

1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that local government agencies, before taking action on projects over which they have discretionary approval authority, consider the environmental consequences of such projects. An Environmental Impact Report (EIR) is a public document designed to provide the public, as well as local and State governmental agency decision-makers, with an analysis of potential environmental consequences to support informed decision-making.

This Revised Draft EIR has been prepared to evaluate environmental impacts associated with the modified Dana Point Harbor Hotels Project (Modified Project) in the City of Dana Point (City). The City prepared a Draft EIR (2021 Draft EIR) evaluating the potential environmental impacts of the originally proposed Dana Point Harbor Hotels Project (Original Project), which was circulated for public review and comment from April 20 through June 14, 2021. The City of Dana Point approved Local Coastal Program Amendment (LCPA) LCPA 19-0003 on June 16, 2020, which was consistent with the Original Project contemplated in the Draft EIR circulated in 2021. The City's LCPA was forwarded to the California Coastal Commission (Coastal Commission) on July 29, 2020, and processing of LCPA application No. LCP-5-DPT-21-0079-2 culminated with Coastal Commission approval on June 14, 2024, and subsequent certification on February 5, 2025, albeit with suggested modifications to the City's original LCPA language. Among other items, the suggested modifications revised the Original Project parameters for lower-cost overnight accommodations associated with the proposed market-rate hotel.

The Original Project included the construction of Surf Lodge, a hotel consisting of a four-story, approximately 56,896-square-foot (sf) structure providing 139 lower-cost guest rooms, including three dorm-style rooms containing 16 beds each, on the western portion of the project site. The Original Project also included Dana House Hotel, consisting of a four-story, approximately 125,026 sf structure including a partially buried lower level, and four floors providing 130 market-rate guest rooms.

Under the Modified Project, in order to ensure consistency with Coastal Act requirements approved by the Coastal Commission as part of LCPA No. LCP-5-DPT-21-0079-2, an additional 33 guest rooms would be added to Surf Lodge, for a total of 169 private guest rooms. Under the Modified Project, no dorm-style rooms would be included within Surf Lodge, though Surf Lodge would remain a lower-cost overnight accommodation hotel. Under the Modified Project, Surf Lodge would include a lobby area, bars and lounges, restaurant, outdoor dining area, outdoor barbeque, fitness center, pool and spa, accessory retail spaces, and guest laundry. However, the communal kitchen proposed under the Original Project would be replaced by including microwaves and refrigerators in each room and the above-mentioned outdoor barbeque on the west side of Surf Lodge under the Modified Project. In order to accommodate the increase in guest rooms and reconfigurations of associated amenities, the Modified Project would represent an increase in square footage of 14,694 sf, for a total of 71,590 sf.

Consistent with the Original Project, under the Modified Project, Dana House Hotel would consist of a four-story structure that includes a partially buried lower level, and four floors providing 130 market-rate hotel rooms. The partially buried lower level, referred to as the structural podium level, would be accessible for parking and other uses and would support the four floors of hotel rooms and amenities. As with the Original Project, other amenities provided at Dana House Hotel under the Modified Project would include a lobby, fitness center, meeting facilities, bars and lounges, restaurant, rooftop terrace, outdoor lawn area, pool and spa, and accessory retail spaces. However, the courtyard with a fireplace and the bocce ball court proposed under the Original Project would no longer be included under the Modified Project. In order to accommodate modifications to the sizing and orientation of the remaining amenities, the size of Dana House Hotel would increase from 125,026 sf to 148,500 sf, for a total increase of 23,474 sf. Additionally, approximately 6,800 sf of floor space on the partially buried podium level would replace the existing PA 3 boater services buildings slated for demolition. This total 6,800 sf floor area includes approximately 3,800 sf devoted as ancillary space for boaters (i.e., showers, lockers, laundry, and vending machines), with the remaining 3,000 sf dedicated to marina office/meeting space.

As with the Original Project, under the Modified Project, the proposed hotels would include landscaped open space areas and walking paths. Sidewalks and landscaping would surround the proposed hotels, providing access from the parking lots and harbor to the building entry points. The proposed project would also include on and off-site landscaping improvements on each side of Casitas Place, adjacent to and in the median of Dana Point Harbor Drive (within PA 3) and loading areas and landscape improvements to the area west of Surf Lodge. A loading area and landscape improvements would be included along Island Way (within PA 4). The area west of Surf Lodge would include the communal outdoor barbeque area for the guests of Surf Lodge. A viewing platform adjacent to Island Way is proposed to include educational media, a viewing station, and bench. The proposed sidewalks would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. Please refer to Chapter 3.0, Project Description, of this Revised Draft EIR, for a more detailed description of the Modified Project in comparison to the Original Project.

This Executive Summary has been prepared according to *State CEQA Guidelines* Section 15123 for the Revised Draft EIR prepared for the Modified Project. This Revised Draft EIR has been prepared for the City of Dana Point to analyze the Modified Project's potential impacts on the environment; to propose mitigation measures for identified potentially significant impacts that would minimize, offset, or otherwise reduce or avoid those environmental impacts; and to discuss alternatives that could reduce the potentially significant impacts of the Modified Project.

1.2 SUMMARY OF LOCATION AND SETTING

The Modified Project is located on the same project site as the Original Project, though it has been expanded from approximately 10 acres per the Original Project to approximately 13 acres to encompass the additional existing surface parking areas for boaters and employees in one of two adjacent Planning Areas. The project site is located in the City of Dana Point, which is located in the southwest portion of Orange County, California. The City encompasses approximately 29.5 square miles of land (approximately 18,880 acres) within Orange County. The City is bounded by the City of

San Juan Capistrano on the northeast, the Cities of Laguna Niguel and Laguna Beach on the northwest, the City of San Clemente on the east, and the Pacific Ocean on the south and west. Roughly 2,158 acres of the City lie within the Local Coastal Zone (Coastal Overlay District), including the project site.

Regional access to the project site is provided by Pacific Coast Highway (PCH, also known as State Route 1 or SR-1) and Interstate 5 (I-5). PCH runs in a northwest to southeast direction through the City and is located approximately 0.3 mile north of the project site. I-5 runs through the eastern portion of the City and is located approximately 1.3 miles northeast of the project site. Access to the project site is provided from Dana Point Harbor Drive and Casitas Place.

The project site is primarily comprised of three legal lots (overlain by Assessor's Parcel Numbers [APNs] 682-022-01 through 682--022-08, and a portion of 682-022-16 as shown on the County Assessor's Parcel Map 682-02) located within Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) Planning Areas (PAs) 2 and 3. Improvements are also planned within the public right-of-way along Island Way (PA 4) and Dana Point Harbor Drive (PA 3), and include new landscaping and loading zones. Improvements in a small portion of PA 2, just south of the termination of Casitas Place, include the eastern portion of Dana House Hotel's podium structure, the adjacent Festival Plaza, and a small portion of the Pedestrian Promenade along the East Cove Marina bulkhead in the Commercial Core, are also part of the Modified Project. In addition, under the Modified Project, some surface parking spaces serving the project would be designated within existing parking lots in either PA 2 or PA 5.

Surrounding land uses include Heritage Park located to the north across Dana Point Harbor Drive, restaurant and retail uses to the east, and marina uses located south, east, and west of the project site. Additionally, a plaza containing commercial uses is located northeast of the project site, and single-family residential uses are located north of the project site on the other side of Heritage Park, above the coastal bluff.

The project site is generally bounded on the north by Dana Point Harbor Drive, to the west by Island Way, to the east by Casitas Place and restaurant, retail, and marina uses, and to the south by Dana Point Harbor waters and boat docks. In the existing condition, the project site is currently developed with the Dana Point Marina Inn on the central portion of the project site and two boater services buildings with surface parking on the southern portion of the project site. Access is currently provided to the project site from Dana Point Harbor Drive to the northeast and from Casitas Place to the east.

1.3 SUMMARY OF PROJECT DESCRIPTION

The project site encompasses approximately 13 acres and includes development within PAs 2, 3, 4, and 5 of the DPHRP&DR Planning Areas as described above. The Modified Project involves the demolition of the Dana Point Marina Inn, two boater service buildings, and parking areas on the project site, and includes the development of two hotels, one of which would include space for boater services, associated ancillary uses, and designated boater and hotel parking. The existing Marina Inn, boater service buildings, and associated parking comprise approximately 9.16 acres of

the 13-acre project site. Also included under the Modified Project are associated infrastructure improvements necessary to facilitate pedestrian and vehicular access to and from the project site, landscaping improvements, and utility upgrades.

Under the Original Project, Surf Lodge was planned to consist of a four-story, approximately 56,896-square-foot (sf) structure providing 139 guest rooms on the western portion of the project site. Surf Lodge was intended as a lower-cost overnight accommodation hotel, and included three dorm-style rooms containing sixteen beds each for a total of 48 dorm beds. As previously stated, under the Modified Project, Surf Lodge would eliminate the three dorm-style rooms and instead include an additional 33 traditional guest rooms for a total of 169 rooms. Amenities proposed at Surf Lodge under the Modified Project include a lobby area, bars and lounges, restaurant, outdoor dining area, outdoor barbeque, fitness center, pool and spa, accessory retail spaces, and guest laundry. However, the communal kitchen proposed under the Original Project would be replaced by including microwaves and refrigerators in each room and the aforementioned outdoor barbeque on the west side of Surf Lodge under the Modified Project. In order to accommodate the increase in guest rooms and reconfigurations of associated amenities, the Modified Project would represent an increase in square footage of 14,694 sf, for a total of 71,590 sf.

Under the Modified Project, Dana House Hotel would consist of a four-story structure that includes a partially buried lower level, and four floors providing 130 market-rate hotel rooms. The partially buried lower level, referred to as the structural podium level, would be accessible for parking and other uses and would support the four floors of hotel rooms and amenities. Amenities proposed in Dana House Hotel under the Modified Project would include a lobby, fitness center, meeting facilities, bars and lounges, restaurant, rooftop terrace, outdoor lawn area, pool and spa, and accessory retail spaces. However, the courtyard with a fireplace and the bocce ball court proposed under the Original Project would no longer be included under the Modified Project. In order to accommodate modifications to the sizing and orientation of the remaining amenities, the size of Dana House Hotel would increase from 125,026 sf to 148,500 sf, for a total increase of 23,474 sf. Additionally, approximately 6,800 sf of floor space on the partially buried podium level would replace the existing PA 3 boater services buildings slated for demolition. This total 6,800 sf floor area includes approximately 3,800 sf devoted as ancillary space for boaters (i.e., showers, lockers, laundry, and vending machines), with the remaining 3,000 sf dedicated to marina office/meeting space.

Under the Modified Project, the proposed hotels would include landscaped open space areas and walking paths. Sidewalks and landscaping would surround the proposed hotels, providing access from the parking lots and harbor to the building entry points. The Modified Project would also include on and off-site landscaping improvements on each side of Casitas Place, and adjacent to and in the median of Dana Point Harbor Drive (within PA 3), and loading areas and landscape improvements to the area west of Surf Lodge on each side of Island Way (within PA 4). The area immediately west of Surf Lodge would include an outdoor barbeque area for the guests of Surf Lodge. The established PA 3 boundary includes Dana Point Harbor Drive along the frontage, extending to Golden Lantern. The extension of the project site boundary to Golden Lantern allows for improvements within the Dana Point Harbor Drive right-of-way required by the Modified Project or proposed by the Project Applicant for the benefit of the public. The current proposal for Dana

Point Harbor Drive in PA 3 consists of landscape improvements, though additional improvements within the Dana Point Harbor Drive right-of-way (street improvements, utility upgrades, etc.) in PA 3 may be included during the detailed and technical construction design and permitting process. The proposed sidewalks surrounding the proposed hotels would provide public access from the rights-of-way to the Pedestrian Promenade located adjacent to the East Cove Marina bulkhead, and along the southern boundary of the project site. A viewing platform measuring approximately 6 ft by 16 ft would be established on the east side of and adjacent to Island Way and is proposed to include educational media, a viewing station, and a bench.

Refer to Figure 3.7, Conceptual Site Plan, in Chapter 3.0, Project Description, of this Revised Draft EIR, for the location of the proposed improvements on the project site under the Modified Project. Chapter 3.0 also contains a brief comparison of the Original Project and the Modified Project.

1.4 SIGNIFICANT UNAVOIDABLE IMPACTS

As described in Chapter 4.0, Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures, the Modified Project would not result in significant unavoidable adverse impacts related to aesthetics; air quality; cultural resources; energy; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; noise; public services; transportation; tribal cultural resources; or utilities and service systems. Also included in Chapter 4.0 are proposed mitigation measures for potentially significant impacts for aesthetics; geology and soils; hazards and hazardous materials; noise; and public services to ensure that no significant, adverse effects on the environment would occur. In addition, as described in Chapter 2.0, Introduction, the Modified Project would have no impacts related to agricultural resources; biological resources; mineral resources; population and housing; recreation; and wildfire. The Modified Project would not result in any significant and unavoidable impacts.

