In the atmosphere, carbon generally exists in its oxidized form, as CO₂. Natural sources of CO₂ include the respiration (breathing) of humans, animals and plants, volcanic outgassing, decomposition of organic matter and evaporation from the oceans. Human-caused

sources of CO₂ include the combustion of fossil fuels and wood, waste incineration, mineral production, and deforestation. The Earth maintains a natural carbon balance and when concentrations of CO₂ are upset, the system gradually returns to its natural state through natural processes. Natural changes to the carbon cycle work slowly, especially compared to the rapid rate at which humans are adding CO₂ to the atmosphere. Natural removal processes, such as photosynthesis by land- and ocean-dwelling plant species, cannot keep pace with this extra input of man-made CO₂, and consequently, the gas is building up in the atmosphere. The concentration of CO₂ in the atmosphere has risen about 30 percent since the late 1800s.¹

In 2002, CO₂ emissions from fossil fuel combustion accounted for approximately 98 percent of man-made CO₂ emissions and approximately 84 percent of California's overall GHG emissions (CO₂e). The transportation sector accounted for California's largest portion of CO₂ emissions, with gasoline consumption making up the greatest portion of these emissions. Electricity generation was California's second largest category of GHG emissions.

Methane. CH₄ is produced when organic matter decomposes in environments lacking sufficient oxygen. Natural sources include wetlands, termites, and oceans. Decomposition occurring in landfills accounts for the majority of human-generated CH₄ emissions in California and in the United States as a whole. Agricultural processes such as intestinal fermentation, manure management, and rice cultivation are also significant sources of CH₄ in California. CH₄ accounted for approximately 6 percent of gross climate change emissions (CO₂e) in California in 2002. Total annual emissions of CH₄ are approximately 500 million tons, with manmade emissions accounting for the majority. As with CO₂, the major removal process of atmospheric CH₄—chemical breakdown in the atmosphere—cannot keep pace with source emissions, and CH₄ concentrations in the atmosphere are increasing.

Nitrous Oxide. N₂O is a product of the reaction that occurs between nitrogen and oxygen during fuel combustion. Both mobile and stationary combustion emit N₂O, and the quantity emitted varies according to the type of fuel, technology, and pollution control device used, as well as maintenance and operating practices. Agricultural soil management and fossil fuel combustion are the primary sources of human-generated N₂O emissions in California. N₂O emissions accounted for nearly 7 percent of climate change emissions (CO₂e) in California in 2002.

Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. HFCs are primarily used as substitutes for ozone (O₃) depleting substances regulated under the Montreal Protocol.² PFCs and SF₆ are generally emitted from various industrial processes, including aluminum smelting, semiconductor manufacturing, electric power transmission and distribution, and magnesium casting. There is no aluminum or magnesium production in California; however, the rapid growth

¹ California EPA. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. March.

² The Montreal Protocol is an international treaty that was approved on January 1, 1989, and was designated to protect the O₃ layer by phasing out the production of several groups of halogenated hydrocarbons believed to be responsible for O₃ depletion.

in the semiconductor industry leads to greater use of PFCs. HFCs, PFCs, and SF₆ accounted for about 3.5 percent of gross climate change emissions (CO₂e) in California.

Emissions Sources and Inventories. An emissions inventory that identifies and quantifies the primary human-generated sources and sinks¹ of GHGs is a well-recognized and useful tool for addressing climate change. This section summarizes the latest information on global, United States, California, and local GHG emission inventories. However, because GHGs persist for a long time in the atmosphere (see Table A), accumulate over time, and are generally well-mixed, their impact on the atmosphere and climate cannot be tied to a specific point of emission.

(1) Global Emissions

Worldwide emissions of GHGs in 2004 were 27 billion metric tons of CO₂e per year.² Global estimates are based on country inventories developed as part of programs of the United Nations Framework Convention on Climate Change (UNFCCC).

(2) United States Emissions

In 2008, the United States emitted approximately 7.0 billion metric tons of CO₂e or approximately 25 tons per year per person. Of the six major sectors nationwide— electric power industry, transportation, industry, agriculture, commercial, residential— the electric power industry and transportation sectors combined account for approximately 62 percent of the GHG emissions; the majority of the electrical power industry and all of the transportation emissions are generated from direct fossil fuel combustion. Between 1990 and 2006, total United States GHG emissions rose approximately 14.7 percent.³

(3) State of California Emissions

According to California Air Resources Board (ARB) emission inventory estimates, California emitted approximately 474 million metric tons⁴ of CO₂e emissions in 2008.⁵ This large number is due primarily to the sheer size of California compared to other states. By contrast, California has the fourth lowest per-capita carbon dioxide emission rate from fossil fuel combustion in the country, due to the success of its energy efficiency and renewable energy programs and

¹ A sink is a natural or artificial reservoir that accumulates and stores some chemical compound for an indefinite period.

² Combined total of Annex I and Non-Annex I Country CO₂eq emissions. UNFCCC, 2007. *Greenhouse Gas Inventory Data*. Information available at http://unfccc.int/ghg_data/ghg_data_unfccc/time_series_annex_i/items/3814.php and http://maindb.unfccc.int/library/view_pdf.pl?url=http://unfccc.int/resource/docs/2005/sbi/eng/18a02.pdf.

