

749 MARLIN DRIVE ROAD EXTENSION
COASTAL DEVELOPMENT PERMIT CDP-2022-2071
& ROAD EXTENSION RD EXT-2021-10443

PUBLIC REVIEW DRAFT
INITIAL STUDY/NEGATIVE DECLARATION
JANUARY 2023

Prepared for:

City of Laguna Beach
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Laguna Beach, CA 92651

Prepared by:

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D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm





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& ROAD EXTENSION RD EXT-2021-10443**

Public Review Draft
Initial Study/Negative Declaration

LEAD AGENCY: CITY OF LAGUNA BEACH

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January 2023

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1.0 INTRODUCTION

1.1 Statutory Authority and Requirements

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) (California Public Resources Code [PRC] Sections 21000, et seq.) and the State CEQA Guidelines (14 California Code of Regulations Title 14 Sections 15000, et seq.). This Initial Study is an informational document intended to be used as a decision-making tool for the Lead Agency and responsible agencies in considering and acting on the proposed Project.

Pursuant to CEQA Guidelines Section 15063, the City of Laguna Beach, as Lead Agency, has prepared this Initial Study to determine if the proposed 749 Marlin Drive Expansion Project (Project) would have a significant effect on the environment. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that mitigation cannot reduce the impact to a less than significant level for any aspect of the proposed Project, then the Lead Agency must prepare an Environmental Impact Report (EIR) to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the Project as proposed may cause a significant effect on the environment, the Lead Agency may prepare a Negative Declaration (ND). If the Lead Agency finds that there is evidence of a significant impact, but the impact can be reduced through mitigation, the Lead Agency may prepare a Negative Declaration (ND). Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such significant environmental impacts may occur (PRC Section 21080(c)).

Pursuant to CEQA Guidelines Section 15063(c), the purposes of an Initial Study are to:

1. Provide the Lead Agency with information to use as the basis for deciding whether to prepare an EIR, MND or a ND;
2. Enable an applicant or Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND;
3. Assist in the preparation of an EIR, if one is required, by:
 - a. Focusing the EIR on the effects determined to be significant,
 - b. Identifying the effects determined not to be significant,
 - c. Explaining the reasons for determining that potentially significant effects would not be significant, and
 - d. Identifying whether a program EIR, tiering, or another appropriate process can be used for analysis of the project’s environment effects.
4. Facilitate environmental assessment early in the design of a project;
5. Provide documentation of the factual basis for the finding in a MND or ND that a project will not have a significant effect on the environment;
6. Eliminate unnecessary EIRs; and
7. Determine whether a previously prepared EIR could be used with the project.

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent

discretionary actions upon the proposed Project. The resulting environmental documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

1.2 Summary of Findings

Pursuant to State CEQA Guidelines Section 15367, the City of Laguna Beach (City), as the Lead Agency, has the authority for environmental review and adoption of the environmental documentation, in accordance with CEQA. As set forth in State CEQA Guidelines Section 15070, an Initial Study leading to a Negative Declaration (IS/ND) or Mitigated Negative Declaration (IS/MND) can be prepared when:

- The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment (resulting in a Negative Declaration), or
- The Initial Study identifies potentially significant effects, but:
 - Revisions in the project plans or proposals made by, or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and
 - There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment (resulting in a Mitigated Negative Declaration).

Based on the Environmental Checklist Form and supporting environmental analysis provided in Section 4.0, *Environmental Analysis*, the proposed Project would have no impact or a less than significant impact concerning all environmental issue areas.

1.3 Public Review Process

The Notice of Intent (NOI) to Adopt a Negative Declaration has been provided to the Clerk of the County of Orange and mailed to responsible agencies and trustee agencies concerned with the Project and other public agencies with jurisdiction by law over resources affected by the Project. A 30-day public review period has been established for the IS/ND in accordance with State CEQA Guidelines Section 15073. During the public review period, the IS/ND, including the technical appendices, was made available for review at the following location:

- City of Laguna Beach Website:
<https://www.lagunabeachcity.net/publicnotices>

In reviewing the IS/ND, affected public agencies and interested members of the public should focus on the document's adequacy in identifying and analyzing the potential environmental impacts and the ways in which the Project's potentially significant effects can be avoided or mitigated.

Written comments on this IS/ND may be sent to:

Chris Dominguez
Senior Planner
City of Laguna Beach
505 Forest Avenue
Laguna Beach, California 92651
Via email: cdominguez@lagunabeachcity.net

Following receipt and evaluation of comments from agencies, organizations, and/or individuals, the City will determine whether any substantial new environmental issues have been raised, and if further documentation may be required. If no new environmental issues have been raised or if the issues raised do not provide substantial evidence that the Project would have a significant effect on the environment, the IS/ND will be considered for adoption and the Project will be considered for approval.

1.4 Incorporation by Reference

Pursuant to State CEQA Guidelines Section 15150, a ND may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the ND's text.

The references outlined below were utilized during preparation of this Initial Study. Copies of these documents are available for review at Laguna Beach City Hall, located at 505 Forester Avenue, Laguna Beach, California 92651.

Laguna Beach General Plan. The Laguna Beach General Plan serves as a long-term policy document which identifies the community's vision for the future and provides a framework to guide decisions on growth, development, and conservation of open space and resources in a manner consistent with the quality of life desired by residents and businesses. Each General Plan element provides a set of goals, policies, and implementation actions that will guide future decisions within the City. The General Plan is comprised of the following Elements:

- Land Use
- Transportation, Circulation, and Growth Management
- Open Space Conservation
- Safety
- Noise
- Landscape and Scenic Highways
- Historic Resources
- Housing
- Human Needs

City of Laguna Beach Municipal Code. The *Laguna Beach Municipal Code* (Municipal Code) consists of all the regulatory, penal, and administrative ordinances of the City of Laguna Beach. It is the method the City uses to implement control of land uses in accordance with the General Plan goals and policies. The Zoning Code, Title 25 of the Municipal Code, identifies land uses permitted and prohibited according to the zoning category of specific parcels.

Design Guidelines for Hillside Development. These guidelines are intended to describe the City’s Design Philosophy for hillside development; they set forth design principles and parameters and provide the framework for the City’s design review process. The guidelines are intended to provide flexibility in the design review process since the evaluation of building design includes the application of judgement, discretion, and independent analysis. Furthermore, the guidelines are intended to provide assistance and direction in the design of hillside projects in a manner that is compatible with the mutual interests of the property owner and the City.

Design Guidelines- A Guide to Residential Development. This guide explains the process and provides prospective developers with an understanding of the important design criteria to consider. The intent of these guidelines is to clarify the criteria that members of the community, the Design Review Board, the Heritage Committee, the Planning Commission, the City Council, and design professionals use in the design review process. These guidelines are designed to complement the zoning regulations and General Plan policies.

1.5 Report Organization

This document is organized into the following sections:

Section 1.0, Introduction, provides the CEQA Statute and Guidelines applicable to the Initial Study, summarizes the findings of the Initial Study, describes the public review process, and identifies documents incorporated by reference as part of the Initial Study.

Section 2.0, Project Description, provides a detailed description of the proposed Project, including Project location, environmental setting, Project characteristics, construction program and phasing, and requested entitlement, permits, and approvals.

Section 3.0, Environmental Checklist Form, provides Project background information and a summary of environmental factors potentially affected by the proposed Project and the Lead Agency Determination based on the analysis and impact determinations provided in Section 4.0. The impact evaluation criteria utilized in Section 4.0 is also provided.

Section 4.0, Environmental Analysis, provides a detailed analysis of the environmental impacts identified in the environmental checklist, and identifies mitigation measures, if necessary.

Section 5.0, References, identifies the information sources utilized in preparation of the IS to support the environmental analysis.

2.0 PROJECT DESCRIPTION

2.1 Project Location

The 749 Marlin Drive Road Extension (RD EXT-2021-10443/CDP-2022-2071) Project (referenced herein as “Project” or “749 Marlin Drive Road Extension Project”) site is located in the City of Laguna Beach within the County of Orange; refer to Exhibit 2-1, Regional Vicinity. The Project site consists of an approximately one foot by 37-feet (37 square feet) portion of an approximately 1.96-acre parcel (APN 656-032-03), directly adjacent to the terminus of Marlin Drive; refer to Exhibit 2-2, Project Location. It is noted that the remaining portion of the parcel is not part of the proposed Project and has legal street access from Alisos Avenue.

Regional access to the site is provided via the Pacific Coast Highway (SR-1) located southwest of the Project site. Local access to the Project site is provided from Marlin Drive. Within the Project area, Nyes Place and Balboa Avenue to Kendall Drive provide access to Marlin Drive.

2.2 Existing Setting

ON-SITE LAND USES

The parcel, including the approximately 37-square foot Project site (per Tact Map No. 6029), is undeveloped. The parcel has varied topography, portions of which have been previously graded, and consists of a combination of coastal-sage scrub and chaparral, areas with non-native vegetation and grasses, and areas that have been previously disturbed. The Project site has previously been graded with flat terrain and no vegetation.

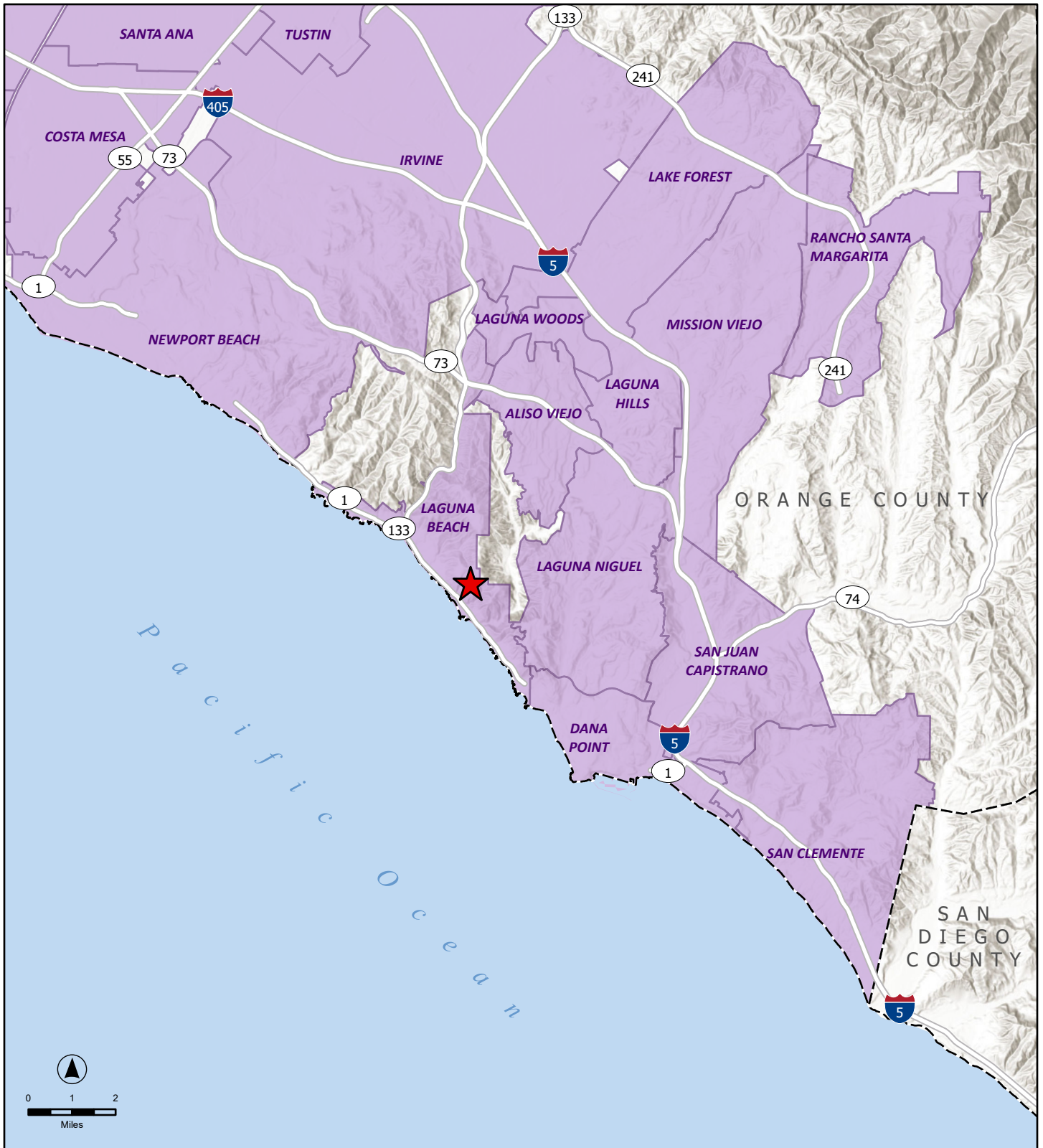
GENERAL PLAN AND ZONING

The Project site has a General Plan land use designation of Residential/Hillside Protection. The Residential/Hillside Protection designation is intended to balance the preservation of open-space lands and environmentally sensitive areas, while allowing for limited residential development. Development capability of hillside lands is established by analysis of physical constraints and implementation of natural resource protection policies and ordinance requirements. The Project site is zoned as R/HP (Residential/Hillside Protection), which allows for low-intensity, residential development.

SURROUNDING USES

The Project site is bounded by Marlin Drive to the south, a residential development zoned R-1 to the east and west, and the northern portion of the undeveloped parcel zoned R/HP, which includes high value habitat and a mapped water course. The existing cul-de-sac at the end of Marlin Drive is approximately 48 feet in diameter.