1.5 ALTERNATIVES

The following alternatives to the Modified Project were selected for consideration, and include the No Project Alternative as required by CEQA:

1.5.1 Alternative 1: No Project Alternative

CEQA requires analysis of a “No Project” alternative. The purpose of describing and analyzing a no project alternative is to allow decision-makers to compare the impacts of approving a proposed project with the impacts of not approving a proposed project. According to *State CEQA Guidelines* Section 15126.6(e)(3)(C), the lead agency should proceed to analyze the impacts of the no project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services.

Alternative 1, the No Project Alternative, would involve no changes to the existing land uses and conditions on the project site. Under this alternative, no new development on the project site would be proposed, and therefore, no development would occur, and the existing project site would remain in its current condition. The No Project Alternative would allow for the existing project site

to remain developed with the Marina Inn, existing boater service buildings, and the existing designated boater parking areas into the foreseeable future.

The No Project Alternative would be environmentally superior to the Modified Project on the basis of the reduced physical impacts that would occur with this alternative. The No Project Alternative would have the least impact on the environment because it would not require the construction and operation of the development areas included in the Modified Project. While the No Project Alternative would lessen or avoid impacts of the Modified Project, the beneficial impacts of the Modified Project—including the provision of both affordable and market-rate overnight accommodations that provide visitor-serving commercial uses for Dana Point Harbor and the City—would not occur, and none of the project objectives (as discussed in Chapter 3.0, Project Description) would be met.

1.5.2 Alternative 2: Reduced Intensity Alternative

Alternative 2, Reduced Intensity Alternative, would involve the development of a hotel use on the project site at a reduced intensity compared to the Modified Project. The Reduced Intensity Alternative involves the replacement of the Marina Inn with Surf Lodge with 162 rooms and the elimination of the top floor of the proposed Dana House Hotel (overall reduction of 26 rooms to 104 rooms). Boater service facilities would be provided in Dana House Hotel, similar to the Modified Project. The Reduced Intensity Alternative would have the same basic building footprint, architecture, open space areas, and vehicular access as the Modified Project, but one less floor of guest rooms. The development associated with this alternative would include the demolition of the existing structures. This alternative would be consistent with the existing land use designation and zoning districts of the project site. The Reduced Intensity Alternative would meet all the project objectives; however, these objectives would be met to a lesser degree than the Modified Project due to the reduced number of hotel rooms and the resulting reduced development potential and economic benefits.

1.5.3 Alternative 3: Mixed Use Alternative

Alternative 3 would involve the development of hotel and retail/restaurant uses on the project site. The Mixed Use Alternative involves the replacement of Dana House Hotel with approximately 25,000 sf of retail and restaurant space and the construction of Surf Lodge as proposed under the Modified Project. Boater service facilities would be provided at Surf Lodge. The development associated with this alternative would include the demolition of the existing structures. This alternative would be consistent with the existing land use designation and zoning districts of the project site. The Mixed Use Alternative would not meet the goal of developing two hotels offering a mix of market-rate and affordable overnight accommodations accessible to a range of income levels. In addition, the Mixed Use Alternative would not meet the goal of developing a project that balances the development potential of the project site with environmental considerations, as the full potential of overnight accommodations would not be developed as anticipated in accordance with the pending Zone Text Amendment and Local Coastal Program Amendment (ZTA/LCPA) proposed for PA 3 in conjunction with the revitalization of Dana Point Harbor. Therefore, the Mixed Use Alternative would meet some of the project objectives, but to a lesser extent than the Modified Project.

1.6 AREAS OF CONTROVERSY

1.6.1 Original Project Scoping Process

Pursuant to *State CEQA Guidelines* Section 15123, this Revised Draft EIR acknowledges the areas of controversy and issues to be resolved that are known to the City or that were raised during the scoping process. A Notice of Preparation (NOP) for the 2021 Draft EIR was circulated, and public comments on the Initial Study were solicited for a period of 32 days, starting on September 25, 2020, and ending on October 26, 2020. A scoping meeting was held on October 7, 2020. Major issues and concerns raised during the original scoping process included: (1) recommendations requesting the air quality analysis follow South Coast Air Quality Management District (SCAQMD) guidance for air quality analysis; (2) recommendations for consultation with Native American tribes regarding the potential for tribal cultural resources on the project site; (3) concerns regarding the impacts to facilities owned and operated by the South Coast Water District (SCWD); (4) recommendations that the 2021 Draft EIR discuss multimodal mobility and transit connectivity; (5) recommendations that the 2021 Draft EIR discuss the Original Project's consistency with the City's Regional Housing Needs Assessment (RHNA); (6) suggestions from the Orange County Fire Authority (OCFA) for compliance with applicable safety codes and regulations; (7) recommendations for the vehicle miles traveled (VMT) analysis to include impacts to roadway segments and intersections included in the Orange County Transportation Authority's (OCTA) Congestion Management Program (CMP); (8) recommendations that the development is consistent with the Orange County Master Plan of Arterial Highways (MPAH); (9) recommendations that the traffic analysis consider impacts to SR-1 and I-5; and (10) recommendations that emergency access be addressed in the 2021 Draft EIR. Please note that these are not exhaustive lists of areas of controversy, but rather key issues that were raised during the original scoping process and public review period preceding the preparation of the 2021 Draft EIR.

This Revised Draft EIR addresses each of these areas of concern or controversy in detail, examines project-related and cumulative environmental impacts, identifies significant adverse environmental impacts, and proposes mitigation measures designed to reduce or eliminate potentially significant impacts of the Modified Project.

1.6.2 Modified Project Scoping Process

A Supplemental Notice of Preparation (NOP) for the Revised Draft EIR was circulated, and public comments were solicited for a period of 32 days, starting on July 19, 2024, and ending on August 19, 2024. A scoping meeting was held on August 14, 2024, at 6 p.m. A total of one (1) individual attended the scoping meeting. A total of four (4) comment letters were received during the public comment period for the Modified Project.

Major issues and concerns raised during the secondary scoping process included: (1) recommendations to include pre-construction nesting bird and raptor surveys at least three days prior to the commencement of construction activities associated with the Modified Project; (2) recommendations for consultation with Native American tribes regarding the potential for tribal cultural resources on the project site; (3) recommendations for the vehicle miles traveled (VMT)-based Traffic Impact Analysis to include impacts to nearby State Highway System (SHS) facilities;

(4) recommendations to encourage the use of transit, bicycle, and pedestrian facilities; (5) recommendations to incorporate designated freight delivery areas; (6) recommendations that members of the local workforce are used during construction of the Modified Project; and (7) concerns regarding the 2021 Draft EIR's reliance on analysis presented in EIR No. 591, given that the Modified Project exceeds the size and scope planned for development of the project site under EIR No. 591.

1.7 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 1.A, below, identifies the potential environmental impacts, proposed mitigation measures, and level of significance after mitigation is incorporated into the Modified Project. Table 1.A also identifies cumulative impacts resulting from the Modified Project. Environmental topics addressed in this Revised Draft EIR include Aesthetics, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Mandatory Findings of Significance.

Refer to Chapter 2.0, Introduction, of this Revised Draft EIR for a discussion of additional effects found not to be significant through the NOP process (e.g., Agricultural Resources, Biological Resources, Mineral Resources, Population and Housing, Recreation, and Wildfire).

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
4.1: Aesthetics		
Threshold 4.1.1: Would the project have a substantial adverse effect on scenic vista?		
<p>Less Than Significant Impact. The City of Dana Point’s General Plan describes various Scenic Overlooks from Public Lands, which includes locations on the coastal bluffs north of Dana Point Harbor Drive and the Headlands located west of the project site. These locations provide panoramic views of the Pacific Ocean and Dana Point Harbor. In addition, scenic View Corridors are identified in the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) with public vantage points along Dana Point Harbor Drive, the coastal bluffs, the Headlands, and Doheny State Beach, and are therefore also considered scenic vistas. Although construction activities may temporarily disrupt views of the marina, Dana Point Harbor, and the Pacific Ocean from these scenic vistas, prior to the start of construction and as part of the Coastal Development Permit Application, the Project Applicant will prepare and submit a Construction Phasing and Construction Management Parking Plan for review and approval by the City prior to Modified Project approval. This Plan will identify the location of all construction staging areas, temporary access routes and parking areas. In addition, screened construction fencing will be provided to minimize the visual impacts of construction activity from Dana Point Harbor Drive, other adjacent roadways, and surrounding Harbor areas. Implementation of the Modified Project would partially obstruct/block views of the boats in the marina and Dana Point Harbor from limited locations on nearby roads and sidewalks. In addition, views from Heritage Park of a small portion of the East Marina would be partially blocked. However, the Modified Project would include architectural design elements that would reduce massing on the Harbor-side building frontages thereby minimizing any view loss and enhancing the visual character from the Heritage Park scenic vista. These design elements would preserve views of Dana Point Harbor through the use of interlocking massing and stepped terraces. The proposed height and massing of the proposed development under the Modified Project would not significantly impact views from the scenic vistas described above, and the overall scale of the Modified Project would not preclude, impair, or inhibit existing views of the Pacific Ocean, shoreline, or Dana Point Harbor. Therefore, the Modified Project would not have a substantial adverse effect on a scenic vista, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>Threshold 4.1.3: In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?</p>		
<p>Less Than Significant Impact. During demolition, grading, and construction activities, the on-site construction area would be surrounded by temporary construction fencing thereby minimizing potential visual impacts to adjacent roadways and the visual Harbor surroundings during construction.</p> <p>In addition to the demolition activities noted above, implementation of the Modified Project includes the development of two hotels, including boater services in one hotel, ancillary uses, and designated boater and hotel parking. Therefore, the Modified Project would not change the nature of the site as a commercial development. The proposed structures would be consistent with the California Coastal design theme outlined in the DPHRP&DR intended to unify the entire Dana Point Harbor. The DPHRP&DR also includes regulations on building heights, setbacks, and staggered and stepped-back exterior building facades. The Modified Project would adhere to these height and design requirements and would ensure the proposed hotels would not obstruct views of the Dana Point Harbor, the Pacific Ocean, the California coastline, or the Headlands from scenic vistas or public vantage points.</p> <p>The Modified Project would be consistent with the allowable uses for the site as provided in the DPHRP&DR. Additionally, the necessary Zone Text Amendment/Local Coastal Program Amendment (ZTA/LCPA) to address an increase in number of hotels and hotel rooms and reapportionment of other land use categories within Planning Area (PA) 3 included in the Modified Project were approved with suggested modifications by the California Coastal Commission (Coastal Commission) (No. LCP-5-DPT-21-0079-2) on June 14, 2024, and were subsequently adopted by the City of Dana Point on September 3, 2024 with Coastal Commission final certification granted on February 5, 2025. Therefore, while the commercial nature of the development would not change, the visual character of the project site would change due to the additional hotel development. However, for the reasons described above, the Modified Project design would not conflict with the applicable zoning regulations (the DPHRP&DR) governing scenic quality. Therefore, while the Modified Project would permanently alter the visual conditions of the project site and its surroundings, no significant impacts or complete obstructions of any views from the aforementioned view locations would occur, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Threshold 4.1.4: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		
<p>Less Than Significant Impact with Mitigation Incorporated. Construction activities related to the Modified Project would occur only during daylight hours in compliance with Regulatory Compliance Measure 4.10-1; therefore, artificial light associated with construction activities would not significantly impact adjacent light-sensitive uses nor substantially alter the character of light and glare in off-site areas surrounding the construction area.</p> <p>The Modified Project would include lighting on facades for both proposed hotels, pedestrian walkways and stairways, landscaping, festoon lighting for common outdoor areas, and parking lots. The proposed lighting would be similar to the existing parking lot, and pedestrian lighting and lighting on the exterior of the existing Marina Inn and boater service buildings. The proposed lighting plan includes low-intensity lighting with minimal spillover and would not impact adjacent land uses. Materials uses for building construction would be non-reflective and low e-glazing would be utilized to reduce potential impacts related to glare. Implementation of the specific shielded lighting, downward directed lighting, and e-glazing to minimize light and glare would substantially reduce potential impacts; however, the Modified Project would also be required to comply with Mitigation Measure 4.2-4 from EIR No. 591, which requires development of a lighting plan ensuring adequate security lighting while minimizing any lighting impacts on adjacent uses. Therefore, the Modified Project would have a less than significant impact with regard to light and glare in the project area with implementation of Mitigation Measure 4.2-4 from EIR No. 591.</p>	<p>See Regulatory Compliance Measure 4.10-1 in Section 4.10, Noise, of this table.</p> <p>EIR No. 591 Mitigation Measure 4.2-4: 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 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 Dana Point Harbor Department.</p>	<p>Less Than Significant with Mitigation Incorporated.</p>
Cumulative Aesthetic Impacts.		
<p>Less Than Significant Impact. None of the cumulative related projects identified in Chapter 4.0, Existing Environmental Setting, Environmental Analysis, Impacts, and Mitigation Measures, of this Revised Draft EIR would be located adjacent to the project site, except for the development associated with the Dana Point Harbor Revitalization Plan (DPHRP). Development associated with the Dana Point Harbor was analyzed in the Dana Point Harbor Revitalization Programmatic EIR, which concluded cumulative impacts to aesthetics would be less than significant. Specific development proposals for the Dana Point Harbor area would also undergo project-specific environmental analysis and CEQA clearance. Therefore, the Modified Project, when considered in conjunction with these projects, would not have the potential to cumulatively contribute to an increase of nighttime lighting within the</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>project vicinity. In addition, because the project site is located in a developed area and is consistent with the style, massing, and character of proposed surrounding development, the contribution of the Modified Project to potential cumulative aesthetics impacts in the City is considered less than cumulatively significant, and no mitigation is required.</p>		
<p>4.2: Air Quality</p>		
<p>Threshold 4.2.1: Would the project conflict with or obstruct implementation of the applicable air quality plan?</p>		
<p>Less Than Significant Impact. Projects are considered consistent with and would not conflict with or obstruct implementation of the Air Quality Management Plan (AQMP) when they do not increase the frequency or severity of an air quality standards violation or cause a new violation, and when they are consistent with the growth assumptions in the AQMP. The Modified Project would result in short-term construction and long-term operational criteria pollutant emissions that are less than the significance thresholds set forth by the South Coast Air Quality Management District (SCAQMD). The Modified Project would not result in any air quality violations and is consistent with the land use designation and zoning classifications. Therefore, impacts related to the conflict with or obstruction of implementation of the AQMP would be less than significant, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
<p>Threshold 4.2.2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?</p>		
<p>Less Than Significant Impact. Construction of the Modified Project would not result in any exceedances of any criteria pollutant. In addition, construction equipment/vehicle emissions during construction periods would not exceed any of the SCAQMD established daily emissions thresholds for which the region is nonattainment under the California ambient air quality standards (CAAQS) or national ambient air quality standards (NAAQS). Standard Conditions 4.2-1 through 4.2-3 require compliance with SCAQMD standard conditions, including Rule 402 (Nuisance) to control nuisance emissions, Rule 403 (Fugitive Dust) to control fugitive dust, and Rule 1113 (Architectural Coatings) to control volatile organic compound (VOC) emissions from paint. Compliance with SCAQMD standard conditions are regulatory requirements, not mitigation, and were considered in the analysis of construction emissions. Therefore, the Modified Project would not exceed the SCAQMD construction emissions thresholds, and short-term (construction) air quality impacts would be less than significant. No mitigation is required.</p> <p>The net increased emission results during operation of the Modified Project would not exceed</p>	<p>No mitigation is required.</p> <p>Standard Condition 4.2-1: South Coast Air Quality Management District (SCAQMD) Rule 402, Nuisance. This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>the corresponding SCAQMD daily emission thresholds for any criteria pollutants. While the project would result in the increased emissions of criteria pollutants, emissions during operation of the Modified Project would not exceed the thresholds of significance for any criteria pollutants for which the project region is nonattainment under the CAAQS or NAAQS. Therefore, operational emissions for the Modified Project would have a less than significant impact, and no mitigation is required.</p>	<p>tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.</p> <p>Standard Condition 4.2-2: SCAQMD Rule 403, Fugitive Dust. The Project Applicant shall ensure the Construction Contractor implements fugitive dust control measures in compliance with SCAQMD Rule 403. The Project Applicant shall include the following fugitive dust control measures for SCAQMD Rule 403 compliance in the project plans and specifications:</p> <ul style="list-style-type: none"> • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 miles per hour (mph) per SCAQMD guidelines in order to limit fugitive dust emissions. • The Construction Contractor shall ensure that all disturbed unpaved roads and disturbed areas within the project site are watered, with complete coverage of disturbed areas, at least three (3) times daily during dry weather and preferably mid-morning, afternoon, and after work is done for the day. • The Construction Contractor shall ensure that traffic speeds on unpaved 	