³ U.S. EPA. 2010. The 2010 U.S. Greenhouse Gas Inventory Report. <http://www.epa.gov/climatechange/emissions/usinventoryreport.html>. Accessed September 2010.

⁴ A metric ton is equivalent to approximately 1.1 tons.

⁵ California ARB, Greenhouse Gas Inventory Data - 1990 to 2004. <http://www.arb.ca.gov/cc/inventory/data/data.htm>. Accessed November 2010.

commitments that have lowered the State's GHG emissions rate of growth by more than half of what it would have been otherwise.¹

The Cal/EPA Climate Action Team stated in its March 2006 report that the composition of gross climate change pollutant emissions in California in 2002 (expressed in terms of CO₂e) was as follows:

- CO₂ accounted for 83.3 percent
- CH₄ accounted for 6.4 percent
- N₂O accounted for 6.8 percent
- HFCs, PFC, and SF₆ accounted for 3.5 percent²

The ARB estimates that transportation is the source of approximately 38 percent of the State's GHG emissions in 2004, followed by electricity generation (both in-State and out-of-State) at 23 percent, and industrial sources at 20 percent. The remaining sources of GHG emissions are residential and commercial activities at 9 percent, agriculture at 6 percent, high global warming potential gases at 3 percent, and recycling and waste at 1 percent.³

The ARB is responsible for developing the California Greenhouse Gas Emission Inventory. This inventory estimates the amount of GHGs emitted to and removed from the atmosphere by human activities within the State of California and supports the AB 32 Climate Change Program. The ARB's current GHG emission inventory covers the years 1990-2004 and is based on fuel use, equipment activity, industrial processes, and other relevant data (e.g., housing, landfill activity, agricultural lands). The emission inventory estimates are based on the actual amount of all fuels combusted in the State, which accounts for over 85 percent of the GHG emissions within California.

The ARB staff has projected statewide unregulated GHG emissions for the year 2020, which represent the emissions that would be expected to occur in the absence of any GHG reduction actions, will be 596 million metric tons (MMT) of CO₂e. GHG emissions from the transportation and electricity sectors as a whole are expected to increase, but remain at approximately 38 percent and 23 percent of total CO₂e emissions, respectively. The industrial sector consists of large stationary sources of GHG emissions and the percentage of the total 2020 emissions is projected to be 17 percent of total CO₂e emissions. The remaining sources of GHG emissions in 2020 are high global warming potential gases at 8 percent, residential and commercial activities at 8 percent, agriculture at 5 percent, and recycling and waste at 1 percent.⁴

¹ California Energy Commission (CEC), 2007. Inventory of California Greenhouse Gas Emissions and Sinks: 1990 to 2004 - Final Staff Report, publication # CEC-600-2006-013-SF, Sacramento, CA, December 22, 2006; and January 23, 2007 update to that report.

² California Environmental Protection Agency. 2006. *Climate Action Team Report to Governor Schwarzenegger and the Legislature*. March.

³ California ARB, 2008. <http://www.climatechange.ca.gov/inventory/index.html>. September.

⁴ California ARB, 2008. <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>. September.

Regulatory Framework. The regulatory framework for GHG emissions and GCC is discussed below.

Federal Regulations. The United States has historically had a voluntary approach to reducing GHG emissions. However, on April 2, 2007, the United States Supreme Court ruled that the Environmental Protection Agency (EPA) has the authority to regulate CO₂ emissions under the federal Clean Air Act (CAA). While there currently are no adopted federal regulations for the control or reduction of GHG emissions, the EPA commenced several actions in 2009 that are required to implement a regulatory approach to global climate change.

On September 30, 2009, the EPA announced a proposal that focuses on large facilities emitting over 25,000 tons of GHG emissions per year. These facilities would be required to obtain permits that would demonstrate they are using the best practices and technologies to minimize GHG emissions.

On December 7, 2009, the EPA Administrator signed a final action under the CAA, finding that six greenhouse gases (CO₂, CH₄, N₂O, HFCs, PFCs, SF₆) constitute a threat to public health and welfare, and that the combined emissions from motor vehicles cause and contribute to global climate change. This EPA action does not impose any requirements on industry or other entities. However, the findings are a prerequisite to finalizing the GHG emission standards for light-duty vehicles mentioned below.

On April 1, 2010, the EPA and the Department of Transportation's National Highway Traffic Safety Administration (NHTSA) announced a final joint rule to establish a national program consisting of new standards for model year 2012 through 2016 light-duty vehicles that will reduce GHG emissions and improve fuel economy. EPA is finalizing the first-ever national GHG emissions standards under the CAA, and NHTSA is finalizing Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act. The EPA GHG standards require these vehicles to meet an estimated combined average emissions level of 250 grams of carbon dioxide (CO₂) per mile in model year 2016, equivalent to 35.5 miles per gallon (mpg).

State Regulations. In a response to the transportation sector's significant contribution to California's CO₂ emissions, AB 1493 (Pavley) was enacted on July 22, 2002. AB 1493 requires the ARB to set GHG emission standards for passenger vehicles and light-duty trucks (and other vehicles whose primary use is noncommercial personal transportation in the State) manufactured in 2009 and all subsequent model years. To set its own GHG emissions limits on motor vehicles, California must receive a waiver from the EPA. On June 30, 2009, the EPA granted the waiver of CAA preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year. Notice of the decision was published in the Federal Register on July 8, 2009.