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749 MARLIN DRIVE ROAD EXTENSION PROJECT

Legend




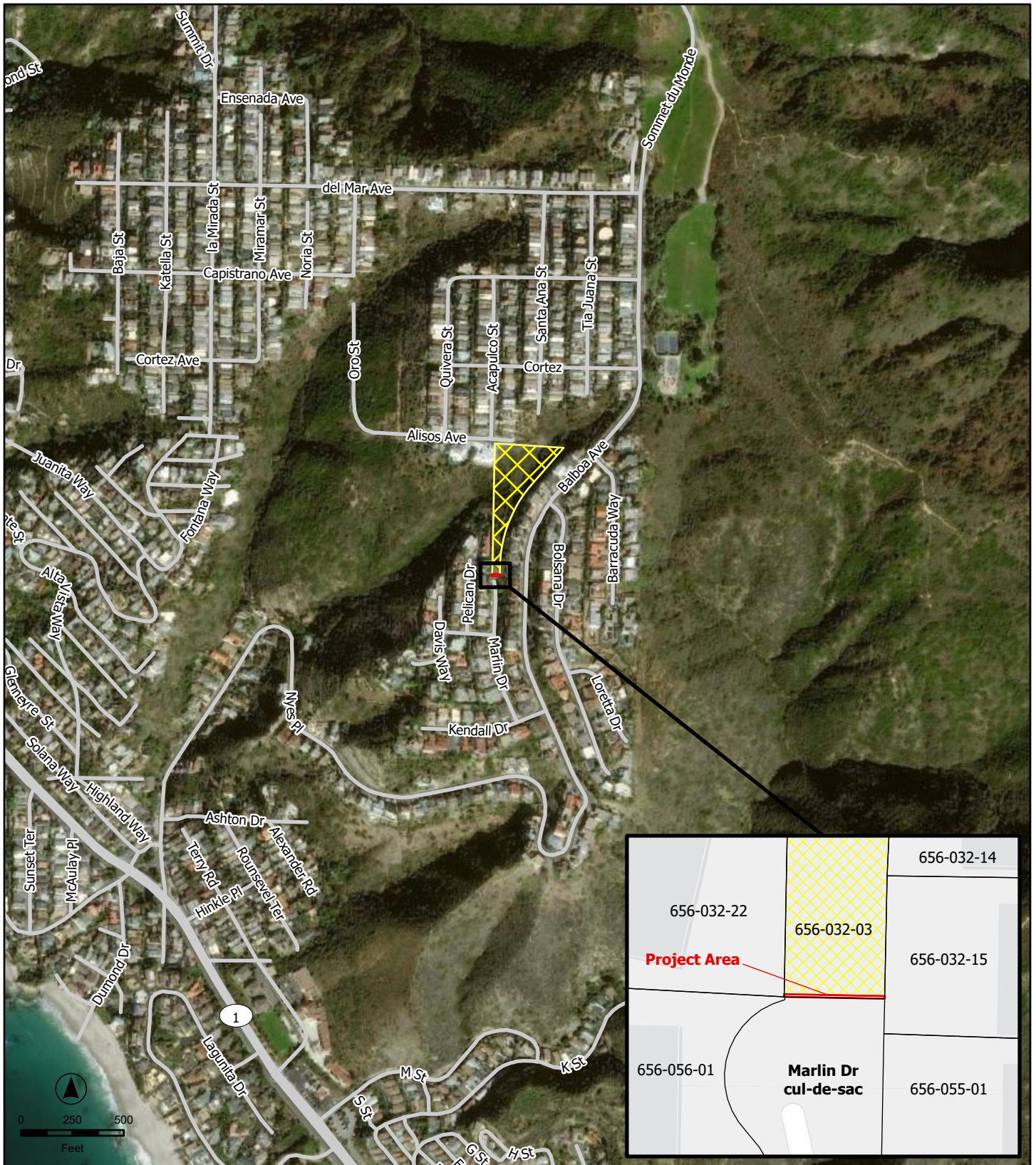
-  Project Location
-  Incorporated Area
-  County Area

Exhibit 2-1. Regional Vicinity



Legend

- Project Area
- Not a Part of the Project
- Assessor Parcel Boundary (Inset Map)

749 MARLIN DRIVE ROAD EXTENSION PROJECT

Exhibit 2-2. Project Location

2.3 Proposed Project

The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. The environmental analysis is limited to the assessment of the potential impacts associated with the proposed dedication of the approximately one-foot by 37 feet portion of the larger parcel to public right-of-way and the potential improvements that would occur to extend the paved road approximately one foot into the existing parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary).

Meaningful environmental review of the anticipated single-family residence is not feasible of being performed at this time, since there are no specific site and building plans. The subsequent design of the anticipated single-family residence, including the structure placement, size, site coverage, setbacks, building height, driveway location, and associated improvements will require future discretionary approval by the City's Design Review Board and will be required to comply with the California Environmental Quality Act (CEQA). The road extension of Marlin Drive, if approved, will be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.

2.4 Discretionary Actions

The City of Laguna Beach, as the Lead Agency, has discretionary authority over the proposed Project. The Project would be subject to various City permits and approvals, including, but not limited to:

- Certification of a Final Negative Declaration;
- Coastal Development Permit CDP-2022-2071; and
- Approval of Road Extension RD EXT-2021-10443 by the City Council.

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3.0 ENVIRONMENTAL CHECKLIST FORM

BACKGROUND

1. Project Title: Coastal Development Permit CDP-2022-2071 & Approval of Road Extension RD EXT-2021-10443 (749 Marlin Drive Road Extension)
2. Lead Agency Name and Address: City of Laguna Beach 505 Forest Avenue Laguna Beach, California, 92651
3. Contact Person and Phone Number Chris Dominguez, Senior Planner (949) 497-0745
4. Project Location: The Project site is located in the City of Laguna Beach within Orange County. The Project site consists of an approximately one foot by 37-foot (37 square feet) portion of an approximately 1.96-acre parcel (APN 656-032-03), directly adjacent to the terminus of Marlin Drive.
5. Project Sponsor's Name and Address: Merrick and Mary Lynn Leckey 2152 Dupont Drive, #290 Irvine, CA 92612
6. General Plan Designation: Residential/Hillside Protection
7. Zoning: R/HP (Residential/Hillside Protection)
8. Description of the Proposed Project: Refer to Section 2.3 .
9. Surrounding Land Uses and Setting: Refer to Section 2.2 .
10. Other public agencies whose approval is required: Refer to Section 2.4 .
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? In compliance with AB 52, the City distributed letters to applicable Native American tribes informing them of the Project on November 23, 2022. At the time this Initial Study was made available for public review, no request for consultation pursuant to AB 52 has been received by the City; refer to Section 4.18 .

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact” or “Less Than Significant With Mitigation Incorporated” as indicated by the checklist on the following pages.

	Aesthetics		Agriculture and Forestry Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology and Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology and Water Quality		Land Use and Planning		Mineral Resources
	Noise		Population and Housing		Public Services
	Recreation		Transportation		Tribal Cultural Resources
	Utilities and Service Systems		Wildfire		Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

X	I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

CITY OF LAGUNA BEACH

Chris Dominguez
Chris Dominguez
Senior Planner

1/10/23
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

The environmental analysis in this section is patterned after CEQA Guidelines Appendix G. An explanation is provided for all responses. The responses consider the whole action involved, including on- and off-site project level and cumulative, indirect and direct, and short-term construction and long-term operational impacts. The evaluation of potential impacts also identifies the significance criteria or threshold, if any, used to evaluate each impact question. If applicable, mitigation measures are identified to avoid or reduce the impact to less than significant. There are four possible responses to each question:

- Potentially Significant Impact. This response is appropriate when there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries, upon completion of the Initial Study, an EIR is required.
- Less than Significant With Mitigation Incorporated. This response applies when the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact". The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.
- Less than Significant Impact. A less than significant impact is one which is deemed to have little or no adverse effect on the environment. Mitigation measures are, therefore, not necessary, although they may be recommended to further reduce a minor impact.
- No Impact. These issues were either identified as having no impact on the environment, or they are not relevant to the project.

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4.0 ENVIRONMENTAL ANALYSIS

4.1 Aesthetics

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. In nonurbanized areas, 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 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?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

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

No Impact. The Laguna Beach General Plan includes a Landscape and Scenic Highways Element (LSHE) which was last updated in 2018. The purpose of the LSHE is to preserve, enhance, and sustain landscapes and scenic corridors essential to the character of Laguna Beach. The LSHE focuses on sustainability, preservation, and improvement of the City’s distinct neighborhoods, natural open space, highways—Coast Highway, Laguna Canyon Road, and El Toro Road; and other streetscapes and parks. Projects and structures that obscure or block viewsheds, vistas, or lookout points are considered to have substantial impacts on aesthetic resources.

The LSHE identifies three arterial roads within and adjacent to Laguna Beach that meet scenic highways designation guidelines: Pacific Coast Highway, Laguna Canyon Road, and El Toro Road. However, the Project site is not visible from any of these three designated roadways, nor are the scenic roadways visible from the Project site. The Project site is not considered to be a part of a scenic vista, nor can any scenic vistas be observed from the Project site; the Project site is disturbed and would not change any scenic vistas. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No structural development is proposed at this time. The Project site has previously been graded with flat terrain and no vegetation. The Project site

itself is not identified as a scenic vista and the proposed road extension would not impact any scenic resources. The Project site is also not located adjacent to a designated scenic roadway, and as such, it would not interfere with any designated scenic roadway views.

Potential impacts to scenic vistas associated with any future residential development on the larger 1.96-acre parcel (referenced herein as the "Project site parcel") would be considered with design review of the future residential development and associated improvements. The proposed roadway extension would not damage scenic resources, including scenic vistas, from public views, designated scenic highways, or arterial roadways; impacts related to scenic resources are less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site is not located within a State scenic highway. As such, the Project would not substantially damage scenic resources, within a State scenic highway. Therefore, no impacts would result.

Mitigation Measures: No mitigation measures are required.

c) *In nonurbanized areas, 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 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?*

Less than Significant Impact. The Project site and the surrounding area are comprised of residential uses and open space. The Project site is part of a 1.96-acre parcel zoned R/HP (Residential/ Hillside Protection), and the proposed Project would not conflict with the existing zoning. Further, the City General Plan designates the Project site parcel and surrounding area as R/HP and governs scenic quality. The General Plan contains policies regarding scenic highway protection (LSHE Policies 3.1, 3.2, 3.6, and subsequent actions). LSHE Policy 3.1 focuses on creating a Corridor Protection Programs for the three designated scenic highways; LSHE Policy 3.2 prioritizes enhancing scenic highway user safety; and LSHE Policy 3.6 promotes multi-agency coordination with the County and City of Irvine to maintain the Canyon's wilderness character and protect the view of natural areas. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No structural development is proposed at this time. As such, the Project would not conflict with existing zoning, General Plan policies, or other regulations that govern scenic quality. The road extension of Marlin Drive, if approved, will be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The surrounding area of the Project site is developed with residential uses and open space and currently experiences lighting and glare typical of a residential neighborhood (landscape lighting, street lighting, etc.). The Project involves the one-foot extension of Marlin Drive in order to provide vehicle

access from Marlin Drive for the potential future development of a single-family residence. No structural development is proposed at this time. The Project site has previously been graded with flat terrain and no vegetation. The development of the Project would not introduce new lighting or reflective materials to the area, as this Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, and the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). The development impacts associated with the Project do not create any source of night lighting, or new sources of glare. Thus, no impacts would occur. Potential impacts of any future development on the 1.96-acre Project site parcel would be considered with design review of the future residential development and associated improvements.

Mitigation Measures: No mitigation measures are required.

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4.2 Agriculture and Forestry Resources

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**
- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. According to the Department of Conservation, the Project site, and surrounding area, are considered Urban and Built-Up Land; therefore, development on the Project site would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.¹ Further, the Project site is part of a 1.96-acre parcel zoned R/HP (Residential/Hillside Protection) and is not zoned for agricultural use, nor is

¹ California Department of Conservation, *California Important Farmland Finder*, <https://maps.conservation.ca.gov/DLRP/CIFF/> accessed November 10, 2022.

the site under a Williamson Act contract. Thus, the Project would not involve the conversion of farmland to a non-agricultural use or conflict with existing zoning for agricultural use or a Williamson Act contract. No impacts are anticipated.

Mitigation Measures: No mitigation measures are required.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

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

No Impact. The Project site is part of a 1.96-acre parcel zoned R/HP (Residential/Hillside Protection). According to the General Plan, no forest land, timberland, or timberland zoned Timberland Production occur within the City. The Project site is located within an urbanized area and surrounding parcels are currently developed and do not contain forest land. Thus, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use.

Mitigation Measures: No mitigation measures are required.

e) *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

No Impact. Refer to Responses 4.2(a) through 4.2(d), above.

Mitigation Measures: No mitigation measures are required.

4.3 Air Quality

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?			X	
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c. Expose sensitive receptors to substantial pollutant concentrations?			X	
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

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

Less Than Significant Impact. As part of its enforcement responsibilities, the United States Environmental Protection Agency (USEPA) requires that each state with nonattainment areas prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, State, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the California Clean Air Act (CCAA) requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the federal and State ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The Project site is located within the South Coast Air Basin (SCAB), which is under the South Coast Air Quality Management District’s (SCAQMD) jurisdiction. The SCAQMD is required, pursuant to the Federal Clean Air Act (FCAA), to reduce emissions of criteria pollutants for which SCAB is in non-attainment. To reduce such emissions, the SCAQMD is updating the existing 2016 Air Quality Management Plan (AQMP) for 2022.² The 2022 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and national air quality standards. The AQMP is a regional and multi-agency effort including the SCAQMD, the California Air Resources Board (CARB), the Southern California Association of Governments (SCAG), and the USEPA. The 2022 AQMP’s pollutant control

2 SCAQMD has released the Draft Final version of the 2022 AQMP. While this Plan has not been finalized or adopted, it represents a comprehensive analysis of emissions, meteorology, regional air quality modeling, regional growth projections, and the impact of existing and proposed control measures, and is expected to be adopted under its current state, and therefore, is used in this analysis. More information can be accessed here: <http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>

strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's Connect SoCal (2020-2045 RTP/SCS), updated emission inventory methodologies for various source categories, and SCAG's growth forecasts. SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The proposed Project is subject to the SCAQMD's AQMP.

