

**ENVIRONMENTAL IMPACT REPORT
ADDENDUM**

HEADLANDS DEVELOPMENT AND CONSERVATION PLAN

DANA POINT, CALIFORNIA

SCH#2001071015

LSA

September 2004

ENVIRONMENTAL IMPACT REPORT ADDENDUM

HEADLANDS DEVELOPMENT AND CONSERVATION PLAN
DANA POINT, CALIFORNIA
SCH#2001071015

Submitted to:

City of Dana Point
Community Development Department
33282 Golden Lantern
Dana Point, California 92629

Prepared by:

LSA Associates, Inc.
20 Executive Park, Suite 200
Irvine, California 92614
(949) 553-0666

LSA Project No. HLR130

LSA

September 2004

TABLE OF CONTENTS

1.0 INTRODUCTION	1-1
1.1 PURPOSE AND SCOPE	1-1
1.2 PREVIOUS ENVIRONMENTAL DOCUMENTATION AND PROJECT APPROVALS.....	1-5
1.3 FINDINGS OF THIS ADDENDUM	1-5
1.4 FORMAT OF ADDENDUM	1-6
1.5 EXISTING DOCUMENTS TO BE INCORPORATED BY REFERENCE	1-7
1.6 CONTACT PERSONS.....	1-9
2.0 PROJECT DESCRIPTION.....	2-1
BACKGROUND	2-1
PROPOSED PROJECT ADDRESSED IN ADDENDUM.....	2-1
2.1 PROJECT LOCATION AND SETTING.....	2-1
2.2 PREVIOUS AND PROPOSED DISCRETIONARY ACTION BY THE CITY OF DANA POINT.....	2-6
2.3 PROJECT OVERVIEW	2-7
2.4 SUGGESTED MODIFICATIONS THAT MAY HAVE A PHYSICAL EFFECT ON THE ENVIRONMENT	2-15
3.0 SUMMARY OF PROJECT CHANGES AND MODIFICATIONS	3-1
3.1 INTRODUCTION	3-1
4.0 COMPARATIVE EVALUATION OF ENVIRONMENTAL IMPACTS	4-1
4.1 AESTHETICS	4-2
4.2 AIR QUALITY	4-6
4.3 TERRESTRIAL BIOLOGICAL RESOURCES	4-8
4.4 CULTURAL AND PALEONTOLOGICAL RESOURCES.....	4-12
4.5 GEOLOGY AND SOILS	4-14
4.6 HAZARDOUS MATERIALS.....	4-16
4.7 HYDROLOGY	4-18
4.8 WATER QUALITY	4-20
4.9 LAND USE	4-23
4.10 NOISE	4-27
4.11 PUBLIC SERVICES	4-31
4.12 RECREATION	4-33
4.13 TRANSPORTATION/TRAFFIC.....	4-36
4.14 UTILITIES	4-41
4.15 MARINE BIOLOGICAL RESOURCES	4-43
4.16 COASTAL PROCESSES.....	4-45
4.17 DETERMINATION	4-50

APPENDICES

- A: REVISED MITIGATION MONITORING AND REPORTING PROGRAM
- B: LCP AMENDMENT MODIFICATIONS BY PLANNING AREA
- C: TRAFFIC MEMORANDUM (RK ENGINEERING GROUP, INC.)
- D: REVETMENT MEMORANDUM (NOBLE CONSULTANTS)
- E: GEOLOGY MEMORANDUM (AMEC EARTH & ENVIRONMENTAL, INC.)
- F: NOISE MEMORANDUM
- G: ADDITIONAL STUDIES COMPLETED FOR THE PROJECT

FIGURES AND TABLES

FIGURES

Figure 2.1: Project Location	2-3
Figure 2.2: 2002 Headlands Development and Conservation Plan.....	2-9
Figure 2.3: CCC Approved Land Use Plan January 2004	2-11
Figure 4.16.1: Realigned Revetment.....	4-47

TABLES

Table 2A: Land Use Statistical Summary	2-19
Table 2B: Visitor Recreational Facility Statistical Summary	2-20
Summary Table 3A: Summary of Project Changes and Modifications Headlands/Dana Point LCP Amendment 1-03	3-3
Table 4.13.A: Proposed Project Trip Generation (revised).....	4-37
Table 4.13.B: Trip Generation Comparison.....	4-38
Table 4.13.C: Opening Year with Project Intersection Capacity Utilization (ICU)	4-39

1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

The Headlands Development and Conservation Plan (HDCP) is proposed for a 121.3-acre site in Dana Point, and includes residential, visitor/recreation commercial, recreation open space, and conservation open space uses. The City of Dana Point prepared an EIR for the HDCP in 2001. The City Planning Commission held public hearings for the HDCP on December 5 and December 12, 2001, and the City Council held public hearings for the HDCP on January 8 and January 22, 2002. The City Council certified the Final EIR for the HDCP and approved the HDCP including amendments to the Local Coastal Program (LCP), General Plan, Zoning Code, Development Agreement, and a Planned Development District (PDD) to regulate and guide implementation of the HDCP and forwarded it (less the Development Agreement) to the California Coastal Commission for certification as an amendment to the Dana Point LCP.

The California Coastal Commission reviewed the components related to the LCP Amendment. On January 15, 2004, the Coastal Commission denied certification of the LCP Amendment as originally submitted but certified the City of Dana Point LCP Amendment 1-03, with suggested modifications, and adopted revised findings associated with the certification on August 11, 2004. The Coastal Commission certification was conditioned upon suggested modifications to the LCP Amendment, which must be adopted by the City of Dana Point in order for the LCP to become effective. As part of the City of Dana Point's consideration of such suggested modifications, the City must consider the potential for the suggested modifications to result in environmental effects from the HDCP not previously addressed in the Dana Point Headlands Final EIR, certified in 2002 ("2002 Headlands EIR"). Therefore, this Addendum addresses the suggested modifications and completes the necessary environmental analysis.

This is an Addendum to the previously certified Environmental Impact Report for the HDCP. These documents, together with the other environmental documents incorporated by reference herein, serve as the environmental review of the proposed project, as required pursuant to the provisions of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines.

The proposed project reviewed in this Addendum consists of the suggested modifications to the LCP Amendment component of the HDCP, as certified by the California Coastal Commission action, and includes the following requested entitlements and approvals needed in order to adopt the Coastal Commission suggested modifications to the LCP Amendment:

1. Approval of this Addendum to the Certified Headlands EIR to address the potential environmental effects of the changes made to the project (the modifications to the LCP Amendment) since the original City approval and EIR certification in 2002.

2. Adoption of the suggested modifications to the LCP Amendment through a General Plan Amendment, Local Coastal Plan Amendment, Zone Change and Zone Text Amendment, Planned Development District, and related ordinances and resolutions.

Adoption of the suggested modifications will include an amendment to the Dana Point LCP for the 121.3-acre Dana Point Headlands site including changes to the LCP Land Use Plan ("LUP"), which includes the Land Use Element, Urban Design Element, and Conservation and Open Space Element of the City of Dana Point General Plan, and LCP Implementation Program (IP), including the Planned Development District PDD for the site to allow development of up to 125 single-family residential lots, visitor-serving commercial land use including a 65–90-room inn, a 35,000-square-foot commercial site and 68.5 acres of public parks, conserved habitat, coastal trails and open space.

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Dana Point is the Lead Agency charged with the responsibility of deciding whether or not to adopt the suggested modifications for incorporation into the HDCP. As part of the decision-making process, the City of Dana Point ("City") is required to review and consider the potential environmental effects that could result from construction and operation of the HDCP. The 2002 Headlands EIR found the following effects of the project to be significant, unavoidable impacts of the proposed project: short-term air quality impacts, long term operational air quality impacts, cumulative air quality impacts, and cumulative off-site traffic noise impacts.

On January 22, 2002, the Dana Point City Council certified the Final Environmental Impact Report (SCH #2001071015) (2002 Headlands EIR) and adopted Findings and a Statement of Overriding Considerations for those environmental effects associated with the project that were found to be unavoidable and adverse. After taking these actions relating to the 2002 Headlands EIR, the Council approved the HDCP consisting of the LCP Amendment and General Plan Amendment, PDD, Zoning Code Modification, and Development Agreement.

The California Coastal Commission held hearings on the proposed LCPA on October 9, 2003, and January 15, 2004. The Coastal Commission approved the amendment to the LCP, with modifications to the project. The changes to the LCP Amendment certified by the Commission result in a net increase in the area designated for preservation of sensitive biological resources and a decrease in areas designated for residential development. Modifications approved by the Commission include the addition of policies to the LUP of the LCP intended to implement the requirements of the Coastal Act, including the protection of coastal resources, and to create and preserve coastal access. Modifications to the IP were made to ensure consistency with the policies and requirements of the LUP.

The City's review of the suggested modifications to the LCP Amendment certified by the California Coastal Commission in this Addendum is limited by the provisions set forth in CEQA and the State CEQA Guidelines. It is limited to examining the environmental effects that are associated with any changes between the project as currently modified and the project reviewed in the certified 2002 Headlands EIR. Specifically, the City is to limit its review to evaluating only the changes in circumstances and any new information of substantial importance.

Pursuant to CEQA and the State CEQA Guidelines, the City is conducting this Addendum in order to determine whether there are any changes in circumstances or any new information of substantial importance that would require preparation of a subsequent or supplemental EIR.

According to Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines, a subsequent EIR cannot be required for the HDGP changes unless the City determines, on the basis of substantial evidence, that one or more of the following conditions are met:

1. Substantial changes are proposed in the project that require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects;
2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects;
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified, shows any of the following:
 - A. The project will have one or more significant effects not discussed in the previous EIR;
 - B. Significant effects previously examined will be substantially more severe than identified in the previous EIR;
 - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
 - D. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

According to State CEQA Guidelines Section 15163, if any of the conditions noted above are present but only minor additions or changes would be necessary to make the previous EIR adequate to apply to the project in the changed situation, a supplemental EIR may be prepared.

Section 15164 of the State CEQA Guidelines states that an Addendum to an EIR shall be prepared "if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Thus, if none of the above conditions are met, the City may not require preparation of a subsequent or supplemental EIR. Rather, the City can:

- Decide that no further environmental documentation is necessary; or
- Require that an Addendum be prepared.

This Addendum reviews the changes to the project and to the existing conditions that have occurred since the 2002 Headlands EIR was certified and compares the environmental effects of the proposed project with the modifications to the LCP Amendment with those of the original project previously disclosed in the 2002 Headlands EIR. It also reviews any new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time the 2002 Headlands EIR was certified, and evaluates whether or not there are any new or more severe significant environmental effects associated with changes in circumstances under which the proposed

project is being undertaken. It further examines whether, as a result of any changes or any new information, a subsequent or supplemental EIR may be required. This examination includes an analysis of the provisions of Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines and their applicability to the project. The focus of the examination is on whether the previous 2002 Headlands EIR may be used for the proposed project.

Evaluation of Environmental Impacts

This Addendum compares the anticipated environmental effects of the proposed project as modified by the Coastal Commission action on the LCP Amendment with those disclosed in the previous EIR to review whether any of the conditions set forth in Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR are met. The potential environmental effects of the proposed project are addressed for each of the following areas:

- Aesthetics
- Air Quality
- Terrestrial Biological Resources
- Cultural and Paleontological Resources
- Geology and Soils
- Hazardous Materials
- Hydrology
- Water Quality
- Land Use
- Noise
- Public Services
- Recreation
- Transportation/Traffic
- Utilities
- Marine Biological Resources
- Coastal Processes

Chapter 4.0 contains the analysis and explanation of the potential environmental impacts of the suggested modifications to the LCP Amendment. The analysis is the City's basis for its determination that no subsequent or supplemental EIR may be required for the proposed project.

1.2 PREVIOUS ENVIRONMENTAL DOCUMENTATION AND PROJECT APPROVALS

The proposed LCP Amendment affects 121.3 acres of land known as the Dana Point Headlands that is owned by a single entity, Headlands Reserve LLC. The site is located in the City of Dana Point, Orange County, immediately upcoast of Dana Point Harbor.

In January 2002, the City of Dana Point approved the HDCP project, including the following actions:

1. Certification of the Environmental Impact Report
2. Adoption of a Mitigation Monitoring Program
3. Approval of an Amendment to the City of Dana Point General Plan
4. Approval of an Amendment to the Zoning Code and Zoning Map
5. Approval of a Planned Development District
6. Approval of an Amendment to the City of Dana Point LCP
7. Approval of a Development Agreement

The City's action pertaining to the LCP Amendment was forwarded to the Commission for certification. After denying the LCP Amendment as originally submitted in January 2004, the Commission certified the LCP Amendment with suggested modifications. Many of the modifications are editorial clarifications that are consistent with the original HDCP and EIR text. Other modifications included by the Commission provide an additional level of specificity to project implementation to ensure that project components, BMPs, mitigation measures, and other actions intended to reduce environmental impacts are enacted in an effective and timely manner. Some modifications included by the Commission are changes to the project or new project components. These changes to the HDCP project description are addressed in Chapter 4.0 of this Addendum.

Since the Commission approved the LCP Amendment with suggested modifications, the City of Dana Point must review and adopt the suggested modifications to the LCP Amendment certified by the Commission.

Pursuant to Section 13544(a) of Title 14 of the California Code of Regulations, the City of Dana Point City Council must, by action of its governing body, (1) acknowledge receipt of the Commission's receipt of the Commission's resolution of certification of the LCP Amendment, including the suggested modifications, (2) accept and agree to the suggested modifications and take the formal action required to satisfy the suggested modifications (e.g., adoption of ordinances and Zone Text and General Plan amendments to incorporate the suggested modifications), and (3) agree to issue coastal development permits for the total area included in the certified LCP.

1.3 FINDINGS OF THIS ADDENDUM

The City of Dana Point is the Lead Agency for the proposed HDCP project. The City has determined that analysis of the project's environmental effects is best provided through use of an Addendum, and

that none of the conditions set forth in Public Resource Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR have been met.

1. There are no substantial changes to the project that would require major revisions of the 2002 Headlands EIR due to new significant environmental effects or a substantial increase in the severity of impacts identified in the 2002 Headlands EIR;
2. No substantial changes have occurred in the circumstance under which the project is being undertaken that will require major revisions of the 2002 Headlands EIR to disclose new significant environmental effects or that would result in a substantial increase in the severity of the impacts identified in the 2002 Headlands EIR; and
3. There is not any new information of substantial importance, which was not known at the time the 2002 Headlands EIR was certified, indicating that
 - A. The project will have one or more significant effects not discussed in the 2002 Headlands EIR;
 - B. There are no impacts that were determined to be significant in the 2002 Headlands EIR that would be substantially more severe;
 - C. There are no additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the 2002 Headlands EIR; and
 - D. There are no additional mitigation measures or alternatives which were rejected by the project proponent that are considerably different from those analyzed in the 2002 Headlands EIR that would substantially reduce any significant impact identified in that EIR.

The complete evaluation of the potential environmental effects of the proposed project, including the rationale and facts supporting the City's findings, is found in Chapter 4.0 of this Addendum.

1.4 FORMAT OF ADDENDUM

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

Chapter 1.0: Introduction

Chapter 1.0 includes a description of the purpose and scope of the Addendum, previous environmental documentation and project approvals, findings of the Addendum, and existing documents to be incorporated by reference.

Chapter 2.0: Project Description

This chapter describes the location and setting of the project site, the needed City discretionary actions in order to implement the proposed project changes (suggested modifications to the LCP Amendment as approved by the Coastal Commission), an overview of how the project has changed as a result of the Coastal Commission action, and the project description, which constitutes the changes made to the HDCP since the original City approval. Those modifications included in the Coastal

Commission approval that have the potential to have a physical effect on the environment are listed at the end of Chapter 2.0 of this Addendum (Section 2.4). These are considered project changes and are addressed in Chapter 4.0 of this Addendum.

Chapter 3.0: Summary of Project Changes and Modifications

Chapter 3.0 of this Addendum provides a summary table of the changes to the project as approved by the Coastal Commission. The Coastal Commission approval and certification included 199 suggested modifications to the LUP and IP components of the LCP.

Most of the Coastal Commission modifications are editorial changes, reorganization of text or procedural clarifications, or changes that implement new or old project components. These modifications are consistent with the original intent of the project and are therefore adequately accounted for in the 2002 Headlands EIR, or they provide specific implementing mechanisms for the new project changes as defined above and are therefore addressed in the analysis of project changes in Chapter 4.0 of this Addendum. The modifications that do not constitute project changes are addressed in Chapter 3.0 of this Addendum.

Chapter 4.0: Comparative Evaluation of Environmental Impacts

Chapter 4.0 addresses project modifications that are considered to be changes with the potential to have a physical effect on the environment, and includes an analysis of the impacts of the revised project compared with the impacts analyzed in the 2002 Headlands EIR. As explained in Chapter 1.0, this comparative analysis has been undertaken, pursuant to the provisions of CEQA, to provide City decision makers with the factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the 2002 Headlands EIR was certified require additional environmental review or preparation of a subsequent or supplemental EIR.

1.5 EXISTING DOCUMENTS TO BE INCORPORATED BY REFERENCE

Section 15150 of the State CEQA Guidelines permits an environmental document to incorporate by reference other documents that provide relevant data.

The documents outlined in this section are hereby incorporated by reference, and the pertinent material is summarized throughout this Addendum, where that information is relevant to the analysis of impacts of the proposed project. All documents incorporated by reference are available for review at the City of Dana Point, Community Development Department, 33282 Golden Lantern, Dana Point, CA 92629, Attention: Kyle Butterwick.

- The Headlands Development and Conservation Plan Final EIR Volume 1–4, City of Dana Point, Certified January 22, 2002.
- The Headlands Development and Conservation Plan, City of Dana Point, August 2001.
- The City of Dana Point General Plan, 1991, and EIR, and as amended in 1997.

- Final Joint Environmental Impact Report & Environmental Impact Statement (EIR/EIS) regarding Take Authorization for implementation of the County of Orange Central & Coastal Subregion Natural Community Conservation Plan & Habitat Conservation Plan. May 1996. Prepared for County of Orange Environmental Management Agency and U.S. Department of Interior Fish and Wildlife Service. FEIR 96-26, FEIR 553. County of Orange.
- County of Orange. April 6, 2000. Draft EIR No. 579 Ocean Education Center. Prepared by Robert Bein, William Frost & Associates.
- County of Orange. 1996. Comment Letters, Orange County Central & Coastal NCCP/HCP and Joint EIR/EIS.
- County of Orange. 1996. Responses to Comments, Orange County Central & Coastal NCCP/HCP and Joint EIR/EIS.
- County of Orange. 1996. Mitigation and Implementation Agreement Monitoring Program
- County of Orange. 1996. Natural Community Conservation Plan & Habitat Conservation Plan, Central Coastal Subregion, Part III: Joint Programmatic EIR/EIS Specific Response to Comments
- U.S. Fish and Wildlife Service. 2000. Endangered Species Act Incidental Take Permit (TE 810581-1).
- County of Orange. 1996. Implementation Agreement Regarding the Natural Community Conservation Plan & Habitat Conservation Plan for the Central/Coastal Orange County Subregion of the Coastal Sage Scrub Natural Community Conservation Program.
- AMEC Earth and Environmental, Inc. Addendum Stability Evaluations and 10 Foot Setback Revetment Setback Alternative. December 19, 2003.
- California Coastal Commission. Letter to the City of Dana Point re: Dana Point Local Coastal Program Amendment 1-03 Dana Point Headlands. August 20, 2004.
- California Coastal Commission. Revised Findings and Staff Report. July 28, 2004.
- RK Engineering Group, Inc. Letter to Headlands Reserve, LLC, re: Headlands Updated Land Use and Trip Generation Analysis. September 8, 2004.
- Noble Consultants, Inc. Project Memorandum re: Revised Shorefront Protection Design. July 29, 2003.
- Outdoor Engineers, AG, Memorandum Report, Noise Level Measurement, Crosslift Vitalhotel Agathenhof. August 17, 2004.

In addition, several studies were completed at the request of the Coastal Commission or in response to issues raised by Coastal Commission staff. These studies are listed in Appendix G of this Addendum and are available for review at the California Coastal Commission, South Coast District Office, 200 Oceanate, 10th Floor, Long Beach, CA, 90802.

1.6 CONTACT PERSONS

The Lead Agency for the Addendum for the Headlands project is the City of Dana Point. Any questions about the preparation of this Addendum, its assumptions, or its conclusions should be referred to:

City of Dana Point
33282 Golden Lantern
Dana Point, California 92629
Attention: Kyle Butterwick, Community Development Director
Phone: (949) 248-3564

2.0 PROJECT DESCRIPTION

BACKGROUND

As approved by the City of Dana Point in January 2002, the Headlands Development and Conservation Plan (HDCP), is a mixed-use development project, including the following land uses: residential, visitor/recreation commercial, recreation open space, and conservation open space. The City of Dana Point certified an EIR in January 2002 for development of the master planned HDCP project of up to 125 single-family residential lots, a maximum 110,750 square feet (sq ft.) of Visitor/Recreation Commercial composed of a 65-room inn and related facilities, and 40,000 sq ft of Visitor/Recreation Commercial situated at the corner of Green Lantern and Pacific Coast Highway (PCH), 30.3 acres of Conservation Open Space that have public safety constraints, environmental resources, and/or scenic value, and 31.7 acres of Recreation Open Space that include a trail system, public parks, a public beach, and a series of public recreational visitor facilities. On-site circulation and parking are provided for these uses. Approved vehicular access includes a new intersection at PCH, an extension at Selva Road, and extensions of Street of the Green Lantern, and Scenic Drive. The HDCP project also included an amendment to the Dana Point Local Coastal Program (LCP).

PROPOSED PROJECT ADDRESSED IN ADDENDUM

The California Coastal Commission subsequently certified LCP Amendment 1-03 to the Dana Point LCP provided that 199 suggested modifications be incorporated and adopted by the City of Dana Point. These changes are the subject of this Addendum and are summarized later in this chapter.

2.1 PROJECT LOCATION AND SETTING

The HDCP site is located in the west-central portion of the City of Dana Point (City), in the County of Orange (County). Regional access to the vicinity of the project site is provided by Interstate 5 (I-5) to the southeast, the San Joaquin Hills Transportation Corridor (State Route 73 or SR-73) to the northeast, and Pacific Coast Highway (PCH) adjacent to the eastern boundary of the project site. The project site is located at PCH and Street of the Green Lantern. The Pacific Ocean borders the project site to the southwest. (See Figure 2.1.)

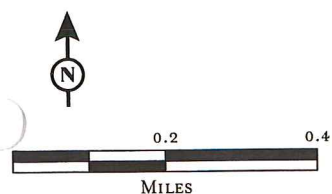
The 121.3-acre project site includes a coastal promontory (Dana Point) that forms a series of bluffs, an adjacent series of sloping terraces that descend to the ocean, and a hilltop that overlooks the coast. These site features form three distinct planning areas: the Headlands Promontory Area; the Strand Beach Area; and the Pacific Coast Highway/Hilltop Area.

The Headlands Promontory Area is the most southerly portion of the project site, consisting of steep coastal bluffs and the gently sloping plateau above the ocean. This area forms the landmark that gives the property its name. The Headlands bluffs are visible for several miles up and down the coast.



FIGURE 2.1

LSA



HDCP Addendum
Project Location

The Strand Beach Area of the project site consists of a sandy beach surrounded by terraced slopes, which was formerly developed as a 90-lot mobile home park that closed in 1988. This fenced area is in a degraded condition with abandoned buildings, parking lots, asphalt streets, structural pads, walls, and septic, water, and storm drainage facilities. Beginning in the 1950s, a 2,240-foot long and on average, 17-foot high riprap revetment was installed along the edge of the former mobile home park adjacent to the beach to protect slopes and improvements in this area from coastal erosion.

The Hilltop Area is located in the northeast portion of the site, is surrounded by urban development, and directly fronts PCH. This portion of the project site is occupied by commercial storage facilities and contains structures that were formerly used for horticultural operations and a hilltop that, at 288 feet above mean sea level, is the highest elevation on the project site and provides a 360 degree view of the Pacific Ocean and the City.

Surrounding Site Conditions

The project site is surrounded by urban land uses, most of which have been in place for many years. The majority of the adjoining development occurred in the 1970s and 1980s.

To the north and northeast is PCH and existing residential uses, including the Breaker Isle, Niguel Terrace, and Chelsea Point residential areas, the commercial office building on Selva Road, and the County-owned Salt Creek parking lot on Selva Road. Located to the east are existing visitor-serving commercial uses and residential development. Existing residential development includes single-family and multifamily residences adjoining the project site, on the west side of Green Lantern. Commercial uses are located to the east of the Street of the Green Lantern and including Blue Lantern Plaza and the Cannons and Chart House restaurants. Two residential enclaves are surrounded by the project on three sides, but are not included in the project area. The HDCP site lies directly southeast of Dana Point Harbor. The Dana Point Marine Life Refuge and the Niguel Marine Life Refuge are located to the west and south of the project site.

Current Site Conditions

The visual character of the project site consists of previously graded, disturbed or partially developed, and undeveloped flat to steeply sloping coastal terrain overlooking the Pacific Ocean. The existing land uses on the project site consist of a former plant nursery, a storage area, greenhouses, the remains of a mobile home park and the privately owned Strand Beach, vacant land, and an on-site road network. Existing improvements associated with these past and present land use activities include storm drainage systems, water systems, septic systems, underground and aboveground utilities, catch basins, a gate guard house, tennis court, garages, parking lots, shore revetment, street paving, curbs and gutters, greenhouse commercial structures, several terraced pads, retaining walls, street lighting, water hydrants, fencing, storm water outfalls, irrigation, and ornamental landscaping. The vacant land supports both native and exotic vegetation.

Grading and development has occurred on several areas of the site. These include the improvements associated with the former 90-lot mobile home park in the 40-acre Strand Beach area, which is abandoned, run down, and visually blighted. Roadway improvements on site in the vicinity of the Headlands Promontory and the PCH/Hilltop area include Cove Road, PCH, Dana Strand Road, Street

of the Green Lantern, Scenic Drive, and Marguerita Road. Other improvements include the commercial greenhouses, razor-wire topped chain-link fences, storage facilities, and former horticultural operations found in the Hilltop/Basin area. These facilities are generally run down and visually blighted.

The site topography varies dramatically. It includes a gently sloping coastal promontory that rises above the nearly vertical coastal bluffs. This portion of the property creates a distinctive landmark and is referred to as the "Headlands," which has evolved into the common name for the entire site. The terraces above Strand Beach have an overall slope gradient of five feet horizontal to one foot vertical. The site ranges in elevation from sea level to 288 feet above mean sea level (msl).

Areas of the project site contain native and nonnative vegetation, including coastal sage scrub, native and nonnative grassland, coastal bluff scrub, ice plant, cacti, and mature ornamental landscaping. Juniper, ficus, palm, and eucalyptus trees exist within the northern portion of the project site, and similar mature nonnative ornamental trees are found near the former horticultural area in the central portion of the site. Palm trees and eucalyptus trees are located on the northern portion of the site at the former mobile home park, now abandoned.

There have been no significant changes to the project site or the adjacent properties since certification of the EIR in January 2002.

2.2 PREVIOUS AND PROPOSED DISCRETIONARY ACTION BY THE CITY OF DANA POINT

The HDCP provides for the orderly development and conservation of resources on the project site. The project responds to the physical characteristics of the site and surroundings and establishes public and private development opportunities. The HDCP will be implemented by a series of plans, programs, and guidelines adopted by the City and applicable State and federal regulatory agencies. The City of Dana Point approved the project, including the discretionary actions below, on January 22, 2002.

1. Certification of the Environmental Impact Report
2. Adoption of Mitigation Monitoring Program
3. Approval of an Amendment to the City of Dana Point General Plan
4. Approval of an Amendment to the Zoning Code and Zoning Map
5. Approval of a Planned Development District
6. Approval of an Amendment to the City of Dana Point LCP
7. Approval of a Development Agreement

The current City actions needed in order to adopt the Coastal Commission suggested modifications to the LCP Amendment include:

1. Approval of this Addendum to the certified Headlands EIR to address the potential environmental effects of the changes made to the project since the original City approval and EIR certification in 2002.
2. Adoption of the suggested modifications to the LCP Amendment through a General Plan Amendment, Local Coastal Plan Amendment, Zone Change and Zone Text Amendment, Planned Development District, and related ordinances and resolutions.

The Initial Study prepared as part of the 2002 Headlands EIR process determined that several environmental effects of the proposed project will not be significant, specifically effects on agricultural resources, mineral resources, and population and housing. These effects are discussed briefly in Chapter 2.0 of the 2002 Headlands EIR. The proposed project changes do not necessitate a change in these determinations, since the project site is not used for agricultural purposes or designated as farmland, does not contain mineral resources of regional or Statewide importance, and will not result in the demolition of housing units or the displacement of any residents. Therefore, these effects are not addressed further in this Addendum.

2.3 PROJECT OVERVIEW

The Coastal Commission approved the amendment to the LCP, with modifications. The changes to LCP Amendment certified by the Commission result in a net increase in the area designated for preservation of sensitive biological resources and a decrease in areas designated for residential development. Modifications approved by the Commission include the addition of policies to the LUP of the LCP intended to implement the requirements of the Coastal Act, including the protection of coastal resources, and to create and preserve coastal access. Modifications to the IP were made to ensure consistency with the policies and requirements of the LUP.

The City's review of the suggested modifications to the LCP Amendment certified by the California Coastal Commission in this Addendum is limited by the provisions set forth in CEQA and the State CEQA Guidelines. It is limited to examining the environmental effects that are associated with any changes between the project as currently modified and the project reviewed in the certified 2002 Headlands EIR. Specifically, the City is to limit its review to evaluating only the changes in circumstances and any new information of substantial importance. Figure 2.2 shows the 2002 Headlands Development and Conservation Plan. Figure 2.3 reflects Coastal Commission modifications to the LUP.

2.3.1 The City-Approved HDLP and Suggested Modifications by the Coastal Commission

Land Use Plan Amendment. The LCP amendment replaces—in its entirety—the certified Land Use Plan (the 1986 Plan) presently effective on 95.1 acres of the 121.3-acre Dana Point Headlands site. The 2004 Land Use Plan would be effective on the entire 121.3-acre site, including the portion of the Strand area previously uncertified. The new plan will consist of the 1996 LUP composed of the Land Use Element (LUE), Urban Design Element (UDE), and Conservation/Open Space Element (COSE) of the City's General Plan, which are to be amended by an action of the Dana Point City Council to reflect the Coastal Commission-approved modifications to the LCP Amendment. The LUP amendment contains language regarding the creation of Planned Development Districts (PDDs) in the City that would apply to the entire area controlled by the 1996 LUP.



FIGURE 2.2

LSA





LSA



FIGURE 2.3

HDCP Addendum
2004 Headlands Development and Conservation Plan
with Suggested Modifications

The project description for the purpose of this EIR Addendum is limited to the project components that changed between the time of the City's original approval and the Coastal Commission certification, with suggested modifications. Additions, deletions, and modifications to the project made by the Coastal Commission and not previously reviewed by the City are addressed in this EIR Addendum.

The Coastal Commission approval included 92 suggested modifications to the LUP, most of which are text clarifications or clarifications/ restatements of implementation enforcement mechanisms. Please see Chapter 3.0 of this Addendum for a summary of the changes to both the LUP and IP as certified by the Coastal Commission. The Coastal Commission changes also include the project changes described in this chapter and evaluated in this EIR Addendum. The Coastal Commission-approved land use changes are summarized below, and by Planning Area in Appendix B.

a) Residential Land Use

The project as approved by the City designated 52.4 acres of the 121.3-acre Headlands area for residential uses. The residential land use is divided into two areas, Planning Area 2 comprising the Strand residential area, and Planning Area 6 comprising the Upper Headlands residential area. In the Strand, the approved project allows a density of up to 3.5 dwelling units per gross acre. Within the Upper Headlands, the project allows a density of 2.5 dwelling units per gross acre.

The Coastal Commission-approved modifications to the LCP Amendment reduced the acreage devoted to residential use from 52.4 to 45.9, for a net change of 6.5 fewer acres within the Upper Headlands residential area, but maintained the approved maximum number of residential lots of 125. Of the 6.5 acres, 3.7 acres were designated for inclusion in the Headlands Conservation Park and 2.8 acres were added to the Hilltop Park and Greenbelt.

b) Visitor/Recreation Commercial Land Use

The project as approved by the City designated a total of 4.4 acres of visitor/recreation commercial uses. Planning Area 9 included 2.8 acres of Visitor/Recreation Commercial land use allowing a maximum of 110,750 sq ft for a 65-key inn. In addition, at the corner of PCH and Street of the Green Lantern, Planning Area 4 comprises 1.6-acres designated for up to 40,000 sq ft of visitor/recreation commercial use.

The Visitor/Recreation Commercial designation allows primarily visitor-serving uses, such as restaurants, hotels and motels, commercial recreation specialty and convenience retail goods and services, automobile service businesses, open space/recreational uses, and community public facilities.

Coastal Commission-approved modifications to the LCP Amendment included approval of a 65-90-key inn and retained the maximum build-out of 110,750 sq ft. The suggested modifications also require the reduction of visitor/recreation commercial use in Planning Area 4 to a maximum of 35,000 sq ft, including the provision of a visitor information center and a 40-bed hostel, and six parking spaces designated for visitors to the open space on site.

c) Recreation/Open Space and Roads

The project as approved by the City designated 62 acres of Recreation/Open Space and 2.5 acres of public right-of-way/roads on the 121.3-acre Headlands site. Designated recreation-oriented open space totaling 31.7 acres included Strand Vista Park (Planning Area 1) (9.9 acres) overlooking Strand Beach Park (Planning Area 3) (5.2 acres); a portion of Harbor Point Park (Planning Area 3a) (4.3 acres) overlooking Dana Point Harbor; and Hilltop Park and Greenbelt (Planning Area 5) (12.3 acres), a high point with expansive view opportunities and some native habitat areas. Harbor Point Park (Planning Area 8a) (4.3 acres) included three visitor serving recreational facilities, the Lighthouse/Maritime Historical Center, the Cultural Arts Visitor Center, and the Nature Interpretative Center. The Hilltop Park and Greenbelt included the Conservation Visitor Center. Conservation-oriented open space totaling 30.3 acres includes the Headlands Conservation Park (Planning Area 7) (24.2 acres) and a portion of Harbor Point Park (Planning Area 8b) (6.1 acres), which are both bluff and bluff top promontories on the Headlands site and contain habitat for sensitive species.

Coastal Commission-approved modifications to the LCP Amendment included the designation of 49.3 acres of environmentally sensitive habitat areas (ESHA), an increase in the conservation open space area from 30.3 to 34.0 acres and an increase in recreation open space from 31.7 acres to 34.5 acres. The Coastal Commission eliminated some visitor-serving facilities, including the Maritime Historic Visitors Center (lighthouse), Cultural Arts Visitors Center, and Conservation Visitors Center, and added a requirement that mechanized access (funicular) be constructed in Planning Area 1 to provide transportation from the County parking lot to the pedestrian ramp to Strand Beach. Visitor-serving facilities added by the Coastal Commission include a pedestrian trail and benches along the top or landward side of the revetment, a new Mid-Strand Vista Park Accessway, and public restrooms and shower facilities at south end of Strand Beach.