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	<p>roads and project site areas are reduced to 15 mph or less.</p> <p>Standard Condition 4.2-3: SCAQMD Rule 1113. The Project Applicant shall ensure the Construction Contractor implements measures to control volatile organic compound (VOC) emissions from architectural coatings in compliance with SCAQMD Rule 1113. The Project Applicant shall include the following control measures for SCAQMD Rule 1113 compliance in the project plans and specifications:</p> <ul style="list-style-type: none"> • Only “Low-Volatile Organic Compounds” paints (no more than 50 grams/liter of VOC) shall be used. 	
<p>Threshold 4.2.3: Would the project expose sensitive receptors to substantial pollutant concentrations?</p>		
<p>Less Than Significant Impact. The Modified Project would introduce criteria pollutants and fugitive dust into the air during the short-term construction period. Operation of the Modified Project would also generate criteria pollutant air emissions through operational vehicle trips from patrons, employees, and deliveries, as well as stationary source emissions, which include landscaping, lighting, heating, ventilation, and air conditioning (HVAC), appliances, and other operational uses. The nearest sensitive receptors would be patrons to Heritage Park located approximately 31 meters (102 feet) north of the project site boundary. Based on the SCAQMD Localized Significance Thresholds (LSTs), the Modified Project would not result in a significant level of exposure to sensitive receptors during short-term project construction or long-term operation. In addition, based on the carbon monoxide (CO) concentrations in the project area, project-related vehicles are not expected to contribute significantly to CO concentrations exceeding the State or federal CO standards. Because no CO hot spots would occur, there would be no project-related impacts related to CO concentrations. No mitigation is required.</p> <p>Therefore, the Modified Project would not expose sensitive receptors to substantial</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
pollutant concentrations and impacts would be less than significant. No mitigation is required.		
Cumulative Air Quality Impacts.		
Less Than Significant Impact. The Modified Project’s construction- and operation-related regional daily emissions are less than the SCAQMD significance thresholds for all criteria pollutants. In addition, adherence to SCAQMD rules and regulations on a project-by-project basis would substantially reduce potential impacts associated with the related cumulative projects and basin-wide air pollutant emissions. Therefore, the Modified Project would not have a cumulatively considerable increase in emissions, and the Modified Project’s cumulative air quality impacts would be less than significant.	No mitigation is required.	Less Than Significant Impact.
4.3: Cultural Resources		
Threshold 4.3.2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		
Less Than Significant Impact. Aerial photographs and historic maps demonstrate that the project site was located offshore before Dana Point Harbor was constructed, and would have been constructed using imported sediments, which would not contain subsurface archaeological cultural resources. Given that the project site was constructed using imported sediments, the likelihood of encountering intact subsurface archaeological cultural resources during ground-disturbing construction activities is low. Further, according to the 2024 Record Search Memorandum (Appendix E to this Revised Draft EIR), no cultural resources have been recorded within the project site. However, based on consultation with the Juaneño Band of Mission Indians Acjachemen Nation there is the potential for tribal cultural resources and other archaeological resources to be present within the artificial fill on site, based on the origin of the fill material. The Modified Project would comply with existing California Public Resources Code (PRC) Section 5097.98 requirements pertaining to human remains as described in Standard Condition 4.3-1 (SC 4.3-1). Further, the monitoring requirements from Program EIR No. 591 (Standard Condition of Approval 4.11-1 [SCA 4.11-1]) would be required for the Modified Project, with slight modifications, as provided in Standard Condition 4.3-2. Therefore, impacts related to this issue are considered less than significant.	No mitigation is required. Standard Condition 4.3-1: Human Remains. If human remains are encountered during construction, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Orange County Coroner has made a determination of origin and disposition pursuant to California Public Resources Code (PRC) Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her	Less Than Significant Impact

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	<p>authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.</p> <p>Standard Condition 4.3-2: Cultural Resource Monitoring. Prior to issuance of any grading permit, the Project Applicant shall provide written evidence that a County-certified archaeologist and Native American monitor have been retained to observe grading activities within areas where artificial fill may be disturbed and to salvage and catalogue archaeological and tribal cultural resources as necessary. The archaeologist and Native American monitors shall be present at the pre-grading conference, shall establish procedures for resource surveillance, and shall establish, in cooperation with the Project Applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. Once grading and foundation preparation activities commence, should it be determined there is a low likelihood of</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>encountering subsurface cultural resources, the option to reduce archaeological and Native American monitoring hours shall be provided to the Project Applicant, upon presenting written concurrence from the archaeological and Native American monitors to the County of Orange and the City of Dana Point. If archaeological or tribal cultural resources are found to be significant, the archaeologist shall determine appropriate actions, in cooperation with OC Parks, the State Office of Historic Preservation (SHPO), and City of Dana Point, for exploration and/or salvage.</p> <p>The Project Applicant shall obtain approval of the archaeologist’s follow-up report from the Director of OC Parks. The report shall include the period of inspection, an analysis of any artifacts found, and the present repository of the artifacts. 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 the approval of the Director of OC Parks.</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Cumulative Cultural Resources Impacts.		
<p>Less Than Significant Impact. Potential impacts of the Modified Project to unknown cultural resources, when combined with the impacts of past, present, and reasonably foreseeable projects in the City of Dana Point, could contribute to a cumulatively significant impact due to the overall loss of archaeological artifacts and cultural resources unique to the region. However, each development proposal received by the City is required to undergo environmental review pursuant to CEQA. If there were any potential for significant impacts to archaeological resources, an investigation would be required to determine the nature and extent of the resources and identify appropriate mitigation measures. When resources are assessed and/or protected as they are discovered, impacts to these resources are less than significant.</p>	No mitigation is required.	Less Than Significant Impact.
4.4: Energy		
Threshold 4.4.1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		
<p>1. Less Than Significant Impact. Construction worker trips would consume an estimated 51,449.8 gallons of gasoline. This would represent a small percentage of the annual gasoline consumption in Orange County. Impacts related to energy use during construction would be temporary and would be relatively small in comparison to Orange County’s overall usage and the State’s available energy sources. Energy use consumed during operation of the Modified Project would be associated with electricity consumption and gasoline to fuel project-related vehicle trips. The Modified Project’s natural gas demand would total less than 0.01 percent of the annual natural gas consumption in Orange County, and the project’s electricity usage demand would total less than 0.0001 percent of the electricity generated in the State of California in 2023. The Modified Project would result in an increase in vehicle miles traveled (VMT) and would also result in an increase in gallons of gasoline per year for vehicle trips. However, new automobiles purchased by employees and visitors driving to and from the project site would be subject to fuel economy and efficiency standards applied throughout the State. As such, the fuel efficiency of vehicles associated with the project site would increase throughout the life of the project. Therefore, implementation of the Modified Project would not result in a substantial increase in transportation-related energy uses. Impacts related to energy use during construction and operation would</p>	No mitigation is required.	Less Than Significant Impact.

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. Therefore, impacts of the Modified Project would be less than significant, and no mitigation is required.		
Threshold 4.4.2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?		
Less Than Significant Impact. Because California’s energy conservation planning actions are conducted at a regional level, and because the Modified Project’s total impact on regional energy supplies would be minor, the Modified Project would not conflict with or obstruct California’s energy conservation plans as described in the California Energy Commission’s (CEC) 2023 Integrated Energy Policy Report. The Modified Project would be required to comply with the California Building Code (CBC) and the California Green Building Standards Code (CALGreen Code) pertaining to energy and water conservation standards in effect at the time of construction plan check submittal to the County of Orange and as applicable during construction of the Modified Project. Therefore, the Modified Project would be consistent with applicable plans related to renewable energy and energy efficiency. Impacts would be less than significant, and no mitigation is required.	No mitigation is required.	Less Than Significant Impact.
Cumulative Energy Impacts.		
Less Than Significant Impact. The Modified Project would result in an increased services demand in electricity and natural gas. Although the Modified Project would result in a net increase in electricity usage above existing uses, this increase would not require San Diego Gas & Electric (SDG&E) to expand or construct infrastructure that could cause substantial environmental impacts. Additionally, it is anticipated that Southern California Gas Company (SoCalGas) would be able to meet the natural gas demand of the Modified Project and related projects in their service area without additional facilities. Furthermore, the Modified Project’s percent of cumulative electricity and natural gas consumption would be minimal, and there are sufficient planned natural gas and electricity supplies in the region for the estimated increases in energy demands. Therefore, the Modified Project’s contribution to impacts related to the inefficient, wasteful, and unnecessary consumption of energy would not be cumulatively considerable, and no mitigation is required.	No mitigation is required.	Less Than Significant Impact.

