



2019049013  
CITY OF LAGUNA BEACH  
505 Forest Avenue  
Laguna Beach, CA 92651  
PHONE: (949) 497-0712  
FAX: (949) 497-0771

## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the City of Laguna Beach has prepared an Initial Study for the following project.

**PROJECT:** Design Review 19-3228 and Coastal Development Permit 19-3229 for a new single-family residence.

**LOCATION/ADDRESS:** 415 Nyes Place, Laguna Beach, CA 92651

**APPLICATION NUMBERS:** Design Review 19-3228 and Coastal Development Permit 19-3229

**APN(s):** 656-025-02

**GENERAL PLAN DESIGNATION AND ZONING:** Village Low Density; R-1 Zone (Residential Low Density)

**PROJECT APPLICANT:** Hugo Soria, Designer, 303 Broadway Street, Suite 209, Laguna Beach, CA 92651 (949) 497-7112

**DESCRIPTION OF PROJECT:** The applicant requests design review and a coastal development permit for a 3,295 square-foot single-family residence with an attached two-car garage on a vacant lot in R-1 (Residential Low Density) zone. Construction in an environmentally sensitive area (very high value habitat) is proposed.

**ENVIRONMENTAL SETTING:** The subject property is a vacant building site located on lower Nyes Place. The lot has a steep 68% average gradient, sloping uphill from Nyes Place. The 9,077 square-foot subject property and all surrounding properties are zoned R-1 with a General Plan designation of Village Low Density.

**PUBLIC COMMENT PERIOD:** From April 1, 2019 to May 1, 2019, the public and all affected agencies are hereby invited to review the Mitigated Negative Declaration and Initial Study with mitigation measures, and submit written comments. Such comments may be submitted prior to or during the public hearing(s).

**PUBLIC HEARING DATE:** May 9, 2019.

**DOCUMENT AVAILABILITY:** The Mitigated Negative Declaration and Initial Study and other supporting environmental documents are available for public review on the City website at [www.lagunabeachcity.net](http://www.lagunabeachcity.net) and at the City of Laguna Beach, Community Development Department, located at 505 Forest Avenue. City Hall hours: Monday – Thursday: 7:30am – 5:30pm; every other Friday: 7:30am – 4:30pm; closed alternating Fridays.

### MITIGATED NEGATIVE DECLARATION PREPARED BY:

Evan Jedynak, Associate Planner  
City of Laguna Beach  
505 Forest Avenue  
Laguna Beach, CA 92651  
Phone: (949) 465-6632  
[ejedynak@lagunabeachcity.net](mailto:ejedynak@lagunabeachcity.net)

**COMMENTS DUE BY May 1, 2019**

## DECLARATION

Based on the Initial Study dated March 27, 2019, staff has determined:

- X This project does not 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 an endangered rare or threatened species; or eliminate important examples of major periods of California history or prehistory.
- X This project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- X This project does not have possible environmental effects that are individually limited but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of the individual project are significant when viewed in connection with the effects of past projects, the effects of current projects and the effects of probable future projects.)
- X This project will not have environmental effects that will cause substantial adverse effect on human beings, either directly or indirectly.

The aforementioned findings are contingent upon the following mitigation measures (if indicated) which have been incorporated into this project:

See attached mitigation measures.



## MITIGATED NEGATIVE DECLARATION PREPARED BY

City of Laguna Beach  
505 Forest Avenue  
Laguna Beach, CA 92651

Contact: Evan Jedynek  
Telephone: (949) 464-6632  
Fax: (949) 464-6632

Title: Associate Planner

Signature



Date

3-27-19

## COMMENTS DUE BY May 1, 2019

The attached Mitigated Negative Declaration dated March 27, 2019 is being referred to your agency/City department for review and comment. Your written comments should be received prior to, or be submitted verbally during the Public Hearing. If you have any questions, please contact the Contact Person above.

## ATTACHMENTS

Mitigated Negative Declaration

**SUPPORTING ENVIRONMENTAL DOCUMENTS:** See Source References within the attached Initial Study.

## DISTRIBUTION LIST

### CITY DEPARTMENTS

- ☒ Community Development
- ☒ Fire
- ☐ Marine Safety
- ☐ Police
- ☐ Public Works
- ☐ Recreation
- ☐ Water Quality

### FEDERAL

- ☐ Occupational Safety and Health Administration

- ☐ US Army Corps of Engineers
- ☐ US Environmental Protection Agency

- ☒ US Fish and Wildlife Service

### STATE

- ☒ Air Resources Board
- ☒ California Coastal Commission
- ☐ California Coastal Conservancy
- ☒ Department of Conservation
- ☒ Department of Fish and Wildlife - Region 5
- ☒ Department of Forestry and Fire Protection
- ☐ Department of Health and Drinking Water

- ☐ Department of Housing and Community Development
- ☐ Department of Parks and Recreation
- ☒ Department of Transportation District 12 (Caltrans)
- ☐ Department of Toxic Substances Control
- ☐ Department of Water Resources
- ☒ Governor's Office of Planning and Research

- ☐ Integrated Waste Management Board
- ☒ Native American Heritage Commission
- ☐ Office of Emergency Services
- ☐ Office of Historic Preservation
- ☐ Resources Agency
- ☐ Seismic Safety Commission
- ☒ State Clearinghouse
- ☐ State Lands Commission
- ☐ State Water Resources Control Board

### REGIONAL

- ☒ San Diego Regional Water Quality Control Board

- ☒ South Coast Air Quality Management District

- ☐ Southern California Association of Governments

### COUNTY

- ☒ Orange County Clerk-Recorder
- ☐ Orange County Environmental Health Department
- ☐ Orange County Fire Department
- ☐ Orange County Flood Control District

- ☒ Orange County Harbors Beaches and Parks
- ☐ Orange County Integrated Waste Management Department
- ☐ Orange County Local Agency Formation Commission

- ☐ Orange County Planning & Development Services Department
- ☐ Orange County Public Facilities & Resources Department

### LOCAL

- ☐ Aliso Water Management Agency
- ☐ City of Aliso Viejo
- ☐ City of Dana Point
- ☐ City of Irvine
- ☐ City of Laguna Hills
- ☐ City of Laguna Niguel
- ☐ City of Laguna Woods