Implementation Program Amendment. The LCP amendment would replace—in its entirety—the certified Implementation Plan (IP) (the 1986 Plan) presently effective on 95.1 acres of the 121.3 acre Dana Point Headlands site with an Implementation Plan that would apply to the entire 121.3 acre project site. The new IP will consist of the 1996 IP composed of the City's Zoning Code, which is further amended to include provisions for the creation of Planned Development Districts (PDDs) in the City and at the same time create a PDD for the 121.3-acre Headlands site.

a) Adoption of 1996 IP/Zoning Code

The Commission previously certified the 1996 IP through LCP Amendments 1-96 (which made it effective in the Capistrano Beach area of the City) and 1-98 (which made it effective in the Monarch Beach area of the City). The IP amendment would apply the 1996 IP/Zoning Code to the Headlands area, except as otherwise provided in the HDCP. The Coastal Commission certification included 107 suggested modifications to the IP, most of which are text clarifications or clarifications/ restatements of implementation enforcement mechanisms. Please see Chapter

3.0 of this Addendum for a summary of the changes to both the LUP and IP as approved by the Coastal Commission.

b) Modifications to 1996 IP/Zoning Code

The HDCP modifies the previously certified 1996 IP/Zoning Code to create Chapter 9.34, by incorporating an ordinance that allows the City to adopt PDDs. PDDs are similar to specific plans in that both implement General Plan/LUP policy by establishing regulations, conditions, and programs concerning development standards and precise locations for land use and facilities; standards and locations for streets, roadways, and other transportation facilities; standards indicating population density and building intensity, and provisions for supporting services and infrastructure; specific standards designed to address the use, and development and conservation of natural resources.

Coastal Commission modifications to the IP include procedural clarifications regarding the relationship between PDDs, the HDCP, Zoning Ordinance, and Development Guidelines. The Coastal Commission also stipulated that PDDs must conform with or carry out the provisions of the certified LUP and that nonconflicting rules and procedures found in other parts of the LCP remain applicable after adoption of PDDs.

c) Headlands Planned Development District (Key Features)

The Headlands PDD is composed of Sections 3.0 and 4.0 of the HDCP. Section 3.0 establishes the project zoning and development standards and incorporates by reference the general provisions, the land use plan, and definitions. Section 4.0 provides development guidelines for the area. The PDD augments the development standards identified in the IP/Zoning Code and supersedes those standards where they conflict with the IP/Zoning Code or where the PDD otherwise specifies that the standards identified supersede those identified in the IP/Zoning Code.

The HDCP also contains Section 5.0, which provides the City and landowner analysis of the HDCP's conformance with the Coastal Act. Section 5.0 contains no provisions beyond those described in Sections 3.0 and 4.0 of the HDCP.

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

2.4.1 Coastal Commission Action

The Coastal Commission certified the LCP Amendment with suggested modifications on January 15, 2004, and adopted revised findings associated with certification on August 11, 2004. The Commission found that the subject LCP amendment could be approved if suggested modifications are adopted. Among other findings, the Commission designated approximately 49.3 acres of Environmentally Sensitive Habitat Area (ESHA) in the project area and found that certain aspects of the development could only be allowed, such as specified ESHA impacts, in conjunction with other project components including:

1. Preservation, enhancement, dedication and perpetual management of all but 11.29 acres of ESHA known to be present at the Headlands;
2. The dedication of the private portion of Strand beach to the public;
3. The construction and dedication of public parks, a public trail network throughout the Headlands, and vertical and lateral public access to and along Strand Beach including realigning the existing revetment an average of five feet landward, or easterly, from the existing alignment, implementation of a program to retrieve any dislocated riprap from the beach that impedes public access, and construction of a new lateral public access trail on top, or landward, of the revetment and seaward of the entire length of the Strand residential development;
4. Implementation of extensive water quality management best management practices, including but not limited to the construction and maintenance of structural best management practices to treat off-site and on-site runoff;
5. The preservation of significant landforms including the Harbor Point and Headlands bluffs and promontories and the Hilltop and ridgeline; and
6. The provision of lower-cost overnight accommodations (i.e., hostel) within Planning Area 4 in conjunction with the construction of the Seaside Inn in Planning Area 9.

2.4.2 Summary of Physical Changes to the Project

Physical changes to the project are summarized in Tables 2A and 2B. The revisions to the project resulting from the Coastal Commission's certification of the LCP Amendment, with suggested modifications, that have the potential to affect the physical environment include:

1. Reallocation of Land Uses

- A. Reduce the size of the Upper Headlands Residential area (Planning Area 6) from 26.7 acres to 20.2 acres, and add the difference to areas designated recreational/conservation open space.
- B. Increase the size of Planning Area 5 from 12.3 acres to 15.1 acres and Planning Area 7 from 24.2 acres to 27.9 acres, increasing the total designated area of recreational/conservation open space.
- C. Realignment of the revetment landward, allowing for Strand Beach to be five feet wider on average.

2. Modify Visitor Serving Uses

- A. Provide a 40-bed hostel in Planning Area 4.
- B. Reduce size of Visitor Recreation/Commercial use in Planning Area 4 from 40,000 sq ft to 35,000 sq ft.
- C. Increase quantity of allowable rooms for the Seaside Inn from 65 to 65-90 keys within Planning Area 9.

- D. Eliminate the visitor centers found to be in conflict with ESHA conservation requirements and likewise reorient the Nature Interpretive Visitor Center to avoid ESHA impacts. Add a Visitor Information Center in Planning Area 4 that will be directly accessible from Pacific Coast Highway, and add a restroom/shower facility at the south end of Strand Beach.
- E. Add six public parking spaces reserved for open space uses in Planning Area 4 that will be directly accessible from Pacific Coast Highway.

3. Improve Public Access to the Coast

- A. Provide a funicular from the Salt Creek public parking lot (Selva Road) to the pedestrian ramp to Strand Beach along the North Strand Beach Accessway.
- B. Realign the existing revetment 10 feet landward in the center, transitioning back to the existing alignment at either end for an overall average 5 feet of additional beach, and provide an 8-foot-wide lateral accessway, plus benches along the top; maintain the revetments' current average height of 17 feet.
- C. Provide new Mid-Strand Vista Park Accessway from the County public parking lot to the Central Strand Beach Accessway.

4. Preservation of Biological Resources

- A. Reduction in size of the Upper Headlands Residential area (Planning Area 6) by 6.5 acres from 26.7 acres to 20.2 acres.
- B. Increase in size of Headlands Conservation Park (Planning Area 7) by 3.7 acres, from 24.2 acres to 27.9 acres.
- C. Increase in size of Hilltop Park and Greenbelt Linkage (Planning Area 5) by 2.8 acres, from 12.3 acres to 15.1 acres.
- D. The dedication, preservation, enhancement, and perpetual management of all but 11.29 acres of ESHA. Measures to implement this requirement include:
 - A \$2-million endowment to maintain the biological values of the City-owned and maintained open space areas within the Headlands
 - Revisions to fencing guidelines
 - Revisions to the Headlands plant palette for areas other than the residential lots and the hotel that require the use of plant species native to Coastal Orange County
 - Realignment of bluff top trails with minimum setback of 25 feet from coastal bluff scrub vegetation
 - Prohibit fuel modification within designated ESHA beyond the maximum 11.29 acres of allowable ESHA disturbance provided for in the suggested modifications
 - Require a mitigation ratio of 3:1 (1:1 creation or substantial restoration) for disturbances to ESHA with on-site mitigation preferred

- Require the construction of a masonry wall (seven feet high) between designated ESHA and Planning Areas 4 and 6 as well as fencing along trails in ESHA to minimize impacts to resources
- Realignment of utilities outside of conservation areas and designated ESHA into an alignment that minimizes impacts

5. Water Quality

- A. Provide secondary treatment of storm water runoff to Dana Point Harbor.
- B. Provide catch basin filters in all curb storm drain inlets.
- C. Provide grease traps for restaurant/food service wash down areas.
- D. Provide state-of-the-art irrigation controllers.
- E. Consider and potentially utilize BMPs with the capability to provide equal or better treatment compared to sand filters.

The changes to the project described above, and organized into five categories in Chapter 3.0, have the potential to affect the environment. The project changes are summarized in Tables 2A and 2B. These project changes are addressed in Chapter 4.0 in accordance with Public Resources Code Section 21166 and CEQA Guidelines Sections 15162 and 15164.

Table 2A: Land Use Statistical Summary¹

Land Use	Acres	Planning Area	Residential Lots/ Square Feet
Recreation Open Space (REC/OS)			
Recreation Open Space (REC/OS)	9.9	1	
	5.2	3	
	<u>15.1</u> 14.2	5	
	4.3	8A	
Subtotal REC/OS	<u>34.5</u> 31.7		
Conservation Open Space (CONS/OS)			
Conservation Open Space (CONS/OS)	<u>27.9</u> 24.2	7	
	6.1	8B	
Subtotal CONS/OS	<u>34.0</u> 30.3		
Visitor/Recreation Commercial (V/RC)			
Visitor/Recreation Commercial (V/RC)	1.6	4	<u>35,000</u> 40,000 -sq ft; 40-bed hostel
	2.8	9	110,750 sq ft (65-90 65 -keys)
Subtotal V/RC	4.4		<u>145,750</u> 150,750 -sq ft (65- 90 keys 65 keys); 40-bed hostel
Residential (RSF 0-3.5)			
Residential Single Family	25.7	2	75 Lots
	<u>20.2</u> 26.7	6	50 Lots
Subtotal (RSF 0-3.5)	<u>45.9</u> 52.4		125
Public Right-of-Way	2.5	1, 6, 8A	
Total Public Open Space	<u>68.5</u> 62.0		
Total	121.3		

¹ Strikeout and underscore indicate suggested modifications as approved by the Coastal Commission.

Table 2B: Visitor Recreational Facility Statistical Summary¹

Public Facility	Planning Area	Maximum
Lighthouse	8A	2,000 sq ft
Cultural Arts Center	8A	2,000 sq ft
Nature Interpretive Center	8A	2,000 sq ft
Conservation Center	5	2,000 sq ft
Public Restrooms/Shower ²	1	2 x 500 sq ft
Visitor Information Center ³	4	800 sq ft ⁴

¹ Strikeout and underscore indicate suggested modifications as approved by the Coastal Commission.

² Public restrooms and showers shall be constructed at both the north and south ends of Planning Area 1 above Strand Beach.

³ The Visitor Information Center may be constructed and operated in conjunction with the hostel planned for the PCH V/RC, Planning Area 4.

⁴ If the Visitor Information Center is incorporated into the hostel, there is no specific square footage requirement.

3.0 SUMMARY OF PROJECT CHANGES AND MODIFICATIONS

3.1 INTRODUCTION

On January 22, 2002, the City of Dana Point City Council certified the Environmental Impact Report (EIR) for the Headlands Development and Conservation Plan (HDCP) and approved the project, including amendments to the Local Coastal Program (LCP), General Plan and Zoning Code, and approved a Planned Development District (PDD).

The California Coastal Commission (Coastal Commission) certified the City of Dana Point LCP Amendment 1-03 for the Headlands project on January 15, 2004, with modifications, and approved revised findings on August 11, 2004. Since the Coastal Commission action was focused on the proposed amendment to the LCP, the Coastal Commission modifications to the project were organized as modifications to either the Land Use Plan (LUP) or the Implementation Program (IP) of the LCP and have been summarized in Summary Table 3A.

As explained in Chapter 1 of this Addendum, the City's review of the proposed suggested modifications to the HDCP approved by the Coastal Commission is limited by the provisions of CEQA (Pub. Res. Code sec. 21166) and the State CEQA Guidelines (Guidelines sec. 15162). As summarized in Summary Table 3A, many of the Coastal Commission modifications to the LCP Amendment can be categorized as editorial changes, clarifications, introductory or summary text, procedural clarifications, or requirements for additional studies which do not involve a physical change to the environment or result in a change to the physical components of the project. Such modifications do not require additional analysis under CEQA. Modifications that do not require additional analysis under CEQA include the following:

Editorial Changes. These modifications include edits to the HDCP needed to reflect the Coastal Commission changes in all applicable locations in the document and minor changes or deletions to HDCP text.

Clarifications. Clarifications are modifications to the HDCP that are consistent with the project as described and evaluated in the 2002 Headlands EIR and may provide additional information or corrections that are consistent with the intent of the original action of the City of Dana Point. Clarifications often restate components of the project described elsewhere for the purposes of providing additional clarity in the LCP Amendment approved by the Coastal Commission. Clarifications do not substantially affect implementation of the proposed project.

Introduction/Summary of Project Elements. Some project modifications are composed of a brief introduction or summary of project elements that are described in greater detail elsewhere.

Procedural Clarifications. Procedural clarifications are modifications that provide an additional level of specificity to the implementation of project components in a manner that

is consistent with the intent of the original action of the City of Dana Point as evaluated in the 2002 Headlands EIR. Procedural clarifications are generally intended to ensure that the implementation of the project adheres to the project components and measures intended to reduce impacts to the environment.

Additional Studies. In some cases, additional studies or documentation may be required to be conducted during the project development review and implementation phase of the project. The purpose of these studies is to verify, manage, or mitigate project impacts already identified through the environmental review process in the 2002 Headlands EIR.

In addition, many of the suggested modifications required by the Coastal Commission are text or procedural clarifications that are consistent with the original intent of the project as addressed in the 2002 Headlands EIR and do not require further CEQA action by the City. Suggested modifications that may have a potential physical effect on the environment and therefore require further analysis under CEQA are discussed in greater detail in Chapter 4.0 of this Addendum. The nature of the modifications to the LCP Amendment required by the Coastal Commission is noted in Summary Table 3A.

**Summary Table 3A:
Summary of Project Changes and Modifications
Headlands/Dana Point LCP Amendment 1-03**

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
Land Use Plan Modifications				
1	Global Change: Modify/Add appropriate Coastal Act policy references	Requires that LUP be modified to add appropriate Coastal Act policy references following each Land Use Element, Urban Design Element, and Conservation Open Space Element (COSE) policies referenced in the Coastal Commission staff report.	Editorial Change	
2	(Priority Uses) LUE, Goal 2, Policy 2.10	Text clarification regarding visitor-serving commercial recreational development.	Clarification ; substantively consistent with original text	
3	(Water Quality) (WQ15) LUE, Goal 4, Policy 4.4	Further clarifies goal to sustain and, where feasible, restore general water quality and biological productivity.	Clarification ; substantively consistent with original text	
4	(Biological Resources/Hazards), LUE, Goal 5	Identifies 6 key project elements defined by the Coastal Commission. See Chapter 2 of this Addendum.	Introduces or summarizes project elements described in detail elsewhere ; see Chapter 2 of this Addendum.	
5	(Visual Resources), LUE, Goal 5, Create Figure COS-5a	New figure needed to be consistent with Commission action.	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution
6	(Visual Resources) LUE, Goal 5, New Policy: public coastal view opportunities	Zoning and development regulations are needed to protect public view opportunities	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution
7	(Visual Resources) LUE, Goal 5, New Policy: Maximum building heights	Maximum building height restrictions are to be provided to protect public views to and along the coast.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
8	(Visual Resources) LUE, Goal 5, New Policy: Submittals for tentative tract maps and coastal development permits	Requires visual impact analysis for development within public viewsheds.	Additional Studies. Additional studies and/or documentation may be required if implementation of the project is delayed or differs from that proposed.	
9	(Hazards) LUE, Goal 5, Policy 5.2	Specifies minimum 50-foot setbacks from bluff edges or a sufficient setback to avoid erosion/bluff retreat over a minimum 75-year time frame.	Clarification; substantively consistent with original text	
10	(Visual Resources) LUE, Goal 5, Policy 5.4	Prohibits new development that significantly degrades public views to and along the coastline.	Clarification; substantively consistent with original text	
11	(Public Access) LUE, Goal 5, Policy 5.6	Clarifies continuity and connectivity of trail system	Clarification; substantively consistent with original text	
12	(Public Access) LUE, Goal 5, Policy 5.9	Requires a minimum of 3 public accessways and an inclined elevator/funicular to the beach.	Change to Project; see Chapter 4 of Addendum	Access/Funicular
13	(Biological Resources/Public Access) LUE, Goal 5, Policy 5.20	Clarifies that limitations of public access to open space areas are specific to those areas containing sensitive biological resources.	Clarification; substantively consistent with original text	
14	(Coastal Resources) LUE, Goal 5, Policy 5.21	Deletes redundant policy that was replaced by Suggested Modification No. 12	Clarification; substantively consistent with original text	
15	(Public Access) LUE, Goal 5, Policy 5.23	Affirms that off-street parking will be provided for new residential and commercial development as required by the LCP, and that variances for parking will not be approved and the availability of valet parking will not reduce the required number of parking spaces.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
16	(Coastal Resources) LUE, Goal 5, Policy 5.25	Deletes Coastal Resources Policy regarding the application of the Central Coastal Orange County Natural Communities Conservation Plan/Habitat Conservation Plan (NCCP/HCP) and replaces it with new policies	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
17	(Biological Resources) LUE, Goal 5, New Policy	New biological inventories are required after two years following final certification, and application of ESHA delineation is described.	Additional Studies. Additional studies and documentation may be required if implementation of the project is delayed or differs from that proposed.	
18	(Hazards/Coastal Resources) LUE, Goal 5, New Policy	Demonstration of safety from natural hazards is required prior to any land division deed restrictions, and dedication is required for land to remain as open space.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
19	(Public Access) LUE, Goal 5, New Policy	Protects recreation and access opportunities as an important coastal resource, and requires lower fees and maximum use for public beaches and parks.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
20	(Public Access) LUE, Goal 5, New Policy	Requires a coastal development permit for temporary events that may impact public access or coastal resources.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
21	(Public Access) LUE, Goal 5, New Policy	Limits new public beach facilities to structures required to provide or enhance public recreation.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
22	(Public Access) LUE, Goal 5, New Policy	Prohibits parking restrictions on Selva Road, Street of the Golden Lantern, and Scenic Drive that would impede public access.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
23	(Public Access) LUE, Goal 5, New Policy	Except as noted, prohibits gates or guardhouses that restrict access. Specific exceptions for the Strand residential area are addressed, including provision of an inclined elevator/funicular.	Implementation; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular
24	(Public Access) LUE, Goal 5, New Policy: Funicular	Specifies dates of operation and maximum fees for funicular.	Implementation; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
25	(Public Access) LUE, Goal 5, New Policy: Trail Dedication	Requires new developments to dedicate a trail if an existing LCP trail was mapped or prescriptive rights exist.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
26	(Public Access) LUE, Goal 5, New Policy: Trail Easements	The opening of a trail shall only be required after a public agency or private association has accepted the offer of dedication and agreed to open, operate, and maintain the trail.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
27	(Public Access) LUE, Goal 5, New Policy: A uniform signage program	Requires development of a uniform signage program to mark public areas, sensitive habitat, and safety hazards.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
28	(Visual Resources) LUE, Goal 5, New Policy: The height of structures	Reasserts maximum allowable height of structures.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
29	(Visual Resources) LUE, Goal 5, New Policy	Sets height and width limitations for signs. Prohibits roof signs, pole signs, and projecting signs.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
30	(Public Access/Biological Resources/Visual Resources) LUE, Goal 5, New Policy	Specifies timing of dedication of open space and public trails and parks.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
31	(Water Quality), LUE, Goal 5, New Policy: Water Quality BMPs	As it relates to the Seaside Inn, specifies structural BMPs to treat on-site runoff and at least 17 acres of off-site runoff.	Clarification ; substantively consistent with original text	
32	(Access), LUE, Goal 5, New Policy: Hostel	Requires lower cost overnight visitor accommodations within the Headlands. A hostel with a minimum of 40 beds shall be available for use concurrent with the opening of the inn.	Change to Project ; see Chapter 4 of this Addendum	Low-Cost Accommodations/ Hostel

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
33	(Access), LUE, Goal 5, New Policy	Limits fractional ownership of the Seaside Inn for specific annual time periods and requires accommodations to be open to the public.	Procedural clarification to provide an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
34	(Biology/Access) Modify LUE, Figure LU-4 Land Use Policy Diagram	Revisions to LUE, Figure LU-4 to illustrate avoidance of ESHA, elimination/relocation of visitor buildings and parking within Harbor Point Park to avoid ESHA.	Change to Project ; see Chapter 4 of Addendum	Land Use Redistribution/ESHA
35	Modify LUE, Table LU-4, Table LU-5, Table LU-6, and Table LU-6a and revise narrative in the 'Land Use Plan' to reflect suggested modifications	Revisions to LUE and LUP to reflect land use changes.	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution
36	(Biology/Access) Modify Narrative in LUE, Land Use Plan	Changes LUE and LUP to reflect changes to land use; Deletes some visitor amenities, reorients nature interpretive center and parking in Harbor Point Park	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA
37	(Biology/Access) Modify LUE, Figure LU-6, Headlands Land Use Policy Diagram	Revises Figure LU-6 to reflect reconfiguration of residential area in Upper Headlands to avoid ESHA except for 6.5 acres; eliminate/reconfigure visitor amenities and parking	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA
38	(Biology/Views) Modify narrative in the UDE, Urban Design Plan, Dana Point Headlands and Bluffs	States that the policies stated in the UDE shall be used as a standard of review for Local Coastal Program purposes	Clarification ; substantively consistent with original text	
39	(Hazards/Access) Modify narrative in UDE, Urban Design Plan, The Beaches	Specifies revetment realignment and provision of a pedestrian trail on top of the revetment; specifies beach access paths	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular/Revetment
40	(Biology/Access/Views) Modify UDE, Figure UD-2	Revises Figure UD-2 to reflect scenic overlooks, and to reduce building footprint in bowl area to reduce ESHA impacts to 6.5 acres	Implementation ; Implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
41	(Biology/Access/Visual Resources) Modify narrative in UDE, Urban Design Plan, The Headlands	Specifies the use of noninvasive native plant species in landscaping. Seaside Inn may use nonnatives; design of access to maximize public use	Change to Project; see Chapter 4 of Addendum.	Landscaping/Access
42	(Biology) Modify narrative in COSE, Related Plans and Program, California Fish and Game (CDFG) Regulations	Deletes sentence stating that CDFG is the principal state agency responsible for the establishment and control of wildlife management programs	Editorial Change	
43	(Coastal Resources/Biology) Modify narrative in COSE, Related Plans and Programs, California Coastal Act	Specifies elements of the general plan that comprise the LCP and clarifies goals of those elements	Clarification; substantively consistent with original text	
44	(Water Quality) COSE, Goal 1, following Policy 1.8	Adds text to introduce the Headlands Water Quality Program	Introduces or summarizes project elements described in detail elsewhere.	
45	(Water Quality) COSE, Goal 1, New Policy (WQ2)	Specifies that all development is required to meet SDR WQCB standards discharge of urban runoff from MS4s.	Clarification; substantively consistent with original text	
46	(Water Quality) COSE, Goal 1, New Policy (WQ3)	Adds a policy that a drainage and runoff plan is to be prepared that incorporates structural and nonstructural BMPs.	Clarification; substantively consistent with original text	
47	(Water Quality) COSE, Goal 1, New Policy (WQ4)	Adds a policy that postconstruction structural BMPs shall be designed to treat, infiltrate, or filter the amount of storm water produced by storms up to and including the 85th percentile 24-hour storm event.	Clarification; substantively consistent with original text	
48	(Water Quality) COSE, Goal 1, New Policy (WQ5)	Adds a policy that grading/erosion control plans will be accompanied by a plan and schedule for landscaping and revegetation, and loss of sediment.	Clarification; substantively consistent with original text	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
49	(Water Quality) COSE, Goal 1, New Policy (WQ6)	Adds a policy requiring street sweeping	Clarification ; substantively consistent with original text	
50	(Water Quality) COSE, Goal 1, New Policy (WQ7)	Adds a policy requiring maintenance of structural BMPs.	Clarification ; substantively consistent with original text	
51	(Water Quality) COSE, Goal 1, New Policy (WQ8)	Adds a policy requiring the use of BMPs for runoff in commercial development	Clarification ; substantively consistent with original text	
52	(Water Quality) COSE, Goal 1, New Policy (WQ9)	Adds a policy requiring the use of BMPs at restaurants for targeted constituents.	Clarification ; substantively consistent with original text	
53	(Water Quality) COSE, Goal 1, New Policy (WQ10)	Adds a policy requiring storm drain stenciling	Clarification ; substantively consistent with original text	
54	(Water Quality/Hazards) COSE, Goal 1, New Policy (WQ11)	Adds a policy requiring efficient irrigation	Clarification ; substantively consistent with original text	
55	(Water Quality) COSE, Goal 1, New Policy (WQ12)	Adds a policy requiring treatment of low-flow "nuisance" runoff.	Clarification ; substantively consistent with original text	
56	(Water Quality) COSE, Goal 1, New Policy (WQ13)	Adds a policy requiring the reduction of impervious surface.	Clarification ; substantively consistent with original text	
57	(Water Quality) COSE, Goal 1, New Policy (WQ14)	Adds a public awareness policy regarding water quality	Clarification ; substantively consistent with original text	
58	(Hazards) COSE, Goal 2, Policy 2.8	Text change regarding minimization of risk by clustering new development into suitable geotechnical areas.	Editorial Change	
59	(Hazards) COSE, Goal 2, Policy 2.14	Text change regarding minimization of coastal slope erosion by reconstruction of the existing revetment.	Editorial Change	
60	(Water Quality) COSE, Goal 2, Policy 2.20	Clarifies policy regarding the protection of coastal resources.	Editorial Change	
61	(Hazards) COSE, Goal 2, add introductory text after Policy 2.20	Adds text introducing hazards policies applicable to the Headlands.	Editorial Change	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
Suggested Changes to Implementation Program				
93	No change.	Modification suggested by staff but rejected by Commission.	No CEQA action required.	
94	(Coastal Resources) Global Change, Sections 3.0 and 4.0	Clarifies the standards of review for coastal development permits processed by the City. Sections 3.0 and 4.0 of the HDCP are the required zoning standards for the property, and with the City's Zoning Code, serve as the Implementing Actions Program for the Local Coastal Plan (LCP).	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
95	(Biology/Access) Global Change, Sections 3.0 and 4.0	Eliminates all references to the visitor's facilities at Harbor Point and Hilltop/Greenbelt Parks that could have resulted in impacts to ESHA, including the Maritime Historic Visitor's Center (lighthouse), Cultural Arts Center, and Veteran's Memorial.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/Visitor Center
96	Section 3.1.B1, PDD, Conflicts	Specifies which program, policy, or code prevails when conflict arises.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
97	(Biology/Access/Views) Section 3.2.D, Variances, PDD	Further clarifies procedure for processing applications for variances and stipulates four variance requests that shall not be granted. (see 138 below).	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
98	(Biology/Access) Section 3.2.E, Planning Area Boundaries, PDD	The boundaries of each planning area shall not deviate from the LCP LUP by more than five percent of the amounts shown in Table 3.2, Land Use Plan. Adjustments will only be approved if public accessways are not changed and no further impacts to ESHA occur. Changes in excess of five percent require an amendment to the HDCP. Boundary alignments approved in a Coastal Development Permit may only be changed through a Coastal Development Permit amendment.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
99	(Views) Section 3.2.F., Submittal Materials, PDD	Developer shall follow City submittal requirements for discretionary permit applications. Permit applications pertain to land division and/or demolition and/or grading and are not required to conform to certain sections regarding elevations and floor plans.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
100	(View) Section 3.2.F.2, PDD	A view analysis exhibit is required to illustrate that coastal views are established, maintained, and protected in accordance with the Land Use, Urban Design, and COS elements of the City's General Plan/LCP and Section 4.0 Guidelines.	Additional Studies . Additional studies and/or documents may be required if implementation of the project is delayed or differs from that proposed.	

No.	Suggested Modification (Hazards/Biology/Access/ Cultural Resources) Section 3.2.D, Submittal Materials, PDD, add new Section 3-7	Summary	CEQA Disposition	Classification of Project Change (Modification)
101		• Except as provided in Suggested Modification No. 62, new beach development applications must include a wave uprush and impact report. • Except as provided in Suggested Modification No. 62, applications for development near coastal bluff shall supply information required in Zoning Code, except that hazards analysis must cover anticipated economic life of the project and a minimum factor of safety. • Beachfront, bluff, or bluff top development applications must show all easements, deed restrictions, or OTD's and other dedications for public access. • After two years from the date of final certification of the LCP Amendment by the Coastal Commission, new development applications within or near ESHA must include a plant and animal inventory. • New development applications that may impact archeological/cultural resources must identify proposed investigations, mitigation measures, and a monitoring plan.	Additional Studies. Additional studies and/or documents may be required if implementation of the project is delayed or differs from that proposed.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
102	(Access) Section 3.2.N, Employee Quarters	Employee quarters are permitted with conditions. Employee quarters that do not contain a separate kitchen/cooking facility shall be treated as a bedroom for parking calculations; quarters that contain a kitchen/cooking facility will be treated as a separate unit for parking calculations.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
103	(Biology/Access) Figure and Table 3.3.1, Land Use Plan	Show reconfiguration of bowl area residential to avoid ESHA, eliminate/relocate visitor buildings to avoid ESHA, show public accessway seaward of Strand Residential/on top/landward of shoreline protective device.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA /Public Access
104	(Biology/Access) Section 3.3.C, Density Transfers	Project residential units (maximum five percent) may be transferred between Planning Areas 2 and 6 according to specified percentages. Changes must be submitted as part of a Tentative Map application and Coastal Development Permit application. Must not diminish the character or amount of open space within the HDCP.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
105	(Biology) Section 3.3.D, Public Facilities	Requires that remaining four visitor recreation facilities shall be built at maximum square footage, unless deemed infeasible, and conform to ESHA protection requirements.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
106	(Biology/Access) Modify Table 3.3.2, Visitor Recreation Facility, Statistical Summary	Revise Visitor Recreation Facility Statistical Summary Table providing maximum square footages for the visitor recreation facilities and requiring construction of public restrooms and showers at both the north and south ends of Planning Area 1 above Strand Beach.	Change to Project ; see Chapter 4 of Addendum.	Restrooms/Shower/ Visitor Facilities
107	(Biology) Section 3.4.A, Development Regulations, Residential Zoning Districts	Adjust maximum density to allow same quantity of units within the smaller development area identified in the suggested modifications.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
108	(Access) Section 3.4.A	Restriction of public access shall only be allowed in conjunction with a public funicular in Planning Area 1. Provides operation requirements if the funicular becomes inoperable.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular
109	(Access) Table 3.4.1, Allowable Uses for Planning Areas 2 and 6	Public vehicular traffic may be restricted only in conjunction with a public funicular in Planning Area 1. Public pedestrian and bicycle access shall not be restricted.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular
110	(Views) Table 3.4.2	Adjust density and minimum lot size and width. Maximum potential structural height may be reviewed/reduced on a case-by-case basis to assure the public that views to and along the shoreline are not degraded.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution
111	(Access) Section 3.4.B, V/RC Zoning District, Permitted Uses, Accessory Uses, Temporary Uses and Conditional Uses	From Memorial Day to Labor Day a minimum of 50 percent of the guest rooms/suites at any inn/hotel operating with a Fractional Ownership component shall be made available to the general public for lodging.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
112	Section 3.4.B.3	Three-story structures may be built in Planning Area 9 according to specific height restrictions. The Seaside Inn shall not exceed 42 feet above the finished building pad elevation, and no finished building pad elevation shall be higher in elevation than 220' MSL.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
113	(Access) Add Section 3.4.B.5	Development in Planning Area 4 must include (a) a 40-bed hostel and visitor information center; (b) six public parking spaces.	Change to Project ; see Chapter 4 of Addendum.	Low-Cost Accommodations/ Hostel/Visitor Center/Open Space Parking