Criteria for determining consistency with the AQMP are defined by the following indicators:

- **Consistency Criterion No. 1:** A proposed project would not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of the AQMP's air quality standards or the interim emissions reductions.
- **Consistency Criterion No. 2:** A proposed project would not exceed the AQMP's assumptions or increments based on the years of the project build-out phase.

Consistency Criterion No. 1 refers to the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). As the Project is not expected to generate localized construction or regional construction or operational emissions that would exceed SCAQMD thresholds of significance, the Project would not violate any air quality standards. Thus, no impact is expected, and the Project would be consistent with the first criterion.

Consistency Criterion No. 2 refers to SCAG's growth forecasts and associated assumptions included in the AQMP. The future air quality levels projected in the AQMP are based on SCAG's growth projections, which are based, in part, on the general plans of cities located within the SCAG region. Therefore, projects that are consistent with the applicable assumptions used in the development of the AQMP would not jeopardize attainment of the air quality levels identified in the AQMP.

With respect to determining consistency with Consistency Criterion No. 2, it is important to recognize that air quality planning within the air basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether or not the proposed Project exceeds the assumptions utilized in preparing the forecasts presented in the 2022 AQMP. Determining whether or not a project exceeds the assumptions reflected in the 2022 AQMP involves the evaluation of the three criteria outlined below. The following discussion provides an analysis of each of these criteria.

1. *Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP?*

Growth projections included in the 2022 AQMP form the basis for the projections of air pollutant emissions and are based on the General Plan land use designations and SCAG's Connect SoCal 2020-2045 Regional Transportation Plan/Sustainability Communities Strategy (2020-2045 RTP/SCS) demographics forecasts. The population, housing, and employment forecasts within the 2020-2045 RTP/SCS are based on local general plans as well as input from local governments, such as the City of Laguna Beach. The SCAQMD has incorporated these same demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment) into the 2022 AQMP.

The Project proposes to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family

residence, which is consistent with the City's land use and zoning for the Project site parcel. As no structural development is proposed, the Project would not create an increase in the number of daily vehicle trips; and would have a less than significant impact on local and regional air quality.

As the Project is an extension of a residential road approximately one foot by 37 feet to provide access to the Project site parcel currently designated for single-family residential development, it would not introduce new population, housing, or employment growth to the area; therefore, the proposed Project would be consistent with the growth forecasts SCAQMD has incorporated into the 2022 AQMP.

2. Would the project implement all feasible air quality mitigation measures?

The proposed Project would result in less than significant air quality impacts. Compliance with all feasible emission reduction measures identified by the SCAQMD would be required as identified in Responses 4.3(b) and (c). As such, the proposed Project meets this 2022 AQMP consistency criterion.

3. Would the project delay timely attainment of air quality standard or the interim emissions reductions specified in the AQMP?

Project construction activities would generate short-term emissions of criteria air pollutants. Construction-generated emissions are short term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance. Potential improvements for the Project include the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). This short-term and minor construction would not exceed the SCAQMD's daily emission thresholds at the regional level and therefore impacts associated with Project construction emissions would be less than significant. As such, the proposed Project would not delay the timely attainment of air quality standards or 2022 AQMP emissions reductions.

In conclusion, the determination of 2022 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the air basin. The proposed Project would not result in a long-term impact on the region's ability to meet State and federal air quality standards. Further, the proposed Project's long-term influence on air quality in the air basin would also be consistent with the SCAQMD and SCAG's goals and policies and is considered consistent with the 2022 AQMP. Therefore, the Project would be consistent with the above criteria and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. Project construction activities would generate short-term emissions of criteria air pollutants. Construction-generated emissions are short term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance. Potential improvements for the Project include the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). This short-term and minor construction would not exceed the SCAQMD's daily emission thresholds at the regional level and therefore impacts associated with Project construction emissions would be less than significant.

The Project would be required to follow all standard SCAQMD rules and requirements with regards to fugitive dust control. Fugitive dust emissions are commonly associated with land clearing activities, cut and fill grading operations, and exposure of soils to the air and wind. SCAQMD Rule 403 requires that fugitive dust is controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. In addition, SCAQMD Rules 402 and 403 require implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site.

The Project would not contribute substantially to an existing or projected air quality violation. Further, by complying with the SCAQMD standards, the Project would not contribute to a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The Project's short-term construction impacts on regional air resources would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Sensitive receptors are members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of land uses where sensitive receptors are typically located include residences, schools, hospitals, and daycare centers. The Project site is located within a residential neighborhood, with single-family residences located adjacent to the site.

Project construction activities would generate short-term emissions of criteria air pollutants. Construction-generated emissions are short term and temporary, lasting only while construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

The Project would be required to follow all standard SCAQMD rules and requirements with regards to fugitive dust control. Fugitive dust emissions are commonly associated with land clearing activities, cut and fill grading operations, and exposure of soils to the air and wind. SCAQMD Rules 402 and 403 require implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. SCAQMD Rule 403 requires that fugitive dust is controlled with best-available control measures so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Due to the proximity of sensitive receptors, compliance with the standard dust control measures instated by SCAQMD would be required.

With adherence to local, State, federal regulations, and SCAQMD thresholds, Project emission impacts would be less than significant. Therefore, sensitive receptors would not be exposed to criteria pollutant levels more than the health-based ambient air quality standards.

Mitigation Measures: No mitigation measures are required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact.

Construction

Odors that could be generated by construction activities are required to follow SCAQMD Rule 402 to prevent odor nuisances on sensitive land uses. SCAQMD Rule 402, Nuisance, states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which 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 tendency to cause, injury or damage to business or property.

During construction, emissions from construction equipment, such as diesel exhaust, may generate odors. However, these odors would be temporary, are not expected to affect a substantial number of people and would disperse rapidly. Therefore, impacts related to odors associated with potential construction-related activities would be less than significant.

Operational

The proposed Project is not anticipated to create any impacts related to odors, as the proposed use (roadway extension for a driveway) is not a use that would generate odors.

Mitigation Measures: No mitigation measures are required.

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4.4 Biological Resources

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

This section is based on the Glenn Lukos Associates, *2014 Biological Technical Report for Proposed Fuel Modification Zone and Leckey Property in the Arch Beach Heights Area of Laguna Beach (Bio-Technical Report)* and the *2018 Update of Biological Technical Report for Parcels 674340, 674367, Included Within the Arch Beach Heights Fuel Modification Zones, Laguna Beach, California (Memorandum)*. The Bio-Technical Report addresses the biological resources associated with the area of the fuel modification zone and adjacent Leckey Property parcels, which includes the 1.96-acre Project site parcel. The Bio-Technical

Report is incorporated as Appendix A, *Biological Technical Report* and the Memorandum is incorporated as Appendix B, *Biological Technical Report Update Memorandum*.

In addition, Glenn Lukos Associates conducted a protocol Coastal California Gnatcatcher Survey the 3.58-Acre Leckey Parcels in 2019. The letter report is included as Appendix C, *Results of Protocol Coastal California Gnatcatcher Surveys*.

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

Less than Significant Impact. The City of Laguna Beach has inventoried biological resources occurring within the City and has designated several categories of habitat value, ranging from low value habitats to very high value habitats (GLA, 2014). The Project site consists of an approximately one foot by 37-foot (37 square feet) portion of the approximately 1.96-acre Project site parcel. A Bio-Technical Report was prepared in 2014 for the Project site parcel; the Project site is located on the southern edge of the Project site parcel. A Memorandum was then completed in 2018, updating the 2014 Bio-Technical Report. The Project site parcel occurs partially within an area designated as a high value habitat (GLA, 2018). According to the Bio-Technical Report and Memorandum, the Project site parcel contains areas of potentially suitable habitat for the federally listed, threatened coastal California gnatcatcher (*Polioptila californica californica*). However, surveys were conducted from May 6, 2019 through June 11, 2019 in all areas of potentially suitable habitat within the survey area in accordance with U.S. Fish and Wildlife Service (USFWS) guidelines; no California gnatcatchers were observed or detected within the specified survey area (GLA, 2019).

The area of potentially suitable habitat for the coastal California gnatcatcher is not located within the Project site area. The proposed Project would not affect any sensitive or special status species as the potential improvements associated with the Project include the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary) within an area of the Project site parcel containing no suitable habitat for candidate, sensitive or special status species. As no candidate, sensitive, or special status species were found on the Project site or within the Project parcel, impacts are considered to be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The updated Memorandum prepared for the Project site parcel indicates that two significant drainage courses and their associated tributaries occur adjacent to the Project site parcel. Further, the California Natural Diversity Database (CNDDB) identified three special-status habitats that could potentially occur within the Project site parcel including, southern coast live oak riparian forest, southern sycamore alder riparian woodland, and valley needlegrass grassland. However, none of these habitat-types were detected within the Project site parcel (GLA, 2018). As no riparian habitats or other sensitive natural communities were found on the Project site parcel, which includes the Project site, the proposed Project would have no impact on such resources.

Mitigation Measures: No mitigation measures are required.

- c) ***Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

Less Than Significant Impact. The Bio-Technical Report and Memorandum include a review of habitat in regards to State and federally protected wetlands. The Report and Memorandum both determine that there are no protected wetlands within the Project site parcel, and subsequently, within the Project site. The Project site parcel is currently undeveloped and no development is proposed at this time. Potential improvements associated with the Project that would occur include an extension of the paved road approximately one foot into the existing Project site parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Additionally, the Project site has previously been graded with flat terrain and no vegetation. Pursuant to the Bio-Technical Report and Memorandum, no adverse effect to a federal or State wetland habitat is anticipated within the Project site parcel. Further, a hydrological interruption is not anticipated from the proposed Project, as detailed in the Bio-Technical Report and Memorandum. Therefore, the proposed Project would not have a substantial adverse effect, through direct removal, filling, or hydrological interruption, any State, or federally protected, wetlands.

Mitigation Measures: No mitigation measures are required.

- d) ***Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

Less than Significant Impact. According to the Bio-Technical Report, the Project site parcel and surrounding area support limited wildlife movement as a result of steep topography and surrounding existing development. Species observed utilizing or moving through the Project site parcel included raccoon (*Procyon lotor*) [tracks], coyote (*Canis latrans*) [tracks and scat], and mule deer (*Odocoileus hemionus*). Very limited potential exists for wildlife movement into the Project site parcel from the adjacent Aliso Creek open space area to the east, however, due to the insularity of the Project site parcel, it does not function as a wildlife corridor (GLA, 2014). The proposed Project would not create new structures that could possibly interfere with wildlife movement. Potential Project improvements that would occur include the extension of the paved road (Marlin Drive) approximately one foot into the existing Project site parcel as part of the driveway, the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The road extension of Marlin Drive, if approved, will be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.

As such, wildlife movement would not be significantly affected by the proposed Project, and impacts are considered to be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The City of Laguna Beach has adopted policies and ordinances into the General Plan and Municipal Code that promote protection of biological resources. General Plan Landscape and Scenic Highways Element Policies 5.3 and 5.6, and subsequent actions, aim to preserve Heritage Trees in the City. Municipal Code Chapter 12.08, *Preservation of Heritage Trees*, deals with the regulations of Heritage Tree establishment, removal, destruction, and substantial alteration. There are no Heritage or Candidate Heritage Trees, or biological resources, located on the Project site, as the Project site has been previously graded with flat terrain and no vegetation. As such, the Project would not conflict with any local policies or ordinances protecting biological resources. No impacts are anticipated to occur.

Mitigation Measures: No mitigation measures are required.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The City adopted a Local Coastal Program in 1993. Components of the Local Coastal Program include, but are not limited to: Design Guidelines for Hillside Development; Coastal Land Use Plan Technical Appendix; Fuel Modification Guidelines; Land Use Element; Open Space and Conservation Element; and Municipal Code Titles 25, *Zoning Code*. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. Potential Project improvements that would occur include the extension the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The proposed Project would not conflict with the provisions established by any of these components within the Local Coastal Program, as no development is proposed.

Further, the City is a participant in the Orange County Central and Coastal Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP). The Project site parcel is currently undeveloped, within an urbanized area and, is not located within the boundaries of the NCCP/HCP reserve system. The proposed Project would not conflict with the NCCP/HCP or other approved local, regional, or state habitat conservation plan. As such, no impacts would occur.

Mitigation Measures: No mitigation measures are required.

4.5 Cultural Resources

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c. Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact. According to CEQA Guidelines Section 15064.5, a historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR); a resource included in a local register of historical resources; or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant. A resource shall be considered historically significant if it:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

The Project proposes to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; construction of a concrete curb cut and drive apron per City standards and; relocation of existing utilities (as necessary). No development is proposed at this time. The Project site and surrounding area do not include any structures that are eligible for listing in the CRHR, listed in a local register of historic resources, or identified by the City of Laguna Beach General Plan Historic Resources Element as historically significant. The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. CEQA Code Section § 15064.5 states that if an archaeological resource, as defined by Section 21083.2 of the Public Resources Code, is found, the Project site shall be treated in accordance with the provisions of section 21083.2. Such provisions entail: if it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state.

The Project site parcel, including the approximately 37-square foot Project site (per Tact Map No. 6029), is undeveloped. The parcel has varied topography, portions of which have been previously graded, and consists of a combination of coastal-sage scrub and chaparral, areas with non-native vegetation and grasses, and areas that have been previously disturbed. The Project site has previously been graded with flat terrain and no vegetation. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. Potential improvements associated with the Project that would occur include an extension the paved road approximately one foot into the existing parcel as part of the driveway, the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Construction activities associated with the proposed Project would occur on already disturbed and developed land (the existing roadway and pedestrian sidewalk), and would not require major ground disturbance or earthwork activities. The Project does not involve development within other areas of the Project site parcel. The proposed road extension of Marlin Drive, if approved, would be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.