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4.5: Geology and Soils		
Threshold 4.5.1(ii): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: strong seismic ground shaking?		
<p>Less Than Significant with Mitigation Incorporated. The project site is subject to strong ground motion resulting from earthquakes on nearby faults, including the Newport-Inglewood Fault and the San Joaquin Hills Fault. During an earthquake along any of these faults, seismically induced ground shaking would be expected to occur. Mitigation Measure 4.5-1 requires the Project Applicant to comply with the recommendations of the Preliminary Geotechnical Investigation and the Geotechnical Review, which are applicable to the Modified Project based on the findings presented in the Supplemental Geotechnical Letter (included in Appendix F to this Revised Draft EIR). Mitigation Measure 4.5-2 requires the Project Applicant to comply with the most current California Building Code (CBC), which provides seismic design recommendations that shall be implemented with project design and construction. With implementation of Mitigation Measures 4.5-1 and 4.5-2, potential impacts of the Modified Project related to seismic ground shaking would be reduced to a less than significant level.</p>	<p>Mitigation Measure 4.5-1: Incorporation of and Compliance with the Recommendations in the Preliminary Geotechnical Investigation and the Geotechnical Review. All grading operations and construction on the project site shall be conducted in conformance with the recommendations included in the Preliminary Geotechnical Investigation (GMU 2019a), the <i>Response to City of Dana Point Geotechnical Report Review</i> (GMU 2019b) the <i>Response to City of Dana Point Geotechnical Report Second Engineering Review</i> (GMU 2020), and the Geotechnical Review (Ninyo & Moore 2020). Design, grading, and construction shall be performed in accordance with the requirements of the City of Dana Point (City) Municipal Code, County of Orange (County) Codes, and the California Building Code (CBC) applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project Geotechnical Consultant as summarized in a final written report. All grading and construction documents shall be subject to review by the Director of the County Public</p>	<p>Less Than Significant with Mitigation Incorporated.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>Works Department, or designee, prior to commencement of grading activities. Recommendations in the Preliminary Geotechnical Investigation and the Geotechnical Review include, but are not limited to, the following topics:</p> <ul style="list-style-type: none"> • Clearing and Grubbing • Remedial Grading • Foundation Design (either Mat Founds or Geopiers/Equivalent Gravel Piers) • Appurtenant Structures/Retaining Walls • Screen Walls • Vehicular Pavement • Flatwork/Hardscape/Pedestrian Pavers • Geogrid Reinforced Fill Slopes • Temporary Excavations • Shoring • Lateral Spreading • Pole Foundations • Structural Concrete • Ferrous Metal Corrosion • Trench Backfill <p>Final Design-Level Geotechnical Report. Additional site testing and evaluation shall be conducted by the project Geotechnical Consultant to refine and enhance these</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>recommendations during the final design phase. A corrosion engineer shall be consulted to perform more detailed testing and develop appropriate mitigation measures (if necessary). Grading plan review shall also be conducted by the Geotechnical Consultant and the Director of the County Public Works Department, or designee, prior to the start of grading to verify that the recommendations provided in the final design-level geotechnical report have been appropriately incorporated into the project plans. Final design shall be based on testing and analyses of the near-surface soils following the completion of grading. Design, grading, and construction shall be conducted in accordance with the specifications of the Geotechnical Consultant as summarized in a final report based on the California Building Code (CBC) applicable at the time of grading and building and the County Municipal Code. On-site inspection during grading shall be conducted by the Geotechnical Consultant and the Director of the County of Public Works Department to ensure compliance with geotechnical specifications as incorporated into project plans.</p>	

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	<p>Mitigation Measure 4.5-2: California Building Code Compliance and Seismic Standards. Structures shall be designed in accordance with the seismic parameters presented in the 2022 CBC. Prior to issuance of building permits for planned structures, the project Geotechnical Consultant and the Director of the County Public Works Department, or designee, shall review building plans to verify that structural design conforms to the recommendations of the CBC.</p>	
<p>Threshold 4.5.1(iii): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: seismic-related ground failure, including liquefaction?</p>		
<p>Less Than Significant with Mitigation Incorporated. The project site is located within a zone of required investigation for liquefaction as shown on the Seismic Hazard Zone Map for the Dana Point Quadrangle. In addition, testing performed as part of the Preliminary Geotechnical Investigation found that soils on the site would likely liquefy during an earthquake. Mitigation Measures 4.5-1 and 4.5-2 require the Project Applicant to comply with the recommendations of the Preliminary Geotechnical Investigation, the Geotechnical Review, and the most current CBC, which stipulate appropriate design provisions (including provisions related to foundation design) and for additional investigation and analysis during the final design phase that shall be incorporated into project design and construction. With implementation of Mitigation Measures 4.5-1 and 4.5-2, potential impacts of the Modified Project related to seismically induced ground failure, including liquefaction, would be reduced to a less than significant level.</p>	<p>Refer to Mitigation Measures 4.5-1 and 4.5-2, above.</p>	<p>Less Than Significant with Mitigation Incorporated.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Threshold 4.5.1(iv): Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?		
<p>Less Than Significant Impact. According to the Preliminary Geotechnical Investigation prepared for the Original Project, which is applicable to the Modified Project based on the findings presented in the Supplemental Geotechnical Letter (included in Appendix F to this Revised Draft EIR), no landslides or related features underlie the project site. In addition, the Modified Project would not introduce a new land use that would expose people or structures to hazards for potential landslides that may occur as a result of seismic activity at the adjacent coastal bluffs. Based on the distance between the coastal bluffs and the project site, and the nature of the development of the proposed hotels on a previously developed site, neither construction nor operation of the Modified Project would cause potential substantial adverse effects including loss, injury, or death involving landslides. Impacts related to seismically induced landslides would be less than significant.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
Threshold 4.5.2: Would the project result in substantial soil erosion or the loss of topsoil?		
<p>Less Than Significant Impact. During construction activities, soil would be exposed and there would be an increased potential for soil erosion compared to existing conditions due to soil disturbance and the exposure of substantial amounts of soil to weather conditions (e.g., wind, rain). During a storm event, soil erosion could occur at an accelerated rate. The increased erosion potential could result in short-term water quality impacts as identified in Section 4.8, Hydrology and Water Quality, of this Revised Draft EIR. During construction, the Project Applicant would be required to adhere to the requirements of the General Construction Permit and utilize typical Best Management Practices (BMPs) specifically identified in the Storm Water Pollution Prevention Plan (SWPPP) (as required by Standard Condition 4.8-1). In addition, in compliance with the DPHRP&DR, the Project Applicant would be required to prepare an Erosion Control Plan (as required by Standard Condition 4.8-2). The County of Orange Municipal Code Section 7-1-836 also requires erosion control plans to be prepared in accordance with Subarticle 13 of the Grading Manual and submitted to the County Building Office for approval. Compliance with the requirements of the Construction General Permit, the County of Orange Municipal Code, and the City Municipal Code would ensure that construction impacts related to erosion would be less than significant.</p> <p>The Modified Project would result in an overall decrease in the proportion of impervious</p>	<p>No mitigation is required. Refer to Standard Conditions 4.8-1 and 4.8-2 in Section 4.8, Hydrology and Water Quality.</p>	<p>Less Than Significant Impact.</p>

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<p>surface area within the project site and a subsequent net decrease in stormwater runoff. The Revised Preliminary Water Quality Management Plan (pWQMP) prepared for the Modified Project includes proposed Site Design BMPs, including: minimizing impervious area; preserving existing drainage patterns and timing of concentration; disconnecting impervious areas; revegetating disturbed areas; minimizing soil compaction; runoff collection; and implementing water efficient landscaping with native or drought tolerant species. Therefore, the Modified Project would not result in substantial on-site or downstream erosion, siltation, or flooding. Impacts from operation of the Modified Project related to erosion would be less than significant.</p>		
<p>Threshold 4.5.3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse?</p>		
<p>Slope Stability. Less Than Significant with Mitigation Incorporated. As previously stated, no existing landslides are present on or immediately adjacent to the property and the project site is in a generally flat area with no evidence of historic landslides. Therefore, the potential for seismically induced landslides on site is considered low. As part of the design of the Modified Project, the building walls of Dana House Hotel would include planted fill slopes. In addition, grading would entail cut-and-fill slopes, and construction of retaining walls and below-grade walls would be necessary in some areas. Furthermore, shoring would be required during excavation. Unstable cut-and-fill slopes could create significant short-term and long-term hazards. Mitigation Measure 4.5-1 requires planned grading and shoring to conform to the recommendations of the Preliminary Geotechnical Investigation prepared for the Original Project (which remains applicable to the Modified Project pursuant to the Supplemental Geotechnical Letter (included in Appendix F to this Revised Draft EIR), which contains specific recommendations for addressing potential slope instability and geogrid-reinforced fill slopes. With implementation of Mitigation Measure 4.5-1, the Modified Project’s impacts related to slope instability would be less than significant.</p> <p>Unsuitable Soils. Corrosive Soils and Soluble Sulfate Content. Less Than Significant with Mitigation Incorporated. Corrosion testing indicates that the on-site soils have a moderate sulfate exposure level and are corrosive to buried ferrous metals</p>	<p>Refer to Mitigation Measures 4.5-1 and 4.5-2, above.</p>	<p>Less Than Significant with Mitigation Incorporated.</p>

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<p>and reinforcing steel. Consequently, any metal exposed to the soil will need protection. Mitigation Measure 4.5-1 provides recommendations for reducing corrosion potential. Additional provisions will be required to address high chloride contents of the soil per the 2022 CBC to protect the concrete reinforcement, as required by Mitigation Measure 4.5-2. With implementation of Mitigation Measures 4.5-1 and 4.5-2, potential impacts of the Modified Project related to corrosive soils would be reduced to a less than significant level.</p> <p><u>Settlement Potential.</u></p> <p>Less Than Significant with Mitigation Incorporated. The underlying artificial fill and bedrock soils encountered are slightly to moderately compressible under loads with low levels of hydro-collapse (based on laboratory testing performed for adjacent sites). However, the geotechnical engineering characteristics of the underlying surficial soils are highly variable. Seismic settlements due to liquefaction could be up to 2.25 inches on the portions of the project site under the proposed hotels and up to 3.5 inches under the surface parking lot area. Corrective grading will be required to support the proposed improvements. Compliance with the recommendations contained in the Geotechnical Preliminary Investigation for the Original Project, including those related to earthwork activities such as corrective grading, and foundation design, would be required to reduce potential impacts related to ground settlement. Implementation of Mitigation Measure 4.5-1 would reduce potential impacts with respect to ground settlement to a less than significant level.</p> <p><u>Subsidence.</u></p> <p>Less Than Significant Impact. Overpumping and excessive groundwater withdrawal have not occurred in the project area. In addition, the project site does not have an oil, gas, or water pump on site, and none are located near the site. In addition, the project site and has not been used for the extraction of these resources. Subsidence is therefore not considered a potential constraint or a potentially significant impact of the Modified Project, and no mitigation is required.</p> <p><u>Lateral Spreading.</u></p> <p>Less Than Significant with Mitigation Incorporated. The project site has a high potential for lateral spreading due to the free face geometry of the site adjacent to the existing sea wall and harbor and the presence of shallow liquefiable soils with low residual shear strengths. Therefore, there is a high potential for some lateral movements of these slopes due to</p>		

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<p>seismic-related liquefaction. Mitigation would be required along the southern portion of the site adjacent to the existing sea wall (i.e., such as some type of ground improvement). Compliance with the recommendations contained in the Geotechnical Preliminary Investigation prepared for the Original Project, including the installation of a series of deep soil mixing columns or rammed aggregate piers to reduce lateral deformations to an acceptable range, would be required to reduce potential impacts related to lateral spreading. Implementation of Mitigation Measure 4.5-1 would reduce potential impacts of the Modified Project with respect to ground settlement to a less than significant level.</p>		
<p>Threshold 4.5.4: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?</p>		
<p>Less Than Significant with Mitigation Incorporated. The project site is largely overlaid with Artificial Fill and is anticipated to have a low-to-medium expansion potential. The Preliminary Geotechnical Investigation prepared for the Original Project, which remains applicable to the Modified Project pursuant to the Supplemental Geotechnical Letter (included in Appendix F to this Revised Draft EIR), contains specific construction recommendations for building foundations and other structural design elements to reduce impacts of the Modified Project associated with expansive soils to a less than significant level. Mitigation Measure 4.5-1 incorporates the recommendations in the Preliminary Geotechnical Investigation related to expansive soils, including the use of mat foundations or geopier-supported foundations and the use of on-site soil material for trench backfilling. Therefore, adherence to Mitigation Measure 4.5-1 will reduce impacts of the Modified Project related to expansive soils to a less than significant level.</p>	<p>Refer to Mitigation Measure 4.5-1, above.</p>	<p>Less Than Significant with Mitigation Incorporated.</p>
<p>Threshold 4.5.6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>		
<p>Less Than Significant Impact. The project site is underlain by sediments of the Capistrano Formation and marine terrace deposits. As described above, the majority of the site is overlain by Artificial Fill. According to the Paleontological Resources Memorandum prepared for the Modified Project, a fossil locality search did not indicate the presence of any paleontological resources within the project site. However, because the project site contains underlying sediments of the Capistrano Formation, there is the potential to encounter paleontological resources during any ground-disturbing activities for the Modified Project. Therefore, the Modified Project would be subject to paleontological monitoring requirements, as provided in Standard Condition 4.5-1. With implementation of Standard</p>	<p>No mitigation is required.</p> <p>Standard Condition 4.5-1: Paleontological Resource Monitoring. Prior to issuance of any grading permit, the Project Applicant shall provide written evidence that a County of Orange-certified paleontologist has been retained to observe grading activities that may extend to the</p>	<p>Less Than Significant Impact.</p>