- ☐ City of Newport Beach
- ☐ Laguna Beach Chamber of Commerce
- ☒ Laguna Beach County Water District
- ☐ Laguna Beach Independent
- ☐ Laguna Beach Unified School District
- ☐ Laguna Beach Visitor's Bureau
- ☐ Laguna Beach Coastline Pilot

- ☐ Laguna News-Post
- ☐ Moulton Niguel Water District
- ☒ South Coast Water District
- ☐ South Orange County Wastewater Authority

### UTILITIES

- ☐ Cox Digital Cable
- ☐ San Diego Gas & Electric
- ☐ Southern California Edison
- ☐ Southern California Gas Company
- ☐ Verizon

**NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION**  
California Environmental Quality Act

**TO EXPEDITE SUBMITTAL OF YOUR COMMENTS, YOU MAY RESPOND BY FACSIMILE TO (949) 497-0771**

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☐ This Agency/City Department has comments, see attached.  
no comments.

☐ This Agency/City Department has

NAME OF AGENCY/CITY  
DEPARTMENT

SIGNATURE OF  
REPRESENTATIVE

DATE

**INITIAL ENVIRONMENTAL STUDY  
CITY OF LAGUNA BEACH, CALIFORNIA**

1. Project Title: Design Review 19-3228  
Coastal Development Permit 19-3229
2. Lead Agency Name and Address: City of Laguna Beach  
Community Development Department  
505 Forest Avenue  
Laguna Beach, California 92651
3. Contact Person and Phone Number: Evan Jedynak, Associate Planner  
(949) 464-6632
4. Project Location: Hunter-Chaney Residence  
415 Nyes Place  
APN 656-025-02
5. Project Sponsor's Name and Address: Hugo Soria, Designer  
303 Broadway Street, Suite 209  
Laguna Beach, CA  
(949) 497-7112  
[hugosoriadesign@yahoo.com](mailto:hugosoriadesign@yahoo.com)
6. General Plan Designation: Village Low Density
7. Zoning: R-1 (Residential Low Density)
8. Description of the Project: The applicant requests design review and a coastal development permit for a 3,295 square-foot single-family residence with an attached two-car garage on a vacant lot in R-1 (Residential Low Density) zone. Construction in an environmentally sensitive area (very high value habitat) is proposed.
9. Surrounding Land Uses and Setting: The subject property is a vacant building site located on lower Nyes Place. The lot has a steep 68% average gradient, sloping uphill from Nyes Place. The 9,077 square-foot subject property and all surrounding properties are zoned R-1 with a General Plan designation of Village Low Density.
10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement): An Incidental Take Permit is required from the California Department of Fish and Wildlife regarding impacts to the big-leaved crownbeard found on the site.
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code §21080.3.1? If so, has consultation begun?  
Letters, serving as formal notice of this project, were sent on December 26, 2018 to:

1. California Cultural Resource Preservation Alliance, Inc. (CCRPA)

2. Gabrieleno Band of Mission Indians – Kizh Nation
3. San Gabriel Band of Mission Indians
4. Juaneno Band of Mission Indians
5. Tongva Ancestral Territorial Tribal Nation
6. Soboba Band of Luiseno Indians

As of the date of the preparation of this Initial Study, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation but were unable to accommodate such within a reasonable time frame. See the correspondence with the Gabrieleno Band of Mission Indians – Kizh Nation provided as Appendix A.

Note: Conducting consultation early in the CEQA process allows tribal governments, public lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflict in the environmental review process (see Public Resources Code §21083.3.2). Information is also available from the Native American Heritage Commission's Sacred Lands File per Public Resources Code §5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code §21082.3(e) contains provisions specific to confidentiality.

# 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" as indicated by the checklist on the following pages.

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

DETERMINATION: On the basis of this initial evaluation:

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.	X
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 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.	

Signature

*Evan Jedynak*

Date

3-27-19

Name

Evan Jedynak, Associate Planner

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**1. AESTHETICS Would the project:**

a) Have a substantial adverse effect on a scenic vista?	1, 3, 9			X	
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According to the City's General Plan Open Space Element Addendum A, Figure 4 (Visual Image), the project site is not considered a scenic vista; therefore, the proposed project is not anticipated to cause adverse effects on a scenic vista. To preserve any existing scenic characteristics of the site, the Design Review Board will ensure the new residential development complies with the City's zoning standards and Design Guidelines in order to make the finding of Municipal Code Section 25.05.040(H)(4) - Environmental Context. Potential public and private view impacts will be considered with design review of the house and associated improvements. In addition, the property will be staked and the neighborhood will be noticed for the Design Review public hearing in regard to the requested site development application(s).

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings or historic buildings within a scenic highway?	1, 3, 9			X	
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The site is not identified as a scenic resource or located adjacent to a scenic highway. No Heritage or Candidate Heritage trees or rock outcroppings exist. It is not anticipated that the project will damage scenic resources, including, but not limited to, trees and rock outcroppings.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 3, 9			X	
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The proposed residence will change the visual character of the site from an undeveloped to developed lot; however, this property is zoned and land use classified, by the General plan, for residential development. Thus, the project is not anticipated to have substantial environmental impact in regard to the existing visual character or quality of the site and its surroundings. The proposed development is also subject to Design Review Board approval prior to construction. The Design Review Board will review the proposed project for compatibility with the surrounding area and compliance with Municipal Code Section 25.05.040(H), which requires that the Design Review Board make findings that the development will not degrade the natural scenic setting.

d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	1,3, 9			X	
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The new residential development is anticipated to have only a nominal change to neighborhood light and glare and will have a less than significant environmental impact because lighting must comply with Municipal Code Section 25.05.040(H)(8) Design Review Criteria relating to light and glare, and must comply with Municipal Code Section 7.70 (Good Neighbor Lighting) which will address any potential impacts.



Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**2. AIR QUALITY** (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	10			X	
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The basis for project air quality review is evaluating consistency with the Southern California Air Quality Management District (SCAQMD) regulations. The proposed project relates to the SCAQMD's Air Quality Management Plan (AQMP) through the land use and growth assumptions used to forecast projected air pollution emissions in the Basin. The SCAQMD's AQMP provides a blueprint as to how the SCAQMD expects to bring the Basin into attainment for all National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). The AQMP is based on the designated land use and allowed density for a project site as described in the various approved General Plans throughout the Basin. To the extent that a proposed project is consistent with the growth assumptions in a General Plan for its jurisdiction, it is also considered consistent with the SCAQMD's AQMP. Such consistency dictates that a project would not create any significant regional air quality impacts because such impacts have already been anticipated within the framework of the regional air quality planning process.

The new single-family residence is considered infill development and is proposed on an existing subdivided lot. The addition of a new single-family residence will create a nominal increase in the number of automobiles in the local area; however, this property is zoned and land use classified by the General Plan for low-density residential development, therefore the proposed single-family residential development is assumed as a component for this site and was considered in the growth assumptions in the General Plan and with the SCAQMD's AQMP.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	10			X	
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See 2(a).

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	10				X
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See 2(a).

d) Expose sensitive receptors to substantial pollutant concentrations?	10				X
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No sensitive receptors such as schools or hospitals are located in the immediate area.

e) Create objectionable odors affecting a substantial number of people?	10				X
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The application is anticipated to create no such impact.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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### 3. BIOLOGICAL RESOURCES Would the project:

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, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	3, 9, 13		X		
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According to the General Plan Open Space/Conservation Element, the project site is located in an area of very high value habitat; therefore, the City required a detailed biological assessment to address any potential impacts that may occur from the proposed development. It is known that the project vicinity contains *Verbesina dissita* (big-leaved crownbeard), which is a state- and federally-threatened species pursuant to Fish and Game Code § 2067 et. seq. In 2016, the applicant submitted a Focused Plant Survey for big-leaved crownbeard prepared by Sage Environmental Group. The 2016 Survey identified nine patches of big-leaved crownbeard totaling approximately 440 square feet. The survey was conducted on June 29, 2016 near the end of the flowering season (March-July) and during a prolonged multi-year drought period where rainfall had been below average.

The 2016 Survey was submitted to the City, and underwent a peer review by Glenn Lukos Associates (GLA). GLA requested that a follow-up survey be conducted to qualify presence of the species after the high rainfall of the 2016-2017 rainy season. As such, an updated 2017 Focused Plant Survey for big-leaved crownbeard was prepared by Sage Environmental Group on August 14, 2017. The 2017 survey resulted in an increase of the species to a total of 1,762 square feet (.04 acres). It was noted that crownbeard flowering was abundant and highly visible. The patches were located in the middle and upper two-third areas of the property in areas of lightly shaded understory.

Of the total big-leaved crownbeard species, approximately 1,100 square feet are located within the construction footprint and will therefore be directly affected by project implementation. Approximately 311 square feet of crownbeard are located within Fuel Modification Zone A and may be indirectly affected by City-required fuel modification irrigation and vegetation thinning. Approximately 351 square feet of crownbeard are located within Fuel Modification Zone B and may be indirectly affected by the City-required fuel modification vegetation thinning. As such, all the crownbeard located on the site will be either directly or indirectly impacted by the project.

In order to mitigate potentially significant impacts to the state- and federally-threatened big-leaved crownbeard, the applicant has been in contact with the California Department of Fish and Wildlife (CDFW). CDFW indicated that a 2081 Incidental Take Permit must be obtained prior to the project approval. Although City guidelines generally discourage translocation of threatened species, coordination with CDFW determined that the nearby City of Laguna Beach Nyes Place Habitat Conservation Easement Parcel (APN 656-062-30) is ideal for translocation of the big-leaved crownbeard. Based on initial coordination with CDFW in June 2016 and January 2017, measures anticipated to minimize and fully mitigate the impacts of the authorized take consist of the following:

1. Relocation of affected crownbeard currently located on the property to the City of Laguna Beach Nyes Place Habitat Conservation Easement Parcel (APN 656-062-30).
2. Provision of funding for a 5-year implementation and management program to ensure the successful relocation of the affected species.
3. Provision of funding for long-term endowment management of the relocated species.

The Incidental Take Permit (ITP) will be issued by CDFW if the City adopts the mitigated negative declaration. As an all-encompassing mitigation measure, prior to the issuance of any permits for grading or ground disturbance activity, the applicant/permittee must provide the City of Laguna Beach a copy of the executed CDFW 2081 ITP allowing impacts to big-leaved crownbeard and providing measures to mitigate for such impacts, as approved by CDFW. The project shall be required to comply with all mitigation measures set forth in the CDFW ITP.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	3, 9, 13		X		
See 3(a)					
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?	3, 9				X
The site does not contain wetlands. The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.					
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?	3, 9				X
The project will not 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.					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	3, 9				X
The site does not contain any trees on the City's Heritage Tree list.					
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other local, regional or state habitat conservation plan?	3, 9				X
The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other local, regional or state habitat conservation plan.					
<b>4. CULTURAL RESOURCES</b> Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	1, 3				X
The vacant property does not contain historical resources as defined in Section 15064.5. Therefore, no such impact is anticipated.					

<b>Issues and Supporting Information Sources</b>	<b>Sources</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	1, 3, 4				X
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There are no known archaeological or paleontological resources, unique geologic features, or human remains on the project site. Further, no archeological or paleontological resources are indicated on Map 4-1 of the City's Local Coastal Program. Therefore, no such impact is anticipated.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	1, 3, 4				X
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See 4(b).

d) Disturb any human remains, including those interred outside of formal cemeteries?	1, 3, 4				X
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See 4(b).

#### **5. GEOLOGY AND SOILS Would the project:**

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) 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.)	2, 16				X

According to the Geotechnical Report submitted for the proposal, the property does not lie within an Alquist-Priolo Earthquake Fault Zone. The closest mapped faults are located in the upper reaches of Nyes Canyon roughly 500 feet to the northeast of the site. The potential for fault rupture due to active faulting is considered low due to the absence of an active fault on site. The project would not expose people or structures to potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or liquefaction. Therefore, the project will not create any such impact.

ii) Strong seismic ground shaking?	2, 16				X
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See 5 (a)(i).

iii) Seismic-related ground failure, including liquefaction?	2, 16				X
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According to the Geotechnical Report, the likelihood of liquefaction is considered nil due to shallow bedrock conditions.

iv) Landslides?	2, 16			X	
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According to the Geotechnical Report, major shaking on the slopes above the proposed residence is not likely to cause landsliding, but surficial failures are possible in the form of loose shoulder and soil slip failures. Therefore, no significant impact is anticipated.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Result in substantial soil erosion or loss of topsoil?	2, 16				X
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A slope stability analysis was performed using computer modeling methods in the Geotechnical Report. It concludes that the site is feasible from a geotechnical point of view and slope stability can be achieved without any unusual measures.