Responses 4.5(a) and 4.5(c) explain that the Project site and surrounding area do not include any structures that are eligible for listing in the CRHR; listed in a local register of historic resources, or contain any known historic resource or human remains. Further, due to the extensive ground disturbance that has occurred within the surrounding area associated with construction of the existing residential developments and the minimal grading and ground-disturbance activities that would occur with the proposed Project, the potential for the proposed Project to disturb previously undiscovered archeological resources is unlikely. Project impacts associated with archaeological resources pursuant to § 15064.5 would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. According to the General Plan Historic Resources Element, there are no dedicated cemeteries within the Project site or surrounding area and there is no information to suggest that the site has any undiscovered human remains. The Project site is currently undeveloped; however, the surrounding area is developed with low-density residential uses. The Project site has previously been graded with flat terrain and no vegetation. The Project aims to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Potential improvements that would occur include extension of the paved road (Marlin Drive) approximately one

foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary).

Due to the extensive ground disturbance that has occurred within the surrounding area associated with construction of the existing residential developments and the minimal grading and ground disturbance that would occur with the proposed Project, the potential for the proposed Project to disturb previously undiscovered human remains is highly unlikely.

If human remains are found, the remains would require proper treatment in accordance with applicable laws, including California Health and Safety Code §7050.5, Public Resources Code §5097.98 and the California Code of Regulations (CCR) §15064.5(e), which mandate procedures of conduct following the discovery of human remains on non-federal lands. According to the provisions in CEQA, should human remains be encountered, all work in the immediate vicinity of the burial would be required to cease, and any necessary steps to ensure the integrity of the immediate area must be taken. The Orange County Coroner would be immediately notified and must then determine whether the remains are Native American. If the Coroner determines the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC), who will in turn, notify the person they identify as the Most-Likely-Descendent (MLD) of any human remains. Following compliance with the established regulatory framework (California Health and Safety Code §7050.5, Public Resources Code §5097.98 and the California Code of Regulations (CCR) §15064.5(e)), which detail the appropriate actions required in the event human remains are encountered, the Project's potential impacts concerning human remains would be less than significant.

Mitigation Measures. No mitigation measures are required.

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4.6 Energy

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

Federal and State agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation (USDOT), the United States Department of Energy, and the United States Environmental Protection Agency (EPA) are three federal agencies with substantial influence over energy policies and programs. On the state level, the California Public Utilities Commission (PUC) and the California Energy Commissions (CEC) are two agencies with authority over different aspects of energy. Key federal and state energy-related laws and plans are summarized below.

a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less Than Significant Impact. The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the Project would be considered “wasteful, inefficient, and unnecessary” if it were to violate State and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The Project site is currently undeveloped and development of the Project site parcel is not proposed at this time. Potential improvements that would occur include extension of the paved road (Marlin Drive) approximately one foot into the existing Project site parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The three main types of energy that would potentially be consumed by the Project include electricity, natural gas, and petroleum products in the form of gasoline and diesel fuel. Energy consumption would only occur during the potential construction of the concrete curb cut and drive apron.

CONSTRUCTION

Electricity and Natural Gas

The Project site is currently undeveloped and does not generate demand for electricity. If required, Southern California Edison (SCE) would provide temporary electric power during construction, as SCE

provides electric power to all of Southern California. The electricity used for activities associated with the proposed roadway extension would be temporary and have a negligible impact to the environment.

Natural gas is not anticipated to be used during construction in any significant quantities.

Petroleum

Fuel consumed by construction activities in the form of motor vehicle fuel (gasoline and diesel) for off-road construction equipment and on-road vehicle trips (workers and vendors traveling to and from the Project site) would be the primary energy resource expended over the course of any potential construction. Construction of the curb cut and driveway apron would consume electricity and fossil fuels as a single energy demand, that is, once construction is completed their use would cease. Project construction would represent a “single-event” diesel fuel demand and would not require on-going or permanent commitment of diesel fuel resources for this purpose.

Construction Energy Efficiency/Conservation Measures

Construction equipment used to construct the curb cut and driveway apron would be required to conform to California Air Resources Board (CARB) regulations and California emissions standards. There are no unusual Project characteristics or construction processes that would require the use of equipment that would be more energy intensive than is used for comparable activities; or equipment that would not conform to current emissions standards (and related fuel efficiencies). Further, as required by California Code of Regulations Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby minimizing or eliminating unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Enforcement of idling limitations is realized through periodic site inspections conducted by City building officials, and/or in response to citizen complaints. Therefore, the Project's construction-related fuel consumption would not result in inefficient, wasteful, or unnecessary energy use compared with other construction sites in the region.

OPERATIONS

Operation of the Project is not anticipated to consume or produce any electricity, natural gas, petroleum, or any other energy sources; therefore, no impacts related to energy demands would occur as a result of the implementation of the Project.

Conclusion

As supported by the preceding analyses, Project construction and operations would not result in the inefficient, wasteful, or unnecessary consumption of energy resources. Therefore, the impact would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. As discussed in 4.6 (a), the Project would not generate any energy use or demand during operations as no development is proposed at this time, and potential construction would include the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Construction would comply with local, State, and federal regulations

regarding construction emissions, and is considered a “single-event” fuel demand project, and therefore would not obstruct local energy efficiency plans.

Mitigation Measures: No mitigation measures are required.

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4.7 Geology and Soils

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
2) Strong seismic ground shaking?			X	
3) Seismic-related ground failure, including liquefaction?			X	
4) Landslides?			X	
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

This section is based in part on the *Investigation of Geotechnical Conditions* (Geotechnical Evaluation), dated April 22, 2000, prepared by Ian S. Kennedy Inc., and included as Appendix D, *Geotechnical Evaluation*. The Geotechnical Evaluation addresses geologic and soil conditions for the 1.96-acre Project site parcel, which includes the Project site.

- a) ***Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***
- 1) ***Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.***

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act requires the State Geologist to establish regulatory zones, known as "Alquist-Priolo Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically 50 feet). According to the General Plan and California Department of Conservation Data Viewer, the Project site is not within an Alquist-Priolo Fault Zone as defined by the State of California in the Earthquake Fault Zoning Act.³ Further, the Project does not propose any structural development, and therefore does not put any buildings used for human occupancy at risk. Therefore, the Project would not directly or indirectly cause potential substantial adverse effects involving rupture of a known earthquake fault.

Mitigation Measures: No mitigation measures are required.

2) ***Strong seismic ground shaking?***

Less Than Significant Impact. The Project site is located in a seismically active area of southern California that has historically been affected by moderate to occasionally high levels of ground motion. As a result, it is likely the Project site has and would continue to experience ground shaking from nearby fault zones, as well as some background shaking from other seismically active areas of the southern California region. The intensity of ground shaking on the Project site would depend upon the earthquake's magnitude, distance to the epicenter, and geology of the area between the Project site and epicenter.

The Project site's surrounding area is currently developed with residential uses, and surrounded by open space. The Project site is undeveloped and has previously been graded with flat terrain and no vegetation. The Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, and includes the construction of a concrete curb cut and drive apron per City standards, and relocation of existing utilities (as necessary).

³ California Department of Conservation, *Data Viewer*, <https://maps.conservation.ca.gov/geologichazards/> accessed November 18, 2022.

A Geotechnical Investigation was conducted to evaluate subsurface conditions and site seismic hazards and perform geotechnical engineering for the design and construction of a potential residential development within the 1.96-acre Project site parcel. The evaluation included review of available geotechnical background information pertaining to the site; laboratory testing of the on-site soil materials; and a summary of findings, conclusions, and recommendations for the development of the proposed Project. The Geotechnical Evaluation provides seismic, geotechnical design, and construction considerations based on CBC seismic design standards in place at the time of the report.

The City of Laguna Beach has adopted the California Building Code (Municipal Code Chapter 14.50), with amendments, which prescribes regulations for the erection, construction, enlargement, alteration, repair, improving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of all buildings and structures. The California Building Code (CBC) includes standards related to soils and foundations, structural design, building materials, and structural testing and inspections to minimize hazards during a seismic event. The Project would be required to comply with the applicable regulations in the CBC, which would reduce potential impacts associated with strong seismic ground shaking, as well as the Geotechnical Evaluation prepared for the Project site parcel as it pertains to the proposed roadway extension. Construction of a concrete curb cut and drive apron would be done per City standards. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's construction plan review process would ensure potential impacts associated with strong seismic ground shaking at the Project site would be reduced to a less than significant impact.

Mitigation Measures: No mitigation measures are required.

3) *Seismic-related ground failure, including liquefaction?*

Less Than Significant Impact. Liquefaction is a phenomenon where earthquake-induced ground vibrations increase the pore pressure in saturated, granular soils until it is equal to the confining, overburden pressure. Engineering research of soil liquefaction potential indicates that generally three basic factors must exist concurrently in order for liquefaction to occur. These factors include:

- A source of ground shaking, such as an earthquake, capable of generating soil mass distortions.
- A relatively loose silty and/or sandy soil.
- A relative shallow groundwater table (within approximately 50 feet below ground surface) or completely saturated soil conditions that will allow positive pore pressure generation.

The Project site is not mapped by the California Geologic Survey as being within a zone of potentially liquefiable soils.⁴ Further, the Geotechnical Evaluation identifies that the bedrock on the Project site parcel contains massive beds of breccia and sandstone of the San Onofre Formation; however, no evidence of former gross bedrock instability such as slumps or wedge failures were detected. Due to the massive nature of the breccias, bedding plane and joint fractures disappear with depth. No groundwater or subsurface seepage was encountered; and the Project site parcel as a whole is considered grossly stable

⁴ California Department of Conservation, California Geologic Survey. *Map Server: Earthquake Zones of Required Investigation*. Available at: <https://maps.conservation.ca.gov/cgs/EQZApp/> Accessed November 21, 2022.

(Ian S., 2000). The Geotechnical Evaluation characterizes the Project site parcel's potential for liquefaction to be negligible. Therefore, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4) Landslides?

Less Than Significant Impact. Landslides are mass movements of the ground that include rock falls, relatively shallow slumping and sliding of soil, and deeper rotational or transitional movement of soil or rock. Geologic hazards associated with landsliding are not anticipated as the Project site is not located within an area identified by the California Geologic Survey as having potential for seismic slope instability.⁵ However, it should be noted that the landslide incidents have occurred in the surrounding area, namely in the areas north and east of the Project site. While the Project site parcel, does contain sloping topography, the Project site has previously been graded with flat terrain and no vegetation.

Construction activities are not expected to exacerbate potential landslide impacts. No development is proposed at this time, and potential construction would include the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's construction plan review process, would ensure potential impacts associated with the proposed roadway extension within the Project site would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. The Project site has previously been graded with flat terrain and no vegetation. The Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). No development is proposed at this time.

Although construction activities associated with the proposed Project could expose soils to potential short-term erosion by wind and water, the Project would be required to comply with water quality measures included in Municipal Code Title 16, *Water Quality Control*, which include conditions and requirements established by the City related to the reduction or elimination of storm water runoff pollutants during construction and operations of the Project. Following compliance with the established regulatory framework identified in the Laguna Beach Municipal Code regarding stormwater and runoff pollution control, potential impacts associated with soil erosion and the loss of topsoil would be less than significant.

Mitigation Measures: No mitigation measures are required.

⁵ California Department of Conservation. Data Viewer Map. Available at: <https://maps.conservation.ca.gov/geologic Hazards/DataViewer/index.html>. Accessed November 21, 2022.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?***

Less Than Significant Impact. Refer to Responses 4.7(a)(3) and 4.7(a)(4) regarding the potential for liquefaction and landslides, respectively. Lateral spreading is the horizontal movement or spreading of soil toward an open face. Lateral spreading may occur when soils liquefy during an earthquake event, and the liquefied soils with overlying soils move laterally to unconfined spaces. Subsidence is the sudden sinking or gradual downward settling of the earth's surface with little or no horizontal movement. Subsidence is caused by a variety of activities, which include, but are not limited to, withdrawal of groundwater, pumping of oil and gas from underground, the collapse of underground mines, liquefaction, and hydrocompaction.

Lateral Spreading. The Geotechnical Evaluation characterizes the Project site parcel's potential for liquefaction to be minimal and as a result, the probability of lateral spreading occurring at the Project site during a seismic event is also considered minimal.

Subsidence. Proposed operations associated with the proposed roadway extension would not include activities known to cause subsidence, such as groundwater or oil extraction.

The Geotechnical Evaluation provides seismic, geotechnical design, and construction considerations based on CBC seismic design standards in place at the time of the report. The recommendations within the Geotechnical Evaluation would provide protection for development of the Project site parcel to the extent required to reduce seismic risk to an acceptable level as defined by the California Code of Regulations. The proposed Project improvements would be required to comply with the CBC, as adopted by Laguna Beach Municipal Code Chapter 14.50. Thus, compliance with the City's established regulatory framework and standard engineering practices and design criteria, which would be verified through the City's construction plan review process would ensure potential impacts associated with a geologic unit or soil that is unstable or would become unstable at the Project site would be reduced to a less than significant impact.

Mitigation Measures: No mitigation measures are required.

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

Less Than Significant Impact. Expansive soils are defined as soils possessing clay particles that react to moisture changes by shrinking (when dry) or swelling (when wet). As discussed in 4.7(a), the Project site is not mapped by the CGS as being within a zone of potentially liquefiable soils. The soil profile of the Project site parcel is characterized by a later of breccia and sandstone fragments and blocks, in a medium to fine sandy clay matrix; the soil materials were found to be dry and loose to dense (Ian S, 2000).

While the Geotechnical Evaluation does not discuss expansive soils specifically, it did conclude that no groundwater or subsurface seepage was encountered, and that the soils within the Project site parcel are considered to be stable. Although the majority of the Project site parcel is an undeveloped parcel with native vegetation, the Project site has previously been graded with flat terrain and no vegetation. Potential improvements associated with the Project that would occur include an extension of the paved road (Marlin Drive) approximately one foot by 37 feet into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities

(as necessary). As the Project site is considered to be stable, and no development is proposed, Project implementation would not directly or indirectly increase risk to life or property. Impacts associated with expansive soils would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site is currently undeveloped and does not propose any installation of septic tanks or connections to alternative waste water systems. No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

- f) ***Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Less Than Significant Impact. A significant paleontological resource is considered to be of scientific interest if it is a rare or previously unknown species, it is of high quality and well-preserved, it preserves a previously unknown anatomical or other characteristic, provides new information about the history of life on earth, or has an identified educational or recreational value.