In June 2005, Governor Schwarzenegger established California's GHG emissions reduction targets in Executive Order (EO) S-3-05. This EO established the following goals for the State of California: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050.

California's major initiative for reducing GHG emissions is outlined in AB 32, the "Global Warming Solutions Act," passed by the California State legislature on August 31, 2006. This effort aims at reducing GHG emissions to 1990 levels by 2020. The ARB has established the level of GHG emissions in 1990 at 427 MMTCO₂e. The emissions target of 427 MMTCO₂e requires the reduction of 169 MMTCO₂e from the State's projected business-as-usual 2020 emissions of 596 MMTCO₂e. AB 32 requires the ARB to prepare a Scoping Plan that outlines the main State strategies for meeting the 2020 deadline and to reduce GHGs that contribute to global climate change. The Scoping Plan was approved by the ARB on December 11, 2008, and includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures.¹ Emission reductions that are projected to result from the recommended measures in the Scoping Plan are expected to total 174 MMTCO₂e, which would allow California to attain the emissions goal of 427 MMTCO₂e by 2020. The Scoping Plan includes a range of GHG reduction actions that may include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. The Scoping Plan, even after Board approval, remains a recommendation. The measures in the Scoping Plan will not be binding until after they are adopted through the normal rulemaking process. The ARB rule-making process includes preparation and release of each of the draft measures, public input through workshops and a public comment period, followed by an ARB Board hearing and rule adoption.

In addition to reducing GHG emissions to 1990 levels by 2020, AB 32 directed the ARB and the newly created Climate Action Team (CAT)² to identify a list of "discrete early action GHG reduction measures" that can be adopted and made enforceable by January 1, 2010. On January 18, 2007, Governor Schwarzenegger signed EO S-1-07, further solidifying California's dedication to reducing GHGs by setting a new Low Carbon Fuel Standard. This EO sets a target to reduce the carbon intensity of California transportation fuels by at least 10 percent by 2020 and directs the ARB to consider the Low Carbon Fuel Standard as a discrete early action measure.

In June 2007, the ARB approved a list of 37 early action measures, including three discrete early action measures (Low Carbon Fuel Standard, Restrictions on High Global Warming Potential Refrigerants, and Landfill Methane Capture). Discrete early action measures are measures that were required to be adopted as regulations and made effective no later than January 1, 2010, the date established by Health and Safety Code (HSC) Section 38560.5. The ARB adopted additional early action measures in October 2007³ that tripled the number of discrete early action measures. These measures relate to truck efficiency, port electrification, reduction of perfluorocarbons from the semiconductor industry, reduction of propellants in consumer products, proper tire inflation, and sulfur hexafluoride (SF₆) reductions from the non-electricity sector. The combination of early action measures is estimated to reduce State-wide GHG emissions by nearly 16 MMTCO₂e.⁴

¹ ARB. 2008. *Climate Change Proposed Scoping Plan: a Framework for Change*. October.

² CAT is a consortium of representatives from State agencies who have been charged with coordinating and implementing GHG emission reduction programs that fall outside of ARB's jurisdiction.

³ ARB. 2007. *Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California Recommended for Board Consideration*. October.

⁴ ARB. 2007. "ARB approves tripling of early action measures required under AB 32." News Release 07-46. <http://www.arb.ca.gov/newsrel/nr102507.htm>. October 25.

To assist public agencies in analyzing the effects of GHGs under CEQA, Senate Bill (SB) 97 (Chapter 185, 2007) required the Governor's Office of Planning and Research (OPR) to develop CEQA guidelines on how to minimize and mitigate a project's GHG emissions. On December 30, 2009, the Natural Resources Agency adopted CEQA Guidelines Amendments related to climate change. These amendments became effective on March 18, 2010.

SB 375, signed into law on October 1, 2008, is intended to enhance the ARB's ability to reach AB 32 goals by directing the ARB to develop regional GHG emissions reduction targets to be achieved within the automobile and light truck sectors for 2020 and 2035. The ARB will work with California's 18 metropolitan planning organizations to align their regional transportation, housing, and land use plans and prepare a "Sustainable Communities Strategy" to reduce the number of vehicle miles traveled in their respective regions and demonstrate the region's ability to attain its GHG reduction targets.

California Green Buildings Standards Code (Cal Green Code) (CCR, Title 24, part 11) was adopted by the California Building Standards Commission in 2010 and became effective in January, 2011. The Code applies to all new constructed residential, nonresidential, commercial, mixed-use, and State-owned facilities, as well as schools and hospitals. Cal Green Code is comprised of Mandatory Residential and Nonresidential Measures and more stringent Voluntary Measures (TIERS I and II).