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
114	(Priority Use/Lower Cost V/RC) Table 3.4.3, Allowable Uses in V/RC district. Planning Area 4	Establishes priority of uses in V/RC district.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
115	(Views) Table 3.4.4	Adjust minimum lot size, width, and depth to prevent impacts to ESHA (except as provided in Suggested Modification No. 78). Add notation to maximum height that maximum height may be reviewed on a case-by-case basis to assure that public views are not degraded.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution
116	Table 3.4.4	Adjust quantity of total allowable "keys" from 65 to 90 in Planning Area 9. Adjust square footages and minimum lots sizes, width, and depth in Planning Area 4.	Change to Project ; see Chapter 4 of Addendum.	Increase of up to 25 keys (rooms)
117	(Access) Add Section 3.4.C.5 to Rec and Cons/OS Zoning District	Building an inclined Elevator/Funicular in Planning Area 1.	Change to Project ; see Chapter 4 of Addendum.	Access/Funicular
118	(Biology/Access/Hazards) Modify Table 3.4.5	Revise all figures to reflect incorporation of ESHA, except 6.5 acres of ESHA allowed to be impacted in Planning Area 6 and follow table provided.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ Access/Funicular/ Revetment/ESHA
119	(Access/Biology) Modify Table 3.4.6, Allowable Uses Rec/OS and Cons/OS	Specifies allowable land uses in open space areas.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular
120	(Hazards) Modify Table 3.4.7, Recreation Open Space and Conservation Open Space Development Standards	Eliminates references to lighthouse and Veteran's Memorial. Minimum setback from the top of bluff is 50 feet; eliminates allowance for a special foundation.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Visitor Facilities/ ESHA
121	(Biology) Delete Figure 3.4.4	Delete figure showing development stringline for lighthouse at Harbor Point.	Clarification ; substantially consistent with original text. Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
122	(Access) Modify Section 3.5.A, General Development Standards All Districts, Access, Parking and Loading	Parking requirements in Planning Areas 2, 6, and 9. Tandem parking for valet may not be used to achieve parking requirement. Six parking spaces shall be reserved for open space visitors (see No. 113 above). Fifty percent of parking must be self parking; free/affordable parking must be provided for employees.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action. Change to Project ; see Chapter 4 of Addendum.	Visitor Parking
123	(Access/Biology) Modify Section 3.5.B.1, Entry Signage	The HDCP shall establish a unified signage program. Signs must designate public use and coastal areas.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
124	(Biology) Modify Section 3.5.B.3, Visitor/Recreation Commercial Signage	Signage requirements for Planning Area 4 and 9. Lighting must be shielded and directed toward the ground to protect ESHA.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action; see Chapter of this Addendum.	
125	(Biology) Add Section 3.5.C.3, Landscaping Standards and Requirements, Landscaping for All Development	Native, drought-tolerant plants should be used for all landscaping (except on private property and the visitor/commercial site adjacent to Harbor Point, where it is encouraged but not mandated).	Change to Project ; see Chapter 4 of Addendum.	Use of Native Plants
126	(Biology) Add Section 3.5.C.4, Lighting	All lighting shall be shielded and directed away from sensitive biological habitat.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
127	(Biology) Add Section 3.5.D.7, Walls and Fencing for Habitat Protection Purposes	Fences/walls impervious to dogs shall separate residential and commercial development (Planning Areas 4 and 6) from ESHA.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
128	(Biology) Add Section 3.5.E. Environmentally Sensitive Habitat Area (ESHA)	With the exception of 6.5 acres of displacement in Planning Area 6, 4.04 acres in Planning Area 9, and 0.75 acres in Planning Area 1, new development shall be sited to avoid impacts to ESHA. New development that includes impacts to ESHA shall include 3:1 (or 1:1 for existing trail realignment) mitigation.	Change to Project ; see Chapter 4 of Addendum.	ESHA
129	(Hazards) Add Section 3.5.F., Bluff Edge Setback	Excepting development in Planning Areas 1 and 2, all development shall be located a minimum of 50 feet or more from the bluff edge.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
130	(Hazards/Access) Add Section 3.5.G., Shoreline Protective Device in the Strand	Development standards for repair and maintenance of shoreline protective devices in the Strand includes program to retrieve dislodged rock from revetment.	Change to Project ; see Chapter 4 of Addendum.	Revetment/Access
131	(Access) Section 3.6, Definition	Add definition of "Temporary Event" to list of definition in Section 3.6.	Editorial Change	
132	(Coastal Resources) Section 3.7.A, Development Review Process, Purpose and Intent	Notes that any non-conflicting rules or procedures in other parts of the LCP would continue to apply.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
133	(Coastal Resource) Section 3.7.B.1	Relationship between the HDCP, Zoning Code, PDD, and Development Guidelines and explanation of adoption methods for each.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
134	(Coastal Resources) Section 3.7.B.2, Development Review Process	The HDCP requires an amendment to the Dana Point Local Coastal Program. The LCP LUP for the HDCP consists of the LUE, UDE, and COSE of the City's General Plan.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
135	(Coastal Resources) Modify Section 3.7.C, Discretionary Approval and Permits	All development requires: (a) a site development permit and a Coastal Development Permit; or (b) a Combined Coastal and Site Development Permit.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
136	(Coastal Resources/Views/Biology) Section 3.7.C.2, Coastal Development Permit (Master and Individual)	The applicant may apply for individual or master coastal development permits as regulated in the HDCP. The CDP process ensures compliance with LCP. Zoning Code requirements for elevations and floor plans shall not apply to Planning Area 2 residential structures if enough information is provided to ensure compliance with LCP and HDCP.	Procedural Clarification; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
137	(Views/Biology) Section 3.7.C.3, Tentative Tract Maps	Tentative Tracts Map applications should be combined with Site Development Permits. Land divisions, including but not limited to subdivisions, lot splits, and lot line adjustments shall require a coastal development permit. If the Master Coastal Development Permit and Site Development Permit are approved for a land division/Tentative Tract Map and grading plan for Planning Areas 2 and 6, individual permits will not be required for construction of residential units.	Procedural Clarification; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
138	(Access/Views/Biology) Section 3.7.C.5, Administrative Modification of Standards	Administrative modification HDCP standards may be granted for physical constraints. Modifications or variances from the following conditions shall not be granted: (1) minimum parking stall requirements; (2) bluff edge setbacks; (3) requirements relative to protecting ESHA; and (4) height restrictions necessary to protect public views. (See No. 97 above.)	Procedural Clarification; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
139	(Access/Biology) Add Section 3.7.C.6, Development Phasing Plan	Stipulates phasing for project development. Describes the benefits of the project that offset the 11.29 acres of ESHA displacement.	Procedural Clarification; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
140	(Biology) Global Change, Section 4.0, Development Guidelines: Page 4-13 change description of Planning Area 9	Seaside Inn may be developed with a maximum of 65-90 keys.	Change to Project; see Chapter 4 of Addendum.	Increase in Maximum Allowable Keys (Rooms)
141	(Hazards/Views) Modify Section 4.1.A, Existing Site Characteristics, Landforms	Removes definition of coastal bluffs.	Editorial Change	
142	(Biology) Modify Section 4.1.C, Biology	Notes that in addition to complying with the California Endangered Species Act and the federal Endangered Species Act, the Coastal Act requires identification and protection of ESHA. ESHA must be protected and preserved in place (except approximately 11.29 acres) except as provided in Suggested Modifications Nos. 17, 78, and 128.	Change to Project; see Chapter 4 of Addendum.	ESHA
143	(Coastal Resources) Add notation to Section 4.2, Land Use Plan	Sections 3.0 and 4.0, including 4.2 thereof (i.e., 'Land Use Plan') are components of the implementing actions of the City's Local Coastal Program within the meaning of Section 30513 of the Coastal Act.	Procedural Clarification; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
144	(Biology/Access) Figure 4.2.1, Illustrative Plan	Modifies figure to reconfigure bowl area residential to avoid ESHA (except as provided) and incorporate avoided area into Planning Area 5, eliminates/relocates visitor buildings and parking to avoid ESHA, and shows public accessway seaward of strand residential/on top or landward of the shoreline protective device. (See No. 103 above.)	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/Access

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
145	(Access) Modify Section 4.3, Planning Areas, Planning Area 1	The developer will construct restrooms and shower facilities adjacent to the south Strand Beach access above Strand Beach. Public access to Planning Area 2 may be restricted only in conjunction with the construction, operation, and maintenance of a public funicular in Planning Area 1, parallel to the North Strand Beach Accessway.	Change to Project; see Chapter 4 of Addendum.	Bathrooms/Shower Access/Funicular
146	(Access) Modify Section 4.3, Planning Areas, Planning Area 2	Restriction of public access shall only be allowed in conjunction with a public funicular in Planning Area 1. Provides operation requirements if the funicular become inoperable. (See No. 108 and 145 above.)	Implementation; implements a changes to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular
147	(Biology/Access) Modify Figure 4.3.1	Modifies figure to reconfigure bowl area residential to avoid ESHA (except for allowable impact) and incorporate avoided area into Planning Area 5, eliminates/relocates visitor buildings and parking to avoid ESHA, and show public accessway seaward of Strand Residential/on top or landward of the revetment. (See Suggested Modifications Nos. 103 and 144 above.)	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ Access/ESHA
148	(Access) Modify Section 4.3, Planning Areas, Planning Area 4	Commercial and office uses in Planning Area 4 includes a Visitor Information Center. A maximum of 35,000 sq ft (reduced from 40,000 sq ft) may be developed. Two-story maximum. First-floor uses to be limited to retail and/or visitor center; second-floor uses may include commercial and professional offices.	Change to Project; see Chapter 4 of Addendum.	Visitor Center/Land Use Distribution
149	(Biology/Access) Modify Section 4.3, Planning Areas, Planning Area 5	Six parking spaces will be reserved for open spaces uses in Planning Area 4 PCH V/RC. Preservation of Blochman's dudleya habitat is required. No fuel modification in ESHA.	Change to Project; see Chapter 4 of Addendum.	Visitor Parking/ESHA

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
150	(Biology) Modify Section 4.3, Planning Areas, Planning Area 7	The 22-acre Pacific pocket mouse preserve will be expanded by 5.9 acres. Minimum 100-foot buffer is absorbed into the 5.9 acres and reference deleted.	Change to Project ; see Chapter 4 of Addendum.	Land Use Redistribution/ESHA
151	(Biology) Modify Section 4.4, Park and Open Space Plan	Except as provided, reconfigure bowl area residential to avoid ESHA and incorporate avoided area into Planning Area 5, eliminate/relocate visitor buildings and parking to avoid ESHA. Revise open space goals to include preservation and enhancement of ESHA.	Change to Project ; see Chapter 4 of Addendum.	Land Use Redistribution/Access/ESHA
152	Modify Section 4.4.A, The Public Park	A public trail/access system links all park and open space areas. Four (change from five) public visitor recreation facilities are to be constructed. Parks and open space are to be improved by development and offered for dedication, or conveyed or transferred to appropriate public agency consistent with Development Phasing Plan.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Visitor Facilities
153	(Biology/Access) Modify Figure 4.4.1, Park and Open Space Plan	Except as provided, reconfigure bowl area residential to avoid ESHA and incorporate avoided area into Planning Area 5, eliminate/relocate visitor buildings and parking to avoid ESHA, and show public accessway seaward of Strand Residential/on top or landward of the shoreline protective device. (See Nos. 103, 118, 144, 147, and 151 above.)	Change to Project ; see Chapter 4 of Addendum.	Land Use Redistribution/Access/ESHA
154	(Biology) Modify Section 4.4.B.1, Headlands Conservation Park, Setting/Site Features	Marguerita Road will be removed and the area restored. A pedestrian trail on the bluff top with a minimum 25-foot setback from coastal bluff scrub shall be provided.	Change to Project ; see Chapter 4 of Addendum.	Land Use Redistribution/Restoration of Marguerita Road

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
155	(Biology) Modify Figure 4.4.2, Headlands Park Conceptual Plan	Modify park boundaries to incorporate area of Marguerita Road and modify location of parking and nature interpretive center to avoid impacts to ESHA.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA
156	(Biology) Section 4.4.B.2, Hilltop Park and Greenbelt Linkages, Setting/Design Concept/Site Features	The park will preserve ESHA. Improvements shall be designed to conserve, enhance, and restore ESHA. No bicycle trails within ESHA. Deletes references to Conservation Visitor Center near Selva Road. No trees in ESHA. Limited temporary irrigation only. A solid wall impervious to dogs shall be placed between ESHA and Planning Areas 4 and 6.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ ESHA/Access
157	(Biology/Access) Figure 4.4.6 Greenbelt Buffer at Headlands Conservation Park	Modify park boundary, trails, residential, structure, etc., to reflect park expansion.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/Park Expansion/ESHA
158	(Biology) Modify Section 4.4.B.3, Harbor Point Park, Design Concept/Site Features	The public park will preserve major landforms and ESHA and encourage coastal access. Trails and overlooks shall be provided, and to avoid ESHA, public access shall be restricted to trail areas. Delete references to Veteran's Memorial, Maritime Historic Visitor's Center, and Cultural Arts Center.	Change to Project ; see Chapter 4 of Addendum.	Visitor Facilities/ ESHA/Access
159	(Biology) Figure 4.4.8, Harbor Point Conceptual Plan	Modify figure to eliminate/relocate visitor recreation facilities and parking to avoid ESHA.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ ESHA/Access
160	(Biology) Figure 4.4.9 Harbor Point Park Section	Modify figure to eliminate Maritime Historic Visitor's Center and patio and replace enhanced plantings with native vegetation restoration.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Visitor Facilities/ ESHA/Access

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
161	(Access/Biology) Modify Section 4.4.B.4., Strand Vista Park/Public Beach Access	• Restriction of public access shall only be allowed in conjunction with a public funicular in Planning Area 1. Provides operation requirements if the funicular becomes inoperable. (See Nos. 108 and 146 above.) • Provide the Mid Strand Vista Park Access as a new public path leading from the trail to the Beach. • Construct new restrooms and outdoor shower facilities. • Vegetation shall be solely native vegetation appropriate for habitat type. No trees along south access. • Access to the park should be restricted to trail areas. • Construct trail seaward of the Strand residential and on top or landward of any shoreline protective device. • Developer shall enter into a construction and maintenance agreement with appropriate public agency for funicular.	Change to Project; see Chapter 4 of Addendum.	Funicular/Mid Strand Access/Restrooms/Showers/Use of Native Plants
162	(Access) Modify Figure 4.4.10, Strand Vista Park/Public Access Conceptual Plan	Add location of Mid Strand Vista Park Accessway and Funicular.	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Mid Strand Accessway/Access/Funicular
163	(Access) Figure 4.4.13, North Strand Beach Access Cross Section	Identify funicular on figure.	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Funicular

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
164	(Access/Hazards) Modify Section 4.4.B.5, Strand Beach Park	Beach access to connect to integrated trail system. Stipulates location of public access pathways including the lateral access on the revetment with minimum two benches and two picnic tables. Repair and maintain existing rock revetment and move it landward. Construct funicular.	Change to Project; see Chapter 4 of Addendum.	Revetment/Access/ Funicular
165	(Access/Hazards) Modify Figure 4.4.14, Strand Beach Conceptual Plan	• Add pathway seaward of the first residences within the strand, on top or landward of the shoreline protective device. • Show benches and tables along the revetment lateral accessway. • Add a shower to the public restrooms at the North Strand Beach Access. • Add a public restroom and shower near the terminus of the South Strand Beach Access. • Modify "rock revetment" to "shoreline protective device."	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Restrooms/Shower/ Access
166	(Access/Hazards) Modify Figure 4.4.15, Central Strand Beach Concept Plan	• Add pathway seaward of the first line of residences within the strand, an on top or landward of the shoreline protective device (revetment). • Show benches and tables along the revetment lateral accessway. • Modify "rock revetment" to "shoreline protective device."	Implementation; implements a change to the project; see Chapter 4 of this Addendum for more information.	Revetment/Access

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
167	(Access) Modify Section 4.5.A, Public Trail/Access Plan, Public Trail/Access Descriptions	All proposed visitor recreation facilities shall be located in close proximity to the Public Trail Plan, which shall include the Mid Strand Vista Park Access, beach pathways, and pathway paralleling Strand Beach along the top or landward of the shoreline protective device.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action	
168	(Access/Biology) Figure 4.5.1, Public Trail/Access Plan	Show public access way seaward of Strand residential on top or landward of the Shoreline Protective Device; modify trail alignments and adjacent ESHA.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ Access/Revetment
169	(Access) Figure 4.5.2, Coastal Access Plan	Modify figure to show Mid Strand Vista Park Access. Show public accessway seaward of Strand residential/on top or landward of shoreline protective device.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Revetment
170	(Access) Figure 4.5.3, Coastal View Opportunities	Modify figure. Show Mid Strand Vista Park Access. Show public accessway seaward of strand residential/on top or landward of shoreline protective device.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/Revetment
171	(Biology) Modify Table 4.5.1, items 1 and 3:1.	Coastal access should be consistent with NCCP/HCP, is subject to approval, and should not degrade ESHA.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Access/ESHA
172	(Biology/Access) Modify Table 4.5.2, items 3-7:3.	Seating, signage, art, and information signs should not degrade ESHA. Disturbed areas shall be re-vegetated. Six public parking spaces dedicated to open space users will be provided in Planning Area 4.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Visitor Parking
173	(Biology) Modify Table 4.5.3, items 3, 4, 5:3.	Seating, signage, art, and information signs should not degrade ESHA. Deletes references to Veteran's Memorial, Maritime Historic Visitor's Center, and Cultural Arts Center.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Visitor Facilities

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
174	(Access) Modify Table 4.5.4, items 5-6:5	Strand Vista Park shall include five [change from three] vertical access pathways, including (if public access is restricted in Planning Area 2) a public funicular. Provide lateral access along top of revetment. Two restroom/shower facilities will be constructed.	Change to Project ; see Chapter 4 of Addendum.	Access/Funicular/ Restrooms/Showers
175	(Access) Table 4.5.5, item 4 and add item 10:4	Lateral coastal access shall be provided seaward of the first line of residences within the Strand and on top or landward of the shoreline protective device, including benches and picnic tables.	Change to Project ; see Chapter 4 of Addendum.	Access/Revetment
176	(Biology) Figures 4.6.1, Circulation Plan, and 4.6.2, Street Sections	Modify these figures consistent with prior modifications.	Implementation ; implements a changes to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/ESHA
177	(Biology/Access) Modify Section 4.6.C	Metered head-in and/or parallel parking will be provided along Green Lantern and Scenic Drive.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
178	(Biology/Access) Modify Section 4.6.E	Describes access to various portions of the proposed project. Restricted hourly parking must allow 3-hour minimum.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
179	(Water Quality) Modify Section 4.7	Describes existing site drainage.	Clarification ; substantially consistent with original text.	
180	(Water Quality) Modify title to Figure 4.7.1	Conceptual Drainage Plan and Best Management Practices and modify drawing consistent with prior suggested modifications.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Secondary Treatment and Catch Basins
181	(Water Quality) Modify Section 4.7.B.2, Structural Controls (WQ1)	Add secondary treatment system utilizing zeolite, clay, or similar media filters to prevent nutrients from reaching Dana Point Harbor. All storm drain inlets shall include catch basin filters.	Change to Project ; see Chapter 4 of Addendum.	Secondary Treatment and Catch Basins

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
182	(Water Quality) Modify Table 4.7.1, items 7 and 10:7	Implement water efficient and environmentally sensitive landscaping and irrigation techniques where practical. Grease traps shall be used by food service facilities.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
183	(Biology) Section 4.8, Conceptual Water Plan	To the extent feasible, existing utilities crossing through open space areas will be removed or abandoned in place, provided new alignments minimize or avoid impact to ESHA.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
184	(Biology) Modify Section 4.10	New utilities will be located underground. Utilities shall be located outside ESHA and shall not degrade public views.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
185	(Biology/Hazards/Views) Figure 4.11.1, Conceptual Grading Plan	Except as noted, revise grading plan to reflect reconfiguration of bowl area residential to avoid ESHA and to reflect more landward alignment of shoreline protective device.	Implementation ; implements a change to the project; see Chapter 4 of this Addendum for more information.	Land Use Redistribution/Revetment
186	(Biology/Hazards) Modify Table 4.11.1, items 4, 6, 8, 10, 11, 13, 14:4.	Disturbed areas shall be re-vegetated with native vegetation and impacts to ESHA minimized except as allowed under COSH policy and PDD Section 3.5.E. Repair of the shoreline protective device shall not encroach seaward of the existing revetment. Provides location of shoreline protective device.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
187	(Biology) Sections 4.13, Coastal Resources Management Program, and 4.14, Parks and Open Space Management Plan	Modify program to prohibit fuel modification of any form within retained ESHA and mitigation/restoration areas; change 3-year monitoring to 5-year monitoring with provisions for extension; require perpetual maintenance program; and mandate submittal of complete plans in the filing of CDP applications.	Change to Project ; see Chapter 4 of Addendum.	ESHA

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
188	(Biology) Figures 4.14.1 and 4.14.2, Fuel Modification Plan	Revise development plans such that fuel modification is not necessary within ESHA except to accommodate Inn in Planning Area 9.	Change to Project ; see Chapter 4 of Addendum.	ESHA
189	(Biology) Table 4.14.2, Revegetation Plant Palette	Revise plant palette to include only species native to coastal Orange County.	Change to Project ; see Chapter 4 of Addendum.	Use of Native Plants
190	(Biology/Water Quality/Hazards) Modify Section 4.16, Master Landscape and Irrigation Guidelines	Provides modified landscape guidelines. Native, drought tolerant plants should be used for all landscaping (except on private property and the visitor/commercial site adjacent to Harbor Point, where it is encouraged but not mandated).	Change to Project ; see Chapter 4 of Addendum	Use of Native Plants
191	(Biology/Water Quality/Hazards) Figure 4.16.1, Landscape Zone Master Plan	Modify figure to revised development plan and revise locations of native and/or indigenous plants to incorporate all areas of the Headlands except residential lots and Planning Area 9.	Change to Project ; see Chapter 4 of Addendum.	Use of Native Plants
192	(Biology/Water Quality/Hazards) Table 4.16.1, Landscape Palette	Modify plant palette to eliminate invasive and non-drought-tolerant species. Only native/indigenous plants allowed; additional species may be added if they are consistent with this requirement.	Change to Project ; see Chapter 4 of Addendum.	Use of Native Plants
193	(Coastal Resources) Section 9.34.010, Intent and Purpose	PDD shall comply with regulations and provisions of the General Plan. For areas located in the coastal zone, developments shall be judged on conformance to the coastal LUP.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
194	(Coastal Resources) Section 9.34.020	Amendments to Title 9 and the LUE, UDE, and COSE of the General Plan shall not be effective in the Coastal Zone until certified by the CCC as an amendment to the LCP.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
195	(Coastal Resources) Section 9.34.030	Approval of a PDD in the Coastal Overlay Zone shall include findings by the City Council that the PDD is consistent with the LUP of the LCP.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	

No.	Suggested Modification	Summary	CEQA Disposition	Classification of Project Change (Modification)
196	(Coastal Resources) Section 9.34.040	Adoption of a PDD shall include an amendment of the Zoning Map. For PDDs in the Coastal Overlay District, procedures for LCP amendments shall apply.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
197	(Coastal Resources) Section 9.34.070	If an application for development is in conformity with the General Plan (and LUP of LCP if in coastal overlay district), the Council may approve project. If it is not in conformity, the application shall not be approved.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
198	(Coastal Resources) Section 9.34.080	For PDD in the Coastal Overlay District, implementing actions conform with or carry out the provisions of the certified LUP.	Procedural Clarification ; provides an additional level of specificity to project implementation that is consistent with the intent of the City's original action.	
199	(Coastal Resources) Section 9.75.120, "L" Definitions and Illustrations of the Zoning Code/IP	Specifies the components of the Local Coastal Program for the City of Dana Point.	Clarification ; substantially consistent with original text; see Chapter 4 of this Addendum.	

4.0 COMPARATIVE EVALUATION OF ENVIRONMENTAL IMPACTS

The following pages contain the analysis of the potential impacts of the Local Coastal Program (LCP) Amendment, with approved modifications as certified by the Coastal Commission compared to the potential impacts of the Headlands Development and Conservation Plan (HDGP) analyzed in the certified 2002 Headlands Environmental Impact Report ("2002 Headlands EIR"). As explained in Chapter 1.0, this comparative analysis has been undertaken, pursuant to the provisions of California Environmental Quality Act (CEQA), to provide City decision makers with a factual basis for determining whether any changes in the project, any changes in circumstances, or any new information since the 2002 Headlands EIR was certified, require additional environmental review or preparation of a subsequent or supplemental EIR. The bases for each of the findings are explained in the analysis that follows. The accompanying information and analysis contained in this Addendum will be forwarded to the City of Dana Point Planning Commission and City Council for review and approval.

4.1 AESTHETICS

Existing Environmental Setting

Please see Section 4.1 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for aesthetics.

Certified 2002 Headlands EIR

Please see Section 4.1 of the certified 2002 Headlands EIR for the analysis of the potential aesthetic effects of the HDCP.

The certified 2002 Headlands EIR identifies one potentially significant temporary impact related to construction activities. Due to the amount of on-site activity and the potential for open, unplanted earth during construction, a temporary adverse impact to visual resources may result from project implementation. The certified 2002 Headlands EIR includes mitigation requiring screen fencing of portions of the project site under construction, thereby reducing the short-term visual impact to below a level of significance. The certified 2002 Headlands EIR identified no other significant impacts to visual resources.

The Mitigation Monitoring and Reporting Program (MMRP) adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The suggested modifications approved by the Coastal Commission that may affect visual resources include a reallocation of land uses, changes to allowable vegetation types (plant palette), changes to the revetment, expansion of fences or other barriers to restrict public or pet access into environmentally sensitive habitat areas (ESHA), and clarifications to building heights calculation, density, and lot sizes. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment with approved modifications includes approximately 68.5 acres of public parks and conservation open space, up to 3 miles of public trails, and four visitor recreation facilities. Approximately 50 acres of the 121.3-acre site are planned for commercial and residential development. No structural development will take place in those areas of the project site that are designated conservation open space. Thus, implementation of the revised HDCP will primarily impact those areas that will be developed for commercial, residential uses, and rights-of-way plus portions of the recreation open space that are not designated for preservation of sensitive habitat. Thus there will be a net increase in public open space of approximately 6.5 acres and a corresponding decrease in residential development as compared to the HDCP as approved by the City of Dana Point.

Consistent with the previously analyzed project, preliminary development activities include removing the existing dilapidated buildings, walls, paving, storm drains, streets, fencing, vegetation, structure, and overhead utilities. These activities will have a positive visual impact, in that blighted areas will be removed, and coastal views and outlooks will be established for the public in conjunction with the designated land uses.

The LCP Amendment modifications minimize potential visual changes to the four major landforms—the coastal bluffs, the two geographic points (Dana Point and Harbor Point), the Hilltop, and the Strand Beach—by continuing to designate each area as a park or open space land use and by expanding the natural open space for several of these park areas. The LCP Amendment modifications are consistent with the spirit and intent of the previously analyzed project in that alterations to the four major landforms are limited to those changes required to establish public parks, expanded natural open space areas, trails, scenic overlooks, a visitor information center, restrooms, and related public amenities. No new impacts are expected to occur that would degrade the visual character of these landforms.

Visitor/Recreation Commercial development is proposed for Planning Areas 4 and 9. Suggested modifications approved by the Coastal Commission included a 65–90-key inn (previously 65 keys) in Planning Area 9, but within the same maximum square footage and the same development envelope, and a 40-bed hostel, a visitor information center, and six public parking spaces for open space users as part of the development in Planning Area 4. The allowable commercial square footage in Planning Area 4 was also reduced from 40,000 square feet (sq ft) to 35,000 sq ft.

Planning Area 9 is bordered by the Street of the Green Lantern, Scenic Drive, Cove Road, and existing off-site residential and commercial uses. The certified 2002 Headlands EIR evaluated views of Planning Areas 8A and 9 that included a Lighthouse/Historic Maritime Visitor Center (Planning Area 8A). This visitor facility has been deleted from the project; the revised HDGP includes native vegetation in the area that would have been occupied by the center. The 65–90-room Seaside Inn will overlook the harbor, providing ocean views and visual access to the coast for guests. The Inn will also include a public restaurant that will provide coastal views. The Coastal Commission specified that the finished height of the Inn could not exceed 42 feet above the finished building pad elevation (roughly three stories) and added restrictions as to the maximum pad height, and the HDGP requires building materials used in its construction to visually relate to adjacent commercial facilities in terms of location, scale, massing, and materials. Project implementation will require the removal of existing fencing, utility poles, and degraded vegetation. No adverse impacts to public views will occur as part of project implementation, and the LCP Amendment modifications do not result in any new, previously unidentified impacts to visual resources.

As noted above, Planning Area 4, bordered by PCH and the Street of the Green Lantern, also includes commercial/visitor-serving development. The Coastal Commission reduced the maximum square footage from 40,000 sq ft to 35,000 sq ft and reiterated limitations on uses on the first floor. More specifically, first-floor uses are limited to retail and/or visitor-oriented uses, while second-floor uses may include professional offices. The approved modifications require the construction of a 40-bed hostel, which falls within the 35,000 sq ft limitation. This Planning Area will also have six parking spaces reserved for open space visitors. Consistent with the HDGP as evaluated in the certified 2002 Headlands EIR, the revised HDGP will require that all buildings complement the existing surrounding neighborhood by emphasizing natural materials and building clustering. Public parking will be

accessible from PCH but visually screened from all public roadways. The LCP Amendment modifications will not worsen an impact previously identified or result in a new adverse impact related to visual resources.

The LCP Amendment modifications approved by the Coastal Commission reduced the acreage devoted to residential use from 52.4 to 45.9 acres but maintained the approved maximum number of residential lots of 125. Project residential development is proposed in two areas: one within the Strand and one known as the Upper Headlands (Bowl). The LCP Amendment modifications required by the Coastal Commission reduced the size of the Upper Headlands residential area (Planning Area 6) from 26.7 to 20.2 acres; the maximum number of allowable units for this area remains 50 single-family residences. The maximum allowable density for Planning Area 6 was not changed and remains at 2.5 units per acre. The minimum lot size in Planning Area 6 was reduced to 6,500 sq ft from 10,000 sq ft. The smaller lot size will not result in a significant adverse impact because the architectural and landscape design of the residential neighborhood must comply with HDCP Development Guidelines. The HDCP regulates building heights and materials to protect ocean views while maximizing public open space. Both neighborhoods will incorporate public recreation areas around the perimeter to enhance public access to recreation open space areas.

Coastal Commission approval of the gated access to the Strand residential area is dependent upon the operational availability of a mechanized beach access, such as a funicular. As proposed, the funicular will be constructed adjacent to existing northern Strand Beach Accessway from the County parking lot to the existing ramp that accesses Strand Beach. It will have a visual presence compared with the existing and planned pathway; however, the funicular cab has about the same dimensions as an elevator car and is a relatively small and unique project feature that is not anticipated to have an adverse effect on views to or from the project site. On average, the track for the funicular will be approximately six feet below the level of the adjacent public accessway. Thus, the funicular will only be partially visible.

The Coastal Commission also approved repair and maintenance of the existing revetment that extends the length of Strand Beach (approximately 2,240 feet). The existing revetment will be moved landward, or easterly, 10 feet at the center, gradually transitioning over a distance of 1,050 feet to the existing alignment at either end, for an overall average setback of five feet from the existing alignment. An eight-foot-wide lateral walkway plus benches and two picnic tables along the top or landward of the revetment will be provided. As originally analyzed in the certified 2002 Headlands EIR, the revetment was to be reconstructed to a height of 20 feet National Geodetic Vertical Datum (NGVD). The approved modifications require that when repaired, the revetment cannot exceed its existing average height of 17 feet NVGD. Thus, the revetment height will be three feet lower than what was analyzed in the certified 2002 Headlands EIR. Realignment and repair of the revetment will not result in significant adverse impacts. Rather, because the revetment will be lower in height than the previously analyzed project, the impact will be reduced, and it will still enhance the visual character of the area through the report of a dilapidated structure and related visual improvement to other dilapidated conditions nearby.

Consistent with the intent of the HDCP evaluated in the 2002 Headlands EIR, the LCP Amendment modifications create public open space, parks, and greenbelt linkages with pedestrian trails and landscape enhancements that visually link the entire development. In the open space areas, native flora will replace invasive and nonnative plant species, and disturbed areas will be revegetated. The

reconfiguration of residential areas within the Upper Headlands will preserve more ESHA and will allow the conservation of an additional 6.5 acres of open space. The construction of the funicular along an existing trail will provide public access to coastal resources without degrading the visual character of the project site. The LCP Amendment modifications are consistent with the HDCP Design Guidelines and the design features contained therein and will not result in degradation of the visual character of the project site or the surrounding areas. Consistent with the determination of the certified 2002 Headlands EIR, the LCP Amendment modifications will not create a permanent significant adverse visual impact and will not contribute to a significant cumulative aesthetic effect. The LCP Amendment modifications also include refinements to the allowable plant species to be used in landscaping for the project site. Generally, the plants will be those that are native to coastal Orange County. This change is addressed in the Biological Resources section of this Addendum (Section 4.3) and will result in revegetation that is consistent with the existing native vegetation on site.

In sum, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant aesthetic effects identified in and considered by the certified 2002 Headlands EIR.

4.2 AIR QUALITY

Existing Environmental Setting

Please see Section 4.2 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for air quality.

Certified 2002 Headlands EIR

Please see Section 4.2 of the certified 2002 Headlands EIR for the analysis of the potential air quality effects of the HDCP.

Air quality impacts were analyzed to consider the potential long-term air quality impacts of the HDCP as well as daily and quarterly emission thresholds for construction and operation. The HDCP was considered to be consistent with the Air Quality Management Plan (AQMP).

Compliance with South Coast Air Quality Management District (SCAQMD) Rule 1403 was found to lessen the emissions from demolition to a level of less than significant.

Mitigation measures would reduce the magnitude of fugitive dust impacts; however, the impacts would remain significant and unavoidable.

Long-term air pollutant emission impacts are those associated with changes in permanent usage of the project site. Implementation of the mitigation measures described in the certified 2002 Headlands EIR would reduce the magnitude of the impacts of reactive organic compounds (ROC), carbon monoxide (CO), and nitrogen oxide (NO_x); however, these impacts would remain significant and unavoidable.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Since the Basin is a nonattainment zone for ozone (O₃) and CO, the project emissions would cumulatively contribute to significant regional air quality impacts. Implementation of mitigation measures and project conditions would reduce the project's contribution to cumulative CO, ROC, and NO_x impacts; however, these impacts would remain significant and unavoidable.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

As described in Section 4.13 of this Addendum, the LCP Amendment modifications would result in 86 fewer daily trip ends compared with the project as evaluated in the certified 2002 Headlands EIR. Furthermore, the project changes result in slightly fewer a.m. peak-hour and p.m. peak-hour trips. Therefore, project-related vehicular emissions will be comparable to or less than the levels evaluated

in the earlier EIR. Similarly, the increased natural open space will result in a smaller grading envelope and therefore will create slightly reduced construction-related air emissions.

The certified 2002 Headlands EIR found operational effects and cumulative air quality effects for ROC, CO, and NO_x were both significant and unavoidable. While the LCP Amendment modifications result in a slight overall decrease in anticipated air emissions, the reduction is not considered sufficient to reduce project or cumulative impacts to below a level of significance.

In conclusion, therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR and may result in a slight reduction in overall air quality impacts. The proposed changes do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant air quality impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDGP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant air quality effects identified in and considered by the certified 2002 Headlands EIR.

4.3 TERRESTRIAL BIOLOGICAL RESOURCES

Existing Environmental Setting

Please see Section 4.3 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for biological resources.

Certified 2002 Headlands EIR

Please see Section 4.3 of the certified 2002 Headlands EIR for the analysis of the potential biological effects of the HDCP.

The certified 2002 Headlands EIR includes project design features (PDFs) and project conditions (PCs) to reduce or eliminate potential impacts to biological resources created by implementation of the proposed project. (See Appendix A of this Addendum.)

The certified 2002 Headlands EIR concludes that direct and indirect impacts to vegetation communities, including sensitive habitats, sensitive animal species, and sensitive plant species, would be reduced to less than significant levels through compliance with the Natural Communities Conservation Plan (NCCP) Guidelines the NCCP/Habitat Conservation Plan (HCP) Program and Impact Assessment (IA), along with implementation of the PDFs and PCs.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications approved by the Coastal Commission include the designation of 49.3 acres of ESHA within the HDCP area and changes to the distribution of land uses on site, including a net increase in area devoted to Recreation Open Space and Conservation Open Space, and a decrease in the area designated for residential development. The LCP Amendment modifications also included the elimination of some visitor recreation facilities that were within the area that the Coastal Commission designated as ESHA, the elimination of some trail alignments within the ESHA, the elimination of fuel modification within the ESHA that would result in an excess to the total allowable amount of ESHA disturbance of 11.29 acres, moving the nature interpretive center and parking out of the ESHA, requiring a 3:1 mitigation of impacts to the ESHA, and requiring a two-million-dollar endowment for the protection and management of habitat areas within the project area designated for City ownership and maintenance.

Designation of ESHA

The Coastal Commission identified 49.3 acres of ESHA on the HDCP site. ESHA is a term included in the Coastal Act and used by the Coastal Commission as a tool for preserving areas with biological resources or potential for biological resources. The certified 2002 Headlands EIR identified the existing biological resources on the site including vegetation communities and wildlife species and habitats. ESHA is not a term defined by CEQA and was not applied to the characterization of the biological resources in the certified 2002 Headlands EIR. The Coastal Commission use of the term ESHA in the LCP Amendment modifications does not, in and of itself, change the description of resources or the HDCP project impacts. The certified 2002 Headlands EIR considered all potential impacts to sensitive biological resources, as described above. The ESHA designation is a planning tool used by the Coastal Commission to identify areas to be targeted for resource protection and revegetation. The ESHA nomenclature does not alter the characterization of existing biological resources on site, as conducted for the certified 2002 Headlands EIR.