The Geotechnical Evaluation identifies the Project site as underlain by the San Onofre Formation. The San Onofre Formation is a sedimentary rock that is of marine origin and from the middle to upper Miocene age. The bedrock materials consisting of breccia and sandstone beds are exposed in the steep and ragged portions of the upper and lower road cuts that border the Project site parcel. The San Onofre Formation consists predominantly of massive beds of sand to boulder size angular fragments of metamorphic rock materials (primarily shist) that are poorly sorted and indistinctly bedded. Prior to its exposure as a result of up-lift and erosion of the San Joaquin Hills, the San Onofre Formation sediments were deeply buried, well consolidated, and moderately cemented.

The Project site is undeveloped while the surrounding area has been altered by previous ground disturbance associated with residential development of the area. The Project site has previously been graded with flat terrain. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. Potential improvements associated with the Project that would occur include an extension the paved road approximately one foot into the existing parcel as part of the driveway, the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Construction activities associated with the proposed Project would occur on already disturbed and developed land (the existing roadway and pedestrian sidewalk), and would not require major ground disturbance or excavation at depths having the potential to encounter paleontological resources. The Project does not involve development within other areas of the Project site parcel. The proposed road extension of Marlin Drive, if approved, would be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance. Thus, potential impacts pertaining to the direct or indirect destruction of a unique paleontological resource or site or unique geologic feature would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.8 Greenhouse Gas Emissions

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

GREENHOUSE GASES

Various gases in the Earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth’s surface temperature. Solar radiation enters Earth’s atmosphere from space, and a portion of the radiation is absorbed by the Earth’s surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation.

Naturally occurring GHGs include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also GHGs, but they are, for the most part, solely a product of industrial activities. Although the direct GHGs, including CO₂, CH₄, and N₂O, occur naturally in the atmosphere, human activities have changed their atmospheric concentrations.

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs).

REGULATORY FRAMEWORK

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency’s (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court’s ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO₂, CH₄, N₂O, hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF₆]) constitute a threat to public health and welfare. Thus, it is the Supreme Court’s interpretation of the existing Clean Air Act and the EPA’s assessment of the scientific evidence that form the basis for the EPA’s regulatory actions.

South Coast Air Quality Management District Threshold Development

The South Coast Air Quality Management District (SCAQMD) has established recommended significance thresholds for GHGs for local lead agency consideration (“SCAQMD draft local agency threshold”). SCAQMD has published a five-tiered draft GHG threshold which includes a 10,000-metric ton of CO₂e per year for stationary/industrial sources and 3,000 metric tons of CO₂e per year significance threshold for residential/commercial projects.

The current draft thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether or not the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
- Tier 3 consists of screening values that are intended to capture 90 percent of the GHG emissions from projects. If a project’s emissions are under the screening thresholds, then the project is less than significant. SCAQMD has presented two options that lead agencies could choose for screening values. Option #1 sets the thresholds for residential projects to 3,500 MTCO₂e/year, commercial projects to 1,400 MTCO₂e/year, and the mixed use to 3,000 MTCO₂e/year. Option #2 sets a single numerical threshold for all non-industrial projects of 3,000 MTCO₂e/year and 10,000 MTCO₂e/year for industrial projects. Lead agencies are able to choose either option, but must be consistent. A project’s construction emissions are averaged over 30 years and are added to a project’s operational emissions. If a project’s emissions are under one of the following screening thresholds, then the project is less than significant:
- Tier 4 has the following options:
 - Option 1: Reduce emissions from business as usual by a certain percentage; this percentage is currently undefined
 - Option 2: Early implementation of applicable AB 32 Scoping Plan measures
 - Option 3: Year 2020 target for service populations (SP), which includes residents and employees: 4.8 MTCO₂e/SP/year for projects and 6.6 MTCO₂e/SP/year for plans;
 - Option 3, 2035 target: 3.0 MTCO₂e/SP/year for projects and 4.1 MTCO₂e/SP/year for plans
- Tier 5 involves mitigation offsets to achieve target significance threshold.

To determine whether the Project's GHG emissions are significant, this analysis uses the SCAQMD draft local agency Tier 2 screening threshold: determining whether or not the project is consistent with a greenhouse gas reduction plan.

SCAG 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy Consistency (Connect SoCal)

Southern California Association of Governments (SCAG) recently adopted the *2020-2045 Regional Transportation Plan/Sustainable Communities Strategy* (Connect SoCal). At the regional level, Connect SoCal is adopted for the purpose of reducing GHGs resulting from vehicular emissions by passenger vehicles and light duty trucks. Generally, projects are considered consistent with the provisions and general policies of applicable City and regional land use plans and regulations, such as Connect SoCal, if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals.

Laguna Beach General Plan Land Use Element

The City of Laguna Beach General Plan Land Use Element includes the following policies and actions to support reduction of greenhouse gas emissions:

Policy 1.1 Reduce greenhouse gas (GHG) emissions 80% below 1990 levels by 2050.

Policy 1.2 Support design strategies and construction standards that maximize use of alternative energy sources and passive solar architecture in buildings.

Action 1.2.6 Require developers and contractors to take action to minimize greenhouse gas emissions by using low-emission vehicles and equipment.

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

Less Than Significant Impact. The proposed Project would generate GHGs only during construction, since no development is proposed at this time. Construction activities associated with the proposed roadway extension would include the construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Because construction activities would be minimal and would occur over a relatively short-term period of time, they are not expected to significantly contribute to local emissions.

The Project site parcel is designated as Residential/Hillside Protection (R/HP) in the General Plan; thus, the General Plan has anticipated development of the Project site parcel with residential development. The Project proposes to extend the roadway approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. The Project would not generate substantial GHG emissions. The road extension of Marlin Drive, if approved, would be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance. Therefore, the proposed roadway extension would not directly or indirectly have a significant impact on the environment, and the proposed Project's GHG emissions are considered to be less than significant.

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

Less Than Significant Impact. In order to assess the Project's consistency with local and regional plans, the Project's land use assumptions are reviewed for consistency with those utilized by regional agencies, such as SCAG. Generally, projects are considered consistent with the provisions and general policies of applicable City and regional land use plans and regulations, if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. The Project site is currently undeveloped and is designated R/HP. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; no residential development is proposed at this time. The Project would potentially construct a concrete curb cut and drive apron per City standards and relocate existing utilities (as necessary). As the Project is an extension of a residential road, it would not introduce new land uses to the area or modify the existing General Plan land use and zoning for the Project site parcel. Thus, the Project would be consistent with the land uses anticipated by regional plans. The construction and implementation of the proposed Project would not

conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Impacts are considered to be less than significant.

Mitigation Measures: No mitigation measures are required.

4.9 Hazards and Hazardous Materials

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				X
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Less Than Significant Impact. Generally, the exposure of persons to hazardous materials could occur in the following manners: 1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future development, particularly by untrained personnel; 2) an accident during transport; 3) environmentally unsound disposal methods; or 4) fire, explosion or other emergencies. The severity of potential effects varies with the activity conducted, the concentration and type of hazardous material or wastes present, and the proximity of sensitive receptors.

Project construction activities would involve the routine transport, use, or disposal of hazardous materials, such as petroleum-based fuels or hydraulic fluid used for construction equipment with the potential of accidental release. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and federal law.

The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Improvements that would occur include extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Proposed operations would not involve the use of hazardous materials creating a significant hazard to the public or the environment. The proposed Project would not introduce new uses that would involve new or increased use of hazardous materials within the site and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. The Project site is not located within 0.25-mile of an existing or proposed school. The closest school to the Project site is Laguna Beach High School, which is located approximately 3-miles north of the Project site. Thus, the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of an existing or proposed school.

Mitigation Measures: No mitigation measures are required.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact. Government Code Section 65962.5, commonly referred to as the "Cortese List," requires the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB) to compile and update a regulatory sites list (pursuant to the criteria of the Section). The California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and that are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires

the local enforcement agency, as designated pursuant to Section 18051 of Title 14 of the California Code of Regulations, to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The Project site is not included on any of the data resources identified as meeting the Cortese List requirements.⁶ Therefore, the Project site has not been included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site is not located within an airport land use plan, nor is the Project site located within two miles of a public airport or public use airport. The closest airport to the Project site is John Wayne Airport, located approximately 18 miles to the north of the site. Thus, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area.

Mitigation Measures: No mitigation measures are required.

f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less Than Significant Impact. The City has adopted a Local Hazard Mitigation Plan (LHMP), Wildfire Mitigation and Fire Safety Report, and an evacuation plan. The LHMP was approved by FEMA and adopted by the Laguna Beach City Council in August of 2018.⁷ The Wildfire Mitigation and Fire Safety Report was developed at the request of City Council in December 2018 to analyze the wildfire risk in the community and to identify possible actions to be taken to mitigate this risk.⁷ The Laguna Beach Fire and Police Departments ensure that the City's emergency access routes, emergency contact lists, and public information regarding designated facilities and routes are regularly reviewed to ensure that up to date information is available to the City and the public in the event of an emergency.

Regional access to the site is provided via the Pacific Coast Highway (SR-1) located southwest of the Project site. Local access to the Project site is provided from Marlin Drive. Within the Project area, Nyes Place and Balboa Avenue to Kendall Drive provide access to Marlin Drive. Construction vehicles and equipment would be staged along Marlin Drive and within the Project site. Construction activities are not anticipated to result in significant traffic or queuing along Marlin Drive or other roadways within the area that could potentially impede emergency vehicles or impair any emergency evacuation plan. The Project site is bounded by Marlin Drive to the south, a residential development zoned R-1 to the east and west, and the northern portion of the undeveloped parcel zoned R/HP, which includes high value habitat and a mapped water course. The existing cul-de-sac at the end of Marlin Drive is approximately 48 feet in diameter. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin

⁶ California Department of Toxic Substances Control, *EnviroStor*, <https://www.envirostor.dtsc.ca.gov/public/map/> accessed November 21, 2022.

⁷ City of Laguna Beach, *Plans Policies, Reports*. Available at <https://www.lagunabeachcity.net/live-here/emergency-management/plans-policies-reports>. Accessed November 21, 2022.

Drive for the potential future development of a single-family residence. No development is proposed at this time.

The proposed improvements would not involve substantial physical modifications to Marlin Drive such as reducing the width or length of the roadway or modifying the grade or alignment of the roadway that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and, as such, impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

Less Than Significant Impact. According to the General Plan and CalFire Fire Hazard Severity Zone Maps, the Project site and surrounding area are located within a Very High Fire Hazard Severity Zone (VHFHSZ). The Project site parcel is currently undeveloped. The Project would extend the paved road along Marlin Drive approximately one foot into the existing parcel as part of the driveway, include the construction of a concrete curb cut and drive apron per City standards and, relocate existing utilities (as necessary). No structural development is proposed; as such, the Project would not expose structures to a significant risk of loss involving wildland fires. Laguna Beach Municipal Code Title 15, *Fire*, adopts the State Fire Code, and regulates life support services for nonresidents. Compliance with Municipal Code, and State and federal regulations pertaining to fire safety, would ensure the Project does not expose people to a significant risk of loss, injury or death involving wildland fires. Impacts would be less than significant. Refer also to Section 4.20, *Wildfire*.

Mitigation Measures: No mitigation measures are required.

4.10 Hydrology and Water Quality

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Surface Water and Flooding				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c. 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: i) result in a substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less than Significant Impact. The Project site parcel is currently undeveloped and does not consume or dispose of any water or wastewater. The Project proposes to extend the roadway through the installation of a curb cut and drive apron along Marlin Drive. The Project does not propose any development at this time; thus, the Project would not violate any waste discharge requirements. Construction activities

associated with the Project may have the potential to create waste, such as dust or exposed soils, that could degrade surface and/or ground water quality. The Project would be required to comply with Laguna Beach Municipal Code Chapter 16.01, Water Quality Control, Section 16.01.040, Control of urban runoff, which requires prior to issuance of a grading permit, building permit, or coastal development permit, the community development department shall review the project plans and impose BMPs, terms, conditions and requirements on the project to ensure that pollutant discharges are prevented, reduced or removed to the extent practicable. As such, the Project would not violate any water quality standards or waste discharge requirements; substantially degrade surface or groundwater; conflict with or obstruct implementation of a water quality control plan. Impacts are considered to be less than significant.

b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Less than Significant Impact. The Project site parcel is currently undeveloped. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Improvements that would occur include extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The proposed Project would not substantially increase the amount of impervious surface area. Neither the construction or operational phases of the Project are expected to substantially decrease groundwater supplies nor interfere substantially with groundwater recharge. As such, Project impacts would be less than significant in this regard.

c) *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:*

i) result in a substantial erosion or siltation on- or off-site;

ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
or

iv) impede or redirect flood flows?

Less than Significant Impact. There are two drainage paths that run through the Project site parcel (GLA, 2018). The Project site parcel, including the approximately 37-square foot Project site (per Tact Map No. 6029), is undeveloped. The parcel has varied topography, portions of which have been previously graded, and consists of a combination of coastal-sage scrub and chaparral, areas with non-native vegetation and grasses, and areas that have been previously disturbed. The Project site has previously been graded with flat terrain and no vegetation.