Mandatory Measures are required to be implemented on all new construction projects and consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. The Cal Green Building Code refers to Title 24, Part 6 compliance with respect to energy efficiency, however it encourages 15 % energy use reduction over that required in Part 6. Voluntary Measures are optional, more stringent measures to be used by jurisdictions that strive to enhance their commitment towards green and sustainable design and achievement of AB 32 goals. Under TIERS 1 and 2, all new construction projects are required to reduce energy consumption by 15% and 30 %, respectively, below the baseline required under CEC as well as implement more stringent green measures than those required by mandatory code.

Regional Regulations. In April 2008, the SCAQMD, in order to provide guidance to local lead agencies on determining the significance of GHG emissions identified in CEQA documents, convened a "GHG CEQA Significance Threshold Working Group."¹ The goal of the working group is to develop and reach consensus on an acceptable CEQA significance threshold for GHG emissions that would be utilized on an interim basis until the ARB (or some other state agency) develops statewide guidance on assessing the significance of GHG emissions under CEQA.

Initially, SCAQMD staff presented the working group with a significance threshold that could be applied to various types of projects—residential; non-residential; industrial; etc. However, the threshold is still under development. In December 2008, staff presented the SCAQMD Governing Board with a significance threshold for stationary source projects in which it is the lead agency. This threshold uses a tiered approach to determine a project's significance, with 10,000 metric tons of carbon dioxide equivalent (MTCO₂e) as a screening numerical threshold.

¹ For more information see: <http://www.aqmd.gov/ceqa/handbook/GHG/GHG.html>.

On September 28, 2010, the SCAQMD proposed the following draft-tiered interim GHG significance threshold for development projects:

- **Tier 1** consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA. If the project qualifies for an exemption, no further action is required. If the project does not qualify for an exemption, then it would move to the next tier.
- **Tier 2** consists of determining whether or not the project is consistent with a GHG reduction plan that may be part of a local general plan, for example. The concept embodied in this tier is equivalent to the existing consistency determination requirements in CEQA Guidelines Sections 15064(h)(3), 15125(d), or 15152(a). The GHG reduction plan must, at a minimum, comply with AB 32 GHG reduction goals; include an emissions inventory agreed upon by either the ARB or the SCAQMD, have been analyzed under CEQA and have a certified Final CEQA document, and have monitoring and enforcement components. If the proposed project is consistent with the qualifying local GHG reduction plan, it is not significant for GHG emissions. If the project is not consistent with a local GHG reduction plan, there is no approved plan, or the GHG reduction plan does not include all of the components described above, the project would move to Tier 3.
- **Tier 3** establishes a screening significance threshold level to determine significance using a 90 percent GHG emission capture rate. The 90 percent capture rate GHG significance screening level in Tier 3 for stationary sources was derived using the following methodology. Using the SCAQMD's Annual Emission Reporting (AER) Program, the reported annual natural gas consumption for 1,297 permitted facilities for 2006 through 2007 was compiled and the facilities were rank-ordered to estimate the 90th percentile of the cumulative natural gas usage for all permitted facilities. Approximately 10 percent of facilities evaluated comprise more than 90 percent of the total natural gas consumption, which corresponds to 10,000 MTCO₂e/yr (the majority of combustion emissions comprise CO₂). SCAQMD suggested the following GHG screening thresholds: Industrial (when SCAQMD is the Lead Agency): 10,000 tpy CO₂e; Residential: 3,500 tpy CO₂e; Commercial: 1,400 tpy CO₂e; Mixed-use: 3,000 tpy CO₂e. If a project's GHG emissions exceed the GHG screening threshold, the project would move to Tier 4.
- **Tier 4** establishes a decision tree approach that includes compliance options for projects that have incorporated design features into the project and/or implement GHG mitigation measures.
 - Efficiency Target (2020 Targets)
 - 4.8 MTCO₂e per service population (SP) for project level threshold (land use emissions only) and total residual emissions not to exceed 25,000 mty CO₂e
 - 6.6 MTCO₂e per SP for plan level threshold (all sectors)
 - Efficiency Target (2035 Targets)
 - 3.0 MTCO₂e per SP for project level threshold
 - 4.1 MTCO₂e per SP for plan level threshold

If a project fails to meet any of these emissions efficiency targets, the project would move to Tier 5.

- **Tier 5** would require projects that implement off-site GHG mitigation that includes purchasing offsets to reduce GHG emission impacts to purchase sufficient offsets for the life of the project (30 years) to reduce GHG emissions to less than the applicable GHG screening threshold level.

PROJECT IMPACTS ON THE ENVIRONMENT

This section evaluates impacts to GCC that could result from implementation of the proposed project. The evaluation of environmental effects presented in this section focuses on potential climate change impacts associated with the project's increase in GHG emissions. Mitigation measures are proposed as appropriate.

Criteria of Significance. Land use projects may contribute to the phenomenon of GCC in ways that would be experienced worldwide, and with some specific effects felt in California. However, no scientific study has established a direct causal link between individual land use project impacts and global warming. AB 32 requires statewide GHG emissions to be reduced to 1990 levels by 2020. Although these statewide reductions are now mandated by law, no generally applicable GHG emission threshold has yet been established.