The LCP Amendment, as modified, allows for the removal of 11.29 acres of designated ESHA. Furthermore, one of the modifications included a requirement that most impacts to ESHA be mitigated at a 3:1 ratio, including a 1:1 creation and/or substantial restoration of ESHA, preferably on site. The LCP Amendment as modified by the Coastal Commission designating ESHA results in a net increase in natural open space preserved on the site, therefore reducing impacts to biological resources. The requirement that impacts to areas that Coastal Commission identified as ESHA be mitigated offers greater protection to the natural environment compared with the HDCP project as evaluated in the certified 2002 Headlands EIR. Also, the Coastal Commission findings stated that the combination of ESHA preservation and 3:1 mitigation, along with other LCP Amendment modifications, resulted in an approach to the future development and conservation of the site that would, on balance, result in greater protection for the environment than other alternatives considered.

The Coastal Commission's ESHA designation is new information that was not available at the time the 2002 Headlands EIR was certified. This new information reflects LCP Amendment approved modifications that resulted in an increase in natural open space and, therefore, a net beneficial effect on the natural environment. The requirement that impacts to ESHA be mitigated at a 3:1 ratio further reinforces the conclusion that the LCP Amendment modifications do not result in a new significant effect to biological resources not analyzed in the certified 2002 Headlands EIR. Based on the information and analysis above, there is no substantial new information that will result in a new significant impact that would require major revisions of the certified 2002 Headlands EIR.

The modifications approved by the Coastal Commission require the dedication, preservation, enhancement, and perpetual management of all but 11.29 acres of ESHA, which is approved for removal/disturbance in order to implement the project. As a result, a nonwasting endowment of two-million-dollars will be paid by the Developer to the City to maintain the biological value of the proposed City-owned and maintained natural habitat open space areas within the Headlands.

Other LCP Amendment modifications offer additional protection to the ESHA, including the addition of a masonry wall around Planning Areas 4 and 6 to serve as a buffering mechanism and to separate the development area from the ESHA to reduce potential light, noise, and other potential effects of development on the biological resources. Other modifications include an extension of the monitoring period for the marine environment, elimination of fuel modification within designated ESHA, additional fencing requirements within and around ESHA, and revisions to the plant palette requiring

the use of plants native to coastal Orange County. The native landscape requirement applies to all areas within the HDCP with the exception of landscaping on residential lots and the Seaside Inn site.

Land Use Distribution

The LCP Amendment modifications approved by the Coastal Commission included an increase in the designated Conservation Open Space land use from 30.3 to 34.0 acres and an increase in the designated Recreation Open Space land use from 31.7 acres to 34.5 acres. The elimination of the visitor recreation facilities previously proposed in areas subsequently designated as ESHA also further minimized impacts to ESHA areas. The redistribution of land uses reduces direct impacts to Blochman's dudlea by expanding the Hilltop Park to include the existing Blochman's dudlea population and other sensitive biological resources formerly included in the Upper Headlands Residential Planning Area (PA6). In lieu of a set minimum width for buffers, the Coastal Commission required that a masonry wall be constructed along the outer perimeter of Planning Areas 4 and 6.

The proposed modifications create a net increase in area devoted to habitat uses within the Recreation Open Space and Conservation Open Space and a decrease in the area designated for residential development. The proposed modifications provide increased protection and reduce if not eliminate impacts to Blochman's dudlea and Coulter's saltbush. No new or increased impacts to sensitive plant species are created by the LCP Amendment modifications. Instead, direct impacts to existing Blochman's dudlea and other species are greatly reduced. Should some impacts still occur in Planning Area 4, consistent with PC 3-7, any Blochman's dudlea that would be directly affected by project grading will be relocated and protected.

The revised fuel modification procedures included in the LCP Amendment modifications are consistent with the original intent of the certified 2002 Headlands EIR. Fuel modification cannot occur within designated ESHA beyond the 11.29 acres of allowable ESHA displacement and will be subject to the review and approval of Orange County Fire Authority (OCFA) prior to the issuance of grading and building permits. The OCFA requires that the alternate means and methods of achieving necessary fire protection provide a level of protection equivalent to the agency's standard approved methods. The alternate fuel method for the HDCP site allows enhanced preservation of existing vegetation on site and reduces potential impacts to biological resources. The revision to the plant palette requiring all native plant material, is consistent with the original intent of the certified 2002 Headlands EIR, which specified preferential use of native vegetation. The proposed LCP Amendment modifications including revised fencing guidelines and the addition of a wall around the residential area are consistent with the intent of the certified 2002 Headlands EIR and will further protect open space areas from trampling by pedestrians and impacts from feral cats and dogs.

The proposed LCP Amendment modifications will not increase the severity of an impact previously identified or result in a new adverse project or cumulative impact related to terrestrial biological resources. Therefore, the proposed modifications are consistent with the certified 2002 Headlands EIR, do not require a major change, and will not create a new significant impact. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant biological effects identified in and considered by the certified 2002 Headlands EIR.

4.4 CULTURAL AND PALEONTOLOGICAL RESOURCES

Existing Environmental Setting

Please see Section 4.4 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for cultural and paleontological resources.

Certified 2002 Headlands EIR

Please see Section 4.4 of the certified 2002 Headlands EIR for the analysis of the potential effects of the HDCP to cultural and paleontological resources.

The certified 2002 Headlands EIR concludes that potential effects to historic resources are below a level of significance, as there are no historic resources on site. The EIR also concludes that impacts to unknown archaeological, historical, or paleontological resources are potentially significant. However Mitigation Measures 4-1.A through 4-1.D (requiring monitoring of grading activities, testing of any unique archaeological or paleontological resources that are uncovered, and the procedures for notifying and removing human remains if encountered) reduce these potential project and cumulative effects to below a level of significance.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The certified 2002 Headlands EIR identifies two small areas within the project site within Harbor Point Park (Planning Area 8) that have the potential to produce paleontological resources, which may be exposed during grading and other earth-clearing construction activities. As stated above, these potential impacts can be reduced to below a level of significance with mitigation. Improvements to Harbor Point Park have been significantly scaled back with the Coastal Commission's deletion of two visitor centers and other improvements, including a reduction in trails. The reduced grading and disturbance envelope associated with the LCP Amendment modifications indicate that the modifications would result in reduced or similar potential impacts to paleontological resources compared with the HDCP as evaluated in the 2002.

The only known archaeological site is protected from adverse effects through its inclusion in the area of the site designated for preservation and management as part of the Headlands Conservation Park. No grading or construction activity is proposed or allowed in the area where site CA-ORA-75 is located. The inclusion of the archaeological site in the area designated for preservation has not been altered by the LCP Amendment modifications. Therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to cultural and paleontological resources.

There are no other modifications that would result in alterations of the cultural and paleontological resources on site. Therefore, the LCP Amendment modifications that could have a potential effect on cultural and paleontological resources are consistent with the certified 2002 Headlands EIR, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant cultural effects identified in and considered by the certified 2002 Headlands EIR.

4.5 GEOLOGY AND SOILS

Existing Environmental Setting

Please see Section 4.5 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for geology and soils.

Certified 2002 Headlands EIR

Please see Section 4.5 of the certified 2002 Headlands EIR for the analysis of the potential effects of the HDCP to geology and soils.

The certified 2002 Headlands EIR concludes that the impacts of the proposed project will be less than significant for exposure of project facilities to seismically induced fault rupture, exposure of project facilities to soil instability resulting from subsidence, exposure of project facilities to seismically induced ground shaking, and exposure of facilities to damage as a result of bluff retreat on the project site. However, there are six potentially significant impacts, which include the following: (1) exposure of project facilities to seismically related liquefaction/ground failure, (2) excessive damage due to exposure of facilities to seismically induced landslides, (3) exposure of facilities to uncontrolled erosion as a result of site grading or design, (4) exposure of project facilities to landslides or slope instability, (5) exposure of project facilities to uncontrolled groundwater, and (6) exposure of project facilities to damage as a result of expansive soils on the project site. The incorporation of mitigation measures discussed in the certified 2002 Headlands EIR will result in the reduction of all of these impacts to a less than significant level.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications include the landward realignment of the existing revetment 10 feet in the center, transitioning back gradually over a distance of approximately 1,050 feet to the existing alignment at either end. Overall, the revetment setback will average five feet farther landward (or easterly) than the existing alignment. The intent of this adjustment to the revetment is to allow for improved public access through a wider public beach. The HDCP, as evaluated in the certified 2002 Headlands EIR, allowed for a three-foot increase in elevation/height of the existing revetment as part of the revetment repair. The LCP Amendment modifications specify that the revetment remain at its current average height of 17 feet NGVD and will not be raised 3 feet to elevation 20 (NGVD) as originally proposed. In addition, an eight-foot-wide walkway with benches and two picnic tables will be constructed along the top of the revetment.

The walkway will facilitate year-round lateral access regardless of the tide or seasonal sand level. All changes to the revetment will be made consistent with the provisions of PDF 16-1 and in compliance with all applicable safety standards and codes. The realigned revetment will continue to provide erosion control and associated slope stability benefits to the project site comparable to the original proposed reconstruction of the revetment wall and will also provide improved safety compared with existing conditions, given the current state of disrepair of the existing revetment. Stability analyses associated with the realignment of the revetment was conducted by the project geotechnical engineer (AMEC Earth and Environmental, Inc. letter report dated December 19, 2003; see Appendix E of this EIR) for evaluation by the Coastal Commission and provided to the City of Dana Point. The analyses concluded that the required stability could be achieved, and the Coastal Commission concurred with this finding. Therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to geology.

There are no other LCP Amendment modifications that would result in alterations of the existing or planned geologic conditions of the site. Therefore, the LCP Amendment modifications that could have a potential effect on soils and geology are consistent with the certified 2002 Headlands EIR, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant topography, soils, geology, and seismicity impacts identified in and considered by the certified 2002 Headlands EIR.

4.6 HAZARDOUS MATERIALS

Existing Environmental Setting

Please see Section 4.6 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for hazardous materials.

Certified 2002 Headlands EIR

Please see Section 4.6 of the certified 2002 Headlands EIR for the analysis of the potential hazardous materials effects of the HDCP.

The certified 2002 Headlands EIR concluded that potential impacts related to exposure to asbestos-containing material (ACM) released during demolition and removal of existing structures on site would be reduced to less than significant levels by implementation of PC 6-1, requiring predemolition surveys and removal of any ACM in accordance with applicable regulations.

The 2002 Headlands EIR concluded that no cumulative impacts would result from implementation of the HDCP.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Change

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The Coastal Commission did not make any LCP Amendment modifications that affect existing hazardous materials on the project site. As recommended in the Phase I study (ASE 2000), demolition, cleanup, and remedial activities will be conducted before the start of construction. The LCP Amendment modifications approved by the Coastal Commission will not increase the severity of potential project and cumulative impacts previously identified or result in a new adverse impact related to hazardous materials. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

LCP Amendment modifications identified as "Hazards" in the Coastal Commission staff report are related to the Coastal Act mandate that development minimize risks to life and property in areas of high geologic, flood, and fire hazard. HDCP changes that address this mandate and the minimization of risk of life and property related to hazards as defined by the Coastal Act are addressed in Sections 4.5, Geology and Soils; 4.7, Hydrology; 4.11 Public Services; and 4.16, Coastal Processes of this Addendum.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the modifications to the HDCP require a major change to the certified 2002 Headlands EIR, will not result in any new significant environmental impact, and will not create a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant circulation and transportation effects identified in and considered by the certified 2002 Headlands EIR.

4.7 HYDROLOGY

Existing Environmental Setting

Please see Section 4.7 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for hydrology.

Certified 2002 Headlands EIR

Please see Section 4.7 of the certified 2002 Headlands EIR for the analysis of the potential hydrology effects of the HDCP.

The certified 2002 Headlands EIR determined implementation of the storm drain improvements and maintenance procedures specified in the PDFs and PCs would reduce potential flooding and erosion created by the project to less than significant levels.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications approved by the Coastal Commission increase the area designated for public open space from 62.0 acres to 68.5 acres, decrease the amount of visitor-serving facilities, and reduce the residential land use in the project area. The LCP Amendment modifications approved by the Coastal Commission include additional catch basin inserts in all catch basins, grease traps for restaurant/food service wash-down areas, and secondary treatment of surface runoff. Such modifications are dealt with in Section 4.8, Water Quality.

The increase in natural open space will slightly reduce the impervious surface area of the proposed project and will correspondingly reduce the surface runoff generated from the project during a storm event. The modifications would not reduce the ability of the storm drain improvements and maintenance procedures specified in the project design features to minimize potential flooding and erosion. The LCP Amendment modifications approved by the Coastal Commission would not create a condition that might place structures within the 100-year floodplain, would not worsen the potential of inundation by tsunami or mudflow, and would not worsen the subsurface flows through the project site. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR because the project would improve overall hydrologic conditions at the site and in Dana Point Harbor and would not contribute to a cumulative impact on local and/or regional hydrologic conditions. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant surface hydrology, water quality, and groundwater impacts identified in and considered by the certified 2002 Headlands EIR.

4.8 WATER QUALITY

Existing Environmental Setting

Please see Section 4.8 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for water quality.

Certified 2002 Headlands EIR

Please see Section 4.8 of the certified 2002 Headlands EIR for the analysis of the potential water quality effects of the HDCP.

The EIR concludes that implementation of the site design, source control, and treatment control BMPs and irrigation efficiency programs, among other treatment and operational BMPs, would reduce potential impacts to surface water quality and to shallow groundwater quality to less than significant levels.

The certified 2002 Headlands EIR concluded that the project water quality BMPs and project conditions would create a net improvement in water quality for Dana Point Harbor and Strand Beach. The certified 2002 Headlands EIR also concluded that no cumulative impacts to water quality would result from the project when combined with other foreseeable projects that are planned or expected to occur in the City or region.

The Mitigation Monitoring and Reporting Program adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications approved by the Coastal Commission included multiple procedural clarifications regarding water quality that were consistent with the certified 2002 Headlands EIR and that are summarized in Chapter 3.0 of this Addendum. The LCP Amendment modifications approved by the Coastal Commission that may create physical changes to the project include the requirement of additional catch basin inserts, the possible substitution of equivalent or better treatment capability best management practices (BMPs) for the originally proposed sand filters, and the requirement for secondary treatment of surface runoff to Dana Point Harbor. The LCP Amendment modifications also include an increase in the designated open space area on the site.

The secondary treatment of surface runoff is to reduce dissolved nutrients such as nitrates and phosphates from reaching Dana Point Harbor, utilizing zeolite, clay, or similar media. The secondary type of structural treatment BMP may be used in conjunction with the previously proposed sand filters and/or the sand filters may be replaced with an alternative but equivalent technology that meets

or exceeds the desired performance criteria. Any alternate treatment BMP will be contained within the footprint of the previously proposed underground sand filters.

The Coastal Commission required catch basin filter inserts at all catch basins, not just those in parking lots greater than 5,000 square feet, and required grease traps in wash-down areas for restaurant/food service facilities. In addition, state-of-the-art automatic irrigation controllers that incorporate real-time weather data have been required by the Coastal Commission to minimize overwatering and runoff. The LCP Amendment modifications include a 6.5-acre increase in land designated for recreation and conservation open space and a corollary reduction in the area designated for residential development. The increase in open space will slightly reduce the impervious surface area of the proposed project resulting in a slightly lower amount of runoff.

Surface Water Quality during Construction

The LCP Amendment modifications will not change the implementation of the Storm Water Pollution Prevention Plan (SWPPP) during construction. All physical changes to the project will be incorporated in the SWPPP to ensure protection of water quality during construction. The reduction in land area designated for residential development and increase in open space areas of the project will require less soil disturbance and grading and will reduce potential water quality impacts from erosion during construction. Therefore, the modifications will further reduce a potential impact determined in the certified 2002 Headlands EIR to be less than significant. Therefore, the proposed changes are consistent with the certified 2002 Headlands EIR, do not require a major change, and will not result in any new significant environmental impact.

Surface Water Quality after Construction

The alternative treatment BMP, if utilized, will fit within the footprint of the previously proposed sand filters and will meet or exceed the treatment performance of the sand filters, as evaluated in the certified 2002 Headlands EIR. Therefore, the treatment of runoff from the site will be achieved at levels comparable to or better than those considered in the certified 2002 Headlands EIR, and no new impacts to water quality will result from changes to the project. The installation of more catch basin filters, providing secondary treatment of runoff to the Harbor, will have a beneficial effect on postconstruction water quality. Increasing the quantity of catch basin inserts represents a more stringent application of BMPs described in the PDFs and PCs to improve postconstruction water quality.

The net decrease in impervious surfaces will have a positive effect on the quality of surface runoff from the site. The approved Coastal Commission reduction in residential land use is expected to decrease the generation of pollutants associated with residential land uses. Therefore, implementation of the BMPs described in the PDFs and PCs will further reduce a less than significant impact. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR, do not require a major change to the EIR, and will not result in any new significant environmental impact.

Shallow Groundwater

The LCP Amendment modifications do not reduce the requirement for water-efficient and drought-resistant landscaping and do not change the implementation of other BMPs in the PDFs and PCs, except for those described above. The proposed reduction in residential land use is expected to decrease the pollutants generated from the site and therefore further reduce potential project and cumulative impacts found to be less than significant in the original EIR. The proposed changes are consistent with the findings in the certified 2002 Headlands EIR, do not require a major change, and will not result in any new significant environmental impact.

Cumulative Impacts

The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR finding that no cumulative impacts to water quality would result from the project when combined with other foreseeable projects that are planned or expected to occur in the region.

Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised Headlands project will not result in any new significant environmental impact nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant water quality impacts identified in and considered by the certified 2002 Headlands EIR.

4.9 LAND USE

Existing Environmental Setting

Please see Section 4.9 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for land use.

Previous uses of the project site include a 90-unit trailer park and a nursery with associated buildings, parking lots, and other improvements. Existing residential enclaves, although surrounded by the project site on three sides, are not part of the proposed project or project site. Currently, the project site is largely vacant and fenced, prohibiting public access. Existing structures include the former trailer park with dilapidated infrastructure such as roads, pad foundations, sewer, water, storm drains, extensive fencing, utility lines, a 2,240-foot-long sea revetment (the Strand area), horticultural greenhouses, utility and storage buildings, and associated parking.

Certified 2002 Headlands EIR

Please see Section 4.9 of the certified 2002 Headlands EIR for the analysis of the potential land use effects of the HDCP.

The certified 2002 Headlands EIR did not identify any significant impacts related to land use. The EIR found that the proposed project did not substantially contribute to conflicts with applicable land use plans adopted for the purpose of avoiding or mitigating environmental effects, did not eliminate designated open space or a recreation area, did not physically divide an established community, and did not contribute to a substantial conflict with adjacent or other community land uses on a project or cumulative level. No significant adverse impacts related to land use were identified, and no mitigation was required.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications approved by the Coastal Commission reduced the amount of acreage designated for residential development from 52.4 to 45.9 acres with 125 single-family residential lots; a maximum of 4.4 acres of Visitor/Recreational Commercial (V/RC) land uses comprising a 65–90-key inn on 2.8 acres, an increase of up to 25 additional keys, and a 1.6 V/RC site adjacent to PCH; 34.0 acres of Conservation Open Space (CON/OS), rather than just 30.3 acres, and 34.5 acres of Recreation Open Space (REC/OS), rather than 31.7 acres, and four public visitor recreation facilities, rather than the original five visitor recreation facilities. Please see Chapter 2.0, Project Description, for more information regarding the modifications to the LCP Amendment.

Consistency with Applicable Plans and Policies

The LCP Amendment modifications approved by the Coastal Commission require amendments to the City General Plan, Zoning Code, and the Dana Point LCP. Coastal Commission certification of the LCP Amendment, as modified, replaces in its entirety the Dana Point LCP for the portions of the property subject to the Dana Point LCP and a new LCP for those portions of the property not originally subject to the Dana Point LCP. The modifications approved by the Coastal Commission represent a significant reduction in intensity and scope of development from what was permitted prior to City approval of the General Plan Amendment and zoning reclassification.

As previously stated, the Coastal Commission modified the land use area boundaries within the Headlands by decreasing the amount of area designated for residential development and increasing the area designated for recreational and conservation open space. The addition of up to 25 additional keys (rooms) to the Seaside Inn must be accommodated within the previous allocation of 2.8 acres and 110,750 sq ft. The addition of up to 25 keys is also offset by the corresponding reduction of the PCH commercial site by 5,000 sq ft. For instance, overall project average daily trips (ADT) are reduced by approximately 2 percent as a result of these changes. The modifications approved by the Coastal Commission also require mechanized access (funicular) adjacent to the existing North Strand Beach Accessway, the addition of Mid-Strand Vista Park Access (MSVPA), and a new pedestrian trail along the top of the revetment. The funicular and the MSVPA will be available to the public to access Strand Beach. Public access via the North, South, and Central Strand Beach Accesses will not be reduced. These LCP Amendment modifications further implement coastal access, the conservation of natural resources, the provision of public parks, open space, recreational opportunities, and the development of high-quality visitor recreation facilities.

The approved modifications are consistent with the findings of the certified 2002 Headlands EIR because the amendments to land uses benefit the environment by concentrating development to better accommodate the conservation of natural resources and will provide improved access to coastal resources, consistent with the City of Dana Point General Plan, the California Coastal Act, and the Dana Point LCP. The Coastal Commission found the LCP Amendment as modified to be consistent with the Coastal Act. Therefore, in consideration of all the above, the LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Effects of the Proposed Project on Established Communities

Implementation of the HDCP will alter the existing conditions on the project site from its current fenced and dilapidated condition to a master planned development that includes conservation open space, recreation open space, and visitor/recreation commercial and residential land uses. As previously analyzed, the HDCP will develop areas contiguous with existing development and will not divide an established community. Therefore, the LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Effects of the Proposed Project on Existing On-Site Uses

The HDCP provides for the orderly development and conservation of resources on the project site. LCP Amendment modifications approved by the Coastal Commission further reduce less than significant impacts to the environment by altering land use area boundaries to allow additional recreational and conservation open space areas. Implementation of the HDCP will lead to the replacement of existing dilapidated and largely abandoned on-site development and deteriorating habitat areas with restored and managed open space habitat and master planned residential and visitor/recreation commercial uses. The HDCP will also facilitate greater access to coastal resources and open space areas. Therefore, the LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Effects on Existing Adjacent Land Uses

Land use compatibility and operational conflicts are considered significant if they lead to physical impacts on nearby properties or persons living or working in the area. As previously mentioned, the project site surrounds two residential enclaves and is bounded on the north, south, east, and southwest by existing residences and visitor commercial development.

The funicular is proposed to be constructed immediately south of the existing North Strand Beach Accessway from the County parking lot to the beach. It will have a greater visual presence compared with the existing pathway; however, the funicular car is a small and unique project feature that is not anticipated to have an adverse effect on views to or from the project site. When constructed, the funicular will be approximately 50 feet from any existing or proposed residence and will be in service during daylight hours only. The funicular will not generate significant increases in traffic, noise, and odors that lead to physical impacts on adjacent residential areas.

The Coastal Commission also approved repair and maintenance of the existing revetment that extends the length of Strand Beach (approximately 2,240 feet). The existing revetment will be moved landward, or easterly, an average of five feet from the existing alignment. An eight-foot-wide walkway plus benches and two picnic tables along the top, or landward, of the revetment will be provided near the Strand residential area. Realignment of the revetment will effectively increase the area of Strand Beach and will not result in a significant adverse impact related to land uses.

The approved modifications to the LCP Amendment include changes to the visitor/recreation commercial uses including approval of a 65–90-key inn (retaining the maximum build out of 110,750 square feet), reducing visitor/recreation commercial uses in Planning Area 4 to a maximum of 35,000 square feet, including the provision of a visitor information center and a 40-bed hostel, and providing six parking spaces designated for visitors to the open space on site. The Coastal Commission eliminated some visitor-serving facilities, including the Maritime Historic Visitors Center (Lighthouse), Cultural Arts Visitor Center, and Conservation Visitors Center, and added the visitors information center in Planning Area 4 and a restroom/shower facility at the south end of Strand Beach. These changes result in the elimination of visitor facilities located within designated ESHA areas and will accommodate greater preservation of conservation open space with an increased level of protection for biological resources on the site. The action by the Coastal Commission reflects its intent to balance the Coastal Act goals of both protecting coastal resources and providing public access to coastal resources. The LCP Amendment modifications promote public access by providing

lower-cost accommodation (hostel) and enhanced beach access (funicular and new vertical and lateral accessways). The LCP Amendment modifications are consistent with the goals and objectives of the Coastal Act and with the findings of the certified 2002 Headlands EIR.

The LCP Amendment modifications are consistent with the HDCP design guidelines, including setbacks, height limits, and use restrictions contained therein, and will not contribute to adverse impacts to surrounding land uses. The HDCP will provide land use benefits to surrounding areas through the dedication of approximately 68 acres of public parks, open space, trails, overlooks, and coastal access. Furthermore, the HDCP will replace dilapidated infrastructure, abandoned buildings, and deteriorated habitat areas with restored and managed open space habitat and master planned residential and visitor/recreation commercial uses. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to land use, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impact.

Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. No information in the record or otherwise available indicates substantial change in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant land use effects identified in and considered by the certified 2002 Headlands EIR.

4.10 NOISE

Existing Environmental Setting

Please see Section 4.10 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for noise.

Certified 2002 Headlands EIR

Please see Section 4.10 of the certified 2002 Headlands EIR for the analysis of the potential noise effects of the HDCP.

The noise assessment was conducted according to the City of Dana Point guidelines, which include the City's Noise Element (for transportation-related noise) and Municipal Code Noise Ordinance (for nontransportation-related noise). The certified 2002 Headlands EIR included PDFs and PCs relative to noise impacts. (See Appendix A of this Addendum.) PDF 10-1 requires the construction of a perimeter wall to serve as a shield for residential structures from traffic noise on PCH. PCs 10-1 and 10-2 provide for limits to the hours of construction and maximum noise levels consistent with City Ordinance requirements.

The certified 2002 Headlands EIR determined that long-term on-site operational noise levels, including residential uses, commercial (inn and restaurant), other visitor/recreation commercial uses, and public open space, will not result in noise levels that are different or substantially above the ambient noise levels currently experienced in the HDCP vicinity. **At the residences adjacent to the Seaside Inn and visitor/recreation commercial sites, compliance with the City's Noise Ordinance will maintain impacts to levels accepted by the City and are determined to be less than significant levels.**

The certified 2002 Headlands EIR determined that the HDCP will not result in significant noise impacts during short-term construction and long-term operation and use of the project site. Therefore, there were no significant project-related impacts with the incorporation of Mitigation Measure 10-1. HDCP-related traffic noise impacts were determined to be small and less than significant.

The HDCP would contribute to significant cumulative noise impacts, as described in the certified 2002 Headlands EIR. However, the project contributes only 0.6 dBA or less to the cumulative impact. In addition, installation of sound walls would be infeasible for many of the impacted homes. The cost of constructing sound walls that would be feasible for impacted homes would be too great to be borne by this one project, given the small magnitude of this project's contribution to the impact. Therefore, this cumulative impact would remain significant and unavoidable after mitigation.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed

revetment repair, and increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

As described in Section 4.13 of this Addendum, the LCP Amendment modifications would result in 86 fewer daily trip-ends (a reduction of approximately 2 percent) compared with the project as evaluated in the certified 2002 Headlands EIR. Furthermore, the LCP Amendment modifications result in slightly fewer a.m. peak-hour and p.m. peak-hour trips. Therefore, project-related vehicular noise levels will be comparable to or less than the levels evaluated in the earlier EIR. Similarly, the increased natural open space incorporated into the LCP Amendment modifications will result in a smaller grading envelope and therefore slightly reduced construction noise levels. The LCP Amendment modifications to the Headlands project reduce already less than significant project noise effects.

For transportation sources, the City's Noise Element of the General Plan has an exterior noise standard of 65 dBA Community Noise Equivalent Level (CNEL) for residential uses and outdoor/recreation open space areas. CNEL is a 24-hour, time-weighted energy average noise level based on the A-weighted decibel. It is a measure of the overall noise experienced during an entire day. The term "time-weighted" refers to the penalties attached to noise events occurring during certain sensitive time periods, specifically the hours between 7:00 p.m. and 10:00 p.m., and from 10:00 p.m. to 7:00 a.m. For interior noise-sensitive rooms, 45 dBA CNEL is the standard.

The funicular as included in the approved modifications to the LCP Amendment will connect the Salt Creek public parking lot (Selva Road) to the pedestrian ramp to Strand Beach along the North Strand Beach Accessway. The funicular will be located in an area along the Headlands property boundary, which is approximately 15 ft wide and 7 ft below the adjoining grade of the existing accessway to the beach.

The type of funicular that is proposed is known as a "cog rail system," which is powered by an electric motor at the bottom of the cab, just above ground level. The funicular is manufactured in Switzerland and mechanized transport of this type is somewhat common in Europe. The funicular will operate at a speed of approximately 300 feet per minute (3.4 mph, or about walking speed). The distance traveled on the Headlands site between the top and bottom of the slope is about 600 feet. Each round trip would take approximately five minutes. The sound characteristics of the funicular (also termed mechanized access or transport) would be somewhat similar to that of a vehicle moving on a roadway at very slow speed. The funicular is required to be operated during daylight hours on weekends, holidays year-round, and every day from Memorial Day weekend through Labor Day weekend (see Modifications 23, 24, and 117).

A CNEL was calculated for the area located 50 feet from the proposed funicular, which is the location of the nearest existing or proposed residence. The input to the CNEL included conservative assumptions with regard to hours of operation and the number of operations per day (assumes that the funicular will operate with the maximum number of operations, 12 round trips per hour, the entire time that it is open). The inputs to the CNEL calculations included noise measurement data provided by the manufacturer that were taken in the field. The measurements were for a funicular operating at an elevation using a raised platform that contributes to noise generation, and therefore represent generally greater noise transmission than what would be realized at the Headlands site, where the track will be just above ground level. The input to the CNEL calculations also assumed a

conservatively high ambient noise level of 45 dBA L_{eq} , considering the relatively quiet nature of the site and surrounding residential areas during the evening and nighttime hours. During the day, the dominant noise source in the project area would be the funicular (54.5 dBA L_{eq} at 50 feet). With these assumptions and input, the CNEL value calculated at 50 feet from the funicular is 54.3 dBA CNEL. This level is much lower than the City's 65 dBA CNEL noise standard for residential and outdoor recreation/open space uses. The existing public pedestrian accessway to the beach is located adjacent to the funicular at an approximate distance of 15 feet. The noise level at 16.4 ft (5 m), as measured by the manufacturer, is 59.3 dBA L_{eq} . When combined with the evening and nighttime ambient noise level of 45 dBA L_{eq} , the equivalent CNEL level would be 57.5 dBA, which would also be well below the City's 65 CNEL threshold for outdoor recreation/open space uses.

Typical sound level reductions of buildings in southern California (warm climate) range from 12 dBA with windows open and 24 dBA with windows closed. Interior noise levels attributable to the funicular operations would be reduced to 42.3 dBA CNEL with windows open and 30.3 dBA CNEL with windows closed. These noise levels are below the 45 dBA CNEL interior noise standards.

The LCP Amendment modification requiring a funicular will not result in any new significant noise impacts and does not require a major change to the certified 2002 Headlands EIR.. Please see Appendix F of this Addendum for additional information.

The certified 2002 Headlands EIR found that cumulative noise effects associated with off-site roadways were both significant and unavoidable. While the LCP Amendment modifications result in a slight overall decrease in anticipated noise levels from grading, the reduction is not considered sufficient to reduce cumulative levels to below a level of significance. Noise from the operation of the proposed funicular is within the standards established by the City and does not represent a new significant impact.

In conclusion, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR and may result in a slight reduction in overall project noise impacts. The LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant noise impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the LCP Amendment modifications require a major change to the certified 2002 Headlands EIR. The LCP Amendment modifications will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant noise impacts identified in and considered by the certified 2002 Headlands EIR.

4.11 PUBLIC SERVICES

Existing Environmental Setting

Please see Section 4.11 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for public services.

Certified 2002 Headlands EIR

Please see Section 4.11 of the certified 2002 Headlands EIR for the analysis of the potential public services effects of the HDCP.

The certified 2002 Headlands EIR concluded that the HDCP would result in less than significant effects for fire protection and emergency medical services, emergency response and emergency evacuation plan, law enforcement, libraries, public transportation, and solid waste. The EIR also concluded that potentially significant impacts may result from the proposed project for school facilities. However, due to school fees required by Government Code §65996 prior to issuance of the building permit, impacts to public schools will be reduced to a less than significant level. In addition, cumulative impacts to public services were determined to be less than significant.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications include a decrease in the area designated for residential use but maintains the same number of residential dwelling units within the HDCP. Most of the HDCP demands for public services would result from the on-site residential units.

The LCP Amendment modifications also include a decrease in visitor recreation facilities, an increase of up to 25 hotel rooms within the same development envelope, and an overall decrease in the square footage of allowable commercial uses. These modifications are not expected to result in an appreciable change in the demand for solid waste services and police services. The addition of a funicular to the project will enhance public access to the beach. Extensive beach access was included in the original project as evaluated in the certified 2002 Headlands EIR; therefore, the funicular is not expected to result in a substantial change in the demand for emergency services, such as police and fire services.

The LCP Amendment modifications that could have a potential effect on the provision of public services are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to public services, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impacts to public services. Therefore, the comparison

of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the modifications to the LCP Amendment require a major change to the certified 2002 Headlands EIR. The revised HDCC project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the HDCC or additional mitigation measures that would substantially reduce one or more of the significant public services impacts identified in and considered by the certified 2002 Headlands EIR.

4.12 RECREATION

Existing Environmental Setting

Please see Section 4.12 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for recreation.

Certified 2002 Headlands EIR

Please see Section 4.12 of the certified 2002 Headlands EIR for the analysis of the potential recreation effects of the HDCP.