Large earthwork construction activities that could result in substantial erosion or siltation are not anticipated. In the proposed condition, drainage would follow a similar pattern as existing conditions. The Project would maintain existing grades and drainage patterns across the site. The Project would not

substantially increase the rate of surface runoff or impede flood flows, as the amount and location of pervious and impervious surface areas are expected to be similar to the existing site conditions. Further, according to FEMA, the Project site is not located within a flood hazard zone.⁸ The Project does not proposed any alteration to existing drainage patterns of the area, nor would construction and implementation of the Project inadvertently alter drainage patterns. The proposed Project would not substantially increase the amount of impervious surface area.

d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

No Impact. Tsunamis are sea waves that are generated in response to large-magnitude earthquakes, which can result in coastal flooding. Seiches are the oscillation of large bodies of standing water, such as lakes, that can occur in response to ground shaking. According to FEMA, the Project site is not located within a flood hazard, tsunami, or seiche zone.⁹ Thus, no impacts associated with risk of pollutants due to project inundation would occur.

e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

No Impact. The Project site parcel is currently undeveloped. The Project proposes to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Improvements that would occur include extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary).

The Project site is not in a designated groundwater recharge area and due to minimal site preparation required by the proposed Project, groundwater is not anticipated to be encountered during construction. The proposed roadway extension would not produce or consume water or groundwater. The Project would not introduce new uses or pollutants to the area. Construction activities would adhere to local, State, and federal regulations regarding construction emissions to ensure water quality is not significantly degraded. As such, the Project would not be in conflict with any water quality control plans or sustainable groundwater management plans; no impacts would occur.

Mitigation Measures: No mitigation measures are required.

⁸ Federal Emergency Management Agency (FEMA), *Flood Map Service Center: Search by Address*. Available at <https://msc.fema.gov/portal/search?AddressQuery=749%20marlin%20drive%2C%20laguna%20beach%2C%20ca#searchresultsanchor>. Accessed November 22, 2022.

⁹ Federal Emergency Management Agency, *Flood Map Service Center*. Available at <https://msc.fema.gov/portal/search?AddressQuery=749%20marlin%20drive%2C%20laguna%20beach%2C%20ca#searchresultsanchor>. Accessed November 21, 2022.

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4.11 Land Use and Planning

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?				X
b. 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?			X	

a) Physically divide an established community?

No Impact. The Project site is currently undeveloped and is designated Residential/Hillside Protection (R/HP). The site is bounded by Marlin Drive to the south, a residential development zoned R-1 to the east and west, and the northern portion of the undeveloped parcel zoned R/HP. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; no residential development is currently proposed. The proposed Project would not physically divide or separate the residential neighborhood within the surrounding area as no structural development is proposed. The Project would construct a concrete curb cut and drive apron per City standards and relocate existing utilities (as necessary). Thus, no impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

b. 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?

Less Than Significant Impact. The Project site is zoned Residential/Hillside Protection (R/HP) and the adjoining residences are zoned R-1 or part of the Arch Beach Heights Specific Plan. The intent and purpose of the R/HP zone is to allow for low-intensity, residential development that addresses concerns for public health and safety and promotes the design criteria set forth in Municipal Code Section 25.15.004, *R/HP Residential/Hillside Protection Zone*. The proposed extension of an existing residential road approximately one foot into the existing parcel would not conflict with General Plan land use and zoning for the Project site parcel. The road extension of Marlin Drive, if approved, would be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.

The Laguna Beach General Plan includes policies to avoid or mitigate potential environmental effects associated with development. Table 4.11-1, General Plan Policy Consistency, identifies the General Plan policies applicable to the proposed Project and Project site. As demonstrated in Table 4.11, the proposed Project would not conflict with applicable General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect.

**Table 4.11-1
General Plan Consistency Analysis**

General Plan Policy	Consistency Analysis
<p>Policy 2.3: Preserve and enhance the qualities that contribute to the character of the residential community, including quiet neighborhoods, pedestrian use of streets, and appropriate levels of illumination and nighttime activity and seek to mitigate the effects of high-volume thru-traffic.</p>	<p><u>Consistent</u>. The Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). The Project would not conflict with the character of the existing residential community, increase noise, conflict with pedestrian use of the Marlin Drive or introduce new lighting to the area. Marlin Drive would continue to remain a cul-de-sac under proposed Project conditions.</p>
<p>Policy 7.7: Protect marine resources by implementing methods to minimize runoff from building sites and streets to the City’s storm drain system (e.g., on-site water retention). (<i>Same as Policy 10.7.</i>)</p>	<p>Consistent. As discussed in Section 4.9, Hydrology and Water Quality, the proposed extension of Marlin Drive by one foot into the existing parcel would not alter existing drainage and runoff conditions associated with the Project site parcel.</p>
<p>Policy 7.10 : Require new construction and grading to be located in close proximity to preexisting development to minimize environmental impacts and growth-inducing potential.</p>	<p><u>Consistent</u>. The proposed Project would extend an existing roadway that currently serves existing residential development by approximately one foot into a parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). Although the Project site parcel is currently undeveloped, the parcel is zoned for residential development and the surrounding area is currently development. Thus, the proposed Project would not introduce new uses or construction activity within an area not already developed or anticipated for development.</p>
<p>Policy 9.6: Continue to prohibit new roads or extensions of existing roads that are inconsistent with the Municipal Code and General Plan.</p>	<p>Consistent. The Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). Marlin Drive would continue to remain a cul-de-sac under proposed Project conditions and would not be inconsistent with the Municipal Code and General Plan.</p>

General Plan Policy	Consistency Analysis
<p>Policy 9.8: Avoid the extension of community facilities, roads, and other infrastructures into environmentally sensitive areas when surplus capacities could facilitate or discourage extension of new development detrimental to those areas. Avoid the extension of roads and other infrastructure for the support of cellular/radio communication towers into environmentally sensitive areas and to protect public coastal views whenever feasible.</p>	<p>Consistent. As discussed in Section 4.4, Biological Resources, the Project site consists of an approximately one foot by 37-feet (37 square feet) portion of the approximately 1.96-acre Project site parcel. The Project site parcel occurs partially within an area designated as a high value habitat. According to the Bio-Technical Report and Memorandum, the Project site parcel contains areas of potentially suitable habitat for the federally listed, threatened coastal California gnatcatcher (<i>Polioptila californica californica</i>). However, surveys were conducted from May 6, 2019 through June 11, 2019 in all areas of potentially suitable habitat within the survey area in accordance with U.S. Fish and Wildlife Service (USFWS) guidelines; no California gnatcatchers were observed or detected within the specified survey area. The area of potentially suitable habitat for the coastal California gnatcatcher is not located within the Project site area. The proposed Project would not affect any sensitive or special status species as the potential improvements associated with the Project include the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary) within an area of the Project site parcel containing no suitable habitat for candidate, sensitive or special status species.</p>
<p>Policy 9.11: Ensure adequate evaluation of environmental impacts, coastal hazards, rates of erosion, sea level rise, tsunami hazard and safety hazards associated with public facilities and infrastructure improvements.</p>	<p>Consistent. The environmental analysis included within the Initial Study evaluates the potential environmental impacts associated with the proposed roadway extension. The road extension of Marlin Drive, if approved, would be contingent upon approval of design review and coastal development permit for a single-family residence and any further associated CEQA compliance.</p>

The City Design Guidelines for Hillside Development (adopted 1989) establish guidelines and frameworks to regulate the design and development of uses within the R/HP zone. As the proposed Project does not include structural development, but rather extends the paved road of Marlin Drive approximately one foot into the existing parcel as part of the driveway, the Project would not conflict with the hillside guidelines of the R/HP zone and impacts would be less than significant.

As discussed, the Project would be consistent with the General Plan land use designation and would be consistent with the zoning for the Project site. Further, the Project would be consistent with the City imposed development standards for the R/HP zone. Thus, the proposed Project would not 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.

Mitigation Measures: No mitigation measures are required.

4.12 Mineral Resources

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

No Impact. The State Mining and Geology Board (SMGB) establishes Mineral Resources Zones (MRZs) to designate lands that contain mineral deposits. The following classifications are used by the State to define MRZs:

- **MRZ-1:** Areas where the available geologic information indicates no significant likelihood of significant mineral deposits.
- **MRZ-2a:** Areas where the available geologic information indicates that there are significant mineral deposits.
- **MRZ-2b:** Areas where the available geologic information indicates that there is a likelihood of significant mineral deposits.
- **MRZ-3a:** Areas where the available geologic information indicates that mineral deposits exist. However, the significance of the deposit is undetermined.
- **MRZ-3b:** Areas where the available geologic information indicates that mineral deposits are likely to exist. However, the significance of the deposit is undetermined.
- **MRZ-4:** Areas where there is not enough information available to determine the presence or absence of mineral deposits.

The Laguna Beach General Plan does not discuss the presence of mineral resources, and the Department of Conservation Mineral Land Classification Map states: the greater Orange County area was classified as an important MRZ for Portland cement concrete (PCC) grade aggregate by the State Department of Conservation. This resource area (Ventura, Los Angeles, and Orange Counties) was previously mined for sand and gravel materials by the El Toro Materials Sand and Gravel Operation. However, the aggregate mining operation is no longer active and the region has since been vastly developed.

The Project site is currently undeveloped. The Project site and surrounding area are not identified as MRZs and the Project would not result in the loss of availability of known mineral resources of value to the region or result in the loss of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact to mineral resources would occur.

Mitigation Measures: No mitigation measures are required.

4.13 Noise

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. 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?			X	
b. Generation of excessive groundborne vibration or groundborne noise levels?			X	
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

REGULATORY FRAMEWORK

Laguna Beach General Plan

General Plan Noise Element Table 3 identifies the maximum allowable noise exposure standards to ensure acceptable noise levels for existing and future development and performance standards for stationary noise sources; refer to [Table 4.13-1, *Noise/Land Use Compatibility Guidelines*](#).

The Noise Element establishes the following goals, policies, and actions:

Goal 4: Develop measures to control construction noise impacts.

Policy 4.1: Consider incorporating the following provisions into the Noise Ordinance to address the problems of construction noise:

Action 4.1: Clearly state the permitted hours of construction and expressly prohibit construction on Saturday, Sunday and Holidays.

Action 4.2: Consider exempting the resident/builders in single family zones from the Saturday, Sunday, and Holiday construction ban for maintenance purposes only, provided such maintenance is limited to the hours specified in the Noise Ordinance or meets the noise limits set in the Noise Ordinance.

**Table 4.13-1
Noise/ Land Use Compatibility Guidelines**

Land Use Category	Use	Interior Spaces	
		Interior CNEL ¹	Exterior CNEL ²
Residential	Single Family, Two Family, Multiple Family	45 ⁽³⁾	65
	Mobile Home	45	65
Commercial, Industrial, Institutional	Hotel, Motel, Transient Lodging	45	65
	Commercial Retail, Bank, Restaurant	55	--
	Office Building, Research and Development, Professional Offices, Civic Office	50	--
	Amphitheatre, Concert Hall, Auditorium, Meeting Hall	45	--
	Gymnasium (Multipurpose)	50	--
	Sports Club	55	--
	Manufacturing, Warehousing, Wholesale, Utilities	65	--
	Movie Theatres	45	--
Institutional	Hospital, School's Classroom	45	65
	Church, Library	45	--
Open Space	Parks	--	65
Source: <i>City of Laguna Beach General Plan Noise Element; Table 3</i>			
Notes:			
1. Indoor environment excluding: bathrooms, toilets, closets, corridors.			
2. Outdoor environment limited to: Private yard of single family; Multi-family private patio or balcony which is served by a means of exit from inside; Hospital patio; School's playground; and Hotel and motel recreation area.			
3. Noise level requirement with closed windows. Mechanical ventilating system or other means of natural ventilation shall be provided as of Chapter 12, Sec. 1205 of UBC.			

Laguna Beach Municipal Code

Noise Regulations

The aim of Municipal Code Chapter 7.25, *Noise*, is to protect public health, welfare, safety and the quality of life for Laguna Beach residents. Section 7.25.040 establishes exterior noise standards, Section 7.24.050 establishes exemptions, and Section 7.25.080 establishes construction activity noise regulations.

Section 7.25.030, *Designated noise zones*, defines the properties of the various City "noise zones." Noise zones are then used as the categorical point of reference throughout the Municipal Code Title, and are used to determine allowable noise levels, as in Section 7.25.040. Section 7.25.030 states:

The properties hereinafter described shall be assigned to the following noise zones:

Noise zone I—All single, two and multiple-family residential properties;

Noise zone II—All commercial properties;

Noise zone III—The residential portion of mixed use properties;

Noise zone IV—Certain districts in the downtown specific plan area—CBD1, CBD2, CBD visitor commercial, CBD central bluffs and the civic arts district; or

Noise zone V—All manufacturing or industrial properties and all other uses.

Section 7.25.040, *Exterior noise standards*, officiates the following table:

Table 4.13-2
Allowable Exterior Noise Level⁽¹⁾

Noise Zone	Type of Land Use	Allowed Equivalent Noise Level, Leq. ⁽²⁾	
		7 a.m. -10 p.m.	10p.m. -7 a.m.
I	Residential	60 dBA	50 dBA
II	Commercial	65 dBA	65 dBA
III	Residential portion	65 dBA	55 dBA
IV	Downtown specific plan area- CBD1, CBD2 CBD visitor commercial, CBD central bluffs and civic arts district	70 dBA	70 dBA
V	Other uses	70 dBA	60 dBA
Source: <i>City of Laguna Beach Municipal Code Chapter 7.25.040.</i>			
Notes:			
1. If the ambient noise level exceeds the resulting standard, the ambient noise level shall be the standard.			
2. Measurements for compliance are made on the affected property. (See Section 7.25.150 for details.)			