In accordance with Senate Bill (SB) 97, the Natural Resources Agency adopted amendments to the State CEQA Guidelines on December 30, 2009, which includes criteria for evaluating GHG emissions.¹ Specifically, Appendix G of the State CEQA Guidelines (Environmental Checklist Form) lists the following thresholds, under which a project may be deemed to have a significant impact on air quality if it would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Under CEQA, “the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data.” CEQA grants agencies with the general authority to adopt criteria for determining whether a given impact is “significant.” When no guidance exists under CEQA, the agency may look to and assess general compliance with comparable regulatory schemes.²

¹ The adopted amendments may be viewed at the following website:
<http://ceres.ca.gov/ceqa/guidelines/>. 2010.

² See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g.,

The SCAQMD is currently developing thresholds for GHG emissions. As noted previously, the SCAQMD recommends a tiered approach. The Tier 3 threshold requires that a project's incremental increase in GHG emissions should be below or mitigated to less than the significance screening level (10,000 MTCO₂e per year for industrial projects; 3,500 MTCO₂e for residential projects; 1,400 MTCO₂e for commercial projects; 3,000 MTCO₂e for mixed-use or all land use projects). The Tier 4 threshold requires that projects achieve a project-level efficiency target of 4.8 MTCO₂e per service population per year by 2020 and 3.0 MTCO₂e per year by 2035 (total emissions not to exceed 25,000 MTCO₂e per year).

While a wide array of thresholds and standards have been presented, the amendments to the State CEQA Guidelines reaffirm that the lead agency has the discretion to determine how to evaluate a project's significance under CEQA. The State CEQA Guidelines includes a new Section 15064.4, which states that, when making a determination of the significance of GHG emissions, a lead agency shall have discretion to determine whether to use a model or methodology to quantify GHG emissions and/or rely on a qualitative analysis or performance based standards.

This memo analyzes whether the project would make a cumulatively significant contribution to the impact of GCC under the following qualitative standard:

- The proposed project would result in a significant GCC impact if it would conflict with or obstruct the implementation of GHG reduction goals under AB 32 or other State regulations.

If a project implements reduction strategies identified in AB 32, the Governor's Executive Order S-3-05, or other strategies to assist in reducing GHGs to the level proposed by the Governor, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of GCC.

Project-Related Emissions. GHG emissions associated with the project would occur over the short term from construction activities, primarily emissions from equipment exhaust. There would be long-term regional emissions associated with project-related vehicular trips and stationary source emissions such as natural gas used for heating. GHG emissions generated by the proposed project would predominantly consist of CO₂. In comparison to criteria air pollutants such as O₃ and PM₁₀, CO₂ emissions persist in the atmosphere for a substantially longer period of time. While emissions of other GHGs, such as CH₄, are important with respect to global climate change, emission levels of other GHGs are less dependent on the land use and circulation patterns associated with the proposed land use development project than are levels of CO₂.

Overall, the following activities associated with the proposed project could contribute to the generation of GHG emissions:

- **Removal of Vegetation:** If there is a net removal of vegetation for construction this would result in a loss of the carbon sequestration in plants. However, planting of additional

Cadiz Land Co. v. Rail Cycle (2000) 83 Cal.App.4th 74, 106-09 (upholding use of regulatory agency performance standard).

vegetation would result in additional carbon sequestration and lower the carbon footprint of the project.

- **Construction Activities:** Construction equipment typically uses fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment.
- **Gas, Electricity, and Water Use:** Natural gas use results in the emissions of two GHGs: CH₄ (the major component of natural gas) and CO₂ from the combustion of natural gas. Electricity use can result in GHG production if the electricity is generated by combusting fossil fuel. California's water conveyance system is energy-intensive. Preliminary estimates indicate that the total energy used to pump and treat this water exceeds 6.5 percent of the total electricity used in the State per year.¹
- **Solid Waste Disposal:** Solid waste disposal contributes to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH₄ from the anaerobic decomposition of organic materials. CH₄ is 25 times more potent a GHG than CO₂. However, landfill CH₄ can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.
- **Motor Vehicle Use:** Daily traffic associated with the long-term use of the proposed project uses would result in GHG emissions from the combustion of fossil fuels in daily automobile and truck trips and boat use.

Construction Impacts. Construction activities produce combustion emissions from various sources such as site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

It is anticipated that development of the project site would require site grading, paving and construction and coating of new buildings. However, the specific size, location, and construction techniques and scheduling that will be utilized for development occurring within the project site is not currently known. This section provides a general estimate of the GHG emissions from construction, as precise emission estimates for the development are not currently feasible

During construction, the principle source of GHG emissions is the exhaust of heavy-duty equipment and vehicles. The emission rates will vary during the day as equipment is turned on and off, and from day to day as the construction activities change. Table B shows a probable peak day of equipment use and the resulting emissions of GHGs.

¹ California Energy Commission (CEC), 2004. *Water Energy Use in California* (online information sheet) Sacramento, CA, August 24, <http://energy.ca.gov/pier/iaw/industry/water.html>, accessed July 24, 2007.

On February 3, 2011, the SCAQMD released the California Emissions Estimator Model (CalEEMod). The purpose of this new model is to more accurately calculate air quality and GHG emissions from direct and indirect sources and quantify applicable air quality and GHG reductions achieved from mitigation measures. The most recent version of this model (version 2011.1.1), was used to calculate the construction emissions, as shown in Table B. The emissions rates shown in Table B are from the CalEEMod output tables listed as “Mitigated Construction”, even though the only mitigation that has been applied to the analysis are the required construction emissions control measures. They are also the combination of the on- and off-site emissions. Details of the emission factors and other assumptions are included in Appendix A.