The certified 2002 Headlands EIR includes PDFs and PCs relative to recreational resources. (See Appendix A of this Addendum.) PDFs 12-1 through 12-4 and 12-8 provide for the dedication and transfer of approximately 31.7 acres to the City and/or County for recreational purposes, as well as approximately three miles of recreational and coastal access trails. PDFs 12-4 and 12-5 provide for the dedication of approximately 30.3 acres of conservation open space consisting of the Headlands Conservation Park and Harbor Point Park. PDFs 12-6 and 12-7 propose five recreational visitor facilities and a 65-room inn as part of the project. Mitigation Measure 12-1 requires that a plan be developed and implemented to provide for continuous public access to Strand Beach during project construction.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

Demand for Park Acreage. The LCP Amendment modifications approved by the Coastal Commission require the additional dedication of 2.8 acres for recreational open space purposes and an additional 3.7 acres of conservation open space. The Upper Headlands Residential Area (Planning Area 6) was reduced in area by 6.5 acres to provide the additional area for recreation and conservation open space. The number of residential units remains the same. Because the number of residential units, and thus residents, generated by the residential development was not changed, the demand for park acreage is not changed. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR because the demand for park acreage is the same, while the amount of proposed park space is increased and significantly exceeds the amount of park space required by the City. Therefore, the LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Beach Access and Trail System. The LCP Amendment modifications approved by the Coastal Commission require the addition of the funicular along North Strand Beach Access, the addition of MSVPA, and a lateral pedestrian trail along the top of the revetment. The funicular, lateral access, and the MSVPA will be available to the public for use in accessing Strand Beach. Given the vertical distance from the Salt Creek (Selva Road) parking lot to Strand Beach, the funicular will provide access to members of the public who might otherwise not be able to climb the stairs at the North Strand Beach Accessway and at other accessways. In an effort to reduce potential impacts to habitat areas within designated ESHA, certain trail alignment in Harbor Point Park and the Hilltop Park and greenbelt linkages were eliminated in the approved modifications. However, the overall aesthetic experience and recreational opportunities associated with the trail system remain intact in the revised project. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR because they create a net improvement in public access to Strand Beach from current conditions. Therefore, the LCP Amendment modifications do not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Visitor Recreation Facilities. The LCP Amendment modifications approved by the Coastal Commission require the elimination of three visitor recreation facilities in the Harbor Point and Hilltop Park areas and the addition of two new visitor facilities, a visitor information center in Planning Area 4, and a restroom/shower facility at the south end of Strand Beach. This will result in one fewer visitor recreation facility (from five to four), reducing impacts to ESHA and preserving biological resources. The provision of visitor recreation centers was a project feature and not required as a mitigation measure in the certified 2002 Headlands EIR in order to mitigate for a significant environmental impact. While the net reduction of some visitor facilities represents a project design change, it does not require a major change to the certified 2002 Headlands EIR and will not result in any new significant environmental impact.

Public Parking for Beach/Recreational Areas Use. The LCP Amendment modifications approved by the Coastal Commission require the addition of six public parking spaces exclusively for open space users in Planning Area 4. As stated above, to further minimize impacts to ESHA, the approved LCP Amendment modifications require the deletion of two visitor recreation facilities from Planning Area 8 (Harbor Point Park) and one visitor recreation facility from Planning Area 5 (Hilltop Park greenbelt linkages) resulting in reduced parking demand in these areas deemed by the Coastal Commission to contain sensitive resources. A parking lot at the terminus of Scenic Drive will serve the nature interpretative visitor center, and the Seaside Inn will be sized to accommodate the visitor uses proposed for that site. The LCP Amendment modifications did not increase the demand for recreational users, and there is excess parking capability provided by the Salt Creek parking lot. Therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impact.

Continuous Access to Strand Beach. The LCP Amendment modifications will not change the certified 2002 Headlands EIR mitigation measure that requires a continuous access plan that enables pedestrian access to Strand Beach during periods of construction operations. Therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR, do not require a

major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impact.

Cumulative Impacts. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR determination that there are no cumulative impacts to recreation that would result from the project when combined with other foreseeable projects because of the net increase to the amount of area dedicated to parks and open space, as well as improved access to the site and Strand Beach. Therefore, the LCP Amendment modifications are consistent with the certified 2002 Headlands EIR, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impact.

Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to recreation. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the HDCP or additional mitigation measures that would substantially reduce one or more of the significant recreation impacts identified in and considered by the certified 2002 Headlands EIR.

4.13 TRANSPORTATION/TRAFFIC

Existing Environmental Setting

Please see Section 4.13 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for transportation.

Certified 2002 Headlands EIR

Please see Section 4.13 of the certified 2002 Headlands EIR for the analysis of the potential traffic effects of the HDCP.

The certified 2002 Headlands EIR concluded that there were two potential significant HDCP impacts to traffic. These adverse effects can be reduced to below a level of significance with implementation of Mitigation Measures 13-1 and 13-2. Implementation of Mitigation Measure 13-3, in combination with the PDFs and PCs, will reduce the cumulative traffic and circulation impacts to below a level of significance.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

A summary of the revised project land uses and revised trip generation is shown in Table 4.13.A. These changes are addressed in an analysis conducted by RK Engineering Group, Inc. (Memorandum to Kevin Darnall dated September 8, 2004; see Appendix C of this Addendum). There have been some minor changes in the land uses within Traffic Analysis Zones (TAZ) 257 and 258. Within TAZ 257, the PCH Visitor Recreation Commercial site was reduced by approximately 5,000 square feet, and the acreage of the park/recreation area was increased by approximately 2.8 acres with a corresponding decrease in residential acreage. Two new specified uses now proposed in TAZ 257 include a 40-bed hostel and a visitor information center. Trip generation for both uses would fall within (if not below) the total trip generation calculated for TAZ 257 35,000 square feet Visitor/Recreation Commercial uses, and no separate trip generation is necessary. The maximum number of single-family residential lots within TAZ 257 remains the same at 50 lots. Within TAZ 258, the park/conservation area was increased by approximately 3.7 acres with a corresponding decrease in residential acreage, and the Seaside Inn was increased by up to 25 keys (rooms).

Table 4.13.A: Proposed Project Trip Generation (revised)

Taz ¹	Land Use	Quantity	Units ²	Peak Hour				Daily
				AM		PM		
				In	Out	In	Out	
250	Single-Family Residential	75	DU	17	47	54	32	868
	Park/Recreation	9.9	AC	NOM ³	NOM	NOM	NOM	36
	Recreation/Open Space	5.2	AC	2	2	3	3	52
	Subtotal			19	49	57	35	956
257	Visitor/Recreation Commercial	35	TSF	37	17	82	73	1,812
	Park/Recreation	15.1	AC	NOM	NOM	NOM	NOM	55
	Visitor/Recreation (Community) Facility	2	TSF	2	1	1	1	29
	Single-Family Residential	50	DU	12	32	36	22	579
	Subtotal			51	50	119	96	2,475
258	Park/Recreation	32.2	AC	NOM	NOM	NOM	NOM	118
	Visitor/Recreation (Community) Facility	6 ⁴	TSF	5	2	3	3	87
	Seaside Inn	90	RM	18	9	18	27	540
	Visitor/Recreation (Community)							
	Visitor/Recreation Commercial ⁵	13	TSF	7	3	15	14	337
	Subtotal			30	14	36	44	1,082
TOTAL				100	113	212	175	4,513

Trip Generation Comparison

The LCP Amendment modifications would generate 4,513 trip-ends per day with 213 vehicles per hour during the a.m. peak hour and 387 vehicles per hour during the p.m. peak hour. The trip generation for the previously approved project is shown in Table 4.13.B. The proposed project would generate 86 fewer daily trip-ends than the previously approved HDGP. Furthermore, the project would generate slightly fewer a.m. peak-hour trips (one vehicle per hour) and generates 10 vehicles fewer per hour during the p.m. peak hour. The LCP Amendment modifications generate fewer trips than the previously approved HDGP, especially during the critical p.m. peak hour.

¹ TAZ = Traffic Analysis Zones within the Dana Point Traffic Model.

² DU = Dwelling Units.

AC = Acres.

TSF = Thousand Square Feet.

RM = Rooms.

³ NOM = Nominal.

⁴ Although three visitor facilities were eliminated by the Coastal Commission, for the purposes of this analysis the traffic for such facilities was incorporated into the analysis.

⁵ Included within the Seaside Inn.

Table 4.13.B: Trip Generation Comparison

Land Use	Peak Hour				Daily
	AM		PM		
	In	Out	In	Out	
Approved Project	100	114	219	178	4,599
Proposed Reconfigured Project	100	113	212	175	4,513
Difference	0	-1	-7	-3	-86

The land use changes as a result of the approved modifications to the LCP Amendment will slightly change the trip generation within the three traffic analysis zones utilized in the previous traffic study; however, no significant differences in traffic impacts are anticipated. The net change in daily traffic on Street of the Green Lantern would be 139 ADT. This would not be a significant increase in traffic on that roadway.

Traffic impacts to the intersection of Street of the Blue Lantern at PCH have also been reviewed. Most recently, updates to projected traffic counts have been completed for the Street of the Green Lantern Inn project, which is proposed for a vacant lot outside the project boundary at Cove Road and Green Lantern. That project evaluated traffic impacts along Street of the Green Lantern and also at the intersections of Street of the Blue Lantern at PCH, Street of the Blue Lantern at Santa Clara Avenue, Street of the Green Lantern at Cove Road, and Street of the Green Lantern at Santa Clara Avenue. The study took into account the previously approved Headlands project. The proposed land use reconfiguration of the proposed Headlands project would not significantly change the level of service projected at the Blue Lantern and PCH intersection, the Street of the Blue Lantern at Santa Clara intersection, the Street of the Green Lantern at Cove Road intersection, and the Street of the Green Lantern at Santa Clara Avenue intersection (all of which remain at LOS A) nor would it substantially change the projected traffic volumes on Street of the Green Lantern. The revised intersection capacity utilization (ICU) calculations and traffic volumes for Street of the Green Lantern are shown in Table 4.13.C.

Table 4.13.C: Opening Year with Project Intersection Capacity Utilization (ICU)¹**2002 Headlands EIR**

Intersection	Traffic Control ²	Intersection Approach Lanes ³												Peak Hour ICU ⁴				Peak Hour LOS ⁵			
		Northbound			Southbound			Eastbound			Westbound			AM	PM	Summer		AM	PM	Summer	
		L	T	R	L	T	R	L	T	R	L	T	R			AM	PM			AM	PM
St. of the Blue Lantern (NS) at:																					
• Pacific Coast Hwy. (EW)	TS	1	1.5	0.5	1	1	1	1	2	1	1	2	1	0.423	0.519	0.464	0.556	A	A	A	A
• Santa Clara (EW)	AWS	0.5	0.5	0	0	1	1	0	1	0	0	0	0	0.135	0.195	0.141	0.205	A	A	A	A
St. of the Green Lantern (NS) at:																					
• Cove Rd (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.149	0.216	0.156	0.227	A	A	A	A
• Santa Clara (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.135	0.186	0.141	0.195	A	A	A	A

With Modifications to LCP Amendment

Intersection	Traffic Control ²	Intersection Approach Lanes ³												Peak Hour ICU ⁴				Peak Hour LOS ⁵			
		Northbound			Southbound			Eastbound			Westbound			AM	PM	Summer		AM	PM	Summer	
		L	T	R	L	T	R	L	T	R	L	T	R			AM	PM			AM	PM
St. of the Blue Lantern (NS) at:																					
• Pacific Coast Hwy. (EW)	TS	1	1.5	0.5	1	1	1	1	2	1	1	2	1	0.423	0.518	0.464	0.556	A	A	A	A
• Santa Clara (EW)	AWS	0.5	0.5	0	0	1	1	0	1	0	0	0	0	0.135	0.195	0.141	0.205	A	A	A	A
St. of the Green Lantern (NS) at:																					
• Cove Rd (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.148	0.216	0.155	0.226	A	A	A	A
• Santa Clara (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.135	0.186	0.141	0.195	A	A	A	A

Average Daily Traffic (ADT) Volume on Green Lantern South of Santa Clara Avenue

Condition	Average Daily Traffic (ADT)
Existing	3,131
Opening Year w/Approved Headlands	4,798
Opening Year w/Reconfigured Headlands	4,937

¹ Opening-year analysis based upon recent Green Lantern Inn Project Traffic Impact Study. Opening year projected to be 2005.

² TS = Traffic Signal; AWS = All Way Stop.

³ When a right-turn lane is designated, the lane can either be striped or unstriped. To function as a right-turn lane, there must be sufficient width for right-turning vehicles to travel outside the through lanes.

L = Left; T = Through; R = Right; >> = Free Right Turn; > = Right Turn Overlap.

⁴ ICU = Intersection Capacity Utilization.

⁵ LOS = Level of Service.

No significant traffic impacts or substantive changes to traffic impacts will result from the LCP Amendment, as modified.

The LCP Amendment modifications will generate fewer daily trips and fewer p.m. peak-hour trips than the previously approved project. There is a slight decrease in the a.m. peak-hour trips; the changes would not significantly change any of the intersections previously analyzed in the traffic impact study for the Headlands project. The approved modifications to the LCP Amendment would not have a significant change in traffic volumes on Street of the Green Lantern or the intersection of Street of the Blue Lantern and PCH. No substantive change to project traffic effects or to cumulative traffic effects would result.

The LCP Amendment modifications do not require major revisions to the certified 2002 Headlands EIR and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the project or additional mitigation measures that would substantially reduce one or more of the significant circulation and transportation effects identified in and considered by the certified 2002 Headlands EIR.

4.14 UTILITIES

Existing Environmental Setting

Please see Section 4.14 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for utilities. Water, sewer, and reclaimed water services in the area are provided by South Coast Water District (SCWD). Electricity is provided by San Diego Gas and Electric (SDG&E), a subsidiary of Sempra Energy. Natural gas is provided by the Southern California Gas Company, also a subsidiary of Sempra Energy. Telephone service and cable television are provided by Pacific Bell and Cox Communications, respectively.

Certified 2002 Headlands EIR

Please see Section 4.14 of the certified 2002 Headlands EIR for the analysis of the potential effects of the HDCP to utilities.

Potential impacts due to increased utility needs for potable water, reclaimed water, sewage, natural gas, telephone, and cable service were determined to be less than significant.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The modifications to the LCP Amendment result in an increase in recreation and conservation open space, a decrease in the total square footage of Visitor/Recreation Commercial uses, the addition of up to 25 additional hotel keys, one fewer visitor recreation facility, and no change to the overall number of dwelling units. The LCP Amendment modifications also include the addition of a funicular, which would require electricity to operate.

Overall, the demand for utilities will be generally the same as that evaluated by the service providers for the certified 2002 Headlands EIR. Therefore, the modifications to the LCP Amendment that have the potential to affect the provision of utilities are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to utilities, do not require a major change to the 2002 Headlands EIR, and will not result in any significant environmental impacts to utilities. Therefore, the comparison of anticipated environmental effects of the proposed modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the LCP Amendment modifications require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the HDCP or additional mitigation measures that would substantially reduce one or more of the significant utilities impacts identified in and considered by the certified 2002 Headlands EIR.

4.15 MARINE BIOLOGICAL RESOURCES

Existing Environmental Setting

Please see Section 4.15 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for marine biological resources.

Certified 2002 Headlands EIR

Please see Section 4.15 of the certified 2002 Headlands EIR for the analysis of the potential effects of the HDCP to marine biological resources.

The certified 2002 Headlands EIR concluded the impacts to beach erosion and water quality as a result of storm water discharge are less than significant.

The certified 2002 Headlands EIR concluded that cumulative impacts may result from additional visitors and beach/intertidal zone users but that the impact was not considered significant because the project itself would only incrementally add to the existing impact. In addition, this cumulative impact is offset by PDFs included in the proposed Headlands HDCP, specifically PDF 15-1.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications include the landward realignment of the existing revetment 10 feet in the middle, transitioning back gradually over a distance of approximately 1,050 feet to the existing alignment at either end. (See Figure 4.16.1.) Overall, the revetment setback will average five feet farther landward (or easterly) than the existing alignment. The intent of this change to the revetment is to allow for improved public access through a wider public beach. In addition, a lateral eight-foot-wide walkway will be constructed along the top of the revetment. The walkway will facilitate year-round access regardless of the tide or seasonal sand level.

All changes to the revetment will be made consistent with the provisions of PDFs 16-1 and 16-2 and will comply with all regulatory requirements and applicable safety standards and codes. The revetment, when repaired and realigned, will provide erosion control, coastal processes, and associated slope stability benefits to the project site comparable to the original proposed repair/reconstruction of the revetment and will also provide improved safety compared with existing conditions, given the current state of disrepair of the existing revetment.

The revisions to the revetment structure are consistent with the original intent that the toe of the upgraded revetment will not extend beyond the existing revetment footprint except in two spots to

accommodate pedestrian and emergency vehicle access, which is exactly the same condition as the original project evaluated in the 2002 Headlands EIR. In fact, the revised alignment of the revetment provides for slightly more sandy beach habitat for grunion engaged in spawning activities. The addition of the pedestrian trail on top of the revetment could potentially reduce impacts by pedestrian beach access by providing an alternate path along the beach. Therefore, the LCP Amendment modifications further reduce an impact previously identified as less than significant.

There are no other LCP Amendment modifications that could potentially result in alterations of the marine biological resources of the site. The proposed changes will not increase an impact previously identified or result in a new adverse impact related to marine biological resources. The LCP Amendment modifications that could have a potential effect on marine biological resources are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to marine biological resources, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the LCP Amendment modifications with the impacts disclosed in the previous certified EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the HDCP or additional mitigation measures that would substantially reduce one or more of the significant biological effects identified in and considered by the certified 2002 Headlands EIR.

4.16 COASTAL PROCESSES

Existing Environmental Setting

Please see Section 4.16 of the certified 2002 Headlands EIR for a summary of the existing environmental setting for coastal processes.

The HDCP site lies within the Laguna Beach minilittoral cells, which extend from the Newport Harbor entrance to Dana Point, including pocket beaches such as Strand Beach. Strand Beach has been relatively stable during the past 50 years. Strand Beach, together with the other nearby beaches in the minilittoral cell, is in a state of dynamic equilibrium; e.g., the amount of sand leaving the littoral system is equal to the amount of new sand entering the littoral system. The generally steep lower portions of the bluffs at the Headlands, including rocky outcrops along the shoreline and intertidal zone, are composed of San Onofre Breccia that is more resistant to erosion. At Strand Beach, the slope, consisting of Monterey formation topped with terrace deposits, is more susceptible to potential wave-induced erosion. The existing revetment begins approximately 6,000 feet north of the property boundary, and then for Strand Beach, extends on site from the north property limit, south toward the Headlands for a distance of about 2,240 feet. Due to wave action and lack of maintenance, portions of the revetment are in a state of disrepair. The revetment is founded on bedrock at an approximate elevation of +0 feet NGVD and rises to an average height of 17 feet (pursuant to a survey completed in 2003). The other existing coastal structures within the Strand Beach area include five storm drainage outlets and a private access ramp. The revetment protects existing on-site and off-site structures, graded terraces, public access, public infrastructure, and other improvements on site and nearby.

Certified 2002 Headlands EIR

Please see Section 4.16 of the certified 2002 Headlands EIR for the analysis of the potential effects of the HDCP on coastal processes.

The certified 2002 Headlands EIR includes PDFs and PCs relative to coastal processes listed in Appendix A of this Addendum. PDF 16-1 states that the proposed repair and upgrade of the revetment will be completed within the existing revetment's seaward footprint, except as necessary to provide for public safety or public access. Of the existing 2,240-foot length of the revetment, only the northernmost 2,100 feet would be reconstructed. The remaining 140 feet are typically buried and would be left undisturbed. PDF 16-2 describes a postconstruction monitoring program for coastal processes that includes common beach maintenance procedures for storm drain outlets. As originally proposed, the revetment, when reconstructed, would be raised approximately 3 feet, to a height of 20 feet NGVD.

The certified 2002 Headlands EIR concluded that the following potential impacts of the proposed project to coastal processes were analyzed and were determined to be less than significant:

- Loss of beach width or change in beach characteristics
- Modification or interruption of alongshore sand transport at the project site
- Potential for damage to property and risk to life from storm-induced waves

All potential impacts resulting from implementation of the HDCP were evaluated and considered not significant. No mitigation measures are required.

The MMRP adopted in the certified 2002 Headlands EIR as revised for this Addendum is included in Appendix A.

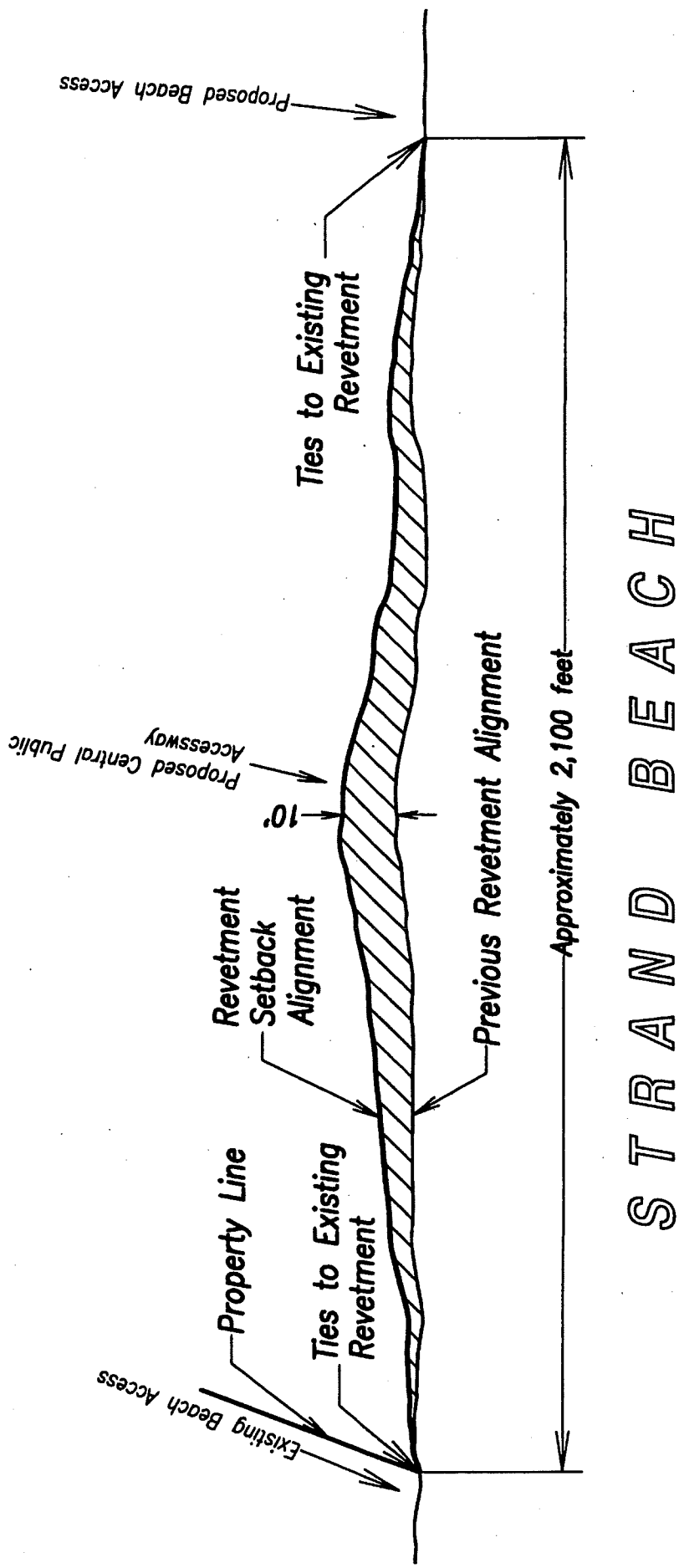
Proposed Project Changes

The LCP Amendment modifications being evaluated in this Addendum include a reallocation of land uses, changes to visitor-serving uses and public access to the coast, changes to the proposed revetment repair, and the increased preservation of biological resources. Please see Chapter 2.0, Project Description, for more information regarding the LCP Amendment modifications.

The LCP Amendment modifications approved by the Coastal Commission include the landward realignment of the existing revetment 10 feet at the center, transitioning back uniformly for approximately 1,050 feet in both directions to tie to the existing revetment alignment at either end. (See Figure 4.16.1.) Overall, the revetment alignment will average five feet farther landward (or easterly) than the existing alignment. The net result of the landward revetment realignment will be an increase in beach area of approximately 10,500 sq ft, thus improving public recreation and public access. In addition, the approved modifications require an eight-foot-wide public walkway with seating areas along the top of the revetment. The walkway will facilitate year-round lateral public beach access regardless of the tide or seasonal sand level. The Coastal Commission determined that such improvements, when implemented, would be consistent with the requirements of Section 30610(d) of the Coastal Act as repair and maintenance.

Noble Consultants, Inc. (NCI), the coastal engineers who prepared the coastal processes technical report for the 2002 Headlands EIR, prepared an analysis of the approved modifications proposed for the revetment, specifically not raising the revetment above its existing average height of 17 feet NGVD. In NCI's memorandum of July 29, 2003, (as provided to the City of Dana Point and incorporated into Appendix D, NCI found that the construction of the eight-foot-wide concrete walkway on top of the repaired revetment provides additional protection against potential slope scour resulting from overtopping by waves during a large storm event. To further minimize the potential for erosion damage, geosynthetic reinforcement of the slope behind the revetment is also proposed. NCI concluded that the proposed design revisions were functionally the equivalent to the original revetment design evaluated in the 2002 Headlands EIR, as pertaining to coastal processing issues. Furthermore, the revisions would minimize physical changes as compared with the original design evaluated in the 2002 Headlands EIR.

A similar analysis was prepared by the project soils engineer, AMEC Earth and Environmental, Inc. (AMEC). AMEC reviewed the slope stability characteristics of the approved modification for the revetment and the corresponding slope setback and determined in its letter report of December 19, 2003 (provided to the City of Dana Point and incorporated into Appendix E) that the revised design met the necessary requirements for slope stability.



NOT TO SCALE

FIGURE 4.16.1

LSA

When repaired, the height of the revetment will be maintained at the existing average height of +17 NGVD and not raised to +20 NGVD (as analyzed in the certified 2002 Headlands EIR). The revetment, when repaired, will be consistent with the provisions of PDFs 16-1 and 16-2 and will comply with all regulatory requirements and applicable safety standards and codes.

The proposed modifications to the revetment will provide additional beach area while providing structural protection and improved public safety consistent with the intent of the certified 2002 Headlands EIR. The LCP Amendment modifications will not create any new significant impacts relative to coastal processes. There are no other project modifications that would result in alterations of the analyzed coastal processes of the site. The LCP Amendment modifications are consistent with the certified 2002 Headlands EIR are consistent with the certified 2002 Headlands EIR regarding project and cumulative effects to coastal processes, do not require a major change to the certified 2002 Headlands EIR, and will not result in any new significant environmental impacts. Therefore, the comparison of anticipated environmental effects of the approved modifications with the impacts disclosed in the previously certified 2002 Headlands EIR support the required CEQA findings below. Specifically, none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would require preparation of a subsequent EIR have been met.

Major EIR Revisions Not Required. Based on the foregoing analysis and information, there is no evidence that the changes to the project require a major change to the certified 2002 Headlands EIR. The revised HDCP project will not result in any new significant environmental impact, nor is there a substantial increase in the severity of impacts from that described in the certified 2002 Headlands EIR.

No Substantial Change in Circumstances Requiring Major EIR Revisions. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the certified 2002 Headlands EIR.

No New Information Showing Greater Significant Effects Than Previous EIR. This Addendum has analyzed all available relevant information to determine whether there is new information that was not available at the time the 2002 Headlands EIR was certified indicating that a new significant effect not reported in the certified 2002 Headlands EIR may occur. Based on the information and analysis above, there is no substantial new information that there will be a new significant impact requiring major revisions of the certified 2002 Headlands EIR.

No New Information Showing Ability to Reduce Significant Effects in Previous EIR. There are no alternatives to the HDCP or additional mitigation measures that would substantially reduce one or more of the significant coastal processes effects identified in and considered by the certified 2002 Headlands EIR.

4.17 DETERMINATION

Based on the information and analysis in this Addendum and pursuant to Section 15162 of the State CEQA Guidelines, the City has determined the following:

1. There are no substantial changes to the HDCP that will require major revisions to the certified 2002 Headlands EIR due to new, significant environmental effects or a substantial increase in the severity of impacts identified in the certified 2002 Headlands EIR.
2. Substantial changes have not occurred in the circumstances under which the project is being undertaken that will require major revisions of the certified 2002 Headlands EIR to disclose new, significant environmental effects or a substantial increase in the severity of the impacts identified in the certified 2002 Headlands EIR.
3. There is no new information of substantial importance not known at the time the 2002 Headlands EIR was certified that shows any of the following:
 - a. The project will have any new significant effects not discussed in the certified 2002 Headlands EIR.
 - b. There are impacts that were determined to be significant in the certified 2002 Headlands EIR that will be substantially increased.
 - c. There are additional mitigation measures or alternatives to the project that would substantially reduce one or more of the significant effects identified in the certified 2002 Headlands EIR.
 - d. There are additional mitigation measures or alternatives that were rejected by the project proponent that are considerably different from those analyzed in the certified 2002 Headlands EIR that would substantially reduce any significant impact identified in that EIR.

APPENDIX A

**REVISED MITIGATION MONITORING AND
REPORTING PROGRAM**

REVISED MITIGATION MONITORING AND REPORTING PROGRAM

4.1	Project Design Features, Project Conditions, and Mitigation Measures	Responsible Party	Timing for Mitigation Measure
Aesthetics			
Project Design Features			
PDF 1-1	The proposed project incorporates Development Guidelines found in Section 4.0 of the HDCP. The HDCP Development Guidelines provide a Land Use Plan, Park and Open Space Plan, Public Trail/Access Plan, Circulation Plan and Design Guidelines that complement and implement the City General Plan Urban Design Element. These plans create a site design and ambience that reflects the natural setting of the property. The design theme draws heavily upon the site's dramatic coastal location, its relationship to existing neighboring development, and the protection of natural resources, to render the proposed project compatible with existing and planned residential development near the project site. The Development Guidelines address the proposed project's circulation, architectural, and landscape components, all of which combine to affect visual appearance. The Development Guidelines establish a project-wide design expression that unites the various components of the HDCP. The parks, open space, architectural, and landscape architectural elements are unified by a series of monuments, signage, building materials, and images that evoke a natural, timeless atmosphere, while allowing reasonable flexibility in design. The intent is to create a community that displays a strong sense of place. Specifically, the Development Guidelines will: • Establish the project intent and ensure compatibility among different land uses. • Provide a consistent approach to site planning, building design, landscape design, wall and fence materials, signage and other design elements to enhance the public recreation and resource conservation experience. • Provide a conceptual framework for individual building design while maintaining the community identity. • Delineate thematic and aesthetic criteria for the use of native plant materials, signage and new improvements that complement the unique coastal setting.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.1	Aesthetics	Responsible Party	Timing for Mitigation Measure
PDF 1-2	The project provides public trails, beach access, view overlooks, landscaping, site entries, theme walls, and public view fencing according to the following design criteria summarized from Section 4.12, Design Guidelines, of the HDCP: Provide safe, inviting, and aesthetically pleasing public coastal access to the beach, ocean, and coastal bluff through the following guidelines: • Provide clear, visible identification and directional signage for coastal access paths along Selva Road, PCH, Street of the Green Lantern, and the public trail system. • Emphasize coastal access points with enhanced plantings or decorative walls. • Incorporate pedestrian amenities and street furniture, such as benches and lighting, where appropriate, along the public trail system and coastal access paths. • Establish and enhance vistas of the coastline and ocean with select plant materials. • Construct trails and pathways within, or adjacent to, conservation open space of natural materials such as decomposed granite trimmed by redwood headers. • Vegetate disturbed areas adjoining public trails and coastal access paths with appropriate native species to minimize erosion. • Utilize safety view fencing near the bluff top edges, where feasible, allowing for constraints of the topography and sensitive resources. • Provide ADA accessible walkways, where feasible, or an equivalent aesthetic experience near those areas that are constrained by topography or sensitive resources.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures	Responsible Party	Timing for Mitigation Measure
4.1 Aesthetics Design a series of public recreation facilities that will attract visitors to the coast, open space, and the parks through implementation of the following guidelines: • Utilize appropriate native materials and native plant species to integrate the public visitor facilities into their settings. • Utilize natural building materials, earth tones, and nonreflective surfaces. • Buildings shall reflect a pedestrian scale and orientation. • Plant new landscaping from the Headlands Plant Material Palette¹ to screen or soften views of buildings and parking areas. • Provide public view overlooks at key locations. • Walls shall reflect the rustic community theme. Masonry, rock surfaces, wood, or cast iron are preferred. Walls should be softened with landscaping at their base and corners. • Incorporate a variety of unique design elements, including decorative pavement and street furniture, as well as a variety of public art located within the parks and trails. • Utility boxes and meters shall be vaulted, where feasible, or screened from public view by landforms, walls, or landscaping. Or, if not possible, utility boxes and meters shall be painted in earth tones consistent with surrounding masonry or landscape materials. • Public restroom facilities shall be designed using materials and colors consistent with the HDCC architectural intent.		

¹ As modified by the suggested modifications to the LCP Amendment.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.1	Aesthetics The following are key guidelines for landscape development within individual residential lots: - Plants shall be selected from a coordinated residential plant palette specifically developed for the neighborhood. Plants will include native and ornamental species primarily for their low water requirements and local adaptability. - Slope planting shall consist of drought tolerant planting. Species will be primarily native with subtle green tones and soft pastel colors to blend with the adjacent natural landscaped area. Tree plantings shall consist of low profile canopy trees or vertical trees, located to frame and enhance views. - Private lot plantings shall be located to frame and preserve ocean views while softening buildings and architecture. - Small garden spaces or courtyards shall be provided at key focal points, such as building entries. Trellises with vines and other landscaping are encouraged for patios and sun decks. Container planting is encouraged in courtyards and patios. - Exterior colors and materials utilized in patio pavers, or hardscape shall complement exterior building colors. Neighborhood entries are proposed at the vehicular entry points to the two residential neighborhoods, as shown in HDCCP Figure 4.12.3, Neighborhood Entries. Special plantings will highlight the entries. Plantings will be carefully located to preserve and enhance coastal views.		

Project Design Features, Project Conditions, and Mitigation Measures	Responsible Party	Timing for Mitigation Measure
4.1 Aesthetics The location and design of walls and fences have been integrated into the planning and design of the HDCP. HDCP Figure 4.12.6, Conceptual Wall and Fencing Plan¹, designates the location of the different project walls and fences. Following are guidelines related to the design of project walls. - As noted above, a project theme wall consisting of slump stone with ledger stone pilasters reinforcing the reserved and rustic coastal character of the HDCP will be used at neighborhood and site entries. Stone material and accents consistent with the public monuments establish a unified design theme throughout the community. - Rear fencing of residential lots will incorporate private view fences. Stone pilasters will be located at the rear lot corners, and fence panels shall utilize metal railings or glass. - Interior privacy walls and/or view fencing will be located on the site of residential lots and shall be compatible with adjacent architecture. Stucco or rock surfaces are preferred material. Side yard property walls shall return to the building. - A masonry wall (seven feet high) will be constructed between designated ESHA and Planning Areas 4 and 6. - Safety view fences will be located along the bluff top trail and other trail segments as necessary to separate pedestrian areas from adjacent steep slopes. Safety view fences shall consist of cast concrete or heavy pressure treated posts with cable safety rails. A masonry wall (seven feet high) will be constructed between designated ESHA and Planning Areas 4 and 6. - Public view fences will be located along the western edge of Strand Vista Park and along the south side of the North Strand Beach access.		

¹ As modified by the suggested modifications to the LCP Amendment.