Section 7.25.080, *Construction activity noise regulations*, states:

- (A) Weekdays. No person, while engaged in construction, remodeling, digging, grading, demolition or any other related building activity, shall operate any tool, equipment or machine in a manner which produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a peace or code enforcement officer, on any weekday except between the hours of seven-thirty a.m. and six p.m.
- (B) Weekends and Holidays. No person, while engaged in construction, remodeling, grading, demolition or other related building activity, shall operate any tool, equipment or machine in a manner which produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a peace or code enforcement officer, on any weekend day or any federal holiday.
- (C) No landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control to operate any tool, equipment or machine in violation of the provisions of this section.
- (D) Exceptions.
 - (1) The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the director of community development, building official or their designee.
 - (2) The maintenance, repair or improvement of any public work or facility by public employees, by any person or persons acting pursuant to a public works contract, or by any person or persons performing such work or pursuant to the direction of, or on behalf of, any public

agency; provided, however, this exception shall not apply to the city of Laguna Beach, or its employees, contractors or agents, unless:

- (a) The city manager or a department director determines that the maintenance, repair or improvement is immediately necessary to maintain public services;
 - (b) The maintenance, repair or improvement is of a nature that cannot feasibly be conducted during normal business hours; or
 - (c) The city council has approved project specifications, contract provisions, or an environmental document that specifically authorizes construction during hours of the day which would otherwise be prohibited pursuant to this section.
- (3) Any construction that complies with the noise limits specified in Section 7.25.040 of this chapter.

Construction activities for certain public benefit nonprofit art organizations, specifically the Sawdust Festival, Art-A-Fair and the Laguna Art Museum, shall be permitted between the hours of seven-thirty a.m. and ten p.m. Monday through Friday, seven-thirty a.m. and eight p.m. on Saturday and Sunday. (Ord. 1448 § 1, 2005).

- a) *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?***

Less Than Significant Impact.

Short-Term Construction Noise Impacts

Construction noise would produce short-term noise impacts. The Project proposes to extend the paved road approximately one foot into the existing parcel as part of the driveway, including the construction of a concrete curb cut and drive apron per City standards and relocation of existing utilities (as necessary). The parcel, including the approximately 37-square foot Project site, is undeveloped. The parcel has varied topography, portions of which have been previously graded, and consists of a combination of coastal-sage scrub and chaparral, areas with non-native vegetation and grasses, and areas that have been previously disturbed. The Project site has previously been graded with flat terrain and no vegetation.

Construction activities generally are temporary and have a short duration, resulting in periodic increases in the ambient noise environment. It is expected that short-term noise levels would be noticeable during construction activities. Construction would be limited to the permissible hours in accordance with the City's Municipal Code.

To reduce potential noise impacts to the adjacent residential units, construction activities would be limited to the allowed daytime hours and prohibited on weekends as specified in the City's Noise Ordinance (Municipal Code Title 7, Noise). In addition, all construction equipment would be properly maintained to minimize noise impacts.

Operational Noise Impacts

The Project is not anticipated to generate operational noise impacts as the Project constitutes an extension of the paved road approximately one foot into the existing parcel as part of the driveway, and includes the construction of a concrete curb cut and drive apron per City standards.

With adherence to the regulations established Municipal Code Title 7, *Noise*, and to all other local, State, and federal regulations regarding noise, Project impacts would be less than significant.

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

Less Than Significant Impact. Construction activities can produce vibration that may be felt by adjacent land uses. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

Project construction would not require the use of equipment, such as pile drivers or blasting, which are known to generate substantial construction vibration levels. The primary vibration source during construction would be operation of equipment such as loading trucks and jackhammers. The City has not adopted specific standards for vibration impacts during construction. Therefore, the Caltrans Transportation and Construction Vibration Guidance Manual (2020) is used to evaluate potential construction vibration impacts related to both potential building damage and human annoyance. According to the manual, construction vibration impacts would be significant if vibration levels exceeded 0.5 peak particle velocity (inches per second) for residential structures. The nearest residential structure to the Project site is located approximately 45 feet to the west. A large bulldozer has a peak particle velocity of 0.089 (inches per second) at 25 feet and a jackhammer has a peak particle velocity of 0.035 (inches per second).¹⁰ Therefore, according to the Caltrans vibration criteria, groundborne vibration from typical construction equipment would not exceed the applicable threshold of a peak velocity of 0.5 (inches per second). In addition, construction activities would be limited to the allowed daytime hours and prohibited on weekends as specified in the City's Noise Ordinance (Municipal Code Title 7, Noise). Vibration impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site is not located within an airport land use plan, nor is the Project site located within two miles of a private airstrip, public airport, or public use airport. Thus, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project area. No impacts are anticipated to occur.

Mitigation Measures: No mitigation measures are required.

¹⁰ Transit Noise and Vibration Impact Assessment, Federal Transit Administration, May 2006.

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4.14 Population and Housing

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

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

Less Than Significant Impact. The Project would not induce substantial unplanned population growth directly through new homes or indirectly through the extension of roads or other infrastructure. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. The Project site parcel has a General Plan land use designation of Residential/Hillside Protection indicating that potential development of the Project site parcel with low-density residential has been accounted for under General Plan build-out. Thus, the Project would not induce substantial unplanned population growth to the area either directly or indirectly and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

No Impact. The Project site is currently undeveloped. Thus, the proposed Project would not displace existing people or housing, and would not necessitate the need for construction of replacement housing elsewhere.

Mitigation Measures: No mitigation measures are required.

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4.15 Public Services

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1) Fire protection?				X
2) Police protection?				X
3) Schools?				X
4) Parks?				X
5) Other public facilities?				X

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

1) *Fire protection?*

No Impact. Laguna Beach Fire provides fire protection and emergency response services to the City, including the Project site. There are four fire stations within Laguna Beach.¹¹ Fire Station 2, located at 285 Agate Street, approximately 2.0 miles north of the Project site, is the nearest fire station to the site. Station 2 is staffed with a Captain, Engineer, and Firefighter and is the largest fire station in the City. In addition, a two-person ambulance crew also responds out of this station.¹²

¹¹ City of Laguna Beach, *Fire Stations*. Available at <https://www.lagunabeachcity.net/government/departments/fire/operations/fire-stations>. Accessed November 21, 2022.

¹² City of Laguna Beach, *Fire Stations, Station 2*. Available at <https://www.lagunabeachcity.net/Home/Components/FacilityDirectory/FacilityDirectory/8/544>. Accessed November 21, 2022.

The Project proposes to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. The proposed Project would not result in the need for construction of new or physically altered fire facilities. Service to the Project site by Laguna Beach Fire occurs under existing conditions and Project implementation is not anticipated to increase calls for service or alter response times or other performance objectives that would result in the need for new or substantially altered Laguna Beach Fire facilities. In addition, the Project would be required to comply with the California Fire Code, as amended, in accordance with Laguna Beach Municipal Code Chapter 15.01, *California Fire Code*. Implementation of all Fire Code requirements would further reduce potential impacts concerning fire protection services. The Project would not require the need for new or physically altered fire station facilities in order to maintain acceptable service ratios, response times or other performance objectives.

Mitigation Measures: No mitigation measures are required.

2) Police protection?

No Impact. Laguna Beach Police Department provides law enforcement services to the City, including the Project site. Police Services for the City are located at 505 Forest Avenue, approximately 3.5 miles north of the Project site.¹³

The proposed Project would not result in the need for construction of new or physically altered police facilities. Similar to fire protection services, Laguna Beach Police currently provides services to the Project site under existing conditions and the proposed Project is not anticipated to increase calls for service or alter response times or other performance objectives that would result in the need for new or substantially altered law enforcement facilities. The Project would not require the need for new or physically altered police facilities in order to maintain acceptable service ratios, response times or other performance objectives.

Mitigation Measures: No mitigation measures are required.

3) Schools?

No Impact. The Project does not propose development at this time; therefore, the Project would not directly result in new students to the Laguna Beach Unified School District. Additionally, the proposed Project would not result in an increase in employees to the Project site, indirectly resulting in a significant increase in potential new students to the Laguna Beach Unified School District. The Project would not require the need for new or physically altered school facilities.

Mitigation Measures: No mitigation measures are required.

¹³ City of Laguna Beach, Police Department. Available at <https://www.lagunabeachcity.net/government/departments/police>. Accessed November 21, 2022.

4) Parks?

No Impact. According to the General Plan Land Use Element, the City of Laguna Beach maintains 29 oceanfront parks and viewing areas totaling approximately 24.7 acres. In addition, the City's 6.2 miles of coastline provide beach recreational opportunities, with public access to approximately 82 acres of sandy beaches. Community recreational needs are further supplemented by 13 neighborhood parks, totaling 11.3 acres and a25 acres of outdoor recreational facilities provide by LBUUSD. Combined with parks and beach, total public recreational acreage in Laguna Beach is approximately 143 acres. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; no residential development is currently proposed. Thus, the proposed Project would not induce substantial unplanned population growth within the City that would potentially result in a significant increase in the use of existing parks within the area. The proposed Project would not involve the construction of new park facilities nor would it result in the need for new or physically altered park facilities. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered park facilities.

Mitigation Measures: No mitigation measures are required.

5) Other public facilities?

No Impact. As described in Section 4.14, *Population and Housing*, the Project would not involve a significant increase in new residents to the City of Laguna Beach, as the Project proposes construction of a concrete curb cut and drive apron per City standards and, the relocation of existing utilities (as necessary). No structural development is proposed. Employment-generating uses currently do not occur within the site, as the site is undeveloped. The proposed Project would not result in the need for new or physically altered public facilities. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered public facilities.

Mitigation Measures: No mitigation measures are required.

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4.16 Recreation

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

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

No Impact. Refer to Response to 4.15(a)(4).

Mitigation Measures: No mitigation measures are required.

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

No Impact. Refer to Response to 4.15(a)(4). The development of recreational facilities is not proposed as part of the Project. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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4.17 Transportation

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b. Conflict or be inconsistent with CEQA Guidelines s § 15064.3, subdivision (b)?				X
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d. Result in inadequate emergency access?			X	

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact.

Transit Facilities

Orange County Transportation Authority (OCTA) provides public transportation services within the City of Laguna Beach and surrounding jurisdictions. There are no transit facilities located adjacent to the Project site. An OCTA bus stop is located at the corner of Victoria and Pacific Coast Highway, approximately one mile south of the Project site. In addition, the City of Laguna Beach operates a City-run public trolley system that is free to use. There are trolley stops located along either side of the Pacific Coast Highway; the nearest trolley stop to the Project site is located at the Nyes intersection, approximately one mile south of the site.

No modifications to routes or the bus stops within the area would occur as a result of the proposed Project. Project implementation would not conflict with a program plan, ordinance or policy addressing the circulation system specific to transit facilities; no impacts would occur in this regard.

Roadway Facilities

Regional access to the site is provided via the Pacific Coast Highway (SR-1) located southwest of the Project site. Local access to the Project site is provided from Marlin Drive. Within the Project area, Nyes Place and Balboa Avenue to Kendall Drive provide access to Marlin Drive. The existing cul-de-sac at the end of Marlin Drive is approximately 48 feet in diameter. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. Extension of the roadway one foot into the parcel would not conflict with a program plan,

ordinance or policy addressing the circulation system. Marlin Drive would remain a local roadway providing access to residential uses.

Bicycle Facilities

No existing or planned bicycle facilities occur on Marlin Drive. The proposed extension of the Marlin Drive one foot into the existing parcel, including the construction of a concrete curb cut and drive apron would not conflict with a program plan, ordinance or policy specific to bicycle facilities.

Pedestrian Facilities

Sidewalks are currently provided along the western side of Marlin Drive, including adjacent to the Project site. The Project would not reduce the amount of existing sidewalks surface area. Potential improvements associated with the Project that would occur include extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The Project would not conflict with a program, plan, ordinance or policy addressing pedestrian facilities and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?

No Impacts. CEQA Guidelines Section 15064.3(b) identifies appropriate criteria for evaluating transportation impacts. It states that land use projects with VMT exceeding an applicable threshold of significance may indicate a significant impact, and that projects that decrease VMT compared to existing conditions should be presumed to have a less than significant transportation impact. Potential improvements associated with the Project that would occur include the extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). No development is proposed at this time; therefore, operation of the Project would not generate vehicle trips. According to the Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (2018), land use projects such as the project "that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact." Therefore, because the Project would not generate any new vehicle trips, the Project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3 (b). No impact would occur.

Mitigation Measures: No mitigation measures are required.

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

Less than Significant Impact. The Project site is part of an existing residential neighborhood that is currently served by local roadways and access driveways. The Project site would continue to be accessed by the existing roadway, Marlin Drive. Potential improvements associated with the Project include the extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Thus, the proposed Project does not include any design features or uses that may cause traffic hazards such as sharp curves, tight turning radii from streets, limited roadway visibility, short

merging lanes, uneven road grades, or any other conditions determined by the City engineer to be a hazard. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

d) Result in inadequate emergency access?

Less Than Significant Impact. Regional access to the site is provided via the Pacific Coast Highway (SR-1) located southwest of the Project site. Local access to the Project site is provided from Marlin Drive. Within the Project area, Nyes Place and Balboa Avenue to Kendall Drive provide access to Marlin Drive. The existing cul-de-sac at the end of Marlin Drive is approximately 48 feet in diameter. The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Potential improvements associated with the Project include the extension of the paved road (Marlin Drive) approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Construction activities are not anticipated to result in significant traffic or queuing along Marlin Drive or other roadways within the area that could potentially impede emergency vehicles or impair any emergency evacuation plan. The proposed improvements would not involve physical modifications to Marlin Drive such as reducing the width or length of the roadway or modifying the grade or alignment of the roadway that would result in inadequate emergency access to the Project site. Impacts would be less than significant.

Please refer to [Section 4.20, *Wildfire*](#), for further discussion on emergency and evacuation access.

Mitigation Measures: No mitigation measures are required.

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4.18 Tribal Cultural Resources

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. 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:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			X	

a) *Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*

- 1) *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)?***
- 2) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Less Than Significant Impact. Assembly Bill (AB) 52 requires that lead agencies evaluate a project’s potential impact on “tribal cultural resources”, which include “[s]ites, features, places, cultural

landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources". AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource." AB 52 applies whenever a lead agency adopts an environmental impact report, mitigated negative declaration, or negative declaration.