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<p>Condition 4.5-1, impacts to paleontological resources would be less than significant, and no mitigation is required.</p>	<p>Capistrano Formation and salvage and catalogue paleontological resources as necessary. The paleontologist shall be present at the pre-grading conference, shall establish procedures for resource surveillance, and shall establish, in cooperation with the Project Applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate. If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with OC Parks, the State Office of Historic Preservation (SHPO), and City of Dana Point, for exploration and/or salvage.</p> <p>The Project Applicant shall obtain approval of the paleontologist’s follow-up report from the Director of OC Parks. The report shall include the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. 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 the approval of the Director of OC Parks.</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Cumulative Geology and Soils Impacts.		
<p>Less Than Significant Impact. No rare or special geological features or soil types on the project site would be affected by Modified Project activities or other known activities or projects with activities that affect the geology and soils of this site. In addition, the Modified Project, as with all foreseeable projects, would be required to comply with the applicable State and local requirements, including the DPHRP&DR, County of Orange Municipal Code, and CBC requirements. Therefore, the Modified Project’s contribution to cumulative geotechnical and soil impacts is less than significant.</p> <p>Future development in the Dana Point Harbor could include excavation and grading that could potentially affect paleontological resources. If there were a potential for significant impacts to paleontological resources, an investigation would be required to determine the nature and extent of the resources and identify appropriate mitigation measures. If subsurface paleontological resources are assessed and/or protected as they are discovered, impacts to these resources would be less than significant. In addition, policies within the City’s General Plan and the DPHRP&DR would be implemented as appropriate to reduce the effects of additional development within the City. Therefore, the Modified Project’s contribution to the cumulative destruction of known and unknown paleontological resources throughout the City would be less than cumulatively significant.</p>	No mitigation is required.	Less Than Significant Impact.
4.6: Greenhouse Gas Emissions		
Threshold 4.6.1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		
<p>Less Than Significant Impact. Per the SCAQMD’s guidance on interim greenhouse gas (GHG) significance thresholds, due to the long-term nature of the GHGs in the atmosphere, instead of determining significance of construction emissions alone, the total construction emissions are amortized over 30 years (a conservative estimate of the building life of the Modified Project), added to the operational emissions, and compared to the applicable GHG significance threshold (SCAQMD, Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans, December 2008). Long-term operation of the Modified Project would generate GHG emissions from area and mobile sources and indirect emissions from stationary sources associated with energy consumption. After amortized construction emissions are added, the total net operational emissions are less than the South Coast Air Quality Management District (SCAQMD) Tier 3 threshold of 3,000 metric tons of carbon dioxide equivalent (MT CO₂e) per year for all land use types. Therefore, impacts of the</p>	No mitigation is required.	Less Than Significant Impact.

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Modified Project related to operational GHG emissions would be less than significant. No mitigation would be required.		
Threshold 4.6.2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?		
<p>Less Than Significant Impact. The City of Dana Point has established GHG emission reduction goals in the Dana Point Energy Efficiency and Conservation Plan, adopted in December of 2011. The California Air Resources Board (CARB) 2022 Climate Change Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. The Modified Project would not conflict with the State 2022 Scoping Plan, Senate Bill 32, Southern California Association of Governments’ (SCAG) Connect SoCal 2024 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), or the City’s General Plan. Therefore, impacts of the Modified Project related to conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions would be less than significant, and no mitigation is required.</p>	No mitigation is required.	Less Than Significant Impact.
Cumulative Greenhouse Gas Emissions Impacts.		
<p>Less Than Significant Impact. Cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for GHG emissions. GHG emissions are global pollutants, and therefore, result in cumulative impacts by nature. The Modified Project’s emissions are less than the SCAQMD Tier 3 threshold of 3,000 MT CO_{2e} per year for all land use types and are therefore less than cumulatively significant. The Modified Project, in conjunction with other cumulative projects, would be subject to all applicable regulatory requirements which would further reduce GHG emissions. In addition, no overnight hotel accommodations in either Dana House Hotel or Surf Lodge would be subject to inundation associated with climate change-related sea level rise. Further, the Modified Project includes design features to minimize potential flooding impacts to the basement of Dana House Hotel under future sea level rise scenarios. Therefore, the Modified Project’s cumulative GHG impacts would be less than significant, and the Modified Project would not be adversely impacted by sea level rise due to climate change. No mitigation is required.</p>	No mitigation is required.	Less Than Significant Impact.

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
4.7: Hazards and Hazardous Materials		
Threshold 4.7.2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		
<p>Less Than Significant with Mitigation Incorporated. Construction activities associated with the Modified Project would include site preparation and demolition activities, building construction, paving, and the implementation of native, drought tolerant landscaping and pedestrian improvements. Hazardous waste might be generated during demolition, excavation, or other activities that require the removal of potential hazardous building materials (e.g., asbestos-containing materials [ACMs], lead-based paint, mercury, and polychlorinated biphenyls [PCBs]) or unknown hazardous materials. The demolition of structures containing hazardous building materials requires specialized procedures and equipment and appropriately certified personnel. Procedures for handling and disposal of hazardous building materials are specified in Mitigation Measure 4.7-1, Demolition Plan. Procedures for handling suspect or unknown hazardous materials are specified in Mitigation Measure 4.7-2, Construction Contingency Plan. Therefore, with implementation of Mitigation Measures 4.7-1 and 4.7-2, impacts related to a reasonably foreseeable upset or accident condition related to the release of hazardous materials during construction of the Modified Project would be less than significant.</p>	<p>Mitigation Measure 4.7-1: Demolition Plan. Prior to the issuance of any demolition or grading permits, the Project Applicant shall provide a Demolition Plan to the Director of the County of Orange (County) Public Works Department, or designee, for review and approval. The Demolition Plan shall include the procedures for pre-demolition surveys and testing for hazardous building materials such as asbestos, lead-based paint, mercury, and polychlorinated biphenyls, and removal and disposal of hazardous building materials. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations. All identified hazardous materials shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures. The Construction Contractor shall provide documentation (e.g., all required waste manifests, sampling, and air monitoring analytical results) to the Director of the County Public Works Department, or</p>	<p>Less Than Significant with Mitigation Incorporated.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>designee, showing that abatement of hazardous building materials has been completed in full compliance with all applicable regulations.</p> <p>Mitigation Measure 4.7-2: Construction Contingency Plan. Prior to the issuance of any demolition or grading permits, the Project Applicant shall provide a Construction Contingency Plan to the Director of the County of Orange (County) Public Works Department, or designee, for review and approval. The Construction Contingency Plan shall include provisions for emergency response in the event that unidentified hazardous materials, petroleum hydrocarbons, or hazardous or solid wastes are discovered during construction activities. The Construction Contingency Plan shall address field screening, contaminant materials testing methods, mitigation and contaminant management requirements, and health and safety requirements for construction workers. The construction contractor shall implement the Construction Contingency Plan during all construction activities. The plan shall indicate that if construction workers encounter underground tanks, gases, odors, uncontained spills, or other</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>unidentified substances, the Construction Contractor shall stop work, cordon off the affected area, and notify the Orange County Fire Authority (OCFA). The OCFA responder shall determine the next steps regarding possible site evacuation, sampling, and disposal of the substance consistent with local, State, and federal regulations. If an unexpected release of oil and/or chemical substances into the environment occurs resulting in an imminent threat to public, the Construction Contractor shall notify the National Response Center by calling 1-800-424-8802 immediately. The Construction Contractor shall clean up any unexpected releases under appropriate federal, State, and local agency oversight.</p>	
<p>Cumulative Hazards and Hazardous Materials Impacts.</p>		
<p>Less Than Significant Impact. The contribution of hazardous materials use and hazardous waste disposal with implementation of the Modified Project would be minimal, and the combined hazardous materials effects from past, present, and reasonably foreseeable projects within the City of Dana Point and immediate area would not be significant. Compliance with federal, State, and local regulations would prevent the Modified Project as well as other projects from creating cumulative impacts in terms of hazards and hazardous materials. Impacts associated with hazards and the use of hazardous materials on site would be controlled through application of regulatory compliance measures. Implementation of the Modified Project would not result in an incremental contribution to cumulative impacts related to hazards and hazardous materials that are cumulatively considerable; therefore, cumulative hazards and hazardous materials impacts are considered less than significant.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
4.8: Hydrology and Water Quality		
Threshold 4.8.1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?		
<p>Less Than Significant Impact. Because construction of the Modified Project would disturb greater than 1 acre of soil, the Modified Project would comply with existing Construction General Permit (Standard Condition 4.8-1). In addition, the Modified Project would comply with the County of Orange Municipal Code for preparation of an Erosion Control Plan (Standard Condition 4.8-2), the National Pollutant Discharge Elimination System (NPDES) for Groundwater Discharge Permit (Standard Condition 4.8-3), and San Diego Regional MS4 Permit for preparation of a Final Water Quality Management Plan (Standard Condition 4.8-4). The Modified Project would implement construction and operational Best Management Practices (BMPs) to reduce pollutants of concern in stormwater runoff and would ensure that water quality impacts are less than significant. No mitigation is required.</p>	<p>No mitigation is required.</p> <p>Standard Condition 4.8-1: Construction General Permit. Prior to commencement of construction activities, the Project Applicant shall obtain coverage under the <i>National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit)</i>, Order No. 2022-0057-DWQ, NPDES No. CAS000002, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-related documents required by the permit, to the State Water Resources Control Board (SWRCB) via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the project from the</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>SMARTS and provided to the Director of the County of Orange (County) Public Works Department, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Project construction shall comply with all applicable requirements specified in the Construction General Permit, including but not limited to, preparation of a SWPPP and implementation of construction site Best Management Practices (BMPs) to address all construction-related activities, equipment, and materials that have the potential to impact water quality for the appropriate risk level identified for the project. The SWPPP shall identify the sources of pollutants that may affect the quality of stormwater and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in stormwater runoff. Construction Site BMPs shall also conform to the requirements specified in the latest edition of the Orange County Stormwater Program <i>Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers</i> (County of Orange et al. 2012) to control and minimize the impacts of construction and construction-related activities, materials, and pollutants on the</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>watershed. Upon completion of construction activities and stabilization of the project site, a Notice of Termination shall be submitted via SMARTS.</p> <p>Standard Condition 4.8-2: Erosion Control Plan. In compliance with the Dana Point Harbor Revitalization Plan and District Regulations and the requirements of Title 7 (Land Use and Building Regulations), Article 8 (Orange County Grading and Excavation Code), Subarticle 13 (Erosion Control), of the Codified Ordinances of the County of Orange (County), the Project Applicant shall submit a grading plan and erosion control plan to the County of Orange Permit Center for review and approval prior to issuance of a grading permit.</p> <p>Standard Condition 4.8-3: Groundwater Discharge Permit. If groundwater dewatering is required during construction or excavation activities and the dewatered groundwater is discharged to the sanitary sewer system, the Project Applicant shall obtain a discharge permit from the South Coast Water District (SCWD). If the dewatered groundwater is discharged to the stormdrain system, the Project Applicant shall obtain coverage under the San Diego Regional Water Quality Control Board's (RWQCB) <i>General Waste</i></p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p><i>Discharge Requirements for Discharges from Groundwater Extraction Discharges to Surface Waters within the San Diego Region (Order No. R9-2015-0013, NPDES No. CAG919003), or any other subsequent permit, and provide evidence of coverage to the Director of the County Public Works Department, or designee. This shall include submission of a Notice of Intent (NOI) for coverage under the permit to the San Diego RWQCB at least 60 days prior to the start of excavation activities and anticipated discharge of dewatered groundwater to surface waters. Groundwater dewatering activities shall comply with all applicable provisions in the permit, including water sampling, analysis, treatment (if required), and reporting of dewatering-related discharges. Upon completion of groundwater dewatering activities, a Notice of Termination shall be submitted to the San Diego RWQCB.</i></p> <p>Standard Condition 4.8-4: Water Quality Management Plan. Prior to issuance of building permits, the Project Applicant shall submit a Final Water Quality Management Plan (WQMP) to the Director of the County of Orange (County) Public Works Department, or designee, for review and approval in compliance with the <i>National Pollutant</i></p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p><i>Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4) Draining the Watersheds within the San Diego Region (San Diego Regional MS4 Permit), Order R9-2013-0001, NPDES No. CAS6010266, as amended by Order Nos. R9-2015-0001 and R9-2015-0100, or any other subsequent permit. The Final WQMP shall be prepared consistent with the requirements of the Model Water Quality Management Plan (Model WQMP) for South Orange County (County of Orange 2017a) and the Technical Guidance Document (TGD) for the Preparation of Conceptual/Preliminary and/or Project Water Quality Management Plans (WQMPs) (County of Orange 2018), or subsequent guidance manuals. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project site. The Director of the County Public Works Department or designee, shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.</i></p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Threshold 4.8.3(iv): Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: Impede or redirect flood flows?		
<p>No Impact. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06059C0504K (March 21, 2019), the project site is located within Zone X, an Area of Minimal Flood Hazard. Because the Modified Project would not place improvements or structures directly within a 100-year floodplain, the Modified Project would not impede or redirect flood flows. Therefore, no impact would occur related to impeding or redirecting of flood flows, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>No Impact.</p>
Threshold 4.8.4: Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		
<p>Less Than Significant Impact. The Modified Project is not located within a 100-year flood hazard area, nor is it located within a dam inundation zone. Therefore, the project site is not subject to inundation from flooding during a storm event or from dam failure. Although the project site is located in a tsunami inundation area and is subject to inundation in the unlikely event of a tsunami, the amount of hazardous substances present during construction and operation of the Modified Project is limited and would be used in compliance with existing standards and regulations. Similarly, although the risk of seiche at the project site is considered to be high due to the presence of the Dana Point Harbor adjacent to the site, the amount of hazardous substances used during construction and operation of the Modified Project would be limited and would be used in compliance with existing standards and regulations. Therefore, in the unlikely event of inundation from tsunami or seiche, the Modified Project would not increase the risk of release of pollutants, and a less than significant impact would occur. No mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
Threshold 4.8.5: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		
<p>Less Than Significant Impact. The Modified Project would comply with existing Construction General Permit, NPDES regulations, County of Orange Municipal Code, and San Diego Regional MS4 Permit and would implement construction and operational BMPs to reduce pollutants of concern in stormwater runoff, and would ensure that impacts related to conflict with the San Diego Regional Water Quality Control Board (RWQCB) Water Quality Control Plan (i.e., Basin Plan) would be less than significant. Additionally, because there is not an adopted groundwater sustainability plan required or applicable to the groundwater basin in which the project is located, the Modified Project would not conflict with or obstruct the implementation of a sustainable groundwater management plan. Impacts</p>	<p>No mitigation is required. Refer to Standard Conditions 4.8-1 through 4.8-4 provided above.</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
under the Modified Project would be less than significant, and no mitigation is required.		
Cumulative Hydrology and Water Quality Impacts.		
Less Than Significant Impact. The Modified Project in combination with other related projects would comply with the applicable NPDES and City requirements and would implement construction and operational BMPs and drainage facilities to reduce impacts related to hydrology and water quality (as required in Standard Conditions 4.8-1 through 4.8-4). Therefore, the Modified Project’s incremental hydrology and water quality impacts would not be cumulatively considerable.	No mitigation is required. Refer to Standard Conditions 4.8-1 through 4.8-4 provided above.	Less Than Significant Impact.
4.9: Land Use and Planning		
Threshold 4.9.2: Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?		
<p>Less Than Significant Impact.</p> <p>Southern California Association of Governments Regional Comprehensive Plan. The Modified Project includes the demolition of the existing Dana Point Marina Inn and the development of visitor-serving amenities on an existing site near major transportation corridors, transit, and multi-modal facilities. The project site is not located within residential land uses and the coastal bluffs north of Dana Point Harbor Drive provide a natural landform separation between this development and the adjacent residential uses. As the project site is currently developed, the Modified Project would not result in significant impacts to environmentally sensitive habitats or open space. The Modified Project would be consistent with the Southern California Association of Governments’ (SCAG) Regional Comprehensive Plan (RCP) Goal 1 to focus growth along major transportation corridors, RCP Goal 4 to encourage new development near existing transportation stations, RCP Goal 5 to preserve existing single-family neighborhoods, and RCP Goal 6 to protect open space and environmentally sensitive habitat areas. Therefore, the Modified Project would be consistent with applicable goals and policies in the SCAG 2008 RCP. No mitigation is required.</p> <p>Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The Modified Project would include the demolition of the existing Dana Point Marina Inn and the development of visitor-serving amenities on an existing site near major transportation corridors, transit, and multi-modal facilities. A complimentary shuttle service to other</p>	No mitigation is required.	Less Than Significant Impact.