Table B: Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Commercial Core						
Demolition	0	6,800	6,800	0.65	0	6,800
Site Preparation	0	5,500	5,500	0.66	0	5,500
Grading	0	7,500	7,500	0.81	0	7,500
Building Construction	0	3,900	3,900	0.43	0	3,900
Architectural Coating	0	300	300	0.04	0	300
Paving	0	2,100	2,100	0.34	0	2,100
Harborwide						
Demolition	0	7,000	7,000	0.62	0	7,000
Site Preparation	0	5,600	5,600	0.64	0	5,600
Grading	0	7,500	7,500	0.76	0	7,500
Building Construction	0	6,400	6,400	0.51	0	6,400
Architectural Coating	0	530	530	0.04	0	530
Paving	0	2,100	2,100	0.29	0	2,100

Source: LSA Associates, Inc., August 2011

Bio-CO₂ = biologically generated CO₂

lbs/day = pounds per day

CH₄ = methane

N₂O = nitrous oxide

CO₂ = carbon dioxide

NBio-CO₂ = Non-biologically generated CO₂

CO₂e = carbon dioxide equivalent

During construction, as much as up to 7,500 pounds lbs/day of CO₂e will be generated. This is much higher than the average daily emission rate, as it includes a maximum set of equipment that will not often all operate on one day, as well as representing a maximum day in terms of overall activity level. Thus, this represents a worst-case estimate. The expected maximum annual emissions of CO₂e is 775 tons per year.

Architectural Coatings and Floorings. Architectural coatings, carpet systems, composite wood products, and resilient flooring contain volatile organic compounds (VOCs) that are similar to reactive organic compounds (ROCs) and are part of the O₃ precursors. There are no significant emissions of GHG from architectural coatings from construction operations.

Although there are no significant emissions that would be generated by the proposed project, emissions associated with carpet systems, composite wood products, and resilient flooring could be reduced by using natural, rapidly renewable materials. Emissions could be further minimized by adherence to the California Green Building Code 2010, Pollutant Control Section.

Long-Term Project-Related Emission Impacts. Long-term operation of the proposed project would generate GHG emissions from area and mobile sources, and indirect emissions from stationary sources associated with energy consumption. Mobile-source emissions of GHGs would include vehicle trips associated with vehicle and boat use. Area-source emissions would be associated with activities such as landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Increases in stationary-source emissions would also occur at off-site utility providers as a result of demand for electricity, natural gas, and water by the proposed uses.

The GHG emission estimates presented in Table C show the emissions associated with operation of the proposed project. Appendix A includes the CalEEMod modeling output for these GHG emissions.

Table C: Long-Term Regional Operational Emissions

Construction Phase	Total Regional Pollutant Emissions, MT/year					
	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Commercial Core						
Construction emissions amortized over 30 years	0	39	39	0.0043	0	39
Area	0	0	0	0	0	0
Energy	0	2,200	2,200	0.07	0.03	2,200
Mobile	0	10,000	10,000	0.47	0	10,000
Waste	210	0	210	12	0	460
Water	0	160	160	0.91	0.02	190
Total Project Emissions	210	12,000	13,000	13	0.05	13,000
Harborwide						
Construction emissions amortized over 30 years	0	110	110	0.0087	0	110
Area	0	0	0	0	0	0
Energy	0	3,500	3,500	0.11	0.06	3,600
Mobile	0	11,000	11,000	0.48	0	11,000
Waste	96	0	96	5.7	0	220
Water	0	130	130	0.64	0.02	150
Total Project Emissions	96	15,000	15,000	6.9	0.08	15,000

Source: LSA Associates, Inc., August 2011

Note: The CalEEMod modeling was performed specifying a land use of "Supermarket". Of the available land use categories in the CalEEMod model, this best represents this project.

Bio-CO₂ = biologically generated CO₂

CH₄ = methane

CO₂ = carbon dioxide

CO₂e = carbon dioxide equivalent

MT = metric tons

N₂O = nitrous oxide

NBio-CO₂ = Non-biologically generated CO₂

As shown in Table C, the Commercial Core will produce 13,000 MTCO₂e/yr and Harborwide will produce 15,000 MTCO₂e/yr, which is 0.013 and 0.015 MMTCO₂e/yr, respectively. These both include the short-term construction emissions amortized over 30 years, as directed by the SCAQMD. As a comparison, the existing emissions from the entire Southern California Association of Governments (SCAG) region are estimated to be approximately 176.79 MMTCO₂e/yr and approximately 496.95 MMTCO₂e/yr for the entire State.

Area Sources. Area sources of GHG emissions include architectural coatings, carpet systems, resilient flooring, composite wood, consumer products, and landscaping. The project would not result in measurably increased GHG emissions from area sources due to the relatively small building size requiring little architectural coating and the anticipated light use of consumer products and landscaping.