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?	2, 16				X
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See 5(b).

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	2, 16			X	
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According to the Geotechnical Report, the underlying soil generally has medium expansion potential, which would not create substantial significant risks to life or property.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	2, 16				X
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The site is directly connected to the City's sewer system. Therefore, no such impact is anticipated.

#### 6. GREENHOUSE GAS EMISSIONS Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	8			X	
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California's Sustainable Communities and Climate Protection Act (SB 375) requires Southern California Association of Governments (SCAG) to develop a Sustainable Communities Strategy (SCS) to reduce per capita GHG emissions through integrated transportation, land use, housing, and environmental planning. Pursuant to SB 375, the Air Resources Board (ARB) set per capita GHG emission reduction targets from passenger vehicles for each of the state's 18 MPOs. For the SCAG region (including Laguna Beach), the targets are set at eight percent below 2005 per capita emissions levels by 2020 and 13 percent below 2005 per capita emissions levels by 2035. The 2012-2035 RTP/SCS achieves per capita GHG emission reductions relative to 2005 of nine percent in 2020 and 16 percent in 2035. The SCAG Sustainable Communities Strategy GHG emission targets are based on regional "land use" and "housing" estimates that were derived utilizing anticipated growth factors and existing/projected land use densities.

In the case of the subject property, the land use category is Residential Low Density, which allows 1-7 dwelling units per acre and one house per parcel. The proposed development is for one residential unit, which is anticipated by the Land Use Element as the property is considered a legal building site. Based on the aforementioned, it is anticipated that the proposed development of an additional house within a developed neighborhood located within a City that has almost reached "build-out" conditions would not result in a significant cumulative impact on the regional GHG targets.

Lastly, the City has adopted the "California Green Building Standards Code," which requires implementation of building practices that reduce potential greenhouse gas emissions through energy efficiency, pollutant controls and air quality/exhaust mitigations. Any proposed residential development of the subject property will comply with these regulations.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Conflict with an applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases?	12			X	
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The City's Climate Protection Action Plan (CPAP), which the City Council adopted on February 6, 2007, was developed to set a roadmap for implementing key provisions of the U.S. Mayor's Climate Protection Agreement. The broad goal is to reduce GHG emissions 7% below 1990 proposed levels no later than 2012, which would mean a reduction in Laguna Beach of 10% from present levels. The recommendations of the CPAP include measures to reduce emissions across the City, with a focus on transportation and activities that consume electricity. A single family residence and associated improvements is anticipated to only generate a nominal amount of GHG emissions due to the low number of daily vehicle trips. Additionally, the project would not hinder or impede any of the goals or objectives of the CPAP. Therefore, potential impacts would be less than significant.

**7. HAZARDS AND HAZARDOUS MATERIALS** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	9				X
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The proposed project does not involve transporting 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?	9				X
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See 7(a).

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?	9				X
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The proposed project is not anticipated to cause a significant hazard to the public or environment through the emission or handling of hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.

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 create a significant hazard to the public or the environment?	9				X
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The proposed project is not located on or near a site that is known to accommodate hazardous materials.

e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	3, 9				X
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The proposed project is not anticipated to interfere with an emergency response or evacuation plan.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	9, 14			X	
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The site is located within the very high hazard severity and fuel modification zone, indicating a high probability of wildland fires in the area. The project incorporates a fuel modification plan to reduce the potential impacts to a less than significant level. The fuel modification plan has been reviewed and approved by the Fire Department and the City's Landscape Consultant and will be subject to design review.

**8. HYDROLOGY AND WATER QUALITY** Would the project:

a) Violate any water quality standards or waste discharge requirements?	1, 5, 9				X
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The City of Laguna Beach Water Quality Department reviewed the proposal and provided comments on November 18, 2016. The applicant proposes less than 5,000 square feet of impervious surface area, and thus the proposal is not considered a "priority development project" as defined in the National Pollution Discharge Elimination System "NPDES"/Municipal Separate Storm Sewer Systems (MS4) Permit. As such, a Water Quality Management Plan is not required. However, Low Impact Development Best Management Practices (LID BMPs) are required as outline in the San Diego Regional MS4 Permit. Furthermore, there is no mapped watercourse in proximity to the site, so a hydrology report is not required.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	1, 5, 9				X
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See 8(a).

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	1, 5, 9				X
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See 8(a).

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	1, 5, 9				X
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See 8(a).

e) 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?	1, 5, 9				X
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Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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See 8(a).					
f) Result in an increase in pollutant discharges to receiving waters? (Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical storm water pollutants [e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances and trash].)	1, 5, 9				X
See 8(a).					
g) Result in significant alteration of receiving water quality during or following construction?	1, 5, 9				X
See 8(a).					
h) Result in increased impervious surfaces and associated increased runoff?	1, 5, 9				X
See 8(a).					
i) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	1, 5, 9				X
See 8(a).					
j) Result in increased erosion downstream?	1, 5, 9				X
See 8(a).					
k) Result in an increase in any pollutant for which a downstream water body is already impaired, as listed on the Clean Water Act Section 303(d) list?	1, 5, 9				X
See 8(a).					
l) Exacerbate already existing sensitive conditions to downstream environmentally sensitive area?	1, 5, 9				X
See 8(a).					
m) Have a potentially significant adverse impact on the surface water quality of either marine, fresh or wetland waters?	1, 5, 9				X
See 8(a).					
n). Have a potentially significant adverse impact on ground water quality?	1, 5, 9				X
See 8(a).					
o) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives, policies or degradation of beneficial uses?	1, 5, 9				X



Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
See 8(a).					
p) Impact aquatic, wetland or riparian habitat	1, 5, 9				X
See 8(a).					
q) Otherwise substantially degrade water quality?	1, 5, 9				X
See 8(a).					
r) Place housing within 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map (FIRM) or other flood hazard delineation map?	9, 11				X
The project is located in Flood Zone X per the Flood Insurance Rate Map (FIRM). Flood Zone X is defined by FEMA as outside the limits of the 500-year flood.					
s) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	8, 11				X
See 8(r).					
t) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	11				X
The proposed project site is not located upstream or downstream of a levee or a dam.					
u) Inundation by seiche, tsunami or mudflow?	1, 3				X
See 8(a). There are no water towers located above the site and the lowest property elevation is located above the anticipated potential tsunami level. No increase in mudflow is anticipated as a result of the project.					
<b>9. LAND USE AND PLANNING</b> Would the project:					
a) Physically divide an established community?	9				X
The proposed project site is located in the R-1, Residential Low Density Zone, which allows for low-profile, single-family residences that are sensitive to their surroundings. The vacant site is surrounded by established residential homes. The proposed home will fit into the existing neighborhood and will not divide the established community and no such impact is anticipated.					
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to a general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	1, 3, 9				X
The proposed development is in compliance with all zoning standards and the City's General Plan; therefore the project is anticipated to create no such impact.					
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	3				X
The proposed project does not conflict with any applicable habitat or natural community conservation plan.					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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<b>10. MINERAL RESOURCES</b> Would the project:					
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?	3				X
No mineral resources are known to exist on the property; therefore, no such impact is anticipated.					
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?	3				X
See 10(a).					
<b>11. NOISE</b> Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	3		X		
Residential noise levels (post development) are not anticipated to result in levels that exceed standards. Construction noise will produce short-term noise impacts. It is expected that short-term noise levels will be noticeable during grading and construction activities.  To mitigate excessive noise impacts to the adjacent neighborhoods during construction and grading, site development activities shall be limited to the allowed daytime hours and prohibited on weekends as specified in the City's Noise Ordinance. In addition, all construction equipment shall be properly maintained and affixed with functional OEM (original equipment manufacturer) mufflers to minimize noise impacts and only conventional 977 or D-9 Caterpillar tractors (or similar tractors as approved by the Director of Community Development) with ripper shanks will be used for site grading. Heavy pounding machines and large scale earth breaking devices shall be prohibited. Hand held jack-hammers shall only be used to complete cuts that are inaccessible by tractor. The Building Official or his designee shall have authority to prohibit the use of any heavy equipment with damaged or faulty mufflers, until equipment is repaired accordingly. Therefore, a less than significant impact is anticipated with mitigation.					
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	3, 9			X	
The project is not anticipated to generate excessive groundborne vibration or noise, and the use of earth breaking devices is not anticipated during construction grading; therefore, significant groundborne vibration or noise is not anticipated. See 11 (a), above.					
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	3, 9			X	
No substantial permanent increase in ambient noise levels in the project vicinity is anticipated. Potential noise increases will be temporary and in compliance with the City's noise ordinance.					
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	3, 9		X		
See 11(a).					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**12. POPULATION AND HOUSING** Would the project:

a) Induce substantial 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)?	3, 9				X
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The proposed project is not anticipated to induce substantial population growth in the area because the proposed project is a single-family residence and associated improvements on a site zoned for such a use. Therefore, no such impact is anticipated.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	3, 9				X
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The proposed project is a vacant building site; therefore, housing displacement will not occur. No such impact is anticipated.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	3, 9				X
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There will not be a significant population change as a result of the proposed project. See 12(b), above.

**13. PUBLIC SERVICES**

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, 3				X
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The proposed project is anticipated to result in a less than significant impact to governmental facilities or public services because the project site is located adjacent to a developed area zoned for such use and public services are currently provided, including but not limited to fire services, police services, schools, parks, and other public facilities.

i) Fire protection?	1, 3				X
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The proposed residence is not anticipated to have a significant environmental impact on acceptable fire protection service ratios.

ii) Police protection?	1, 3				X
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The proposed residence is not anticipated to have a significant environmental impact on acceptable police protection service ratios. The new house and associated improvements are located adjacent to a developed neighborhood that is currently served by the Laguna Beach Police Department.

iii) Schools?	1, 3				X
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Educational facilities will not be impacted as a result of the proposed development.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Parks?	1, 3				X
Parks or recreation areas will not be impacted as a result of the proposed development.					
v) Other public facilities?	1, 3				X
Public facilities are not likely to be impacted as a result of the proposed development.					
<b>14. RECREATION</b>					
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?	3				X
The proposed project will have a less than significant impact on neighborhood and regional parks and local recreational facilities because the proposed project is a single-family residence and associated improvements on a site zoned for such a use.					
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?	1, 3				X
The proposed project use does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no such impact is anticipated.					
<b>15. TRANSPORTATION / TRAFFIC</b> Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	3				X
The Transportation, Circulation, and Growth Management Element of the City's General Plan identifies Nyes Place as a collector street capable of handling the increased traffic of a new single-family residence. Therefore, the proposed project is not anticipated to create any such impact.					
b) Conflict with an applicable congestion management program, including, but limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	1, 3				X
The proposed construction of a single-family residence in a residential zone is not anticipated to create any such impact.					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	9				X
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The project construction does not include or propose any design changes to the circulation system within the study area.

d) Result in inadequate emergency access?	9, 14, 16			X	
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The Fire Department has reviewed and conceptually approved of the proposal, which includes a Fire Department Site Access Plan. Given the steep topography of the site, the proposal incorporates access ladders along the structure in order to access the rear yard. The Fire Department has approved an Alternate Materials and Methods for the proposal allowing the access ladders. As such, the project will not result in inadequate emergency access.

e) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	3, 9				X
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The proposed construction of a single-family residence in a residential zone is not anticipated to create any such impact.