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>destinations within the Dana Point Harbor (i.e., Baby Beach, the Ocean Institute, and Doheny State Beach) using golf carts would be provided for hotel guests and boaters. In addition, per DPHRP Policy 5.2.1-12, the hotels would operate a free on-demand regional shuttle service connecting to a public regional trolley or public transportation service. Development of two hotels on the project site would also provide additional employment opportunities that would promote economic development and improve global competitiveness in the area due to the new overnight accommodations. Further, DPHRP Policy 5.2.1-12 also requires hotel operators to provide employees who take public transit to work fully subsidized transit passes. The Modified Project would promote energy efficiency through compliance with the 2022 California Green Building Standards Code (CALGreen Code) and Title 24 requirements. The proposed Surf Lodge is designed as a lower cost accommodation to replace the existing Dana Point Marina Inn and to also provide additional lower cost accommodations that mitigate the absence of such accommodations within the proposed Dana House Hotel. Therefore, the Modified Project would be consistent with applicable goals and policies outlined in Connect SoCal, including Mobility, Air Quality, Climate Resilience, and Tourism policies.</p> <p>General Plan Consistency. The Modified Project would not result in conflicts with the current Visitor/Recreation Commercial (V/RC) General Plan land use designation for the project site because the Modified Project includes the replacement and expansion of existing on-site hotel facilities. The Modified Project would also be consistent with all applicable policies in the City of Dana Point’s General Plan Land Use, Urban Design, Conservation/Open Space, Public Safety, Circulation, Noise, and Public Facilities/Growth Management Elements. Therefore, impacts related to potential conflicts with the City’s General Plan are anticipated to be less than significant, and no mitigation is required.</p> <p>Zoning Regulations/Local Coastal Program/Dana Point Harbor Revitalization Plan and District Regulations. The project site is zoned Dana Point Harbor Revitalization Plan and District Regulations (DPHRP-ZC). The majority of the project site is located within Planning Area (PA) 3 of the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR), which has a corresponding land use designation/district of Visitor Serving Commercial (VSC). The proposed viewing platform and landscape improvements to the east of Island Way are located within PA 4 of the DPHRP&DR, which has a land use designation/district of Marine Commercial (MC). The proposed improvements south of the terminus of Casitas Place are located within PA 2 of the DPHRP&DR, which has a land use</p>		

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>designation/district of Day Use Commercial (DUC). Lastly, approximately 45 parking spaces within a previously approved parking lot in PA 5, which has a land use designation/district of Recreation (R), may be used to serve some parking for the Modified Project. The proposed uses are consistent with the Dana Point Harbor District Regulations (DPHDR), and the development intensity of those uses determined through maximum square footage and the number of hotel rooms for the Modified Project have been revised consistent with the approved suggested modifications of Coastal Commission’s LCP-5-DPT-21-0079-2 relative to the City’s requested Zone Text Amendment and Local Coastal Program Amendment (ZTA/LCPA). The development intensity of the uses included in the Modified Project have been revised to meet those contained in the Dana Point Harbor Revitalization Plan Statistical Table for PA 3 in Chapter 17 of the DPHDR as revised by the Coastal Commission in LCP-5-DPT-21-0079-2. The Modified Project would increase the number of hotels and hotel rooms, reapportion other land use categories in the Dana Point Harbor Revitalization Plan Statistical Table for PA 3, and also include text changes to the DPHRP&DR to address the reapportioned land use categories and Coastal Act policies relative to hotel development within the Coastal Zone. Due to the location of the Modified Project’s site within the boundaries of both the DPHRP&DR and the City’s Coastal Overlay District, a Coastal Development Permit (CDP) subject to review and approval by the City is required for development in Planning Areas 1 through 7 as outlined in DPHRP&DR Chapter II-16, and in accordance with Chapter 9.69 of the City’s Municipal Code. Therefore, approval of the CDP for the increased development intensity standards for PA 3, consistent with the suggested modifications of the Coastal Commission’s LCP-5-DPT-21-0079-2, would ensure the Modified Project’s consistency with the City’s established policies and development standards, and no mitigation would be required.</p>		
<p>Cumulative Land Use and Planning Impacts.</p>		
<p>Less Than Significant Impact. The Modified Project would include land uses that would be compatible with and would serve the surrounding area. Therefore, the Modified Project would not contribute to a pattern of development that adversely impacts adjacent land uses or conflicts with existing hotel development that would be replaced on the site or with the surrounding land uses in the Dana Point Harbor and adjacent areas. There are no incompatibilities between the Modified Project and planned future projects in the City, which primarily include mixed-use and residential developments or other improvements included in the Dana Point Harbor Revitalization Plan. In addition, each of the related</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>projects in the City would be reviewed for consistency with adopted land use plans and policies by the City. For this reason, the related projects are anticipated to be consistent with applicable General Plan and zoning requirements, or would be subject to allowable exceptions; further, they would be subject to CEQA, mitigation requirements, and design review. Therefore, the Modified Project would not contribute a significant cumulative land use compatibility impact in the study area, and no mitigation is required.</p>		
<p>4.10: Noise</p>		
<p>Threshold 4.10.1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>		
<p>Construction Noise. Less Than Significant Impact. Compliance with the City of Dana Point’s Noise Ordinance would ensure that construction noise would not disturb the nearby park, single-family homes, and commercial uses during hours when ambient noise levels are likely to be lower. Although construction noise would be higher than the ambient noise in the project site vicinity, construction noise would cease once project construction is completed. In addition to compliance with appropriate construction times, Regulatory Compliance Measure 4.10-1 would implement measures during construction to reduce noise impacts to the greatest extent feasible. As noted in Chapter 3.0, Project Description, Surf Lodge is estimated to open in August 2027, approximately 9 months prior to the opening of Dana House Hotel in May 2028. By the time Surf Lodge is open, exterior construction activities at Dana House Hotel would be limited to the application of architectural coatings, landscaping, and other minor exterior finishing work as most of the remaining construction would take place inside the hotel. As described above, construction activities would be required to comply with the hours and days outlined in the City’s Municipal Code, and construction noise at the project site would be reduced to the extent feasible with implementation of Regulatory Compliance Measure 4.10-1. Therefore, with implementation of Regulatory Compliance Measure 4.10-1, construction activity noise impacts under the Modified Project would be less than significant, and no mitigation is required.</p> <p>Operational Noise. Less Than Significant with Mitigation Incorporated. Operational noise sources associated with the Modified Project include mobile and stationary (i.e., truck delivery and unloading</p>	<p>Regulatory Compliance Measure 4.10-1: Construction Noise. Prior to issuance of grading and building permits, the Project Applicant shall submit grading plans and building plans for review and approval by the County of Orange’s (County) Building Official, or designee. These plans shall require construction activities to be limited to between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday pursuant to Section 4-6-7(e) of the County Code of Ordinances and Section 11.10.014 of the City’s Municipal Code. No construction shall be permitted outside of these hours or on Sundays and federal holidays. Additionally, grading and equipment operations may only occur between the hours of 7:00 a.m. and 5:00 p.m. during the weekdays and not at all on Saturdays, Sundays, and federal holidays in accordance with Dana Point Municipal Code 8.01.250</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>activities, HVAC equipment, trash pick-up/compactor operations, and parking lot activities) sources. The Modified Project would not result in any exceedances in mobile-source or stationary source noise standards. The Modified Project includes a variety of speakers and outdoor active areas. The areas include outdoor dining and lounge areas with both limited and full food service menus, and event spaces. Due to the variety and location of the proposed speakers, the variety and size of proposed events, and the shielding provided by the proposed buildings, Mitigation Measure 4.10-2 is proposed and would require that once both of the hotels are open, operating and programmed with outdoor events, the owner of the hotels must complete noise monitoring during three (3) peak activity weekends that confirm compliance with the City and County of Orange noise ordinances for both daytime and nighttime hours is being achieved. With the implementation of Mitigation Measure 4.10-2, noise levels generated from operation of the Modified Project would be less than significant.</p> <p>The proposed on-site hotel uses would also be exposed to traffic noise impacts primarily from Dana Point Harbor Drive. Under the Modified Project, with windows and doors closed, interior noise levels at the proposed hotels would reach up to 41.1 equivalent continuous sound level measured in A-weighted decibels (dBA CNEL). This noise level does not exceed the City’s General Plan Noise Element interior noise standard of 45 dBA CNEL. However, with windows and doors open, interior noise levels would exceed the City’s interior noise standard. As such, in order to confirm that the necessary reduction is achieved and to comply with the City’s General Plan Noise Element interior noise standard of 45 dBA CNEL, a Final Acoustical Report (FAR) shall be prepared based on final architectural plans and window specifications to document expected interior noise levels, as required by Regulatory Compliance Measure 4.10-3. Further, the Modified Project would be required to include mechanical ventilation such that windows and doors of noise-sensitive rooms could be closed for a prolonged period of time, pursuant to Regulatory Compliance Measure 4.10-4. With the implementation of Mitigation Measure 4.10-2 and Regulatory Compliance Measures 4.10-3 and 4.10-4, interior noise levels during operation of the Modified Project would be less than significant.</p>	<p>(Time of Grading Operations).</p> <p>Regulatory Compliance Measure 4.10-2: Final Acoustical Report. Prior to issuance of any certificates of building permits, the Project Applicant shall submit a Final Acoustical Report, prepared by a qualified acoustical consultant, to be reviewed and approved by the County Building Official and the City of Dana Point (City) Building Official, or their respective designees. The County and City Building Officials, or their respective designees, shall verify that the Final Acoustical Report demonstrates that all sensitive rooms with exterior façades comply with the City’s General Plan Noise Element interior noise standard. Noise reduction techniques that may be incorporated into construction plans in order to reduce interior noise levels include, but are not limited to, incorporation of upgraded windows and doors, improved wall construction, or reduced window and door sizes should oversized windows and doors be originally designed.</p> <p>Regulatory Compliance Measure 4.10-3: Mechanical Ventilation Requirements. Provide mechanical ventilation (e.g., an air-conditioning system) to all noise-sensitive rooms to ensure that windows can remain closed</p>	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
	<p>for a prolonged period of time.</p> <p>Mitigation Measure 4.10-1: A qualified acoustical consultant shall prepare an acoustical study to confirm compliance with the City and County exterior daytime and nighttime noise standards from noise monitoring during three (3) peak activity weekends once the hotels are open. If it is discovered that noise levels exceed the City and County’s exterior noise level requirements, additional measures recommended by a qualified acoustical consultant shall be implemented as necessary to ensure compliance with such requirements. Such measures may include, but not be limited to:</p> <ul style="list-style-type: none"> • Posting signage to identify hours in which noise level requirements are more strict; • Keeping all kitchen and service area doors closed when not in use; • Limiting the number of simultaneous events or places with amplified music; • Reducing the speaker noise levels; • Directing speakers away from sensitive receptors; • Use highly directional speakers, and • Install noise barriers. 	