Project Design Features, Project Conditions, and Mitigation Measures			
4.1	Aesthetics	Responsible Party	Timing for Mitigation Measure
	Conservation fences will be located in the Headlands Conservation Park where necessary to protect sensitive habitat areas. These fences will be constructed of wood or pre-cast concrete posts and rails, and support panels of vinyl coated mesh or other materials as necessary to comply with the Coastal Commission's suggested modifications to the LCP Amendment. Figures 4.12.7 through 4.12.11 in the HDCP illustrate the design parameters for the various project fences.		
Project Conditions			
PC 1-1	The applicant shall submit a landscape plan prepared by a State licensed landscape architect. The balance of this condition specifies required plan details: - Landscaping of all street median islands; - Proposed and required fencing or walls, including equestrian, perimeter, and retaining; - Permanent state-of-the-art irrigation system; - Natural areas where the Fire Chief recommends a fuel modification program; - Open space lots; - Screening around utility equipment; - Landscaping and irrigation of certain graded slopes, as determined by the City; - Ground mounted lighting fixture details; - Parking lot details including wheel stops, sidewalk details, signing and striping; - Drainage details; - Electronic transformers; - Trash enclosures; - Private trails; - Areas to be maintained by a Landscape Maintenance District, City of Dana Point Homeowner's Association, or property owner; - Ground mounted air conditioning units.	Director, Community Development Department	Prior to approval of landscape and irrigation plans.
PC 1-2	Landscaping adjacent to street intersections and driveways shall be limited in height to maintain adequate sight distance visibility.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures		
4.1	Aesthetics	Timing for Mitigation Measure
Mitigation Measure		
1-1	The construction contractor shall provide evidence to the Community Development Department that, during the project site preparation and construction phases, screened fencing will be installed on the project site. The screened fencing will be implemented to substantially block views of the project site affected by site preparation and grading activities. Portions of the site not under construction or not visible from adjacent public view points are not required to be screened to block views of on-site construction activity. The screened fencing shall remain in place until construction of the proposed project is completed, or interim site preparation and grading is no longer active, subject to review and approval by the Director, Community Development Department.	Ongoing until interim site preparation and grading is no longer active.

Project Design Features, Project Conditions, and Mitigation Measures			
4.2	Air Quality	Responsible Party	Timing for Mitigation Measure
Project Design Features			
PDF 2-1	A public trail/access system, up to three miles in length, links all of the parks and open space. The system includes pedestrian and bicycle trails, coastal and beach access, scenic overlooks, and four proposed public visitor recreation facilities to be constructed by the Landowner/Developer. The trails maximize public coastal access and view opportunities and provide a comprehensive system that serves the project site, the harbor, and the Pacific Ocean, while reducing reliance on automobiles.	Director, Community Development Department	Prior to issuance of occupancy permit for residential or commercial.
Project Conditions			
PC 2-1	In order to reduce construction related fugitive dust, SCAQMD Rules 402 and 403 will be implemented during construction. SCAQMD Rule 403 requires that fugitive dust be 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 Rule 402 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off site. These dust suppression techniques are summarized below. Implementation of these dust suppression techniques as required by the SCAQMD can reduce the fugitive dust generation (and thus the PM₁₀ component) by 50 to 75 percent. Implementation of the following measures will reduce short-term fugitive dust impacts on nearby sensitive receptors. • All active portions of the construction site shall be watered to prevent excessive amounts of dust. • On-site vehicle speed shall be limited to 15 mph. • All on-site roads shall be paved as soon as feasible or watered periodically or chemically stabilized.	Director, Community Development Department	Prior to issuance of grading permits and during construction.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.2	Air Quality		
	- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering, with complete coverage, shall occur at least twice daily, preferably in the late morning and after work is done for the day. - If dust is visibly generated that travels beyond the site boundaries, clearing, grading, earth moving, or excavation activities that are generating dust shall cease during periods of high winds (i.e., greater than 25 mph averaged over one hour) or during Stage 1 or Stage 2 episodes. - All material transported off site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.		
PC 2-2	In order to reduce construction related VOC emissions, SCAQMD Rule 1113 is required to be implemented during construction. Architectural coatings contain VOCs that are part of the ozone precursors. VOC emissions into the atmosphere associated with architectural coating can be reduced by using pre-coated/natural colored building materials, water-based or low-VOC coating, and coating transfer or spray equipment with high transfer efficiency. For example, high volume low pressure (HVLP) spray method is a coating application system operated at air pressure between 0.1 and 10 pounds per square inch gauge (psig) with 65 percent transfer efficiency. Manual coating applications such as paint brush, hand roller, trowel, spatula, dauber, rag, or sponge have a 100 percent transfer efficiency. SCAQMD Rule 1113, Architectural Coating, restricts the amount of VOC allowed in architectural coating to control VOC emission in the Basin; therefore, the combination of low VOC architectural coating and utilizing high transfer efficiency coating equipment reduces this potential impact to less than significant.	Director, Community Development Department	Prior to issuance of building permits and during construction.
PC 2-3	SCAQMD Rule 1403, Asbestos Emissions From Demolition/Renovation Activities, will need to be followed during the demolition process, should asbestos be determined to be present. Within ten days prior to the demolition of any asbestos containing buildings/structures, the contractor must obtain a demolition permit from SCAQMD. Compliance with SCAQMD Rule 1403 is considered by the SCAQMD to lessen the emissions to a level of insignificance.	Director, Community Development Department	Prior to demolition of any asbestos containing building/structure.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.2	Air Quality		
PC-2.4	In order to reduce operational energy usage and reduce energy production air emissions, the project is required to comply with Title 24 of the California Code of Regulations established by the California Energy Commission regarding energy conservation standards.	Director, Community Development Department	Prior to issuance of building permits.
Mitigation Measures			
2-1.A	In order to reduce short-term construction impacts from emissions from equipment and vehicles, prior to issuance of grading permits, the permit applicant shall include the following measures on construction plans, to the satisfaction of the Director of Public Works: • The General Contractor shall organize construction activities so as not to interfere significantly with peak hour traffic and minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways. • The General Contractor shall provide ridesharing and transit incentives for the construction crew, such as free bus passes and preferred carpool parking. • The General Contractor shall utilize electric or diesel powered stationary equipment in lieu of gasoline powered engines where feasible. • The General Contractor shall provide a statement in construction grading plans that work crews will shut off equipment when not in use.	Director, Public Works Department	Prior to issuance of grading permits.
2-1.B	The Civil Engineer shall include a statement on construction grading plans requiring that all construction equipment be tuned and maintained in accordance with the manufacturer's specifications. Prior to issuance of grading permits, the Director, Community Development Department, shall ensure that such a statement is on construction grading plans.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.2	Air Quality		
2-2.A	In order to reduce fugitive dust from construction activities, the following shall be implemented by the applicant prior to commencement of grading or demolition and carried out throughout the construction period. Prior to issuance of grading permits, the applicant shall furnish documentation to the satisfaction of the Director of Public Works that the following provisions are included on project grading plans or in the Contractor's contract with the developer: • During clearing, grading, earthmoving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems shall be used to prevent dust from leaving the site and to create a crust after each day's activities cease. • During construction, water trucks or sprinkler systems shall be used 4 times a day to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the late morning, watering during soil placement, after work is completed for the day, and whenever the wind exceeds 15 mph. • After excavation is completed, the entire area of disturbed soil shall be treated immediately with soil bonding agents until the area is landscaped, paved, or otherwise developed so that dust generation will not occur. • Soil stockpiled for more than one week shall be covered, kept moist, or treated with soil binders to prevent dust generation. • Trucks transporting soil, sand, cut or fill materials, and/or construction debris to or from the site shall be tarped from the point of origin. • Wash mud-covered tires and undercarriages of trucks leaving construction sites. • Provide for street sweeping, as needed or twice a week at a minimum, on adjacent roadways to remove dirt dropped by construction vehicles or mud that would otherwise be carried off site by trucks departing the project site.	Director, Public Works	Prior to issuance of demolition and grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.2	Air Quality	Responsible Party	Timing for Mitigation Measure
	If dust is visibly generated that travels beyond the site boundaries during periods of high wind (i.e., greater than 25 mph averaged over one hour), clearing, grading, earth moving, or excavation activities that are generating dust shall cease.		
2-2.B	A construction activity monitor satisfactory to the Director of Community Development shall be retained by the applicant prior to issuance of grading permit. The monitor shall monitor all activity on a daily basis, keep written daily records, and file monthly activity reports with the Director of Community Development for the duration of grading and infrastructure construction. The monitor shall provide immediate notification of any violation to the Community Development Director. The monitor shall be employed by the applicant or the applicant's contractor. The monitor shall report on the following strategies: - Construction equipment exhaust shall be minimized by use of: - NO_x control technologies, such as fuel injection timing retard for diesel engines and air to air after cooling. - Low sulfur fuel (where available). - Well maintained equipment and proper planning to minimize trips/use. - Log fuel use, hours of operation, and periodic maintenance. - Fugitive dust shall be controlled as specified in Mitigation Measure 2-2.A and SCAQMD rules and regulations. - Restrict delivery of construction supplies and off-site hauling of debris to non-peak travel periods whenever feasible, except for concrete and earthwork related activities. - Construction worker travel in carpools shall be encouraged by: - Common carpool registry, maintained at the construction site and managed by the applicant or the applicant's contractor.	Director of Community Development	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.2	Air Quality			
2-3.A	In order to reduce mobile source (vehicle) emissions, use of transportation demand measures (TDM) such as preferential parking for vanpooling/carpooling, subsidy for transit pass or vanpooling/carpooling, flexible work schedule, and bike racks shall be incorporated into the design of the Seaside Inn. A TDM plan shall be prepared by the operators of the Seaside Inn and reviewed for implementation prior to issuance of occupancy permits. The Community Development Director shall ensure that such measures are incorporated into the proposed Seaside Inn prior to issuance of building permits.		Director of Community Development	Prior to issuance of occupancy permits or building permits.
2-3.B	In order to reduce mobile source emissions for commercial uses, bike parking areas shall be incorporated into the commercial building design prior to issuance of permits.		Director, Community Development Department	Prior to issuance of building permits.
2-3.C	In order to reduce mobile source emissions from operation of the residential project, the project proponent shall provide the backbone infrastructure to allow for the installation of charging units for EV cars and provide optic fiber or other high speed data transmission infrastructure for home offices. The proponent shall install the infrastructure on a phase by phase basis prior to issuance of the first Certificate of Occupancy within the affected phase.		Director, Community Development Department	Prior to issuance of the first Certificate of Occupancy within the affected phase.
2-3.D	In order to reduce long-term air pollutant emissions from residences, all residential units shall be equipped with gas stub out in the fireplace that would provide alternative fuel instead of reliance on burning wood. The Director, Community Development, shall review each residential building permit prior to issuance to ensure that gas stub outs for fireplaces are provided.		Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.3 Terrestrial Biological Resources				
Project Design Features				
PDF 3-1	Creation of the Headlands Conservation Park. The designation of this permanent 27.9-acre conservation open space excludes development and provides for the long-term preservation and management of habitat for sensitive species, including the Pacific pocket mouse, three California gnatcatcher territories, and other flora and fauna. No development is allowed within this area, except a perimeter trail and ancillary improvements designed to provide coastal access.		Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 3-2	Designation of Additional Acreage to Expand the Existing Pacific Pocket Mouse Preserve Area. An additional 5.9 acres in Planning Area 7, the Headlands Conservation Park, was added to the 22 acres for the temporary PPM preserve established by the NCCP Program, resulting in a total of 27.9 acres dedicated to this conservation use.		Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 3-3	Creation of a Nonprofit Trust for Management of the PPM Preserve. A nonprofit trust will be established to manage the Headlands Conservation Park in conjunction with the USFWS and CDFG. The recording of easements, deed restrictions, and additional measures will ensure that the Headlands Conservation Park remains permanently designated as conservation open space. The nonprofit trust will retain an experienced natural resource manager to oversee the operation of the preserve.		Director, Community Development Department	Prior to final map recordation.
PDF 3-4	Contribution of an Endowment to Provide Funding for Long-Term Management of the Headlands Conservation Park. An endowment for the Headlands Conservation Park (as budgeted by the Center for Natural Lands Management) shall be provided to fund the park's perpetual protection, long-term maintenance, and management.		Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 3-6	Use of Native Plant Materials for Development Landscaping and Restoration. The site development and revegetation approach calls for native vegetation in designated open space, in revegetation of natural areas disturbed during construction, and in fuel modification areas. Extensive native vegetation restoration and management guidelines are provided in the HDCP, City of Dana Point (2001).		Director, Community Development Department	Prior to approval of landscape and irrigation improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.3	Terrestrial Biological Resources			
PDF 3-7	Implementation of a Monitoring Program for Biological Resources. A dedicated monitor and other needed technical experts required to implement the open space management guidelines in the Management Program will be retained throughout the project construction period and for three years following construction of the project. These individuals will be responsible for implementing the project management guidelines within both the park areas and natural open space. Monitoring of construction activities throughout the project site, and long-term monitoring of revegetation efforts and conservation success, is also included in project planning. The endowment for the Headlands Conservation Park provides for permanent management, oversight, and maintenance of the park.		Director, Community Development Department	Prior to issuance of grading permit and ongoing long-term monitoring during project operations.
PDF 3-8	Implementation of a Five-Year Maintenance Program to Facilitate the Successful Establishment and Restoration of Native Plant Species. A five-year maintenance program will be implemented to facilitate the successful establishment and restoration of self-sustainable native habitats and plant species. Pursuant to the Coastal Resources Maintenance Program, the City and the Developer will be responsible for implementing the measures during the first five years following installation (HDCP, City of Dana Point, 2001).		Director, Community Development Department	Prior to issuance of grading permits.
PDF 3-9	Contribution of an Endowment to Provide Funding for Long-Term Management of Open Space Areas within the Headlands. A non-wasting endowment of \$2 million will be paid by the Developer to the City to maintain the biological value of the City-owned and maintained natural habitat open space areas within the Headlands.		Director, Community Development Department	Prior to the dedication of open space to the City; ongoing.
PDF 3-10	Designation of Environmentally Sensitive Habitat Area (ESHA) in the project area. The HDCP shall preserve, enhance, dedicate, and manage all but 11.29 acres of 49.3 acres of ESHA as defined/designated by the Coastal Commission.		Director, Community Development Department	Prior to the recordation of the final map.
PDF 3-11	Mitigation for Disturbances to ESHA. In accordance with Coastal Commission modifications to the LCP Amendment, most impacts to ESHA shall be mitigated at a 3:1 ratio, including a 1:1 creation and/or substantial restoration of ESHA habitat, preferably on site.		Director, Community Development Department	Prior to the issuance of residential occupancy permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3	Terrestrial Biological Resources		
PDF 3-12	Masonry Wall to Provide Protection of ESHA. A masonry wall (seven feet high) will be constructed between designated ESHA and Planning Areas 4 and 6 to minimize impacts to ESHA and resources.	Director, Community Development Department	Prior to issuance of occupancy permits for adjoining development areas.
Project Conditions			
PC 3-1	Adherence to the Project Landscape Plan. The Landscape Plan provides design guidelines for each project Planning Area. The Landscape Plan includes sensitive plant species relocation, use of native vegetation, native vegetation restoration and management guidelines (HDCP, City of Dana Point, 2001).	Director, Community Development Department	Prior to issuance of building permits.
PC 3-2	Adherence to the Project Irrigation Plan. The Irrigation Plan provides irrigation guidelines that are designed to promote vegetation relocation, recovery, and enhancement; define appropriate irrigation use in the different planning areas and vegetation types for habitat, aesthetic, and safety purposes; minimize unwarranted or wasteful water use; and avoid throughout the project site any potential erosion and structural problems associated with overwatering (HDCP, City of Dana Point, 2001).	Director, Community Development Department	Prior to approval of landscape and irrigation plans.
PC 3-3	Adherence to the Project Park and Open Space Management Plan. The Park and Open Space Management Plan is described in Section 4.14 of the HDCP (City of Dana Point, 2001). The Park and Open Space Management Plan determines the type, location, and extent and coverage of native and other vegetation in each of the project planning areas.	Director, Community Development Department	Prior to issuance of building permits.
PC 3-4	NCCP Conditions Regarding Development on the Headlands. The NCCP defined the assumed acreages affected by the anticipated development of the Headlands area and the biological mitigation conditions associated with implementation of a development project on the site.	Director, Community Development Department	Ongoing.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3	Terrestrial Biological Resources		
PC 3-5	Assumptions of Impact. The proposed project is based on assumed areas of disturbance from the implementation of the Planned Activity associated with the NCCP/HCP, which authorized an "Incidental Take" of specified species and loss of certain sensitive habitats and included mitigation to offset these impacts. As a result, the proposed project is required to limit impacts to the following, as specified in the NCCP/HCP IA: • "about 30 acres of CSS habitat," with no additional restrictions on the location or configuration of CSS Take; • less than one acre of Southern coastal bluff scrub; and • 55 acres of annual grassland and disturbed annual grassland. The specifications included establishing the PPM temporary preserve of 22 acres in 1996, and specified the trapping and relocation of PPM from the temporary preserve, if subsequently graded. Prior to issuance of grading permits, the Director of Community Development shall review grading plans to ensure compliance with the above specified provisions and the NCCP/HCP in general.	Director, Community Development Department	Prior to issuance of grading permits.
PC 3-6	NCCP/HCP Endowment Fund. The Headlands project site Participating Landowner shall pay a total of \$500,000 to the Nature Reserve of Orange County (NCCP/HCP Endowment Fund). The payments will be made as annual installments of \$100,000 for five years, with the first payment due within seven days of the issuance of a grading permit for the project site. The remaining four payments will be made annually on the anniversary of the first payment. The NCCP/HCP funding will assist in the establishment of the approximately 37,000 acres of permanent open space in the Reserve System, including 17,200 acres within the Coastal subarea, of which 10,964 acres are in the coastal zone, and allow for the continued implementation of the Adaptive Management Program for the Nature Reserve of Orange County, which includes provisions for restoration and enhancement of the areas within the Reserve System.	Director, Community Development Department	Seven days after issuance of grading permit and annually for four additional years.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3 Terrestrial Biological Resources			
PC 3-7	Translocation of Blochman's Dudleya. The Headlands project site Participating Landowner shall commit to relocating any population of Blochman's Dudleya that would be directly affected by project grading, in accordance with the terms set forth in the IA (USFWS et al., 1996). The project applicant may opt to undertake a seed collection and planting program in lieu of translocation, if such a plan meets the approval of the CDFG and USFWS as outlined in greater detail in the IA. Translocation sites for the Blochman's Dudleya have been proposed and are shown on Figure 4.3.4.	Director, Community Development Department	Prior to issuance of grading permits.
PC 3-8	Temporary Reserve Area for the Pacific Pocket Mouse. A temporary preserve for the Pacific pocket mouse shall be established on an approximately 22 acre area depicted in the NCCP/HCP Program.	Director, Community Development Department	Ongoing.
PC 3-9	Access to the Pacific Pocket Mouse Conservation Area. The Participating Landowner shall continue to allow access to the Pacific pocket mouse preserve area for 8 to 12 years, according to the specific terms of the IA, commencing on July 10, 1996, to the CDFG, USFWS, County of Orange, or their authorized biological consultant, for the purpose of conducting Pacific pocket mouse propagation and relocation efforts.	Director, Community Development Department	Ongoing.
PC 3-10	Extension of Access to the Pacific Pocket Mouse Conservation Area. Under certain circumstances more particularly described in the IA (USFWS et al., 1996), the CDFG and USFWS have the right to exercise up to four one-year extensions with the property owner to extend the life of the temporary preserve as they seek to acquire this area. If the USFWS determines that translocation or captive breeding of the Headlands population of the Pacific pocket mouse is not feasible and continuance of the preserve is necessary to ensure the survival and recovery of the species, USFWS shall take all steps within its legal authority to acquire the preserve area at or prior to expiration of the eight year temporary preserve period. [This condition would be obviated by the PDFs designating the PPM preserve in perpetuity and providing for long-term management and controlled access to the preserve area.]	Director, Community Development Department	Ongoing.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3 Terrestrial Biological Resources			
PC 3-11	Long-Term Management of the Pacific Pocket Mouse Preserve Area. If the temporary preserve area is not acquired for conservation at the expiration of the temporary preserve period, and Pacific pocket mice remain in designated open space on the project site, the project applicant shall post information signs regarding the status of the Pacific pocket mouse and its conservation needs in areas near the location of the former temporary preserve and shall post signs at entry points into the remaining natural open space prohibiting pets into these areas. Under these circumstances, portions of the 22 acre temporary preserve area are authorized for incidental take of sensitive species consistent with residential/commercial development in a portion of the 22 acre area as described in the NCCP/HCP. In addition, public use of any remaining open space areas within the former 22 acre temporary preserve area, which remain after the implementation of the proposed project and are occupied by the Pacific pocket mouse, shall be limited to designated walkways. [This condition would be obviated by the PDFs designating the PPM preserve in perpetuity and providing for long-term management and controlled access to the preserve area.]	Director, Community Development Department	Ongoing.
PC 3-12	Long-Term Disposition of the Pacific Pocket Mouse Preserve Area. Upon expiration of the temporary preserve period, unless USFWS and CDFG have acquired the temporary Pacific pocket mouse preserve area, the take of all Identified Species shall be permitted anywhere within the former preserve area or it has otherwise been acquired under the provisions of the 1A in accordance with Planned Activities described in the NCCP/HCP, with the following conditions: 1) trapping of Pacific pocket mice in areas to be directly affected by grading within the former temporary preserve area will be conducted by an authorized biologist for three days prior to any earthmoving activities (if a longer period of trapping is necessary, USFWS will assume the additional trapping costs); 2) any captured Pacific pocket mice will be relocated to suitable areas designated by USFWS at the time of capture with funding from the NCCP Pacific pocket mouse research and recovery budget or other USFWS sources. [This condition would be obviated by the PDFs designating the PPM preserve in perpetuity and providing for long-term management and controlled access to the preserve area.]	Director, Community Development Department	Ongoing.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3	Terrestrial Biological Resources		
PC 3-13	Monitoring of Impacts to Pacific Pocket Mouse Populations During Project Construction. During the temporary preserve period, the following construction management practices shall be required, as indicated in the IA (USFWS et al., 1996): 1) monitoring of Pacific pocket mice during construction activities within 300 feet of occupied habitat within the preserve area and, if significant adverse impacts on Pacific pocket mice are determined, practicable operational modifications to the construction activities will be explored; 2) all areas of occupied habitat within the temporary preserve area will be marked, equipment operators will be informed of these marked areas, and to the maximum extent practicable operational techniques will be employed to prevent unintended impacts on Pacific pocket mice within the preserve area; 3) if it is deemed necessary to restrict grading during a specific time of the year for the benefit of the PPM, grading will be avoided immediately adjacent to occupied habitat during that time period (not to exceed four months). If the grading period restrictions for the PPM fall outside of the parameters of any CSS related construction measures described in the NCCP/HCP EIR/EIS, the PPM grading restriction will supersede any other grading restriction for any other species.	Director, Community Development Department	Prior to issuance of grading permits.
PC 3-14	Funding for Pacific Pocket Mouse Conservation Efforts. Following issuance of the Incidental Take Permit [now issued, see 10(a) permit included in Appendix C] and CDFG Management Authorization for the Headlands project site, the Participating Landowner shall provide to either CDFG, USFWS, Orange County, or an appropriate conservation organization a total of \$350,000 to fund Pacific pocket mouse propagation, enhancement, recovery, and relocation efforts on the project site, to be paid in yearly payments of \$50,000 for six years after the initial payment.	Director, Community Development Department	Ongoing.
PC 3-15	Construction Related Minimization Measures. The NCCP/HCP requires certain construction related minimization measures to assure that development/construction activities which remove CSS be undertaken in a manner that minimizes impacts on gnatcatchers presently using or in close proximity to the habitat to be removed. These minimization measures would also be expected to benefit other Identified CSS Species. The following construction related minimization measures are listed in Section 7.5.3 of the NCCP/HCP EIS/EIR (County of Orange, 1996d) and shall be implemented as part of the project:	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures	Responsible Party	Timing for Mitigation Measure
4.3 Terrestrial Biological Resources a. To the maximum extent practicable, and provided that the biological needs of the PPM do not require restrictions on grading any time between July 15 and February 15 of the following year, no grading of CSS habitat that is occupied by nesting gnatcatchers will occur during the breeding season (February 15 through July 15). b. It is expressly understood that the foregoing provision and the remaining provisions of these "construction-related minimization measures" are subject to public health and safety considerations. These health and safety considerations include unexpected slope stabilization, erosion control measures, and emergency facility repairs. In the event of such public health and safety circumstances, project applicant will provide USFWS/CDFG with the maximum practicable notice (or such notice as is specified in the NCCP/HCP) to allow for capture of gnatcatchers, cactus wrens, and any other CSS Identified Species that are not otherwise flushed and will carry out the following measures only to the extent practicable in the context of the public health and safety considerations. c. Prior to the commencement of grading operations or other activities involving significant soil disturbance, all areas of CSS habitat to be avoided under the provisions of the NCCP/HCP shall be identified with temporary fencing or other markers clearly visible to construction personnel. d. Additionally, prior to the commencement of grading operations or other activities involving disturbance of CSS, a survey will be conducted to locate gnatcatchers and cactus wrens within 100 feet of the outer extent of project soils disturbance activities, and the locations of any such species shall be clearly marked and identified on the construction/grading plans. e. The landowner will advise USFWS/CDFG at least seven (7) calendar days (and preferably fourteen [14] calendar days) prior to the clearing of any habitat occupied by Identified Species to allow USFWS/CDFG to work with the monitoring biologist in connection with bird flushing/capture activities.		

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3 Terrestrial Biological Resources			
f. A monitoring biologist acceptable to USFWS/CDFG will be on site during any clearing of CSS. g. The monitoring biologist will flush Identified Species (avian or other mobile Identified Species) from occupied habitat areas immediately prior to brush clearing and earthmoving activities. If applicable birds cannot be flushed, they will be captured in mist nets, if feasible, and relocated to areas of the site being protected or to the NCCP/HCP Reserve System. It will be the responsibility of the monitoring biologist to assure that Identified Species (bird) will not be directly impacted by brush clearing and earth moving equipment in a manner that also allows for construction activities on a timely basis. h. All areas of CSS habitat to be avoided by construction equipment and personnel will be marked with temporary fencing or other appropriate markers clearly visible to construction personnel. i. No construction access, parking, or storage of equipment or materials will be permitted within such marked areas. j. Waste dirt or rubble will not be deposited on CSS adjacent to development sites that are identified in the NCCP/HCP for protection. k. Preconstruction meetings involving the monitoring biologist, construction supervisors, and equipment operators will be conducted and documented to ensure maximum practicable adherence to these measures.			

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.3	Terrestrial Biological Resources		
PC 3-16	Treatment of Future Listed Species. Consistent with Section 8.3.1 of the Implementation Agreement, concurrent with execution of the Implementation Agreement, USFWS also authorized future Take of each "Identified Species" incidental to Planned Activities on the project site. In the event that an "Identified Species" is listed subsequent to the effective date of the NCCP/HCP, the Section 10(a) Permit will become effective as to the particular species concurrent with the listing of such species as an endangered or threatened species. There are currently no state listed species in the subregion authorized for Take under the NCCP/HCP. In the event that the California Fish and Game Commission subsequently lists an Identified Species or a species that is resident within one of the non-CSS "covered" habitats as a candidate, threatened or endangered species, the Implementation Agreement constitutes a valid Management Authorization for the Take of Identified Species on the project site (refer to Section 8.4 of the Implementation Agreement). In the event any of the five sensitive plant species identified for the Headlands site are subsequently listed, these species will be treated in the same manner as Identified Species, and incidental take of these species is authorized on the project site.	Director, Community Development Department	Ongoing.
PC 3-17	Preservation/Creation/Restoration of Jurisdictional Areas. Prior to impacting jurisdictional areas, the applicant shall notify the Army Corps of Engineers pursuant to NWP No. 39 and obtain authorization from the following agencies: 1) California Department of Fish and Game: Section 1602¹ Streambed Alteration Agreement, and 2) San Diego Regional Water Quality Control Board: Section 401 Permit, unless such agencies waive such requirements.	Director, Community Development Department	Prior to issuance of grading permits.

¹ The existing 1600 program for Streambed Alteration Agreements has been overhauled (by Senate Bill 418) effective January 1, 2004. The new regulations eliminate separate 1601 and 1603 programs and create one 1602 program.

Project Design Features, Project Conditions, and Mitigation Measures			
4.3	Terrestrial Biological Resources	Responsible Party	Timing for Mitigation Measure
Mitigation Measures			
3-1	Translocation and Propagation of Coulter's Saltbush. Prior to any site preparation or other project-related activities that would impact the species, the project site shall be surveyed for the presence of extant individuals of Coulter's saltbush. The location of the individuals shall be identified and fenced as a temporary protection measure. Care shall be taken to avoid impacts on the individuals of Blochman's dudleya (that are located in close proximity), which shall also be identified and protected. Cuttings and seed collection of Coulter's saltbush shall be undertaken prior to translocation to ensure that the genetic resource is conserved. The individuals shall be transplanted to suitable, protected areas on site in the Hilltop area and also in the Conservation Park, if appropriate soils are present in this area. If approved by the project biologist, the extant individuals shall be translocated by removing the soil and associated microbiota in blocks by digging down to a depth of approximately 12 inches. This likely will increase the potential for success by keeping the microhabitat conditions intact when moving Coulter's saltbush to the translocation area. Where appropriate, a combination of signage, fencing, and/or planting of Prickly Pear, Coast Prickly Pear, or Coast Cholla (consistent with the Headlands Revegetation Plant Palette) shall be installed to preclude trampling of the translocation sites. The same protection measures shall be provided for the remaining dudleya and translocated dudleya remaining on the project site. The Project Applicant will assure adequate funding for a qualified botanist to monitor the translocation sites for a period up to five years after translocation and to be able to take appropriate corrective management actions (additional seeding, cuttings, etc.) to support the success of the translocation effort.	Director, Community Development Department	Prior to any site preparation or any other project related activities that would impact the species, and monitoring up to five years after translocation.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.4	Cultural and Paleontological Resources		
Project Design Features			
PDF 4-1	The bluffs and Headlands Conservation Park protect the location of CA-ORA-75.	Director, Community Development Department	Prior to issuance of grading permits.
Project Conditions			
PC 4-1	All excavated archaeological and/or paleontological finds shall be offered to the County of Orange, or its designee, on a right of first refusal basis. The applicant may retain said finds if written assurance is provided that they will be properly preserved in Orange County, unless said finds are of special significance, or a museum in Orange County indicates a desire to study and/or display them. These actions, as well as final mitigation and disposition of the resources shall be subject to the approval of the Director of Community Development. The archaeologist and/or paleontologist shall submit a follow-up report for approval by the Director of Community Development, which shall include the period of inspection, a catalogue and analysis of the artifacts and/or fossils found, and a present repository listing for each of the found items.	Director, Community Development Department	Prior to issuance of grading permits and ongoing during grading.
Mitigation Measures			
4-1.A	A qualified archaeologist and paleontologist approved by the City of Dana Point shall be present at all pregrade conferences, available to conduct random checks of graded areas and to provide field assessment and recommendation for disposition should unique cultural resource materials or fossil materials be unearthed.	City of Dana Point, Community Development Department	Ongoing during grading or earth-clearing activities
4-1.B	The developer/landowner shall submit written evidence to the satisfaction of the Director of Community Development that a certified paleontologist and archaeologist have been retained to observe grading activities and to salvage and catalog resources, should they be present. The paleontologist and archaeologist shall be present at the pregrade conference, shall establish procedures for paleontological and archaeological resource surveillance, and shall establish, in cooperation with the developer/landowner, procedures for temporarily halting or redirecting work to permit sampling and identification and evaluation of the findings.	City of Dana Point, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.4	Cultural and Paleontological Resources	Responsible Party	Timing for Mitigation Measure
4-1.C	If a "unique archaeological/paleontological resource" is encountered during grading that cannot feasibly remain in an undisturbed state, the Director of Community Development will determine whether studies or testing of the potential site have adequately recovered the scientifically consequential information about the unique archaeological resource. A nonunique archaeological resource, artifact, object, or site need be given no further consideration in the CEQA process, other than the simple recording of its existence. The archaeologist and/or paleontologist shall submit a follow-up report for approval by the Director of Community Development, which shall include the period of inspection, a catalog and analysis of the artifacts found, and a repository listing for each of the found items.	Director, Community Development Department	Prior to approval of grading permits and ongoing during grading.
4-1.D	If human remains are encountered, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the owner of the land or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Director, Community Development Department	Prior to approval of grading permits and ongoing during grading.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.5	Geology and Soils		
Project Design Features			
PDF 5-1	Implement Bluff Stability Related Foundation Setbacks. Foundation setback requirements will be implemented for proposed project improvements, as specified in the preliminary geotechnical report (Headlands HDCP, 2001 [see Section 4.11, Conceptual Grading Plan, and Table 4.11.1, Grading Design Criteria]). Setback distances will reflect geological and structural engineering evaluations of the site, and recommendations included in the preliminary geotechnical report (AMEC, 2001) and a final geotechnical report subject to the review of the Director of Public Works.	Director, Public Works Department	Prior to issuance of grading permits.
PDF 16-1	Repair Revetment within Existing Footprint and Functional Design. The existing coastal revetment will be repaired for the proposed project. The revetment will be repaired within the seaward footprint of the existing structure, except as necessary to provide for public safety or public access in terms of providing appropriate ramp slopes and structurally bridging an existing gap between two sections of revetment. The HDCP shall: (a) provide for vertical and lateral public access to and along Strand Beach, including realigning the existing revetment 10 feet landward in the center and approximately 1,050 feet in both directions, transitioning back to the existing alignment at either end for an overall average 5 feet of additional beach; (b) implement a program to retrieve any dislocated riprap from the beach that impedes public access; (c) construct a new lateral 8-foot-wide public accessway/trail on top, or landward, of the revetment and seaward of the entire length of the Strand residential development; and (d) repair and maintain the revetment's current average height of 17 feet. Of the 2,240-foot length of the revetment, only the northernmost 2,100 feet of the existing revetment will be reconstructed. Construction activity shall not be allowed on the beach in excess of that required for revetment repair. To the maximum extent feasible, all construction activities on the beach shall be limited to the shoreline above the mean higher high water (MHHW) mark. Construction activity on the beach that is required below that mark between the months of February and July shall include the participation of a biological monitor to determine the shoreward extent of grunion spawning activity and egg-laying; the monitor shall have the authority to divert construction activity to avoid such spawning and egg-laying areas. Any construction below the mean high tide line (MHT) may require additional permits.	Director, Public Works Department	Concurrent with grading activities.