#### 16. UTILITIES AND SERVICE SYSTEMS Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	6, 7				X
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The nominal change in sewer demand would not exceed the local sewer treatment capacity.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	6, 7			X	
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The existing water and waste water treatment facilities are capable of providing for the proposed use.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	6, 7			X	
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The proposed project is not anticipated to create any such impact. A drainage plan will be prepared and approved by the City prior to the issue of building permits.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	6, 7				X
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The Laguna Beach County Water District has sufficient supply and storage to provide for the proposed use. No new water supplies are needed to serve the project.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) 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?	6, 7				X
The wastewater treatment provider has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. No negative effects are anticipated with the proposed project.					
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	6, 7			X	
<p>The State of California requires that each City and County demonstrate a reduction of at least 50 percent in the amount of waste from that jurisdiction that had gone into landfills in the year 1990. The State requires that this level of reduction be sustained. The City of Laguna Beach has a residential recycling program as part of their requirements for solid waste disposal. This program is in compliance with State Law that mandates a reduction in solid waste through recycling of certain items during construction and operation. The City's Public Works Department will supply the proposed residence with waste carts for recyclables and green waste when the resident contracts for solid waste disposal. According to the Orange County Waste Management District there are three landfills that have the capacity to serve the project site, Frank R. Bowerman, Olinda Alpha, and Prima Deshecha landfills. The Waste Management of Orange County provides solid waste disposal for the City of Laguna Beach. Trash collected in Laguna Beach is first taken to Sunset Environmental Transfer Station, where recyclables are separated from the solid waste. Final disposal is at the Prima Deshecha landfill. The Prima Deshecha landfill is approximately 1,530 acres in size with 699 acres permitted for refuse disposal. The estimated closure date of the landfill is 2067, which exceeds the 15-year threshold established by the California Integrated Waste Management Board (CIWMB). Therefore, the Prima Deshecha landfill is anticipated to accommodate the solid waste generated by the proposed project. With compliance of the City's recycling programs, the waste from the proposed project would be adequately accommodated by the Prima Deshecha landfill. The current disposal needs of the City will not be significantly altered or increased.</p>					
g) Comply with federal, state and local statutes and regulations related to solid waste?	7				X
The proposed project is not anticipated to create a negative impact on statutes and regulations related to solid waste. See I6(f), above.					
<b>17. TRIBAL CULTURAL RESOURCES</b> Would the project:					
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:					

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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i) 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).	1, 3		X		
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Pursuant to Public Resources Code section 21080.3.1, prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, a lead agency (the City) shall begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project if: (1) the California Native American tribe requested to the lead agency, in writing, to be informed by the lead agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation. In this regard, the Community Development Department keeps on record a list of Native American Tribe contacts that have indicated that they are traditionally and culturally affiliated with the Laguna Beach geographic area and have requested that the City contact them with the release of environmental documents.

City staff have contacted by letter the CCRPA, the San Gabriel Band of Mission Indians, the Gabrieleno Band of Mission Indians – Kizh Nation, the Jauneno Band of Mission Indians, the Soboba Band of Luiseno Indians and the Tongva Tribal Nation and requested that they respond with any project concerns or consultation. As of the date of the preparation of this Initial Study, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation but were unable to accommodate such within a reasonable time frame. See the AB 52 correspondence provided as Appendix A.

The vacant lot is not known to contain tribal cultural resources 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). If buried tribal cultural resources are discovered during construction and earth-disturbing operations, all work shall be stopped and a qualified tribal cultural resource consultant shall be contracted immediately by the City and paid for by the applicant to review potential on-site resource impacts. Construction activities shall not resume until the City is notified and a qualified tribal cultural resource consultant has determined that no impacts to cultural resources will result from continuing construction activities.

Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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ii) 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.	1,3		X		
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As indicated above, staff contacted by letter local tribe organizations that are traditionally and culturally affiliated with the Laguna Beach geographic area and have requested that the City contact them with the release of environmental documents. As of the date of the preparation of this Initial Study, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation but were unable to accommodate such within a reasonable time frame. See the AB 52 correspondence provided as Appendix A.

The vacant lot is not known to contain tribal cultural resources. Therefore, no adverse changes in tribal resources are anticipated. If buried tribal cultural resources are discovered during construction and earth-disturbing operations, all work shall be stopped and a qualified tribal cultural resource consultant shall be contracted immediately by the City and paid for by the applicant to review potential on-site resource impacts. Construction activities shall not resume until the City is notified and a qualified tribal cultural resource consultant has determined that no impacts to cultural resources will result from continuing construction activities.

#### 18. AGRICULTURE AND FORESTRY RESOURCES Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?	15				X
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The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, and has no other potential agricultural resource. As such, no impact is anticipated.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	15				X
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The project site is zoned R-1, which does not allow agricultural uses. The proposal does not change the existing zoning. Therefore, the project would not conflict with existing zoning for agricultural use, or a Williamson Act Contract, and no impact is anticipated.

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))?	15				X
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Issues and Supporting Information Sources	Sources	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The project site does not contain forest lands or timberland. The City of Laguna Beach does not have any existing Timberland Production Zones. No rezoning is proposed. Therefore, the proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland or timberland production zones, and no impact is anticipated.

d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?	15				X
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The project site does not contain any forest lands as defined in Public Resources Code section 12220(g). In addition, the project site is not located in the vicinity of offsite forest resources. Thus, the proposed project would not result in the loss or conversion of forest land to non-forest use, and no impact is anticipated.

d) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to nonagricultural use?	15				X
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The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Local Importance, or active agricultural operations will be converted to a non-agricultural use, and no impact is anticipated.

<b>19. MANDATORY FINDINGS OF SIGNIFICANCE</b>	
a)	Does the project have the potential to 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, 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?
	<b>With the required mitigation, the project does not have the potential to 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, 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.</b>
b)	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 the past projects, the effects of other current projects, and the effects of probable future projects.)
	<b>The proposed project will not result in cumulatively considerable impacts and the implementation of local, State and federal laws and the mitigation measures incorporated herein will reduce any potentially significant impacts to a level of insignificance.</b>
c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?
	<b>The proposed project does not have environmental effects which will cause substantial adverse effects on human beings, as it includes no physical improvements. The requirements of the City's Municipal Code, General Plan and mitigation measures specified herein will mitigate any potentially significant impacts to a level of insignificance.</b>