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Threshold 4.10.2: Generation of excessive groundborne vibration or groundborne noise levels?		
<p>Less Than Significant Impact. The Modified Project’s groundborne noise and vibration from construction activity would be mostly low to moderate. The closest residential and commercial buildings are approximately 215 ft and 55 ft, respectively, from the Modified Project construction boundary. Based on the conducted analysis, vibration levels would not exceed any of the established guidelines considered for damage potential; therefore, the project is not expected to result in the generation of excessive groundborne vibration. In addition, vibration levels associated with construction of the project would not exceed any annoyance guidelines and would be less than significant. This impact would be less than significant, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
Cumulative Noise Impacts.		
<p>Less Than Significant Impact. A cumulative noise impact would occur if multiple sources of noise from cumulative projects combine to create impacts in close proximity to a sensitive receptor. Because construction noise and vibration are localized and rapidly attenuate within an urban environment, the identified cumulative projects are located too far from the project site to contribute to cumulative impacts related to noise levels due to construction activities. Construction activities at any related project site would not result in a noticeable increase in noise to sensitive receptors adjacent to the project site. Furthermore, all related projects would be required to comply with both the County’s and the City’s noise ordinances. Therefore, cumulative construction noise impacts of the Modified Project are considered less than significant.</p>	<p>No mitigation is required. See Mitigation Measure 4.10-1 and Regulatory Compliance Measures 4.10-1 through 4.10-3 under Threshold 4.10.1 above.</p>	<p>Less Than Significant Impact.</p>
4.11: Public Services		
Threshold 4.11.1(i): Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?		
<p>Less Than Significant with Mitigation Incorporated. No additional increases in fire service, or the need for additional facilities in order to maintain service ratios, response times, or performance times are expected as a result of construction of the Modified Project. Buildout of the Modified Project would adhere to the development standards described in the City of Dana Point’s Municipal Code, and the County of Orange Municipal Code, which would require that the Modified Project comply with current editions of the California Building</p>	<p>Mitigation Measure 4.11-1: Secured Fire Protection Agreement. Prior to the issuance of any building permits, the Project Applicant shall enter into a Secured Fire Protection Agreement with the Orange County Fire Authority</p>	<p>Less Than Significant Impact with Mitigation Incorporated.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>Code, California Fire Code, and related codes. The Modified Project would also be designed to comply with all Orange County Fire Authority (OCFA) requirements, which include providing adequate access for emergency vehicles and adequate fire flow and structure protection to the project site.</p> <p>In order to address any outstanding potential impacts to fire services, Mitigation Measure 4.11-1, which requires the Project Applicant to enter a Secured Fire Protection Agreement with OCFA prior to the issuance of any building permits, is required to ensure adequate service to the project site. Therefore, with the implementation of Mitigation Measure 4.11-1, impacts under the Modified Project would be less than significant.</p>	<p>(OCFA). This Agreement shall specify the Project Applicant’s pro-rata fair share funding of capital improvements necessary to establish adequate fire protection facilities and equipment, and/or personnel. The agreement shall be reached as early as possible in the planning process as feasible, but prior to issuance of any building permits.</p>	
<p>Threshold 4.11.1(ii): Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?</p>		
<p>Less Than Significant Impact. The Modified Project is not expected to result in any substantial population growth that would necessitate an increased demand for police services. The Orange County Sheriff’s Department’s (OCSD) current level of service is anticipated to adequately serve the Modified Project during construction and operation phases. Although there may be an incremental increase in the demand for additional police protection services, the Modified Project would not trigger the need for expanded police services or for new or altered police facilities because the incremental increase in calls for service would be very small in comparison to the existing number of calls for police service generated by the existing hotel uses on the project site and the City overall. Further, the Modified Project is not expected to affect the existing OCSD staffing ratio of one officer for every 880 residents. Therefore, the Modified Project would not result in any new or altered police protection facilities, which would be required to maintain acceptable service ratios, response times, and other related performance objectives. Potential impacts related to the provision of these services for operation of the Modified Project would be less than significant, and no mitigation is required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
<p>Threshold 4.11.1(iv): Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?</p>		
<p>Less Than Significant Impact. During the construction process, the Modified Project is not expected to have any substantial adverse impacts on existing parks within the City as</p>	<p>No mitigation is required.</p>	<p>Less Than Significant</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>construction activities would be localized to the subject project site. The project site is located within 0.6 mile of Baby Beach, Dana Cove Park, and Doheny State Beach. Patrons of the existing Dana Point Marina Inn currently utilize these public recreational parks located within Dana Point Harbor. However, the potential growth in patronage to these public recreational parks within the Dana Point Harbor has been anticipated, and the existing park facilities are expected to adequately accommodate any associated increase in visitors that could be generated by the Modified Project. Given the tourism-oriented nature of Dana Point Harbor, the area’s recreational facilities have been designed to accommodate high volumes of visitors. In the context of this anticipated service population, the potential increase in park visitors under the Modified Project would not represent a difference substantial enough to warrant the construction of new park facilities. The Modified Project would have a less than significant impact on the City’s actual population increase and, thus, would not warrant increased water and wastewater services due to increased residential demand, and would not result in the need for new or physically altered parks or recreational facilities. Further, the Modified Project includes outdoor recreational facilities for hotel guest use, including outdoor lawn areas. Potential impacts related to accommodating new hotel patrons at these recreational parks during the operation of the Modified Project would be less than significant. No mitigation is required.</p>		Impact.
<p>Cumulative Public Services Impacts.</p>		
<p>Less Than Significant with Mitigation Incorporated. Impacts of the Modified Project related to fire protection services would overall be less than significant upon implementation of Mitigation Measure 4.11-1. In addition, impacts related to police services and parks would be less than significant. Related projects in the City may result in new population growth and calls for fire or police protection services and additional parks and recreational facilities. However, any new building square footage and population increase associated with the related projects would be properly assessed and reviewed on an individual basis to be accommodated as part of the long-term growth plans for the City’s public services providers. Other new development would also be subject to the pro-rata fair share funding of capital improvements necessary to establish adequate fire protection facilities and equipment as required by Mitigation Measure 4.11-1. Further, the Modified Project would include outdoor recreational facilities, and the Modified Project’s contribution to demand for park facilities are minimal within the greater context of tourism within Dana Point Harbor and the City as a whole. Therefore, with implementation of Mitigation Measure 4.11-1, impacts of the</p>	See Mitigation Measure 4.11-1 under Threshold 4.11.1(i) above.	Less Than Significant with Mitigation Incorporated.

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
Modified Project to public services are considered less than cumulatively significant.		
4.12: Transportation		
Threshold 4.12.1: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?		
<p>Less Than Significant Impact. The Modified Project would be required to comply with the City of Dana Point General Plan and the Dana Point Harbor Revitalization Plan and District Regulations (DPHRP&DR) policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Modified Project would also be required to comply with the City’s transportation-related goals, policies, and metrics for determining traffic impacts, as well as the Orange County Congestion Management Program (CMP) (2023) and the Transportation Demand Management Plan for the Dana Point Harbor Revitalization Plan (Walker Parking Consultants 2013). A trip generation analysis was conducted to determine the number of trips that would occur following implementation of the Modified Project. The Modified Project would generate approximately 1,104 net new external daily vehicle trips, 60 a.m. peak-hour trips, 76 p.m. peak-hour trips, and 95 Saturday peak hour trips. Project impacts are based on level of service (LOS) significance criteria for two CMP intersections within the study area, Golden Lantern/Pacific Coast Highway (PCH) and Golden Lantern/Del Prado Avenue. Both CMP intersections are anticipated to operate within their LOS targets and would not be degraded by the addition of Modified Project traffic. Therefore, the Modified Project would not result in an inconsistency with applicable plans and policies addressing roadway performance.</p> <p>Any construction-related temporary lane closures or traffic control, including transit, bicycle, and pedestrian, would comply with the policies and provisions contained in the DPHRP&DR, as described in Standard Condition 4.12-1 (SC 4.12-1). Per SC 4.12-1, the Modified Project will be subject to review, approval, and inspection by the County of Orange to ensure that no impacts would occur. Compliance with SC 4.12-1 would ensure compliance with the City’s land use regulations and the DPHRP&DR, which is incorporated by reference as Chapter 9.25 of the Dana Point Zoning Code; therefore, no conflicts with the City’s adopted plans or policies would occur. Implementation of SC 4.12-1 would also ensure traffic controls are implemented during construction to ensure emergency access is maintained during construction, consistent with Land Use Policy 8.6.8-3 of the DPHRP, Dana Point Harbor Fire Policies. In addition, due to the existing parking on the project site, construction</p>	<p>No mitigation is required.</p> <p>Standard Condition 4.12-1: Construction Management Plan. Prior to the issuance of demolition, grading or any construction permits, the Project Applicant shall submit a Construction Management Plan for review and approval by the City of Dana Point (City) Traffic Engineer and the County of Orange. The Construction Management Plan shall include, at a minimum, the following measures, which shall be implemented during all construction activities as overseen by the Construction Contractor:</p> <ul style="list-style-type: none"> • Traffic controls shall be implemented for any street closure, detour, or other disruption to traffic circulation and will maintain emergency access to the site. • The routes that construction vehicles shall utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.) to access the site shall be identified; traffic controls and detours shall be 	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>of the Modified Project would temporarily impact parking, specifically for boaters. The Modified Project would comply with the provisions and policies of the DPHRP&DR related to construction impacts on parking within the Dana Point Harbor, including Special Provision 3, through preparation of a Construction Phasing & Construction Management Parking Plan, which is required as part of the Coastal Development Permit Application. Through implementation of a Construction Phasing and Construction Management Parking Plan approved during the City’s Coastal Development Permit processing, parking impacts due to construction of the Modified Project would be less than significant.</p>	<p>identified; and the proposed construction phasing plan for the project shall be provided.</p> <ul style="list-style-type: none"> • The hours during which transport activities will occur shall be specified. • Identify the haul route for the materials to be removed (i.e., concrete, soil, steel, etc.) during the demolition phase and/or soil import during the site preparation phase. • Subject to the direction of the City’s Traffic Engineer, haul operations associated with the materials export/soil import may be prohibited during the a.m. and p.m. peak commute periods (i.e., between 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. and 6:00 p.m.). • The Project Applicant shall keep all haul routes clean and free of debris including but not limited to gravel and dirt as a result of its operations. The Project Applicant shall clean adjacent streets, as directed by the City’s Traffic Engineer (or representative of the City Engineer), of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. 	