AB 52 also establishes a formal consultation process for California tribes regarding tribal cultural resources. Under AB 52 the lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project". Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. In compliance with AB 52, the City of Laguna Beach provided formal notification via email and hardcopy mailing via the United States Postal Service (USPS) to those California Native American Tribal representatives requesting notification in accordance with AB 52; refer to Appendix D, Tribal Consultation Communications. The consultation letters provided information regarding the proposed Project and contact information for the Project Planner. Under AB 52, Native American tribes have 30 days to respond and request further project information and formal consultation. The 30-day consultation was initiated on November 23, 2022; a response or request for consultation was not received.

As discussed in Section 4.5, Cultural Resources, the Project site and surrounding area do not include any structures that are eligible for listing in the CRHR, listed in a local register of historic resources, or identified by the City of Laguna Beach General Plan Historic Resources Element as historically or archeologically significant. As construction activities associated with the proposed Project would occur on already disturbed and developed land (the existing roadway), and do not require major ground disturbance or earthwork activities, it is unlikely the Project would affect potential tribal cultural resources. Further, due to the extensive ground disturbance that occurred within the Project site's surrounding area associated with construction of the existing development and the minimal grading and excavation that would occur with the proposed Project, the potential for the proposed Project to disturb previously undiscovered tribal cultural resources is unlikely.

However, in the unlikely event where tribal cultural resources are found, the resources would require proper treatment in accordance with applicable laws, including CEQA Code Section §21084.3 and California Code of Regulations (CCR) §15064.5. CEQA Code Section §21082.3(e) states that if the mitigation measures recommended by the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of the consultation or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to subdivision (b) of Section §21084.3. Section §21084.3 provides examples of mitigations measures that may be considered to avoid or minimize the significant adverse impact to tribal cultural resources. Further, CCR §15064.5 protects historical resources, archeological sites, human remains, and dedicated cemeteries. Following compliance with the established regulatory framework (CEQA Code Section §21084.3 and CCR §15064.5), which detail the appropriate actions required in the event cultural resources are encountered, the Project's potential impacts concerning tribal cultural resources would be less than significant.

The Project proposes to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. The surrounding area has been altered by previous

ground disturbance associated with development of the area. The Project site has previously been graded with flat terrain and no vegetation. Significant grading and earthwork activities would not occur. Due to the extensive ground disturbance that occurred within the Project site's surrounding area, the presence of engineered fill materials within the site, and the minimal grading that would occur with the proposed Project, the likelihood of encountering tribal cultural resources in the Project site is considered low. However, in the unlikely event that buried resources are encountered during ground disturbance activities, the Project would be required to comply with State regulations (CEQA Code Section §21084.3 and CCR §15064.5) which would require avoidance and preservation of all tribal cultural resources discovered. With compliance to State regulations, the Project would not cause a substantial adverse change in the significance of tribal cultural resource and impacts would be reduced to less than significant.

Mitigation Measures: No mitigation measures are required.

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4.19 Utilities and Service Systems

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			X	
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?				X
c. 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?				X
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

a) *Require or result in the relocation or construction of new or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less Than Significant Impact.

Water

The Project site area is within the service area of Laguna Beach County Water District (LBCWD). Surrounding uses (residential uses) receive water services from LBCWD. However, the Project site does not currently receive water services, as the site is undeveloped. Potential improvements associated with the Project would include construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). As the Project would involve extension of an existing roadway approximately one foot into the existing parcel, implementation of the Project would not require new or

expanded water services, the construction or relocation of which could cause significant environmental effects.. Existing LBCWD water lines located in the surrounding area would continue to serve existing residential development within the Project area. No impacts would occur.

Refer to Response 4.19(b) regarding water supply.

Wastewater and Wastewater Treatment

Wastewater service in the community is supplied by the City of Laguna Beach and the South Orange County Wastewater Authority (SOCWA) (City of Laguna Beach, 2018). Potential improvements associated with the Project would include construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The Project would involve extension of an existing roadway approximately one foot into the existing parcel and therefore would not require the relocation or construction of new or expanded SOCWA wastewater facilities, the construction or relocation of which could cause significant environmental effects. Existing SOCWA wastewater lines located within the surrounding area would continue to serve existing residential development within the Project area. No impacts would occur.

Refer to Response 4.19(c), regarding wastewater treatment.

Stormwater Drainage

The proposed Project would not interfere with storm drains as the Project does not propose any structural development, and does not substantially alter the amount or location of impervious surfaces. Stormwater runoff and drainage paths would not change with implementation of the Project. The potential environmental effects associated with construction and operation of the Project would be less than significant with compliance with regulatory stormwater requirements, including those presented in Municipal Code Chapter 16.01, *Water Quality Control*. Thus, the proposed Project would not require or result in relocation or construction of new or expanded storm water drainage facilities, the construction or relocation of which could cause significant environmental effects.

Refer to Section 4.10, *Hydrology and Water Quality*, regarding drainage patterns and the Project's hydrology and drainage conditions.

Electricity, Natural Gas, and Telecommunications

The Project site is within the service area of SCE and Southern California Gas Company. Telecommunication services are provided by a variety of companies and are typically selected by the individual customer. However, since the Project site is currently undeveloped, SCE, Southern California Gas Company, and telecommunications services are not utilized.

The proposed Project would not require connection to electrical, natural gas, or telecommunications infrastructure, and no off-site improvements are proposed. The potential environmental effects associated with the construction and operation of the Project, would be less than significant with compliance with regulatory requirements. Additionally, the Project's energy demand is analyzed in Response 4.6(a), which finds that the Project would not cause or result in the need for additional energy producing or transmission facilities. Thus, the proposed Project would not require or result in relocation or construction of electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Mitigation Measures: No mitigation measures are required.

- b) *Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

No Impact. Laguna Beach County Water District (LBCWD) and South Coast Water District supply water to the City. The Project site is within the LBCWD jurisdiction; however, services are not currently utilized. The Project proposes to extend the northerly end of Marlin drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; no residential development is currently proposed. The proposed roadway extension would not generate new or increased demand for water supplies. Thus, no impact would occur.

Mitigation Measures: No mitigation measures are required.

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

No Impact. The Project site does not currently generate wastewater. The Project proposes to extend the northerly end of Marlin drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence; no residential development is currently proposed. The proposed roadway extension would not generate new wastewater requiring treatment. Thus, no impact would occur.

Mitigation Measures: No mitigation measures are required.

- d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***
- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Less Than Significant Impact. Waste Management provides solid waste and recycling collection services to the City of Laguna Beach.¹⁴ The currently undeveloped Project site does not generate any solid waste. Construction activities associated with the Project could generate solid waste requiring disposal. Potential improvements associated with the Project would include construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary); the operational phase of the Project would not generate solid waste requiring disposal. The California Green Building Standard Codes (CALGreen) set recycling requirements for construction and demolition (C&D) projects that occur with the City.¹⁵ Projects are required to reuse, recycle, salvage or divert a minimum percentage or amount of

¹⁴ City of Laguna Beach, *Organics, Recycling, & Trash*. Available at <https://www.lagunabeachcity.net/government/departments/public-works/recycling-waste-and-compost>. Accessed November 22, 2022.

¹⁵ City of Laguna Beach, *Construction & Demolition Recycling*. Available at <https://www.lagunabeachcity.net/government/departments/public-works/recycling-waste-and-compost/construction-demolition-recycling>. Accessed November 22, 2022.

construction and demolition debris in accordance with the requirements of the California Building Standards Code. The Project would be required to comply with the CALGreen standards to ensure impacts remain less than significant.

Thus, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

4.20 Wildfire

<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The Project site is identified as being within a Very High Fire Hazard Severity Zone (VHFHSZ), according to CalFire.¹⁶ While the Project site is currently undeveloped, the surrounding area is currently developed with low-density residential and open space uses.

The City operates its own emergency departments: Laguna Beach Fire Department and Laguna Beach Police Department. The Fire Department actively participates in the county-wide automatic mutual aid system which dispatches the closest available resource, regardless of jurisdiction, to an emergency incident.¹⁷ Among other tasks, the Emergency Management Division prepares evacuation routes for the City.¹⁸ The City of Laguna Beach is broken down into 22 different Evacuation Management Zones. Each

¹⁶ CalFire, *Fire Hazard Severity Zones Maps*, Available at https://osfm.fire.ca.gov/media/5885/c30_lagunabeach_vhfs.pdf. Accessed November 22, 2022.

¹⁷ City of Laguna Beach, *Operations*. Available at <https://www.lagunabeachcity.net/government/departments/fire/operations>. Accessed November 22, 2022

¹⁸ City of Laguna Beach, *Emergency Management*. Available at <https://www.lagunabeachcity.net/live-here/emergency-management> Accessed November 22, 2022

zone has a specific evacuation map that can be found on the City's website.¹⁹ The City of Laguna Beach uses multiple methods to communicate to residents and visitors during an emergency or to relay time-sensitive information. Some, like Local Text Alerts via Nixle and Alert OC, require you to sign up. Others, like Wireless Emergency Alerts, are broadcast to everyone within a certain area.²⁰

The Project proposes a Road Extension and a Coastal Development Permit to extend the northerly end of Marlin Drive approximately one foot by 37 feet in order to provide access from Marlin Drive for the potential future development of a single-family residence. No development is proposed at this time. Potential improvements associated with the Project that would occur include an extension of the paved road approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Regional access to the Project site is provided via the Pacific Coast Highway (SR-1) located southwest of the Project site. Local access to the Project site is provided from Marlin Drive. Within the Project area, Nyes Place and Balboa Avenue to Kendall Drive provide access to Marlin Drive. The Project site is bounded by Marlin Drive to the south, which has an existing cul-de-sac at the end of the road that is approximately 48 feet in diameter. Construction activities are not anticipated to result in significant traffic or queuing along other roadways within the area that could potentially impede emergency vehicles or impair any emergency evacuation plan.

The proposed improvements would not involve substantial physical modifications to Marlin Drive such as reducing the width or length of the roadway or modifying the grade or alignment of the roadway that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?*

Less Than Significant Impact. The Project site is located within a VHFHSZ within a Local Responsibility Area (LRA). While the Project site is currently undeveloped, the surrounding area is currently developed with low-density residential and open space uses. Potential improvements associated with the Project that would occur include an extension of the paved road approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The Project site has previously been graded with flat terrain and no vegetation, and would not create or alter slopes or make any modifications to the adjacent open space area. Implementation of the Project would not exacerbate wildfire risks or expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire beyond existing conditions. Impacts would be less than significant.

¹⁹ City of Laguna Beach, *Neighborhood Evacuation Maps & Routes*. Available at <https://www.lagunabeachcity.net/live-here/emergency-management/evacuation-planning>. Accessed November 22, 2022

²⁰ City of Laguna Beach, *Alert & Warning Systems*. Available at <https://www.lagunabeachcity.net/live-here/emergency-management/alert-and-warning-system>. Accessed November 22, 2022

Mitigation Measures: No mitigation measures are required.

- c) ***Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***

Less Than Significant Impact. The Project site is located within a VHFHSZ within an LRA. While the Project site is currently undeveloped, the surrounding area is currently developed with low-density residential and open space uses. Potential improvements associated with the Project that would occur include an extension of the paved road approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). Infrastructure, including roadways, water sources, power lines and utilities occur within the area, however are not currently used by the Project site. The Project would not require the installation or maintenance of new infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

- d) ***Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?***

Less Than Significant Impact. The Project site has a relatively flat topography; and would not disturb the slopes and valley adjacent to the site. North of the Project site is an undeveloped hillside that slopes downward towards the west. The Project site is not located within an area identified as being at risk for flooding or landslides. The Project site is elevated above the creek and is not located within a 100-year FEMA flood zone and drainage from the Project site would remain similar to existing uses. Potential improvements associated with the Project that would occur include an extension of the paved road approximately one foot into the existing parcel as part of the driveway, construction of a concrete curb cut and drive apron per City standards and, relocation of existing utilities (as necessary). The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

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4.21 Mandatory Findings of Significance

<i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.			X	
c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

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

Less Than Significant Impact. As discussed throughout this Initial Study, the Project does not have the potential to substantially degrade the quality of the environmental or result in significant environmental impacts that cannot be reduced to a less than significant level with compliance with the established regulatory framework.

As discussed in Section 4.4, *Biological Resources*, the Project would not substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal.

As discussed in Section 4.5, *Cultural Resources*, the Project would not eliminate important examples of the major periods of California history or prehistory. As also concluded in Section 4.5 and Section 4.18, *Tribal Cultural Resources*, the Project is not anticipated to result in impacts to known cultural or tribal cultural resources. Impacts would be less than significant.

The Project would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Impacts would be less than significant.

Mitigation Measures: No additional mitigation measures are required.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Less Than Significant Impact. As discussed throughout this Initial Study, the Project would not result in significant short-term or long-term environmental impacts that cannot be reduced to a less than significant level with compliance with the established regulatory framework. Compliance with the regulatory requirements would reduce the potential for short- and long-term environmental impacts that would occur with construction and operation of the proposed Project relevant to the environmental topical areas discussed within this Initial Study. Thus, the Project would not achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation Measures: No additional mitigation measures are required.

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

Less Than Significant Impact. Based on the analysis contained in this Initial Study, the proposed Project would not have cumulatively considerable impacts with adherence to established regulatory frameworks. Compliance with the regulatory requirements would reduce the potential for the incremental effects that would occur with construction and operation of the proposed Project relevant to the environmental topical areas discussed within this Initial Study.

Mitigation Measures: No additional mitigation measures are required.

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

Less Than Significant Impact. Previous sections of this Initial Study reviewed the proposed Project’s potential impacts to human beings related to several environmental topical areas. As determined throughout this Initial Study, the proposed Project would not result in any potentially significant impacts

that cannot be mitigated or reduced with compliance with the established regulatory requirements. The Project would not cause a substantial adverse effect on human beings, either directly or indirectly and impacts would be less than significant.

Mitigation Measures: No additional mitigation measures are required.

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