<b>20. SOURCE REFERENCES</b>	
1	City of Laguna Beach Municipal Code – Titles 7, 16 and 25.
2	California Building Code; Municipal Code Titles 14 and 22.
3	City of Laguna Beach General Plan – Land Use Element, Open Space/Conservation Element, Transportation, Circulation and Growth Management Element, Safety Element, Historic Resources Element, Noise Element, Landscape and Scenic Highways Element.
4	City of Laguna Beach Local Coastal Program, Archaeology and Paleontology Section.
5	City of Laguna Beach Water Quality Department.
6	City of Laguna Beach Public Works Department.
7	Orange County Waste Management Department.
8	Senate Bill 375 and Assembly Bill 32.
9	Hugo Soria & Company Design Studio Architectural Plans and Project Site Survey, 1085 Bluebird Canyon Drive.
10	Southern California Air Quality Management District (SCAQMD) CEQA Air Quality Handbook (1993).
11	FEMA - Flood Insurance Rate Map, Map Revised December 3, 2009.
12	City of Laguna Beach Climate Protection Action Plan.
13	2017 Focused Plant Survey for the State- and Federally-listed Threatened Big-Leaved Crownbeard, 415 Nyes Place, Sage Environmental Group; August 14, 2017.
14	City of Laguna Beach Fire Department.
15	California Important Farmland Finder, <a href="https://maps.conservation.ca.gov/DLRP/CIFF/">https://maps.conservation.ca.gov/DLRP/CIFF/</a> (January 16, 2018)
16	AM&M for Hosepulls, Firefighter Access, and Reduced Fuel Modification Zones, Firesafe Planning Solutions; July 31, 2018.
17	Geotechnical Review and Updated Geotechnical Report, 415 Nyes Place, P.A. & Associates; May 5, 2016.

**21. Mitigation Measures.** For effects that are "Less Than Significant with Mitigation Incorporated," describe the mitigation measure(s) which were incorporated and the extent to which they address site-specific conditions of the project. The responsible person, Department, Agency, etc., that will be responsible for verification and the event or time of verification should also be specified.

1. 3(a) & (b) – Prior to the issuance of any permits for grading or ground disturbance activity, the applicant/permittee must provide the City of Laguna Beach a copy of the executed California Department of Fish and Wildlife (CDFW) 2081 Incidental Take Permit (ITP) allowing impacts to big-leaved crownbeard and providing measures to mitigate for such impacts, as approved by CDFW. The project shall be required to comply with all mitigation measures set forth in the CDFW ITP.
2. 3(a) & (b) – All affected crownbeard currently located on the property shall be relocated to the City of Laguna Beach Nyes Place Habitat Conservation Easement Parcel (APN 656-062-30).
3. 3(a) & (b) – There shall be a provision of funding for a 5-year implementation and management program to ensure the successful relocation of the affected species.
4. 3(a) & (b) – There shall be a Provision of funding for long-term endowment management of the relocated species.
5. 11(a) & (d) - To mitigate excessive noise to the adjacent neighborhoods during construction and grading, site development activities shall be limited to the allowed daytime hours and prohibited on weekends. In addition, all construction equipment shall be properly maintained and affixed with functional OEM (original equipment manufacturer) mufflers to minimize noise impacts and only conventional tractors (or similar tractors as approved by the Director of Community Development) with ripper shanks will be used for site grading. Heavy pounding machines and large scale earth breaking devices shall be prohibited. Hand held jack-hammers shall only be used to complete cuts that are inaccessible by tractor. The Building Official or his designee shall have authority to prohibit the use of any heavy equipment with damaged or faulty mufflers, until equipment is repaired accordingly.
6. 17(a) - If buried tribal cultural resources are discovered during construction and earth-disturbing operations, all work shall be stopped and a qualified tribal cultural resource consultant shall be contracted immediately by the City and paid for by the applicant to review potential on-site resource impacts. Construction activities shall not resume until the City is notified and a qualified tribal cultural resource consultant has determined that no impacts to cultural resources will result from continuing construction activities.

**MITIGATION MONITORING PROGRAM CHECKLIST**

415 Nyes Place -- New Single-Family Residence - March 27, 2019  
Design Review 19-3228 and Coastal Development Permit 19-3229

Mitigation Measure	Method of Verification	Timing of Verification	Responsible Person	Sanctions
1. 3(a) & (b) – Prior to the issuance of any permits for grading or ground disturbance activity, the applicant/permittee must provide the City of Laguna Beach a copy of the executed California Department of Fish and Wildlife (CDFW) 2081 Incidental Take Permit (ITP) allowing impacts to big-leaved crownbeard and providing measures to mitigate for such impacts, as approved by CDFW. The project shall be required to comply with all mitigation measures set forth in the CDFW ITP.	B, D	Prior to the issuance of a building permit.	P, F	1
2. 3(a) & (b) – All affected crownbeard currently located on the property shall be relocated to the City of Laguna Beach Nyes Place Habitat Conservation Easement Parcel (APN 656-062-30).	A, B	Prior to the issuance of a building permit.	B, P, F	1
3. 3(a) & (b) – There shall be a provision of funding for a 5-year implementation and management program to ensure the successful relocation of the affected species.	D	Prior to the issuance of a building permit.	B, P, F	2
4. 3(a) & (b) – There shall be a Provision of funding for long-term endowment management of the relocated species.	D	Prior to the issuance of a building permit.	B, P, F	2

5. 11(a) & (d) - To mitigate excessive noise to the adjacent neighborhoods during construction and grading, site development activities shall be limited to the allowed daytime hours and prohibited on weekends. In addition, all construction equipment shall be properly maintained and affixed with functional OEM (original equipment manufacturer) mufflers to minimize noise impacts and only conventional tractors (or similar tractors as approved by the Director of Community Development) with ripper shanks will be used for site grading. Heavy pounding machines and large scale earth breaking devices shall be prohibited. Hand held jack-hammers shall only be used to complete cuts that are inaccessible by tractor. The Building Official or his designee shall have authority to prohibit the use of any heavy equipment with damaged or faulty mufflers, until equipment is repaired accordingly.	A	The Building Inspector will verify grading/construction machinery during inspections and the inspector will also investigate any neighborhood noise complaints.	BO	3
6. 17(a) - If buried tribal cultural resources are discovered during construction and earth-disturbing operations, all work shall be stopped and a qualified tribal cultural resource consultant shall be contracted immediately by the City and paid for by the applicant to review potential on-site resource impacts. Construction activities shall not resume until the City is notified and a qualified tribal cultural resource consultant has determined that no impacts to cultural resources will result from continuing construction activities.	A	During Construction	P	3