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	<ul style="list-style-type: none"> • Hauling or transport of oversize loads shall be allowed between the hours of 9:00 a.m. and 3:00 p.m. only, Monday through Friday, unless approved otherwise by the City Engineer. No hauling or transport shall be allowed during nighttime hours, weekends or Federal holidays. • Use of local streets as haul routes shall be prohibited. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. <p>Implementation of the measures included in the Construction Management Plan, including maintenance of emergency access, shall be continued through construction inspection services.</p>	
Threshold 4.12.2: Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?		
<p>Less Than Significant Impact. According to the County of Orange Final Draft Guidelines for Evaluating Vehicle Miles Traveled under CEQA (September 2020) (County Guidelines), as a commercial project other than a residential, office, or retail development, the Modified Project should be evaluated based on the vehicle miles traveled (VMT) per employee. The Modified Project’s VMT per employee (14.3) is more than 15 percent below the regional average VMT per employee (24.1). As such, the Modified Project does not exceed an applicable threshold and would, therefore, have a less than significant impact. Although not required under the County Guidelines, in order to provide further information in regard to other sources of VMT from the Modified Project, the Modified Project’s VMT per service population (i.e., employees plus hotel guests) was also calculated.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>The Modified Project’s VMT per service population in the baseline model is 12.9 and in the future year model is 12.6. Although no threshold exists as this additional analysis is not specified in the County Guidelines, it should be noted that the Modified Project VMT per service population is more than 15 percent less than the regional average. As such, calculating the VMT per service population of the Modified Project does not identify any potentially significant environmental impacts. In addition, as described in Chapter 3.0, Project Description, Section 3.3.3, Parking and Access, of the Revised Draft EIR, included as part of the Modified Project design, a complementary shuttle service to other destinations within the Dana Point Harbor (i.e., Baby Beach, the Ocean Institute, and Doheny State Beach) using electric golf carts would be provided for hotel guests. These golf carts may also be used for boater services. Pedestrian access, golf cart shuttle service, and proximity to transit would result in reduced vehicle trips by hotel patrons. The 2025 Parking Analysis (Appendix O to this Revised Draft EIR) also recommends that a transportation coordinator be appointed for employees within PA 3. If this recommendation is adopted, further VMT reductions are anticipated.</p>		
<p>Threshold 4.12.4: Would the project result in inadequate emergency access?</p>		
<p>Less Than Significant Impact. As described above, the Modified Project would not change the local circulation or the configuration of local roadways. Emergency access to the project site would continue to be provided via Dana Point Harbor Drive during construction and operation. Implementation of SC 4.12-1 would also ensure traffic controls are implemented during construction to maintain emergency access during construction. Therefore, with implementation of SC 4.12-1, the Modified Project’s impact related to emergency access would be less than significant.</p>	<p>No mitigation is required. See Standard Condition 4.12-1 under Threshold 4.12.1 above.</p>	<p>Less Than Significant Impact.</p>
<p>Cumulative Transportation Impacts.</p>		
<p>Less Than Significant Impact. According to the Project Applicant, the Modified Project is anticipated to open in 2028. To develop an Opening Year 2028 condition, the list of 19 approved and pending projects included in the 2021 Draft EIR was updated, and any new relevant projects were added to the list. For several of these projects, traffic studies were available that calculated weekday peak-hour trip generation. Application of a 0.5 percent per year growth rate to the existing traffic volumes is considered conservative and would account for any additional future development in the project site vicinity. With the addition of the Modified Project, all study area intersections are forecast to operate at satisfactory</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

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Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
LOS during both peak hours. Therefore, a significant impact is not expected to occur at any study area intersection in the Opening Year (2028) conditions under the Modified Project.		
4.13: Tribal Cultural Resources		
Threshold 4.13.1(i): Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?		
No Impact. The project site is not listed or eligible for listing in the California Register of Historical Resources (California Register), or in a local register of historical resources. Therefore, because the project site is not eligible for listing, there would be no impacts associated with Threshold 4.13.1(i). Refer to Section 4.3, Cultural Resources, of this Revised Draft EIR for detailed information regarding the original and updated record searches substantiating that no listed properties or resources exist on the project site.	No mitigation is required.	No Impact.
Threshold 4.13.1(ii): Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		
Less Than Significant Impact. A cultural resources Record Search, a Sacred Lands File (SLF) search through the Native American Heritage Commission (NAHC), and Native American consultation per Assembly Bill (AB) 52 were conducted for the Original Project. In addition, an updated cultural resources record search was conducted for the Modified Project, as documented in the 2024 Record Search Memorandum (Appendix E to this Revised Draft EIR). The purpose of these efforts was to identify known tribal cultural resources on or near the project site. No cultural resources were identified within the Modified Project site as part of the records searches. Further, aerial photographs and historic maps demonstrate that the project site was located offshore before construction of the Dana Point Harbor and would have been constructed using imported sediments. While the project site was constructed using imported sediments, based on consultation with the Juaneño Band of Mission Indians Acjachemen Nation during preparation of the 2021 Draft EIR, there is the potential of encountering tribal cultural resources during ground-disturbing construction activities due to the origin of the imported soils. As described in Section 4.3, Cultural	No mitigation is required. Refer to Standard Condition 4.3-2 above.	Less Than Significant Impact.

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<p>Resources, Standard Condition 4.3-2 would require monitoring for ground-disturbing activities within areas that would impact artificial fill. With implementation of Standard Condition 4.3-2, impacts of the Modified Project to tribal cultural resources would be less than significant, and no mitigation would be required.</p>		
<p>Cumulative Tribal Cultural Resources Impacts.</p>		
<p>Less Than Significant Impact. Potential impacts of the Modified Project to unknown cultural resources, when combined with the impacts of past, present, and reasonably foreseeable projects in the City of Dana Point could contribute to a cumulatively significant impact due to the overall loss of archaeological artifacts and cultural resources unique to the region. However, each development proposal received by the City is required to undergo environmental review pursuant to CEQA. If there were any potential for significant impacts to archaeological resources, an investigation would be required to determine the nature and extent of the resources and identify appropriate mitigation measures. When resources are assessed and/or protected as they are discovered, impacts to these resources are less than significant.</p> <p>As such, implementation of Standard Conditions 4.3-1 and 4.3-2 would ensure that the Modified Project, in conjunction with other development in the City, would not result in a significant cumulative impact to unique archaeological resources and previously undiscovered buried human remains.</p>	<p>No mitigation is required. Refer to Standard Conditions 4.3-1 and 4.3-2 above.</p>	<p>Less Than Significant Impact.</p>
<p>4.14: Utilities and Service Systems</p>		
<p>Threshold 4.14.1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>		
<p>Less Than Significant Impact. Short-term construction activities would require minimal water and would generate minimal wastewater and are not expected to have adverse impacts to the existing water or wastewater systems or cause a demand that would result in the construction of new water treatment facilities or the expansion of existing facilities. Therefore, impacts of the Modified Project on water and wastewater facilities during construction would be less than significant, and no mitigation is required. Adherence to the regulatory standards described in Standard Condition 4.8-1 would ensure that any changes in stormwater drainage from the project site are controlled during construction. In addition, construction activities would require minimal electricity, would not require natural gas and</p>	<p>No mitigation is required. Refer to Standard Conditions 4.4-1 and 4.8-1 above.</p> <p>Standard Condition 4.14-1: Recycling of Demolition and Construction Materials. The Project Applicant shall provide to the City of Dana Point (City) Director of Public Works, or designee, for review and approval</p>	<p>Less Than Significant Impact.</p>

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<p>telecommunication usage.</p> <p>The project site is served by existing on-site utilities, and the Modified Project would reconfigure and relocate existing on-site utilities as needed due to the removal of several buildings on the project site. Any new connections to the South Coast Water District’s (SCWD) domestic and recycled water distribution systems would be subject to review by SCWD during plan check per Standard Condition 4.14-2. The Modified Project would also be subject to the requirements of the Construction General Permit (Standard Condition 4.8-1) and Title 24. With adherence to Standard Condition 4.14-2, the Modified Project would result in less than significant impacts related to these facilities. No mitigation is required.</p> <p>Because the Modified Project would replace existing hotel uses, no significant intensification of land uses is proposed. Minor increases in utility demands are anticipated under operations of the Modified Project, but these increases could adequately be served by current and projected supplies of utility providers and would not necessitate the relocation or construction of new large-scale infrastructure.</p>	<p>documentation demonstrating compliance with the City’s debris recycling regulations. The Project Applicant and/or the Construction Contractor shall provide documentation (e.g., all required waste manifests, receipts, tonnage measurements, and/or recycling center notices) clearly showing the transportation and recycling of construction and demolition debris per City of Dana Point Municipal Code Chapter 6.12 has been completed in full compliance with all applicable City regulations.</p> <p>Standard Condition 4.14-2: Water System Plan Submittals. The South Coast Water District (SCWD) will require the Project Applicant to submit a water system, sewer system, and recycled water system master plan, including a hydraulic distribution network analysis, for SCWD review and approval.</p>	
<p>Threshold 4.14.2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>		
<p>Less Than Significant Impact. The Modified Project would result in a net increase of approximately 10,993 gallons per day (gpd) of potable water and an increase of approximately 6,671 gpd of recycled water over existing conditions on the project site compared to existing conditions. The Modified Project would be required to implement Standard Condition 4.14-3, which requires the Modified Project to comply with all State and local water conservation regulations, including the installation of low-flow fixtures. The Municipal Water District of Orange County’s (MWDOC) 2020 Urban Water Management</p>	<p>Refer to Standard Condition 4.14-2 above.</p> <p>Standard Condition 4.14-3: Water Conservation. The Project Applicant shall comply with all State and local water conservation regulations.</p>	<p>Less Than Significant Impact.</p>

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<p>Plan (UWMP) concludes that the MWDOC service area, which includes SCWD, will have sufficient existing and planned supplies to meet full service demands under every water-year hydrologic scenario from 2020 through 2045. Over the past decade, domestic water demand within the SCWD service area has remained relatively stable, averaging approximately 6,564 acre-feet (af) per year. The Modified Project’s estimated domestic water demand increase over existing conditions would be approximately 10,993 gpd, or 0.2 percent of this existing demand. Though the Modified Project would reflect a minor increase in the demand for domestic water services at the project site compared to existing conditions and a minor increase in demand for recycled water at the project site over existing conditions, these increases are still well within SCWD’s existing and projected water supply through 2045. Therefore, the Modified Project would not necessitate new or expanded water entitlements, and the SCWD would be able to accommodate the Modified Project’s demand for potable and recycled water. With implementation of Standard Condition 4.14-3, impacts of the Modified Project to water supplies would be less than significant. No mitigation is required.</p>	<p>Voluntary water conservation strategies shall be encouraged. The Orange County Development Services Department shall determine compliance prior to issuance of building permits.</p>	
<p>Threshold 4.14.3: Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</p>		
<p>Less Than Significant Impact. The Modified Project would replace an existing hotel, the Marina Inn, which generates wastewater under existing conditions. The Modified Project would result in a net increase of wastewater over existing conditions; however, this increase would only represent a small percentage (specifically, 0.07 percent) of the daily treatment capacity at the J.B. Latham Plant, which already operates at less than half of its daily design capacity. As such, the Modified Project’s increase in wastewater generation over existing conditions could be adequately processed by existing infrastructure. Further, through long-range planning activities, SCWD would be able to accommodate the demand for wastewater treatment generated by the Modified Project and other projects in its service area. Therefore, the Modified Project would result in less than significant impacts related to wastewater treatment capacity, and no mitigation measures are required.</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>
<p>Cumulative Utilities and Service Systems Impacts.</p>		
<p>Less Than Significant Impact. The Modified Project would not induce significant population, employment or housing growth, either directly or indirectly. In addition, the Modified Project proposes to replace an existing hotel that already generates utility demands under existing conditions. Utility demand increases from existing conditions under the Modified</p>	<p>No mitigation is required.</p>	<p>Less Than Significant Impact.</p>

Table 1.A: Summary of Potential Environmental Impacts, Mitigation Measures, Standard Conditions, Regulatory Compliance Measures, and Level of Significance

Potential Environmental Impact	Mitigation Measures, Standard Conditions, and Regulatory Compliance Measures	Level of Significance After Mitigation
<p>Project would be minimal and would not necessitate the relocation or construction of large-scale infrastructure. The cumulative utility and service system demand in the City of Dana Point has already been accounted for in long-range planning projections for utility providers, to which the Modified Project’s contribution would be minimal. Therefore, the Modified Project’s contribution to utility and service demand in the City would not be cumulatively considerable, and no mitigation is required. The Modified Project’s potential impacts to wastewater, potable water, solid waste, electricity, natural gas, and telecommunications services are not cumulatively considerable.</p>		

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