Energy/Natural Gas Use. Buildings represent 39 percent of the United States' primary energy usage and 70 percent of electricity consumption.¹ The proposed project would increase the demand for electricity and natural gas due to the increased building area. The project would indirectly result in increased GHG emissions from off-site electricity generation at power plants and on-site natural gas consumption (2,200 and 3,600 metric tons of CO₂e/year).

Mobile Sources. Mobile sources (vehicle trips and associated miles traveled) are the largest source of GHG emissions in California and represent approximately 38 percent of annual CO₂ emissions generated in the State. Like most land use development projects, vehicle miles traveled (VMT) is the most direct indicator of CO₂ emissions from the proposed project, and associated CO₂ emissions function as the best indicator of total GHG emissions. The emissions from road vehicle and boat exhaust would comprise approximately 75 percent of the project's total CO₂e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the County.

Waste. The proposed project would also generate solid waste during the operation phase of the project. The project would indirectly result in increased GHG emissions from solid waste treatment at treatment plants (460 and 220 metric tons of CO₂e/year).

Water. Water-related energy use consumes 19 percent of California's electricity every year.² Energy use and related GHG emissions are based on electricity used for water supply and conveyance, water treatment, water distribution, and wastewater treatment (190 and 150 metric tons of CO₂e/year). The project would comply with provisions of the California Green Building Code and would install water efficient fixtures such that it would experience reduction of indoor potable water use by 20 percent from what is required in the California Buildings Standards

¹ United States Department of Energy. 2003. *Buildings Energy Data Book*.

² California, State of, 2005. California Energy Commission. California's Water-Energy Relationship. November.

Code. In addition, the outdoor water use would be monitored by irrigation controls as prescribed in the Cal Green Building Code.

The project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the project's electricity demand compared to older buildings. The project buildings will be built in compliance with the new 2010 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices.

At present, there is a federal ban on chlorofluorocarbons (CFCs) and Halons; therefore, it is assumed the project would not generate emissions of CFCs or Halons. The project may emit a small amount of HFC emissions from leakage and service of refrigeration and air conditioning equipment and from disposal at the end of the life of the equipment. However, the details regarding refrigerants to be used in the project site are unknown at this time. PFCs and sulfur hexafluoride are typically used in industrial applications, none of which would be used on the project site. Therefore, it is not anticipated that the project would contribute significant emissions of these additional GHGs.

Summary: Implementation of the project could result in low GHG emission levels that would not conflict with implementation of the GHG reduction goals under AB 32 or other State regulations.

Comparing the proposed project to the SCAQMD tiered interim GHG significance criteria it is not exempt as described in Tier 1. Considering the Tier 2 criteria, the levels of GHG emissions shown in Table C are unlikely to result in GHG emission levels that would substantially conflict with implementation of the GHG reduction goals under AB 32 or other State regulations. The CAT and the ARB have developed several reports to achieve the Governor's GHG targets that rely on voluntary actions of California businesses, local government and community groups, and State incentive and regulatory programs. These include the CAT's 2006 "*Report to Governor Schwarzenegger and the Legislature*," ARB's 2007 "*Expanded List of Early Action Measures to Reduce Greenhouse Gas Emissions in California*," and ARB's "*Climate Change Proposed Scoping Plan: a Framework for Change*."

The reports identify strategies to reduce California's emissions to the levels proposed in EO S-3-05 and AB 32 that are applicable to the proposed project. The Proposed Scoping Plan is the most recent document, and the strategies included in the Scoping Plan that apply to the project are contained in Table D, which also summarizes the extent to which the project would comply with the strategies to help California reach the emission reduction targets. Thus, this project complies with Tier 2 of the SCAQMD tiered interim GHG significance thresholds.

Table D: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
<i>Mandatory Code</i>	
<p>California Green Building Code. The Cal Green Code prescribes a wide array of measures that would directly and indirectly result in reduction of GHG emissions from the Business as Usual Scenario (California Building Code). The mandatory measures that are applicable to nonresidential projects include site selection, energy efficiency, water efficiency, materials conservation and resource efficiency, and environmental quality measures.</p>	<p>Compliant. The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green Code.</p>
<i>Energy Efficiency Measures</i>	
<p>Energy Efficiency. Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).</p> <p>Renewables Portfolio Standard. Achieve a 33 percent renewable energy mix statewide.</p> <p>Green Building Strategy. Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.</p>	<p>Compliant with Mitigation Incorporated. The proposed project will comply with the updated Title 24 standards, including the new 2010 California Building Code (CBC), for building construction if any building interior improvements are required.</p>
<i>Water Conservation and Efficiency Measures</i>	
<p>Water Use Efficiency. Continue efficiency programs and use cleaner energy sources to move and treat water. Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.</p>	<p>Compliant with Mitigation Incorporated. The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green, including measures to increase water use efficiency.</p>
<i>Solid Waste Reduction Measures</i>	
<p>Increase Waste Diversion, Composting, and Commercial Recycling, and Move Toward Zero-Waste. Increase waste diversion from landfills beyond the 50 percent mandate to provide for additional recovery of recyclable materials. Composting and commercial recycling could have substantial GHG reduction benefits. In the long term, zero-waste policies that would require manufacturers to design products to be fully recyclable may be necessary.</p>	<p>Compliant with Mitigation Incorporated. The project would be required to adhere to the nonresidential mandatory measures as required by the Cal Green, including measures to increase solid waste diversion, composting, and recycling.</p>
<i>Transportation and Motor Vehicle Measures</i>	
<p>Vehicle Climate Change Standards. AB 1493 (Pavley) required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of GHG emissions from passenger vehicles and light-duty trucks. Regulations were adopted by the ARB in September 2004.</p> <p>Light-Duty Vehicle Efficiency Measures. Implement additional measures that could reduce light-duty GHG emissions. For example, measures to ensure that tires are properly inflated can both reduce GHG emissions and improve</p>	<p>Compliant. The project does not involve the manufacture of vehicles. However, vehicles that are purchased and used within the project site would comply with any vehicle and fuel standards that the ARB adopts.</p>