Project Design Features, Project Conditions, and Mitigation Measures		
4.5	Geology and Soils	Timing for Mitigation Measure
Project Conditions		
PC 5-1	Adherence to Uniform Building Code. The descriptions of proposed project activities and governing measures described in this section refer to the requirements of the currently adopted Uniform Building Code (UBC) (ICBO, 1997, as updated by subsequent adoptions), and especially those sections of the UBC dealing with seismic design and construction requirements, site grading, site drainage, soils properties, and soils removal and recompaction. The City incorporates the UBC into its construction requirements in DPMC Title 8, Chapter 8.02.001. Adherence to the requirements of the UBC is assumed in this analysis to render less than significant any potential environmental impacts related to geology and soils that would otherwise expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, when the UBC directly addresses the prevention of those impacts through its standards and requirements.	Ongoing during construction.
PC 5-2	Adherence to Standard Specifications for Public Works Construction (Greenbook). Construction work performed within public roadways or public properties adjacent to the project site will require compliance with specifications presented in the latest edition of Standard Specifications for Public Works Construction (the Greenbook). The Greenbook is commonly used for construction projects within the City of Dana Point and will be specified for applicable construction on the proposed project.	Prior to issuance of improvements within public right-of-way.
PC 5-3	Adherence to Occupational Safety and Health Administration Requirements. Site safety requirements are generally based on specifications of the Occupational Safety and Health Administration (OSHA). Applicable specifications prepared by OSHA related to earth resources consist of Section 29 CFR Part 1926, which are focused on worker safety in excavations.	Ongoing during construction.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.5 Geology and Soils			
PC 5-4	Prepare Design Level Geotechnical Studies. Engineering and design oriented geotechnical studies and refinements are required for design and construction of the proposed project. The City incorporates this step into its construction requirements in DPMC Title 8, Chapter 8.01. Additional design level geotechnical studies shall be performed to provide an adequate level of information to properly refine the design and engineering of the project. The applicant shall submit a Project Geotechnical Report for review and approval by the Director of Public Works. This report will primarily involve assessment of potential soil-related constraints and hazards such as localized slope instability, settlement, liquefaction, or related secondary seismic impacts where determined to be appropriate by the Director of Public Works. The report shall also include an evaluation of potentially expansive soils and recommend construction procedures and/or design criteria to minimize the effect of these soils on the proposed development.	Director, Public Works Department	Prior to issuance of grading permits.
PC 5-5	Prepare and Implement Grading Plan. The project proponent shall submit a grading plan, in compliance with City standards, for review and approval by the Director of Public Works (Headlands HDCP, 2001 [see Section 4.1.1, Conceptual Grading Plan, and Table 4.1.1.1, Grading Design Criteria]). All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works. The City addresses grading requirements in its Buildings and Construction Code in DPMC Title 8, Chapter 8.01. All grading and improvements on the subject property shall be made in accordance with the Grading Ordinance. Grading is required to be in substantial compliance with a tentative tract map and the proposed grading that is approved by the Planning Commission. Surety to guarantee the completion of project grading and drainage improvements, including erosion control, will be posted to the satisfaction of the Director of Public Works and the City Attorney. Any grading required outside of the tract boundaries will require the applicant to either obtain slope easements or off-site grading agreements from the affected property owner(s) in a form suitable for recording. The objective of the project grading will be to keep the site in a cut/fill balance, so no soil needs to be exported or imported.	Director, Public Works Department, and City Attorney	Prior to approval of grading plans.

Project Design Features, Project Conditions, and Mitigation Measures			
4.5	Geology and Soils	Responsible Party	Timing for Mitigation Measure
PC 5-6	Prepare and Implement Drainage Plan. Development proposed within the project site shall be engineered to ensure that surface/subsurface drainage does not contribute to erosion or adversely affect the stability of project improvements (Headlands HDCP, 2001 [see Section 4.7, Conceptual Drainage Plan, Table 4.7.1, Drainage Guidelines, Non-Structural Controls, Section 4.11, Conceptual Grading Plan, and Table 4.11.1, Grading Design Criteria]). The City addresses drainage requirements in its Buildings and Construction Code in DPMC Title 8, Chapter 8.01.	Director, Public Works Department	Prior to issuance of grading permits.
PC 5-7	Prepare and Implement Erosion Control Plan. The applicant shall submit erosion control plans for project grading and site preparation for review and approval by the Director of Public Works (Headlands HDCP, 2001 [see Section 4.7, Conceptual Drainage Plan, Table 4.7.1, Drainage Guidelines, Non-Structural Controls, Section 4.11, Conceptual Grading Plan, and Table 4.11.1, Grading Design Criteria]). The City addresses erosion control requirements in its Buildings and Construction Code in DPMC Title 8, Chapter 8.01. The applicant shall exercise special care during the construction phase of this project to prevent off-site siltation. The applicant shall provide erosion control measures as approved by the Director of Public Works. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures, and other methods as may be required by the Director of Public Works. The applicant shall maintain the erosion control devices until the Director of Public Works approves of the removal of said facilities.	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.5	Geology and Soils	Responsible Party	Timing for Mitigation Measure
Mitigation Measure			
5-1	Unconsolidated soil and unknown fill that are intended for support of planned improvements shall be removed and replaced as compacted fill, which shall incorporate an appropriate subsurface drainage system, as required. Site specific final design evaluation and grading plan review shall be performed by the project geotechnical consultant prior to the start of grading construction. Design and grading construction shall be performed in accordance with the requirements of the Uniform Building Code applicable at the time of grading, appropriate local grading regulations, and the recommendations of the project geotechnical consultant of record, subject to review by the Director of Public Works.	City of Dana Point, Public Works Department	Prior to issuance of grading permits.
5-2	The project will be designed to stabilize the ancient landslide complex in the Strand Beach area. Primary remedial design measures included in the project Geotechnical Report will be to: • redistribute the mass/forces acting on the landslide to a more stable configuration; • lower and maintain the groundwater/pore pressure at levels that enhance the stability conditions with the installation of subdrain systems; and • remove and replace appropriate portions of the landslide deposits with higher strength compacted fill. Preliminary design evaluations and recommendations for the remedial grading were presented in AGRA (1999, 2000a, 2000c). The stability evaluation and preliminary design recommendations presented in these reports include pseudostatic analysis, which is a type of evaluation that considers the effects of seismic loading on the slope stability conditions. These design measures will be included in the recommendations for the final design of grading activities for the proposed project.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.5	Geology and Soils Additional geotechnical exploration, testing and evaluation shall be performed as a part of the final design phase of the project to refine and enhance the preliminary recommendations. Stability evaluations shall include appropriate analyses of potential seismic loading conditions. Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Grading shall be performed in accordance with the requirements of the Uniform Building Code, appropriate local grading regulations, and the recommendations of the Project Geotechnical Consultant of record for the project in a final geotechnical and soils engineering report, subject to review by the Director, Public Works Department.		
5-3	The surficial stability/erosion potential of the proposed graded slopes shall be evaluated by the Project Geotechnical Consultant as a part of the geotechnical design evaluation. Best management practices (BMP) shall be employed during construction to minimize the potential for erosion. Appropriate landscape planting shall be installed as soon as is practical after completion of grading, particularly in the graded slope areas. As necessary, additional geotechnical recommendations shall be developed to mitigate the erosion potential. Erosion control recommendations and design provisions shall be developed and incorporated in grading plans prepared by the Project Civil Engineer for implementation during construction. Grading plans shall be reviewed and approved by the Project Geotechnical Consultant prior to the start of grading construction. (BMP development and implementation should be closely coordinated with the water quality requirements of the project construction and operation standard urban stormwater mitigation plans [SUSMP].)	Director, Community Development Department	Prior to issuance of grading permits.

4.5 Geology and Soils	Project Design Features, Project Conditions, and Mitigation Measures	Responsible Party	Timing for Mitigation Measure
5-4.A	Cut Slopes. In general, proposed temporary cut slopes shall not exceed a gradient of 1:1 (horizontal:vertical) and shall be reviewed by the Project Geotechnical Consultant during excavation. Pending future additional evaluation by the Project Geotechnical Consultant, temporary cut slopes associated with remedial grading in the Strand Beach area (i.e., landslide removals) shall not exceed a gradient of 1.5:1 (horizontal:vertical) and shall more typically maintain a maximum gradient of 2:1. Local groundwater or other geologic conditions may require flattening, dewatering, or installation of appropriate slope reinforcement, such as rock anchors. Additional geotechnical evaluation shall be performed as a part of the final design process to refine and enhance the preliminary construction slope design that was evaluated in the referenced AMEC/AGRA reports. These preliminary slope stability evaluations assumed that the existing groundwater levels locally daylight in the proposed temporary slope face, and the final geotechnical evaluation shall, therefore, include an assessment of the type, extent, and location of construction dewatering for the grading. Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction of proposed cut slopes shall conform with the requirements of the Uniform Building Code, appropriate City grading regulations and the recommendations of the Geotechnical Consultant of record for the project. The proposed combination cut and fill slope at the southeastern perimeter of the Upper Headlands area shall be specifically evaluated for possible overexcavation and construction of a fill blanket and/or a "loftel-type" landscaping wall. Design and grading of proposed cut slopes shall conform with the requirements of the Uniform Building Code, appropriate local grading regulations, and the recommendations of the Geotechnical Consultant of record for the project.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.5	Geology and Soils	Responsible Party	Timing for Mitigation Measure
5-4.B	Fill Slopes. Unreinforced fill slopes shall not exceed a gradient of 2:1 (horizontal:vertical). Proposed fill slopes steeper than 2:1, including proposed MSE walls/slopes, shall require site specific reinforcement design. Appropriate subdrain provisions shall be incorporated in the slope designs to maintain potential groundwater levels at acceptable elevations. Additional geotechnical evaluation shall be performed as a part of the final design process to refine and enhance the preliminary slope designs evaluated in the referenced AMEC/AGRA reports. Site specific design evaluation and grading plan review shall be performed by the Geotechnical Consultant prior to the start of grading construction. Design, grading, and construction of proposed fill slopes shall conform with the requirements of the Uniform Building Code, appropriate City grading regulations and the recommendations of the Geotechnical Consultant of record for the project.	Director, Community Development Department	Prior to issuance of grading permits.
5-4.C	Compressible Materials. All existing undocumented fill within the proposed development area shall be removed and replaced as compacted fill. Additional geotechnical evaluation shall be performed as a part of the final design process to assess the compressibility of the proposed foundation materials and to develop appropriate recommendations to minimize the differential settlement potential. Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction shall conform with the requirements of the Uniform Building Code, appropriate local grading regulations, and the recommendations of the Project Geotechnical Consultant of record.	Director, Community Development Department	Prior to issuance of grading permits.
5-5	Installation of Appropriate Subdrains. Subdrains shall be installed behind fill slopes and retaining walls as determined in a final geotechnical report. As appropriate, proposed subdrain systems shall be integrated with planned storm drains (see also Sections 4.7, Hydrology, and 4.8, Water Quality). Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction requirements shall be reflected in a final Geotechnical Report. The final Geotechnical Report shall be reviewed by the Director of Public Works, and shall conform to the requirements of the Uniform Building Code and appropriate City grading regulations and the recommendations of the Project Geotechnical Consultant of record.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.5	Geology and Soils		
5-6	Proposed grading shall strive to construct relatively uniform soil conditions in the upper portion of the building areas and incorporate recommended moisture levels. A moderate level of moisture shall be installed and maintained in the fill/foundation soils to minimize future volume changes, as recommended in the Final Geotechnical Report. Implementation of appropriate drainage provisions will also be required to minimize future soil moisture changes. Soil moisture control recommendations are summarized in AMEC (2000b) and shall be implemented.	Director, Community Development Department	Prior to issuance of grading permits.
5-7	Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction requirements shall be reflected in a final geotechnical report. The final geotechnical report shall be reviewed by the Director of Public Works. Design and grading construction shall conform to the requirements of the Uniform Building Code and appropriate City grading regulations and the recommendations of the Project Geotechnical Consultant of record.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.6	Hazardous Materials	Responsible Party	Timing for Mitigation Measure
Project Design Features			
PDF 6-1	The project proponent shall prepare and implement an education program for all maintenance personnel and homeowners in the proper use of fertilizers, pesticides, and herbicides. Such program shall be reviewed by the Director of Community Development prior to project occupancy.		
		Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.6	Hazardous Materials		
Project Conditions			
PC 6-1	Site Hazardous Material Assessments and Remediation Approaches Shall Be Consistent with Applicable Statutory Requirements, as cited. The following regulations apply to the project or any other project in Dana Point. Current site usage shall be fully documented through inspection of structures and open areas on these properties for the presence, handling, or storage of hazardous substances or petroleum products prior to project implementation. Documentation shall be provided that pre-demolition surveys for asbestos containing materials (ACM) and lead-based paint (LBP) (including sampling and analysis of all suspected building materials) and inspections for polychlorinated biphenyl (PCB) containing electrical fixtures were completed on these properties. All inspections, surveys, and analyses shall be performed by appropriately licensed and qualified individuals in accordance with applicable regulations (e.g., ASTM E 1527-00 and 40 CFR, Subchapter R, Toxic Substances Control Act [TSCA], Part 716). All identified ACM, LBP, and PCB-containing electrical fixtures shall be removed, handled, and properly disposed of by appropriately licensed contractors according to all applicable regulations during demolition of structures (40 CFR, Subchapter R, TSCA, Parts 745, 761, 763). Air quality monitoring during removal of ACM, if required, shall be completed by appropriately licensed and qualified individuals in accordance with applicable regulations, both to ensure adherence to applicable regulations and to provide safety to workers and the adjacent community (e.g., SCAQMD Regulation 1403). The project proponent shall provide documentation (including all required waste manifests, sampling, and air monitoring analytical results, etc.) that abatement of any ACM, LBP, or PCB containing electrical fixtures identified on these properties has been completed in full compliance with all applicable regulations and approved by the appropriate regulatory agency(ies) (40 CFR, Subchapter R, TSCA, Parts 716, 745, 761, 763, 795; SCAQMD Rule 1403; etc.).	Director, Community Development Department	Prior to issuance of demolition permits.
PC 6-2	Use of Finishing Products. All finishing products used on site shall meet applicable SCAQMD regulations for solvent content as required by SCAQMD Rules 1102 and 1171.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.6	Hazardous Materials	Responsible Party	Timing for Mitigation Measure
PC 6-3	Use of Solvents. All uses of solvents shall be conducted in adherence to California OSHA regulations for exposure of workers during construction activities as required by CCR Title 8.	Director, Community Development Department	Prior to issuance of building permits.
Mitigation Measure			
6-1	If a determination is made that hazardous materials are present on site, removal of the contaminated soils or materials described below shall occur prior to issuance of grading permits, or if a grading permit is required to remove the contaminated soils or materials, such removals shall occur concurrent with grading, as approved by the Public Works Director. a. Prior to grading of the former nursery area, ten representative surface soil samples shall be collected at approximately one foot below the ground surface. These soil samples shall be analyzed for chlorinated pesticides and herbicides (that are listed in the EPA Region IX Preliminary Remediation Goals). If these contaminants are found to be present in significant amounts in subsurface soils, a soil remediation plan shall be submitted for approval to OCHCA. The approved remediation plan shall be implemented prior to issuance of final grading permits. During removal of the above ground storage tank and concrete pad, soils underneath the concrete pad shall be inspected for discoloration or staining. If discoloration or staining is present, the soil below and adjacent to the concrete pad shall be tested for contamination using such analytical methods as EPA 8015M (gasoline/diesel fuel) and EPA 8020 (benzene/toluene/ethyl benzene/xylene [BTEX] compounds). If contamination is found, soil remediation measures as recommended by OCHCA shall be implemented. b. Five oil filled, wall mounted high-voltage switches in the former mobile home park, two floor mounted electrical transformers in the former mobile home park, and two transformers mounted on a utility pole in the former nursery shall be removed by professionals experienced in PCB handling, removal, and disposal. Soils beneath the utility poles and building floors where transformers were located shall be tested for potential PCB contamination using such analytical methods as EPA 8080. If contamination is found, soil remediation measures as recommended by OCHCA would be implemented.		
		City of Dana Point, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.7 Hydrology				
Project Design Features				
PDF 7-1	A hydrology and hydraulic analysis of 100-year storm runoff will be prepared to ensure that all pad elevations are a minimum of one foot above the 100-year flood elevation (Drainage Study, TKC, 2001).		Director, Public Works Department	Prior to issuance of grading permits.
PDF 7-2	The proponent proposes to make improvements to drainage that flows to Dana Point Harbor. This PDF entails construction of curbs and gutters, catch basins in Scenic Drive and the Street of the Green Lantern, as well as a new storm drain pipe that will connect drainage from these areas to new junction structure and inlet to an existing 18-inch corrugated pipe located approximately 400 feet east of Scenic Drive (Drainage Study, TKC, 2001).		Director, Public Works Department	Prior to approval of street and storm drain improvement plans.
PDF 7-3	The proponent will design and construct a new storm drain system at the site that will collect surface drainage from Areas B1, B2, B3, and F and discharge at three separate points onto the revetment at Strand Beach (Drainage Study, TKC, 2001).		Director, Public Works Department	Prior to approval of street and storm drain improvement plans.
PDF 7-4	The project includes vertical drop energy dissipaters or similar devices to be installed prior to the outlet to Strand Beach to decrease water velocity and prevent beach erosion (refer to Figures 4.7.5 and 4.7.6) (Drainage Study, TKC, 2001).		Director, Public Works Department	Prior to approval of street and storm drain improvement plans.
PDF 7-5	The project includes grading design and construction of stormwater conveyances such that the proposed commercial area at the intersection of PCH and "A" Street shall drain to the new on-site storm drain system instead of to Dana Point Harbor via PCH or the Street of the Green Lantern (Drainage Study, TKC, 2001).		Director, Public Works Department	Prior to issuance of grading permit and approval of the street and storm drain improvement plans.
PDF 7-6	The project establishes programs for maintenance, cleaning, and upkeep of public storm drain structures, public streets, and parking areas to be implemented by the City and/or the HOA (HDCP).		Director, Public Works Department	Prior to issuance of occupancy permit.
PDF 7-7	The HDCP includes provisions to ensure that the project will implement water efficient irrigation and landscaping. Landscaping plant organization that combines species on the basis of climatic and habitat adaptations, and the incorporation of drought-resistant native plants, can reduce irrigation and maintenance requirements. Native species will be adapted to the climate and require little supplemental irrigation (HDCP).		Director, Public Works Department	Prior to approval of the landscape and irrigation improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.7 Hydrology				
PDF 7-8	The project incorporates interior and exterior water conservation measures. These include, but are not limited to, low flush toilets, low-flow faucets, water conserving dishwashers, maintenance of supply line water pressure at 50 psi or less by means of pressure-reducing valves, use of reclaimed water, if available, for common area irrigation purposes, and efficient state-of-the-art irrigation systems to minimize runoff and evaporation (HDCP).		Director, Public Works Department	Prior to issuance of building permits.
PDF 7-9	State-of-the-art automatic irrigation controllers shall be installed that incorporate real-time weather data via a wireless communication system. For common area landscaping, if not covered by the wireless communication system, automatic rain gauges connected to irrigation controllers shall be installed and maintained by the HOA consistent with the HDCP. These will monitor rainfall volume and interrupt watering schedules in response to site specific rainfall conditions. Rain gauges will be located adjacent to controllers to facilitate monitoring by maintenance personnel. Drip irrigation, efficient low-flow irrigation emitters, and/or other appropriate technology to minimize irrigation requirements and over-irrigation will be employed (HDCP).		Director, Public Works Department	Prior to issuance of site development permits for individual lot landscaping..
Project Conditions				
PC 7-1	The applicant shall submit a complete hydrology and hydraulic study prepared by a qualified engineer for review and approval by the Director of Public Works.		Director, Public Works Department	Prior to issuance of grading permits.
PC 7-2	The applicant shall participate in the Master Plan of Drainage in a manner meeting the approval of the Director of Public Works, including payment of fees and/or construction of the necessary facilities and dedication of necessary easements. The design, location, and size of all drainage improvements and easements shall be in accordance with the Master Plan of Drainage and to the satisfaction of the Director of Public Works.		Director, Public Works Department	Prior to recordation of the Final Map.
PC 7-3	Drainage facilities outletting onto adjacent properties, if any, shall be designed in such a manner as to imitate the manner in which the stormwater is presently crossing said property, or a drainage acceptance and maintenance agreement suitable for recording shall be obtained by the applicant from the downstream property owner.		Director, Public Works Department	Prior to issuance of grading permits.
PC 7-4	If deemed necessary by the Director of Public Works, a drainage and maintenance agreement, in a form suitable for recording, shall be obtained from the upstream and/or downstream property owner(s) permitting drainage diversions and/or unnatural concentrations.		Director, Public Works Department	Prior to recordation of the Final Map.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.7 Hydrology			
PC 7-5	The applicant shall design the following improvements and provide the necessary dedications in a manner meeting the approval of the Director of Public Works: a. All provisions for grading and surface drainage. b. All necessary storm drain facilities extending to a satisfactory point of disposal for the proper control and disposal of storm runoff. c. As determined necessary by the Director of Public Works, the associated easements shall be dedicated to the City or other appropriate agency.	Director, Public Works Department	Prior to issuance of grading permits.
PC 7-6	The applicant shall submit the following drainage studies for review and approval by the Director of Public Works: a. A drainage study of the subdivision, including off-site areas that drain onto and/or through the subdivision, and justification for any diversions. b. A drainage study evidencing that proposed drainage patterns will not overload existing storm drains. c. Detailed drainage studies indicating how the tract/parcel map grading, in conjunction with the drainage conveyance systems, including applicable swales, channels, street flows, catch basins, storm drains, and flood water retarding, will protect building pads from inundation by rainfall runoff, which may be expected from all storms up to and including the projected 100-year flood.	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.7 Hydrology			
PC 7-7	The applicant shall submit a grading/drainage plan for review and approval by the Director of Public Works. Said plan shall incorporate the following design objectives: a. A soils/geotechnical report addressing the extent of uncompacted fill and remedial grading on site. The report, including the recommended bluff protection measures, shall be submitted to the Director of Public Works for review and approval prior to the issuance of the a grading permit. Heavy vibrating compaction equipment will not be allowed near the bluff face. b. In areas proposed for disturbance, a landscape plan for common areas and open space utilizing appropriate native, drought tolerant landscape materials where required. c. Incorporate all recommendations of the approved soils/geotechnical report into the construction design of the project.	Director, Public Works Department	Prior to issuance of grading permits.
PC 7-8	The applicant shall implement a landscape plan consistent with the City's Water Efficient Landscape Ordinance, which may include provision of water sensors, programmable irrigation times, or other measures deemed necessary by the Community Development Director and/or Director of Public Works.	Director, Community Development Department, and/or Director, Public Works Department	Prior to issuance of building permits.
Mitigation Measure			
7-1	All proposed habitable structures shall be designed and constructed at elevations higher than about 20 to 25 feet above mean sea level. Design recommendations developed by the Project Coastal Engineer should be implemented for those elements of the proposed design and construction that are located at lower elevations along the shoreline.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.7	Hydrology		
5-5	Installation of Appropriate Subdrains. Subdrains shall be installed behind fill slopes and retaining walls as determined in a final geotechnical report. As appropriate, proposed subdrain systems shall be integrated with planned storm drains (see also Sections 4.7, Hydrology, and 4.8, Water Quality). Site specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction requirements shall be reflected in a final Geotechnical Report. The final Geotechnical Report shall be reviewed by the Director of Public Works, and shall conform to the requirements of the Uniform Building Code and appropriate City grading regulations and the recommendations of the Project Geotechnical Consultant of record.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.8	Water Quality	Responsible Party	Timing for Mitigation Measure
Project Design Features			
PDF 8-1	Operational BMPs such as litter control, frequent street sweeping (weekly), street vacuuming, and proper disposal of animal waste, etc., of the on-site areas are required to be implemented through the HOA as part of the Resource Management and Conservation Program in the HDCP.	Director, Community Development Department	Prior to issuance of building permits.
PDF 8-2	Develop a public awareness program concerning water quality for future homeowners, property managers, and visitors to the public open space. The program will emphasize the proper use of irrigation, fertilizers, and pesticides by homeowners and landscape contractors. The program will be implemented by the HOA as required in the HDCP.	Director, Community Development Department	Prior to issuance of building permits.
PDF 8-3	Develop a program for all visitor/recreation commercial areas ensuring proper and routine maintenance of on-site oil/grease filtering devices, and other storm drain measures, which shall be developed in conjunction with the coastal development permit for each respective area, enforced by the HOA, as required by the HDCP.	Director, Community Development Department	Prior to approval of site development permits.
PDF 8-4	Implement water efficient and environmentally sensitive landscaping, as required in the HDCP.	Director, Community Development Department	Prior to approval of landscape and irrigation plans.
PDF 8-5	Incorporate into all planning areas interior and exterior water conservation measures. These include, but are not limited to, low flush toilets, low-flow faucets, water conserving dishwashers, maintenance of supply line water pressure at 50 psi or less by means of pressure-reducing valves, use of reclaimed water, if available, for common area irrigation purposes, and efficient state-of-the-art irrigation systems to minimize runoff and evaporation, as required in the HDCP.	Director, Community Development Department	Prior to issuance of building permits.
PDF 8-6	In the visitor/recreation commercial areas, trash receptacles (e.g., dumpsters) must be stored in a covered space that prevents rainwater from falling on or into the receptacles, as required in the HDCP.	Director, Community Development Department	Prior to issuance of site development permits.
PDF 8-7	In the visitor/recreation commercial areas, ensure that all restaurants/food service facilities include a washdown area that contains grease traps and drains to a central point that is plumbed to drain to the sanitary sewer system for treatment and disposal, as required in the HDCP.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.8 Water Quality			
PDF 8-8	The proposed project has been designed to divert low-flow "nuisance" runoff to the sanitary sewer system for treatment, avoiding dry weather flows to the beach or harbor. The South Coast Water District has agreed to accommodate this "nuisance" flow (see correspondence in Appendix I).	Director, Community Development Department	Prior to approval of sewer and storm drain improvement plans.
PDF 8-9	Capture and filter the "first flush" (the initial 0.69 inch of rain in a 24-hour period) to reduce sediment, bacteria, and other water quality pollution, as required in the HDCP.	Director, Community Development Department	Prior to approval of sewer and storm drain improvement plans.
PDF 8-10	Locate sand filters in locations that will allow the treatment of adjacent off-site, first flush storm flows. In conjunction with the City and County, determine the maintenance responsibilities for the filtering devices and similar BMPs. Consider and potentially incorporate BMPs with treatment capability equal to or better than the sand filters.	Director, Community Development Department	Prior to approval of sewer and storm drain improvement plans.
PDF 8-11	Incorporate BMP devices that may include separators, sand filtering systems, or other features into the stormwater conveyance design to reduce oil, grease sediment, debris, and other pollutants. The project proponent shall install catch basin filter inserts for all catch basins. Catch basin inserts will be spaced in accordance with the manufacturer's guidelines for treatable area.	Director, Community Development Department	Prior to approval of sewer and storm drain improvement plans.
PDF 8-12	State-of-the-art automatic irrigation controllers shall be installed that incorporate real-time weather data via a wireless communication system. For common area landscaping, if not covered by the wireless communication system, automatic rain gauges connected to irrigation controllers shall be installed and maintained by the HOA consistent with the HDCP. These will monitor rainfall volume and interrupt watering schedules in response to site specific rainfall conditions. Rain gauges will be located adjacent to controllers to facilitate monitoring by maintenance personnel. Use of drip irrigation, efficient low-flow irrigation emitters, and/or other appropriate technology minimize irrigation requirements and over-irrigation.	Director, Community Development Department	Prior to approval of landscape and irrigation improvement plans.
PDF 8-13	As part of the Coastal Resources Management Program in the HDCP, water quality testing will be performed during the three-year post-construction monitoring period. In the event water quality levels are reported below acceptable standards, the Developer/Landowner and/or Homeowners Association will be required to provide additional structural and non-structural Best Management Practices.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.8	Water Quality		
PDF 8-14	The HDCP shall provide secondary treatment for nutrients in storm water runoff to Dana Point Harbor.	Director, Community Development Department	Prior to approval of sewer and storm drain improvement plans.
Project Conditions			
PC 8-1	The applicant shall submit erosion control plans for all slopes adjacent to major arterial and local collector roadways for review and approval by the Director of Public Works.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-2	All grading and improvements on the subject property shall be made in accordance with the Grading Ordinance and to the satisfaction of the Director of Public Works. Grading shall be in substantial compliance with the tentative tract map and the proposed grading that is approved by the Planning Commission. Surety to guarantee the completion of the project grading and drainage improvements, including erosion control, shall be posted to the satisfaction of the Director of Public Works and the City Attorney.	Director, Public Works Department, and City Attorney	Prior to issuance of grading permits.
PC 8-3	Any grading required outside of the tract boundaries will require the applicant to either obtain slope easements or off-site grading agreements in a form suitable for recording from the affected property owner(s).	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-4	The applicant shall submit a grading plan, in compliance with City standards, for review and approval by the Director of Public Works. All grading work must be in compliance with the approved plan and completed to the satisfaction of the Director of Public Works. All slopes within this project shall be graded no steeper than 2:1, unless otherwise approved on the project tentative map as recommended by the project geotechnical engineer.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-5	The applicant shall obtain coverage under the NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit coverage must be presented to the Director of Public Works.	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.8	Water Quality		
PC 8-6	The applicant shall submit for approval of the Director of Public Works a water quality management plan (WQMP) specifically identifying the Best Management Practices (BMPs) that will be used on site to control predictable runoff. The WQMP shall identify: • Structural and non-structural measures detailing implementation of BMPs. • Assignment of long-term maintenance responsibilities. • Location(s) of structural BMPs.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-7	The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures as identified in the WQMP. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures, and other methods as may be required by the WQMP. The applicant shall maintain the erosion control devices until the director of Public Works approves of the removal of said facilities.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-8	Applicants for food preparation establishments shall have contained areas or sinks with sanitary sewer connections and grease traps for disposal of wash waters containing kitchen and food wastes. If located outside, the contained areas and sinks shall be structurally covered to prevent entry of storm water.	Director, Public Works Department	Prior to issuance of building permits.
PC 8-9	The applicant shall submit a WQMP that identifies the application and incorporation of those routine structural and non-structural BMPs outlined in the Countywide NPDES Drainage Area Management Plan Appendix detailing implementation of BMPs not dependent on specific land uses.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-10	The applicant shall provide for ongoing maintenance consistent with the City of Dana Point Water Efficient Landscape Ordinance, plus fertilizer and pesticide use consistent with County of Orange Management Guidelines for Use of Fertilizers and Pesticides.	Director, Community Development Department	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.8	Water Quality		
PC 8-11	The phrase "No Dumping - Drains to Ocean" or equally effective phrase shall be stenciled on catch basins to alert the public to the destination of pollutants discharged into storm water.	Director, Community Development Department	Prior to issuance of building permits.
PC 8-12	During project grading and infrastructure grading, the applicant shall verify compliance with Title 22 of the California Code of Regulations and relevant sections of the California Health and Safety Code regarding hazardous waste management, to be enforced by the County of Orange Environmental Health Department on behalf of the State of California.	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-13	The applicant shall prepare a spill contingency plan that mandates stockpiling of cleanup materials, notification of responsible agencies, disposal of cleanup materials, and other efforts determined necessary by the Community Development Director.	Director, Community Development Department	Prior to issuance of grading permits.
Mitigation Measures			
5-5	Installation of Appropriate Subdrains. Subdrains shall be installed behind fill slopes and retaining walls as determined in a final geotechnical report. As appropriate, proposed subdrain systems shall be integrated with planned storm drains (see also Sections 4.7, Hydrology, and 4.8, Water Quality). Site-specific final design evaluation and grading plan review shall be performed by the Project Geotechnical Consultant prior to the start of grading construction. Design and grading construction requirements shall be reflected in a final Geotechnical Report. The final Geotechnical Report shall be reviewed by the Director of Public Works, and shall conform to the requirements of the Uniform Building Code and appropriate City grading regulations and the recommendations of the Project Geotechnical Consultant of record.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.9	Land Use		
Project Design Features			
PDF 9-1	The HDCP applies numerous design features to balance the social, economic, and physical components of the property that incorporate a multitude of uses and activities. The HDCP reduces the amount of acreage previously designated for private development in the City General Plan and the certified Local Coastal Program. The density and intensity of development was also lowered. In turn, major portions of the 121.3-acre site will accommodate public parks, coastal trails, and open space. The overall project design designates 68.5 acres of public parks, conservation, and open space, which include up to three miles of public trails and four public visitor recreation facilities. Numerous opportunities for public coastal access and public view overlooks are created. A total of 125 residential homes and a 65-90 room seaside inn with 4.4 acres of visitor recreation/commercial uses are also provided for in the HDCP. In response to the unique setting, components of the plan use opportunities provided by the site's unique coastal characteristics to combine carefully planned residential and visitor-serving elements that are complemented by conservation and recreation areas for public enjoyment. Project design blends those open space and development components while preserving the unique character of the site.	Director, Community Development Department	Prior to issuance of site development permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.9	Land Use	Responsible Party	Timing for Mitigation Measure
	The HDCP replaces land uses that were formerly designated for commercial resort visitor facilities and residential homes with a qualitative park experience that appeals to a wide spectrum of regional coastal visitors. Visitors will be able to move from park to park via the integrated trails, while enjoying a number of different recreational and educational facilities. The conversion to parks and open space was accomplished, in part, by designing the HDCP areas designated for development to include ocean views, which raises economic value while decreasing the necessary density and total developable acreage. Likewise, the public parks, trails, open space, and overlooks are designed to maximize coastal access and public views. The HDCP creates quality experiences for both public and private land use activities. Detailed PDFs are provided based on development and open space features detailed in the HDCP and discussed in Sections 3 and 4 of this EIR.		
Project Conditions			
Project conditions are not identified.			
Mitigation Measures			
Mitigation measures are not required.			