**Method of Verification:**

- A - On-site Inspection
- B - Other Agency Permit/Approval
- C - Plan Check
- D - Separate Submittal (Reports/Studies/Plans)

**Responsible Person:**

- DCD - Director of Community Development
- BO - Building Official
- B - Designated Biologist
- F - Department of Fish and Wildlife
- P - Permittee
- DR - Design Review Board

**Sanctions:**

- 1 - Withhold Demolition, Grading or Building Permit
- 2 - Withhold Building Permit
- 3 - Stop Work Order

- 4 - Withhold Building Final/Cert. Of Use
- 5 - Withhold Design Review Hearing Date

# Appendix A

Jedynak, Evan

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**From:** Jedynak, Evan  
**Sent:** Wednesday, February 06, 2019 8:26 AM  
**To:** 'Administration Gabrieleno'  
**Subject:** RE: FW: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Hello,

Wanted to give an update on the time frame for this project. The application was completed on 1/30/19, so I need to complete the Initial Study by 2/28/19. I can accommodate consultations on 2/13 (Wed), 2/14 (Thurs), 2/20 (Wed), or 2/21 (Thurs). Please let me know if you can accommodate one of these dates.

Thanks,  
**Evan Jedynak**  
**Associate Planner**  
City of Laguna Beach  
(949) 464-6632

*City Hall Hours:*  
*Mon – Thurs 7:30 – 5:30*  
*Every other Friday 7:30 – 4:30*  
*Closed alternating Fridays*

Use the [Ask Laguna](#) feature on the City's website to find answers to Frequently Asked Questions 24/7 or submit requests for information

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**From:** Jedynak, Evan  
**Sent:** Tuesday, February 05, 2019 1:52 PM  
**To:** 'Administration Gabrieleno' <admin@gabrielenoindians.org>  
**Subject:** RE: FW: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Ok, sounds good. Keep me posted on any available upcoming dates.

Thanks,  
**Evan Jedynak**  
**Associate Planner**  
City of Laguna Beach  
(949) 464-6632

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From: Administration Gabrieleno [mailto:[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)]

Sent: Tuesday, February 05, 2019 1:23 PM

To: Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)>

Subject: Re: FW: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Hello Evan

I will cancel the meeting tomorrow and try to find a sooner date.

Admin Specialist

Gabrieleno Band of Mission Indians - Kizh Nation

PO Box 393

Covina, CA 91723

Office: 844-390-0787

website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



Attachments area

On Thu, Jan 10, 2019 at 2:59 PM Administration Gabrieleno <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)> wrote:

I will have to speak with Mr. Salas and i will get back to you as soon as possible.

Thank you

Admin Specialist

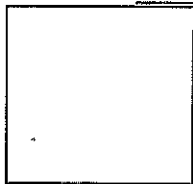
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Attachments area

On Thu, Jan 10, 2019 at 2:01 PM Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)> wrote:

Apologies,

Disregard my last message, I see I have a departmental meeting at 11am on 2/6. I can do earlier in the day or later in the afternoon, anytime except 11am-2pm.

Thanks,

**Evan Jedynak**

**Associate Planner**

*City of Laguna Beach*

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**From:** Jedynak, Evan

**Sent:** Thursday, January 10, 2019 2:00 PM

**To:** 'Administration Gabrieleno' <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>

**Subject:** RE: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Yes, I can accommodate 2/6 at 11am for a phone conversation. Please let me know if you should call you or vice-versa.

Thank you,

**Evan Jedynak**

**Associate Planner**



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**From:** Administration Gabrieleno [<mailto:admin@gabrielenoindians.org>]

**Sent:** Thursday, January 10, 2019 1:33 PM

**To:** Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)>

**Subject:** Re: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Hello Evan

How does February 6th at 11am work for you?

Admin Specialist

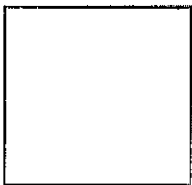
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Covina, CA 91723

Office: 844-390-0787

website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



Attachments area

On Thu, Jan 10, 2019 at 1:24 PM Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)> wrote:

Hi Brandy,

Thank you for the response, unfortunately we cannot delay until March 14<sup>th</sup> to hold a consultation. To provide further detail on the proposal, it is a request for a 3,295 square-foot single-family residence with an attached two-car garage on a vacant lot in R-1 (Residential Low Density) zone. Design review is required for the new structure, elevated decks (1,022 square feet), spa, grading, retaining walls, landscaping, fuel modification, and construction in an environmentally sensitive area (very high value habitat). Please let me know if the project site is in the location of a historic village, trade route, cemetery, or sacred/religious site. If a consultation cannot be accommodated in or around the dates listed in my last email, we will be moving on with circulating the Initial Study around the first week of February as noted below.

Thanks,

**Evan Jedynak**

**Associate Planner**

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**From:** Administration Gabrieleno [mailto:[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)]  
**Sent:** Wednesday, January 09, 2019 12:19 PM  
**To:** Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)>  
**Subject:** Re: AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Hello Evan

We are unfortunately all booked this month and next month, the next time we have available will be on March 14th at 3pm. Please get back to us to see if this time and date will work for you. You have the option of coming into our office or we can do a phone call. Please let us know which works best for you.

Thank you

Sincerely,

Brandy Salas

On Mon, Jan 7, 2019 at 11:06 AM Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)> wrote:

Hello,

Thank you for the letter. I'm writing to schedule an AB 52 consultation for the project at 415 Nyes Place in Laguna Beach. I am available for consultation next week on Wednesday 1/16 or Thursday 1/17, or on Wednesday 1/30 or Thursday 1/31. Please let me know if one of these days works and a preferred time. We intend to release the draft initial study for review the first week of February.

Thanks,

Evan Jedynak

Associate Planner

City of Laguna Beach

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**From:** Administration Gabrieleno Indians [mailto:[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)]

**Sent:** Thursday, January 03, 2019 1:27 PM

**To:** Jedynak, Evan <[EJedynak@lagunabeachcity.net](mailto:EJedynak@lagunabeachcity.net)>

**Subject:** AB52 Consultation request for project located at 415 Nyes Place, Laguna Beach, CA 92651

Please see attachment

Sincerely,  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723

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