Table D: Project Compliance with Greenhouse Gas Emission Reduction Strategies

Strategy	Project Compliance
<p>fuel efficiency.</p> <p>Adopt Heavy- and Medium-Duty Fuel and Engine Efficiency Measures. Regulations to require retrofits to improve the fuel efficiency of heavy-duty trucks that could include devices that reduce aerodynamic drag and rolling resistance. This measure could also include hybridization of and increased engine efficiency of vehicles.</p> <p>Low Carbon Fuel Standard. The ARB identified this measure as a Discrete Early Action Measure. This measure would reduce the carbon intensity of California’s transportation fuels by at least 10 percent by 2020.</p>	
<p>Regional Transportation-Related Greenhouse Gas Targets. Develop regional GHG emissions reduction targets for passenger vehicles. Local governments will play a significant role in the regional planning process to reach passenger vehicle GHG emissions reduction targets. Local governments have the ability to directly influence both the siting and design of new residential and commercial developments in a way that reduces GHGs associated with vehicle travel.</p>	<p>Compliant. Specific regional emission targets for transportation emissions do not directly apply to this project; regional GHG reduction target development is outside the scope of this project. The project will comply with any plans developed by the County of Orange.</p>
<p>Measures to Reduce High Global Warming Potential (GWP) Gases. The ARB has identified Discrete Early Action measures to reduce GHG emissions from the refrigerants used in car air conditioners, semiconductor manufacturing, and consumer products. The ARB has also identified potential reduction opportunities for future commercial and industrial refrigeration, changing the refrigerants used in auto air conditioning systems, and ensuring that existing car air conditioning systems do not leak.</p>	<p>Compliant. New products used or serviced on the project site (after implementation of the reduction of GHG gases) would comply with future ARB rules and regulations.</p>

Source: LSA Associates, Inc., July 2011.
AB = Assembly Bill

ARB = California Air Resources Board
GHG = greenhouse gas

In addition, the project would also be subject to all applicable regulatory requirements, which would also reduce the GHG emissions of the project. After implementation of application of regulatory requirements, the project would implement appropriate GHG reduction strategies and would not conflict with or impede implementation of reduction goals identified in AB 32, the Governor's Executive Order S-3-05, and other strategies to help reduce GHGs to the level proposed by the Governor.

Table D lists strategies that are either part of the project design or requirements under local or State ordinances. With implementation of these strategies/measures, the project's contribution to cumulative GHG emissions would be reduced.

Impacts to the Proposed Project from Global Climate Change

AB 32 indicates that "the potential effects of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the State from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidence of infections, disease, asthma, and other health-related problems" (State of California 2006, AB 32, Section 38501[a]). The effect most likely to have an impact on this project is sea level rise.

Rising Ocean Levels. Rising ocean levels, more intense coastal storms, and warmer water temperatures may increasingly threaten the Los Angeles County coastal region. The Intergovernmental Panel on Climate Change (IPCC) reviewed several possible GCC scenarios, and under the higher warming scenario, the IPCC anticipates that ocean levels will rise 4–30 inches along the California coast by 2100. Based on information included in "The Impacts of Sea-level Rise on the California Coast" (Pacific Institute, March 2009),¹ under the higher warming scenario, the IPCC anticipates that ocean levels will rise 4–30 inches in Orange County by 2100.

According to the Scenarios for Climate Change in California published by California Climate Change Center in 2006, Orange County is expected to experience a moderate to very extensive sea level rises within this century; ocean level rises are expected to substantially exceed the historical rate of ocean level rise. Rising sea levels may affect the built environment, including coastal development such as buildings, roads, and infrastructure. Potential effects to the existing and proposed built environment include increased risk of flooding from rainstorms and from the possible creation of an elevated base for storm surges to build upon. The increased flooding could adversely affect the usability of some or all of the existing and planned land side improvements within the Marina, as well as adversely affect coastal access via roadways near the project site.

Cumulative Impacts.

As described above, project-related GHG emissions are not confined to a particular region but are dispersed worldwide. Therefore, project-related GHG emissions are not project-specific impacts to global warming, but the project's contribution to this cumulative impact. Because the project's impacts alone would not cause or significantly contribute to GCC, project-related CO₂e emissions and

¹ Pacific Institute, California Climate Change Center, *The Impacts of Sea-Level Rise on the California Coast*, March 2009.

their contribution to GCC impacts in the State of California are less than significant and less than cumulatively considerable.