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.10	Noise			
Project Design Features				
PDF 10-1	On-Site Sound Wall. A perimeter wall will be constructed at the perimeter of Planning Area 6 adjacent to the intersection of PCH and "A" Street. This wall will serve to shield residential structures from traffic noise on PCH.		Director, Community Development Department	Prior to issuance of residential building permits for affected lots in Planning Area 6.
Project Conditions				
PC 10-1	Consistent with City of Dana Point Noise Ordinance requirements, on-site construction that would potentially create noise in excess of the noise standards would be limited to 7:00 a.m. to 8:00 p.m., Monday through Saturday, except for the work necessary for emergency work which must be performed immediately to preserve the public safety, health, and welfare. The City Engineer's approval would be obtained prior to any exception to the working hours restriction. The Fire Department would be notified for review and approval of any request to work beyond the hours of operation.		Director, Community Development Department	Prior to issuance of demolition or grading permits, and ongoing during grading and construction.
PC 10-2	Consistent with City of Dana Point Noise Ordinance requirements, nonconstruction and nontransportation related on-site noise shall not exceed 75 dBA for daytime and 70 dBA for nighttime for noise sources emanating from nonresidential use.		Director, Community Development Department	Ongoing during project operation.
Mitigation Measures				
10-1	Mechanical Ventilation for Residences within the 65 dBA CNEL noise contour. Mechanical ventilation, such as air conditioning, shall be provided for those residences in Planning Area 6 (PA 6) that are within the 65 dBA CNEL noise contour.		Director, Community Development Department	Prior to issuance of building permit for affected lots in Planning Area 6.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.11	Public Services			
Project Design Features				
PDF 11-1	Prepare an alternate means and methods Fire Management Program for review and approval by the OCFA. Features that shall be incorporated into the alternative means and methods may include but are not limited to:	• Fire sprinklered structures • The use of masonry walls • One-hour exterior walls • Restricted attic and foundation vents • Restrictions on construction between residences and vegetation areas • Cornices, eave overhangs, soffits, exterior balconies, and other similar architectural features shall consist of non-combustible construction materials or enclosed in one-hour fire resistance materials or heavy timber • No ventilation opening or any other openings shall be permitted in eave overhangs, soffits, between rafters, or any other overhanging areas within the exposed side(s) of the structure • Class A roofs • Dual pane windows • Skylights shall have a non-combustible frame with dual glazing of heat strengthened or fully tempered glass or shall be three-quarter hour fire resistive assembly. Fuel modification is prohibited within ESHA areas designated for preservation as identified in the LCP Amendment, with suggested modifications.	Director, Community Development Department	Prior to approval of building permits.
PDF 11-2	The lowest and most southerly cul-de-sac in the Strand residential neighborhood shall provide a 16' wide rampway to Strand Beach for emergency and maintenance vehicles.		Director, Community Development Department	Prior to issuance of grading permits.
PDF 11-3	The emergency access and the Central Strand Beach Access shall be protected from coastal erosion by incorporating the accessways into the design of the repair of the revetment.		Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.11	Public Services		
Project Conditions			
PC 11-1	All street widths and parking shall meet the requirements of OCFA.	Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-2	All required fire extinguishing systems shall be operational.	Director, Community Development Department	Prior to issuance of occupancy permits.
PC 11-3	All fire hydrants shall have a "Blue Reflective Pavement Marker" indicating location on the street or drive, per the OCFA standard. On private property, these markers are to be maintained in good condition.	Director, Community Development Department	Prior to issuance of building permits.
PC 11-4	Traffic signal preemption equipment shall be installed as required by the Fire Chief.	Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-5	Water improvement plans shall be submitted for review and approval by the Fire Chief. The water improvement plans shall provide for adequate fire protection, financial security posted for installation, adequacy and reliability of water system design, location of valves, and the distribution of fire hydrants.	Fire Chief, Orange County Fire Authority	Prior to approval of the water improvement plans.
PC 11-6	Fire Department-approved fire hydrants shall be shown on the street improvement plans at intervals determined by the Fire Chief and installed per the approved plans subject to the approval of the Fire Chief.	Fire Chief, Orange County Fire Authority	Prior to approval of the water improvement plans.
PC 11-7	Circular driveways or on-site turnarounds shall be provided as required by the Fire Chief. The applicant shall submit evidence of the availability of an adequate water supply for fire protection for review and approval by the Fire Chief. All required fire hydrants, water mains, and appurtenances shall be in place and operational to meet fire flow requirements before any combustible building materials are stored at the project site.	Fire Chief, Orange County Fire Authority	Prior to approval of the water improvement plans.
PC 11-8	All service roads and fire lanes, as determined by the Fire Chief, shall be posted and marked accordingly.	Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.11	Public Services			
PC 11-9	All applicable building plans shall indicate by note that the interior fire sprinkler system is required in the structures(s). Plans for the fire sprinkler system shall be submitted for review and approval by the Fire Chief.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-10	As applicable, the applicant shall submit plans for an automatic fire extinguishing system, including any underground piping, for review and approval by the Fire Chief.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-11	The applicant shall submit construction details for any controlled entry access for review and approval by the Fire Chief. These details shall include width, clear height, and means of emergency vehicle override.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-12	Fire access lanes shall be permanently maintained and kept clear of obstructions. If fire lane violations occur and the services of the Fire Department are required, the applicant shall be liable for all expenses.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-13	On-site fire hydrants shall be provided in an amount and at locations as required by the Fire Department.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits and ongoing.
PC 11-14	An adequate fire flow, approved by the Fire Chief, shall be provided.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-15	The applicant shall enter into a secured fire protection agreement with OCFA to mitigate impacts to existing fire and rescue services.		Fire Chief, Orange County Fire Authority	Prior to issuance of building permits.
PC 11-16	CUSD requires mitigation of impacts through collection of development fees due at the time of building permit issuance. The statutory school fees set forth in Government Code Section 65996 constitute the exclusive means of both considering and mitigating a project's impacts to school facilities under CEQA or any other state or local law. Section 65996 states that it "shall be the exclusive method of considering and mitigating impacts on school facilities that occur or might occur as a result of any legislative or adjudicative act ... by any state or local agency involving, but not limited to, the planning, use, or development of real property" and that payment of the statutory fees are "deemed to provide full and complete school facilities mitigation." Cal. Gov't Code §65996(a),(b).		Director, Community Development Department	Prior to issuance of a building permit for each lot.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.11	Public Services		
Mitigation Measures			
11-1	The developer shall pay school fees required by Government Code Section 65996 prior to building permit issuance as described in PC 11-16.	Director, Community Development Department	Prior to issuance of a building permit for each lot.

Project Design Features, Project Conditions, and Mitigation Measures			
4.12	Recreation	Responsible Party	Timing for Mitigation Measure
Project Design Features			
PDF 12-1	Dedication/Transfer of Strand Vista Park (9.9 acres) to the City of Dana Point. Strand Vista Park Planning Area 1 (PA 1) will be located adjacent to the existing public parking lot on Selva Road and above the Strand Residential Neighborhood PA 2. Additional new public parking will be incorporated into the extension of Selva Road. Strand Vista Park will be the gateway for two new beach accessways: Central Strand Beach Access and the South Strand Beach Access. North Strand Beach Access will be improved to provide overlooks and a restroom/shower facility above Strand Beach. A new Mid-Strand Vista Park Access will connect the County public parking lot to the Central Strand Beach Access. The South Strand Beach Access will include a restroom/shower facility above Strand Beach. A funicular from the Salt Creek public parking lot (Selva Road) will provide access to the pedestrian ramp to Strand Beach along the North Strand Beach Accessway. Several view opportunities/overlooks will be available along these accessways. This park will have a central/primary overlook plaza with seating, two secondary overlooks with seating, and several grass seating areas available for picnic and viewpoint opportunities.		
	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.	
PDF 12-2	Dedication/Transfer of Strand Beach Park (5.2 acres) to the County of Orange. Strand Beach Park (PA 3) will be served by three new accessways and one improved accessway. The new Central Strand Beach access includes a 50 foot wide landscaped overlook to the beach with viewpoint seating. A new Mid-Strand Vista Park Access will connect the County public parking lot to the Central Strand Beach Access. The South Strand Beach Access will include a restroom/shower facility above Strand Beach. A funicular from the Salt Creek public parking lot (Selva Road) will provide access to the pedestrian ramp to Strand Beach along the North Strand Beach Accessway. A lateral access will be added on top of the repaired revetment. Emergency access to Strand Beach will be provided through a ramp constructed at the south accessway. The new South Strand Beach Access will link Strand Vista Park to the beach.		
	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.	

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.12 Recreation			
PDF 12-3	Dedication/Transfer of Hilltop Park and Greenbelt Linkage (15.1 acres) to the City of Dana Point. The Hilltop Park and Greenbelt Linkage (PA 5) includes the highest point of elevation within the project site; the "hilltop" is 288 feet and provides 360° views of the surrounding city, harbor, and ocean. Within this park, areas of natural resource value will be protected by signage and fencing if necessary, and native plants will be utilized, as described in the HDCP Section. Site features of the Hilltop Park and Greenbelt Linkage include combined bikeway/pedestrian trails, a hilltop viewpoint with benches, and interpretive signage within the public trail system and the overlooks.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 12-4	Dedication/Transfer of Harbor Point Park (10.4 acres) to the City of Dana Point. Harbor Point Park, Planning Areas 8A and 8B, is located on the eastern side of the project site above Dana Point Harbor. The Park includes PA 8A, a 4.3-acre active use area designated as Recreation Open Space, and PA 8B, which is 6.1 acres designated as Conservation Open Space. The Park affords harbor and ocean views, which will be made accessible to the public. Plans for the Recreation Open Space portion of the Park (PA 8A) include a nature interpretive visitor center. Public parking spaces will be provided at the Nature Interpretive Visitor Center and along Scenic Drive. Visitors can access the Headlands Conservation Park from these parking areas, as well as from the extension of Selva Road. Existing bluff vegetation within PA 8B, the Conservation Open Space, will be preserved, and the park will be landscaped with native plants as identified in the HDCP.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.12 Recreation			
PDF 12-5	Headlands Conservation Park (27.9-acres). The park will preserve the "Headlands" landmark, which consists of a sloping mesa that sits atop the Dana Point landform, the surrounding coastal bluffs, and the adjacent rocky beach. The Headlands Conservation Park is detailed in Section 4.4 of the HDCP, Park and Open Space Plan. In conjunction with the U.S. Fish and Wildlife Services (USFWS) and the California Department of Fish and Game (CDFG), the Headlands Conservation Park also provides for the long-term preservation and management of habitat for sensitive species, including the Pacific pocket mouse, and other flora and fauna. The 22.0-acre temporary Pacific pocket mouse preserve established by the NCCP will be expanded by 5.9 acres. A non-profit trust will be established to manage the Park in conjunction with the USFWS and CDFG. The recording of easements, deed restrictions, and additional measures ensure that the Headlands Conservation Park remains permanently designated as conservation open space. The park will have a blufftop pedestrian trail with scenic overlooks, and will be accessible from the Nature Interpretive Visitor Center (in PA 8A). Trail alignment will be designed to minimize impacts to ESHA, including coastal bluff scrub habitat. Safety view fencing along the blufftop and conservation fencing will be installed as necessary.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 12-6	Visitor Recreation Facilities. A total of four visitor-serving recreation facilities are proposed as part of the project. The Nature Interpretive Visitor Center will provide educational and interpretive activities, and will be 2,000 square feet in size. The proposed facilities are described below:	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.12 Recreation	Nature Interpretive Visitor Center. A center to house natural resource educational materials, exhibits, tours, and management activities for the adjacent Headlands Conservation Park. North Strand Beach Park Restrooms. Restroom and outdoor shower facilities located in the North Strand Beach Access immediately adjacent to Strand Beach Park. South Strand Beach Park Restrooms. Restroom and outdoor shower facilities located in the South Strand Beach Access. Visitor Information Center. A Visitor Information Center in Planning Area 4 that will be directly accessible from Pacific Coast Highway.		
PDF 12-7	Visitor/Recreation Commercial. The Seaside Inn, a 65-90 room inn with a restaurant and other visitor amenities for conferences, weddings, and other activities will be located in Planning Area 9. The Inn overlooks Dana Point Harbor and complements the recreational opportunities in the Harbor. Access to the Harbor is via Cove Road.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 12-8	Dedication of Trail Easements to the City of Dana Point. A system of recreational and coastal access trails is planned. The on-site trails will link to off-site regional trail segments, including the Class I bike lane on PCH. A series of view overlooks will be incorporated into the trail system. The trails may be paved or improved with other surfaces or materials. Trail easements would be publicly owned and maintained. Trail alignment will be designed to minimize impacts to ESHA, including coastal bluff scrub habitat. Public trails are depicted on Figure 4.12.4.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.
PDF 12-10	Coastal Access. The HDCP shall provide coastal access, including a funicular (if gated vehicular access occurs in Planning Area 1) from the Salt Creek public parking lot (Selva Road) to the pedestrian ramp to Strand Beach along the North Strand Beach Accessway, a new Mid-Strand Vista Park Accessway from the County public parking lot to the Central Strand Beach Accessway, and a South Strand Beach Accessway will link the extension of Selva Road with the southern portion of Strand Beach. An 8-foot-wide lateral accessway, plus benches, will be provided along the top of the revetment along Strand Beach.	Director, Community Development Department	Prior to issuance of the first occupancy permit for residential or commercial.

Project Design Features, Project Conditions, and Mitigation Measures			
4.12	Recreation		
Project Conditions			
PC 12-1	Parking stalls for the physically disabled to serve the visitor recreation facilities shall be provided to comply with the Uniform Building Code (latest adopted edition), the State of California Health and Safety Code and State Building Code, including blue surface logo, blue paint stripes, signage, number, and location so as to provide adequate safety and optimum proximity to building entrances.	Director, Community Development Department	Prior to issuance of building permits for applicable commercial/public uses.
Mitigation Measures			
12-1	Prior to the issuance of any grading permits, the developer/landowner shall prepare a plan for continuous public access to Strand Beach during periods of construction operations utilizing alternate pathways if necessary in a manner meeting the approval of the Director of Community Development.	Director, Community Development Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.13 Transportation/Traffic			
Project Design Features			
PDF 13-1	All internal roadways shall be constructed to their ultimate cross section widths, as shown on the HDCP Circulation Plan.	Director, Public Works Department	Prior to approval of the street improvement plans.
PDF 13-2	Pacific Coast Highway, adjacent to the project site, shall be constructed to its ultimate half-section width as a Major Arterial (120 foot right-of-way) in conjunction with development as shown on Figure 4.13.12.	Director, Public Works Department	Prior to approval of the street improvement plans.
PDF 13-3	Sight distance at all project access points shall be reviewed with respect to Standard Plan Number 1117, Intersection Site Distance, in conjunction with the preparation of precise grading and landscape plans.	Director, Public Works Department	Prior to approval of the street improvement plans.
PDF 13-4	Entry gates shall be set back from the near curb line of any public street to provide a minimum 100 feet of storage, or one foot per dwelling unit served, whichever is greater, for entering vehicles to stack without interfering with through traffic consistent with Standard Plan Number 1107, Private Street Standards. Multiple entrance lanes can be used to meet the storage requirements.	Director, Public Works Department	Prior to approval of the street improvement plans.
PDF 13-5	Six public parking spaces shall be reserved for open space uses in Planning Area 4 that will be directly accessible from Pacific Coast Highway.	Director, Public Works Department	Prior to the issuance of occupancy permits for the visitor center.
Project Conditions			
PC 13-1	The applicant shall obtain an Encroachment Permit from Caltrans for any work within the Caltrans right-of-way.	Director, Public Works Department, and Caltrans	Prior to any work within Caltrans right-of-way.
PC 13-2	An Encroachment Permit application and fee shall be filed with the City, and a permit issued, prior to the commencement of any improvements within the public right-of-way.	Director, Public Works Department	Prior to any work within City right-of-way.
PC 13-3	All public street right-of-way and roadway widths shall be constructed in compliance with the street cross sections shown on the approved HDCP and as approved by the Director of Public Works. All such public roadways shall be dedicated to the City.	Director, Public Works Department	Prior to approval of the street improvement plans.
PC 13-4	Street striping and signing plans shall be prepared by a registered civil engineer to the satisfaction of the Director of Public Works and submitted at the time along with the required street improvement plans.	Director, Public Works Department	Prior to approval of the street improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures			
4.13	Transportation/Traffic	Responsible Party	Timing for Mitigation Measure
PC 13-5	All street signage and striping shall be installed and applied per the approved signage and striping plan.	Director, Public Works Department	Prior to approval of the street improvement plans.
PC 13-6	Vehicular access rights to arterials and local collectors shall be dedicated to the City and labeled accordingly on the final map, to the satisfaction of the Director of Public Works.	Director, Public Works Department	Prior to approval of an applicable final map.
PC 13-7	The applicant shall provide "stop" controls at the intersections of local streets with arterials streets as directed by the Director of Public Works.	Director, Public Works Department	Prior to approval of the street improvement plans.
PC 13-8	The final site design for the Seaside Inn and other visitor recreation/commercial uses shall be reviewed with respect to access, circulation, parking, and sight distance by the City's Traffic Engineer prior to the issuance of any development permit or Coastal Development Permit in Planning Areas 4 and 9.	Director, Public Works Department	Prior to approval of the street improvement plans.
PC 13-9	The applicant shall execute an agreement with the City of Dana Point to fully fund construction of a traffic signal at Street A/Pacific Coast Highway.	Director, Public Works Department	Prior to approval of the street improvement plans.
PC 13-10	The applicant shall submit payment of all applicable fees as prescribed in the Coastal Area Roadway Improvement and Traffic Signal (CARITS) Fee Program, as required by the San Joaquin Hills Transportation Corridor Fee Program.	Director, Public Works Department	Prior to issuance of a building permit for each lot.
Mitigation Measures			
13-1	Prior to the issuance of building permits for Planning Area 6, Upper Headlands Neighborhood, or Planning Area 4, PCH Visitor/Recreation Commercial, the applicant shall construct street improvements, including street infrastructure, wiring, etc., to accommodate a traffic signal, at the PCH/Street "A" intersection. Street improvement plans for the intersection and traffic signal design shall be designed by a registered civil engineer and shall be reviewed and approved by Caltrans and the City Traffic Engineer prior to issuance of the first building permit for the project. Street improvements shall include construction of the signal and a 150-foot left turn lane for northbound PCH. Prior to allowing left turn movements into the development from PCH, the signal shall be installed and operational. Caltrans is a responsible agency with review and permitting rights for the proposed signal. Should the signal not be approved by Caltrans, turn movements would be limited to right-in/right-out.		
	Director, Public Works Department	Prior to issuance of first certificate of occupancy. Fees paid at occupancy for each individual lot/building site.	

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.13	Transportation/Traffic		
13-2	Prior to issuance of a grading permit, the applicant shall submit a construction area traffic management plan to the City Traffic Engineer for review and approval. The plan shall be designed by a registered civil engineer and shall address traffic control for any street closure, detour, or other disruption to traffic circulation. The plan shall identify the routes that construction vehicles will utilize to access the site, the hours of construction traffic, traffic controls and detours, off-site vehicle staging and parking areas, and proposed construction phasing for the project. The construction traffic management plan will ensure that no new exceedances or worsening of existing exceedances of the City's thresholds criteria for intersections are generated at intersections affected by construction traffic.	Director, Public Works Department	Prior to issuance of building permits for Planning Area 6 or Planning Area 4.
13-3	Prior to issuance of the first building permit for an occupied structure, the project applicant shall execute an agreement with the City of Dana Point to contribute a fair share portion of the total construction costs for street improvements identified at the intersections of Niguel Road and Pacific Coast Highway and Del Obispo/Dana Point Harbor Drive and Pacific Coast Highway illustrated on Figure 4.13.13. The amount of the fair share fees shall be commensurate with the project's contribution to these intersections (Table 4.13.1). These fees shall be determined by the Director, Public Works, based on estimates developed for the City's CIP, and shall be paid incrementally per lot or development site prior to the issuance of a Certificate of Occupancy for said structure. Fees shall be provided to the Director of Public Works.	Director, Public Works Department	Prior to issuance of building permit for an occupied structure, and fees paid prior to issuance of a Certificate of Occupancy for said structure.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.14 Utilities			
Project Design Features			
PDF 14-1	New utilities and existing aboveground utilities will be located underground as part of project development. Utility undergrounding activities will be coordinated with the utility providers to ensure no interruption of service to adjoining utility customers. Utilities will be aligned outside of designated ESHA, or if that is not feasible minimize or avoid impacts to ESHA to the maximum extent feasible..	Director, Public Works Department	Prior to approval of the street improvement plans.
PDF 14-2	Interior and exterior water conservation measures will be incorporated into all Planning Areas. These will include, but are not limited to, low flush toilets, low-flow faucets, water conserving dishwashers, maintenance of supply line water pressure at 50 psi or less by means of pressure reducing valves, use of reclaimed water, if available, for common area irrigation purposes, and efficient state-of-the-art irrigation systems to minimize runoff and evaporation.	Director, Public Works Department	Prior to issuance of building permits.
Project Conditions			
PC 14-1	The applicant shall submit proof to the satisfaction of the Director of Public Works that the project area served by a sewerage system has been annexed into the SCWD Improvement District No. 1.	Director, Public Works Department	Prior to issuance of building permits.
PC 14-2	The applicant shall submit a sanitary sewer plan for review and approval by the SCWD. SCWD will forward copies of the approved plans to the City's Director of Public Works. The plan shall show line size, flow line elevations, and connection(s) to existing lines. All sanitary sewer facilities shall be constructed to the specifications of SCWD. Said facilities shall be dedicated to SCWD. Applicable sewerage capacity and connection fees shall be paid as required by SCWD.	Director, Public Works Department, and South Coast Water District	Prior to approval of the sewer improvement plans.
PC 14-3	The applicant shall submit a water plan for review and approval by the SCWD. SCWD will forward copies of the approved plans to the City's Director of Public Works. The plan shall show line size, flow line elevations, and connection(s) to existing lines. Water supply facilities shall be constructed to the specifications of SCWD. Applicable water capacity and connection fees shall be paid as required by SCWD.	Director, Public Works Department, and South Coast Water District	Prior to approval of the water improvement plans.
PC 14-4	Electrical, natural gas, and CATV services and equipment location shall be coordinated with the applicable utility providers.	Director, Public Works Department	Prior to approval of the street improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.14 Utilities			
PC 14-5	The project will comply with Title 24, which requires energy efficient construction design.	Director, Public Works Department	Prior to issuance of building permits.
Mitigation Measures			
Mitigation measures are not required.			

Project Design Features, Project Conditions, and Mitigation Measures			
4.15	Marine Biological Resources	Responsible Party	Timing for Mitigation Measure
Project Design Features			
PDF 16-1	Repair Revetment within Existing Footprint and Functional Design. The existing coastal revetment will be repaired for the proposed project. The revetment will be repaired within the seaward footprint of the existing structure, except as necessary to provide for public safety or public access in terms of providing appropriate ramp slopes and structurally bridging an existing gap between two sections of revetment. The HDCP shall: (a) provide for vertical and lateral public access to and along Strand Beach, including realigning the existing revetment 10 feet landward in the center and approximately 1,050 feet in both directions, transitioning back to the existing alignment at either end for an overall average 5 feet of additional beach; (b) implement a program to retrieve any dislocated riprap from the beach that impedes public access; (c) construct a new lateral 8-foot-wide public accessway/trail on top, or landward, of the revetment and seaward of the entire length of the Strand residential development; and (d) repair and maintain the revetment's current average height of 17 feet. Of the 2,240-foot length of the revetment, only the northernmost 2,100 feet of the existing revetment will be reconstructed. Construction activity shall not be allowed on the beach in excess of that required for revetment repair. To the maximum extent feasible, all construction activities on the beach shall be limited to the shoreline above the mean higher high water (MHHW) mark. Construction activity on the beach that is required below that mark between the months of February and July shall include the participation of a biological monitor to determine the shoreward extent of grunion spawning activity and egg-laying; the monitor shall have the authority to divert construction activity to avoid such spawning and egg-laying areas. Any construction below the mean high tide line (MHT) may require additional permits.	Director, Public Works Department	Concurrent with grading activities.
PDF 7-4	Incorporation of energy dissipaters into design of storm drains will reduce storm water flow velocities in drainage pipes and minimize discharge velocities reducing erosion (summarized from Section 4.7, Hydrology). Refer to PC 5-6, Drainage Plan.	Director, Public Works Department	Prior to issuance of the storm drain improvement plans.
PDF 8-8	Diversion of nuisance flows of urban runoff to the sanitary sewer system to protect harbor and beach water quality in nearshore waters (summarized from Section 4.8, Water Quality). Refer to PC 5-6, Drainage Plan.	Director, Public Works Department	Prior to approval of storm drain and sewer improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures			Responsible Party	Timing for Mitigation Measure
4.15	Marine Biological Resources			
PDF 8-9	The drainage system for the proposed project will be equipped with sand filters or equivalent BMPs to meet the requirement for BMP measures to minimize the impacts of storm water pollutant runoff in initial runoff water flows (summarized from Section 4.8, Water Quality). Refer also to PC 5-6, Drainage Plan.		Director, Public Works Department	Prior to approval of storm drain improvement plan.
PDF 8-11	The HDCP proposes BMP devices that shall include separators, filtering systems, or other features into the storm water conveyance design to reduce oil, grease, sediment, debris, and other pollutants (summarized from Section 4.8, Water Quality).		Director, Public Works Department	Prior to approval of storm drain improvement plan.
PDF 15-1	The HDCP includes extensive measures to provide public and area user environmental education and information (HDCP Section 4.4), with the Nature Interpretive Visitor Center and the Visitor Information Center as the central focus of this effort, and additional facilities in Harbor Point Park and along the access paths to Strand Beach. Signs and educational materials would be designed to inform residents about the sensitivity of the marine refuges and the grunion spawning areas, to discourage continual intrusion, and to remind visitors about the Fish and Game regulations concerning protection of the species. In addition to information regarding the tidepools and the California grunion, the materials would include information on potential impacts on the marine environment from direct and artificial light, excessive noise, and trash. The project proponent will participate in funding the development/distribution of a beach/ecology information sheet/booklet for distribution to guests at the Seaside Inn and visitors to the visitor centers. The text/format will be developed in cooperation with the County of Orange, Harbors, Beaches and Parks (maximum proponent expenditure \$3,500). The project proponent will also develop displays and signs for both the Seaside Inn area and the Strand Beach access areas related to the designation and purpose of the marine refuges and the sensitive marine life communities that occur there (maximum proponent expenditure \$1,500).		Director, Public Works Department	Prior to issuance of the first occupancy permit for residential or commercial.

Project Design Features, Project Conditions, and Mitigation Measures			
4.15	Marine Biological Resources	Responsible Party	Timing for Mitigation Measure
PDF 15-2	Construction and Postconstruction Monitoring Program for Marine Biology Issues. Prior to issuance of a grading permit, a Monitoring Plan shall be developed and approved by the City to monitor the protection and maintenance of natural resources within and surrounding the project site during and following the grading for the project. The Monitoring Plan shall identify specific measures for the protection of these resources, monitoring procedures by which the City may determine plan compliance, and remedial actions by which the City may enforce plan compliance and/or rectify conditions that result from noncompliance. For the protection of marine biological resources, monitoring activities will include a Beach Characteristics Study (during both construction and postconstruction periods). The monitoring program will address seasonal beach width, sand grain size distribution, and beach slope. Both construction and postconstruction samples will be collected for comparison to samples collected at a reference area. Samples will be collected prior to commencement of grading and quarterly for three years following the completion of grading.	Director, Public Works Department	Prior to issuance of grading permits.
Project Conditions			
PC 5-5	Prepare and Implement Grading Plan. The provisions of the Grading Plan that affect marine biological resources deal with City review of plans to ensure that no graded materials are pushed over the bluff face, where the introduction of these materials into the marine environment would cause temporary burial of intertidal or subtidal organisms and increase nearshore turbidity (summarized from Section 4.5, Geology/Soils).	Director, Public Works Department	Prior to issuance of grading permits.
PC 5-6	Prepare and Implement Drainage Plan. The provisions of the Drainage Plan that affect marine biological resources deal with the proposed design to regulate the area and volume draining to the discharge near the Baby Beach area in Dana Point Harbor. This feature will minimize the potential impact of the proposed project implementation on water quality and marine biological resources in the Harbor (summarized from Section 4.5, Geology/Soils).	Director, Public Works Department	Prior to approval of the storm drain improvement plans.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.15	Marine Biological Resources		
PC 5-7	Prepare and Implement Erosion Control Plan. The provisions of the Erosion Control Plan that affect marine biological resources deal with the development and implementation of the construction NPDES permit program to prevent runoff and siltation into intertidal/shallow subtidal areas adjacent to the project site. This feature will protect soils stockpiled or graded during construction activities from wind, rain, tides, etc., which could be blown or washed into the nearshore zone (summarized from Section 4.5, Geology/Soils).	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-5	Implement Requirements of a Construction Phase Stormwater NPDES Permit. The applicant shall obtain coverage under the NPDES Statewide Industrial Stormwater Permit for General Construction Activities from the State Water Resources Control Board. Evidence of receipt of permit approval must be presented to the Director of Public Works (summarized from Section 4.8, Water Quality).	Director, Public Works Department	Prior to issuance of grading permits.
PC 8-6	Prepare and Implement Operational Runoff Pollution Controls. Water quality issues and impacts are addressed in Section 4.8 of this EIR. The need for this analysis in this section is related to the potential impacts on marine biological resources of the changes to hydrology and water quality resulting from the proposed project. The City incorporates runoff pollutant control measures in DPMC Title 10, Chapter 10.15, "Stormwater and Urban Runoff Pollution Controls." The City of Dana Point sets requirements and monitors stormwater quality for compliance with the requirements of the City's municipal stormwater NPDES permit (summarized from Section 4.8, Water Quality).	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		
4.15 Marine Biological Resources	Responsible Party	Timing for Mitigation Measure
Mitigation Measures 15-1 Specifications on Allowable Types of Lighting for Project Facilities. Streetlights shall be shielded to direct light away from habitat areas (ESHA) and into areas frequented by residents or pedestrians. In areas of the project that have the potential to cast light on the beach or intertidal zone (residences in the Strand Beach area), only indirect outdoor lighting may be utilized. Where necessary, shielding of outdoor lights will be used. This requirement will be mandatory for both streetlights and outdoor lighting at residences to reduce and/or eliminate the impacts from street and security outdoor lighting. Requirements for lighting will be included in specifications submitted for the Site Plan Review of proposed HDCP infrastructure and common area facilities. Lighting orientation and shielding guidelines will be made part of the CC&Rs for the Strand residential area. Lighting along all beach access paths must meet the same requirements. In addition, each building permit for each structure shall be reviewed by the Community Development Director to ensure compliance with these measures.	Director, Community Development Department	Prior to approval of street light improvement plans and for residential building permits fronting the beach or adjoining natural open space.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.16 Coastal Processes			
Project Design Features			
PDF 7-3	The proponent will design and construct a new storm drain system at the site that will collect surface drainage from Areas B1, B2, B3, and F and discharge at three separate points onto the revetment at Strand Beach (Drainage Study, TKC, 2001) (from Section 4.7, Hydrology). [Refer to Section 4.7, Hydrology, for a complete discussion of storm drains that collect surface drainage from the site.]	Director, Public Works Department	Prior to approval of the storm drain improvement plans.
PDF 7-4	The project includes vertical drop energy dissipaters or similar devices to be installed prior to the outlet to Strand Beach to decrease water velocity and prevent beach erosion (refer to Figures 4.7.5 and 4.7.6) (Drainage Study, TKC, 2001) (from Section 4.7, Hydrology).	Director, Public Works Department	Prior to approval of the storm drain improvement plans.
PDF 15-2	Construction and Postconstruction Monitoring Program for Marine Biology Issues. Prior to issuance of a grading permit, a Monitoring Plan shall be developed and approved by the City to monitor the protection and maintenance of natural resources within and surrounding the project site during and following the grading for the project. The Monitoring Plan shall identify specific measures for the protection of these resources, monitoring procedures by which the City may determine plan compliance, and remedial actions by which the City may enforce plan compliance and/or rectify conditions that result from noncompliance. For the protection of marine biological resources, monitoring activities will include a Beach Characteristics Study (during both construction and postconstruction periods). The monitoring program will address seasonal beach width, sand grain size distribution, and beach slope. Both construction and postconstruction samples will be collected for comparison to samples collected at a reference area. Samples will be collected prior to commencement of grading and quarterly for three years following the completion of grading.	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures		
4.16 Coastal Processes	Responsible Party	Timing for Mitigation Measure
PDF 16-1 Repair Revetment within Existing Footprint and Functional Design. The existing coastal revetment will be repaired for the proposed project. The revetment will be repaired within the seaward footprint of the existing structure, except as necessary to provide for public safety or public access in terms of providing appropriate ramp slopes and structurally bridging an existing gap between two sections of revetment. The HDCP shall: (a) provide for vertical and lateral public access to and along Strand Beach including realigning the existing revetment 10 feet landward in the center and approximately 1,050 feet in both directions, transitioning back to the existing alignment at either end for an overall average 5 feet of additional beach; (b) implement a program to retrieve any dislocated riprap from the beach that impedes public access; (c) construct a new lateral 8-foot-wide public accessway/trail on top, or landward, of the revetment and seaward of the entire length of the Strand residential development; and (d) repair and maintain the revetment's current average height of 17 feet. Of the 2,240 foot length of the revetment, only the northernmost 2,100 feet of the existing revetment will be reconstructed. Construction activity shall not be allowed on the beach in excess of that required for revetment repair. To the maximum extent feasible, all construction activities on the beach shall be limited to the shoreline above the mean higher high water (MHHW) mark. Construction activity on the beach that is required below that mark between the months of February and July shall include the participation of a biological monitor to determine the shoreward extent of grunion spawning activity and egg-laying; the monitor shall have the authority to divert construction activity to avoid such spawning and egg-laying areas. Any construction below the mean high tide line (MHT) may require additional permits.	Director, Public Works Department	Concurrent with grading activities.

Project Design Features, Project Conditions, and Mitigation Measures		Responsible Party	Timing for Mitigation Measure
4.16 Coastal Processes			
PDF 16-2	Postconstruction Monitoring Plan for Coastal Processes Issues. The following project specifications are derived from the preliminary geotechnical report (AMEC, 2001) and the coastal processes technical report (Noble, 2001). Prior to issuance of a grading permit, a Postconstruction Monitoring Plan shall be developed and approved by the City to monitor the protection and maintenance of natural resources within and surrounding the project site following the construction phases of the project. The Postconstruction Monitoring Plan shall identify specific measures for the protection of coastal resources, monitoring procedures by which the City may determine plan compliance, and remedial actions by which the City may enforce plan compliance and/or rectify conditions that result from noncompliance. Such monitoring activities may include, but are not limited to: • A routine maintenance program for the revetment shore protection structure, including the recommendation and incorporation of measures to protect public health and safety if damage to the shore protection structure occurs including a program to retrieve any dislocated riprap from the beach that impedes public access. • At the southernmost storm drain outlet, excavate a shallow swale across the beach before the winter season to direct the storm runoff flows and to minimize the meandering flow path, and recontour the swale back to its normal form when the winter season ends. This prewinter channel cutting and postwinter beach recontouring practice can apply, if necessary based on observation, to the north and central drain outlets as well. The County of Orange implements this common beach maintenance for its beaches where storm drains, creeks, or streams are present within the beach limits (Rossmiller, 2001). The monitoring will be performed as set forth in the Postconstruction Monitoring Plan in a manner consistent with the Coastal Commission suggested modifications to the LCP Amendment.	Director, Public Works Department	Prior to issuance of grading permits.

Project Design Features, Project Conditions, and Mitigation Measures			
4.16 Coastal Processes			
Project Conditions			
PC 5-6	Prepare and Implement Drainage Plan. Development proposed within the project site shall be engineered to ensure that surface/subsurface drainage does not contribute to erosion or adversely affect the stability of project improvements (City of Dana Point, 2001). The City addresses drainage requirements in its Buildings and Construction Code in DPMC, Title 8, Chapter 8.01 (from Section 4.5, Geology and Soils).	Director, Public Works Department	Prior to issuance of grading permits.
PC 5-7	Prepare and Implement Erosion Control Plan. The applicant shall submit erosion control plans for project grading and site preparation for review and approval by the Director of Public Works (City of Dana Point, 2001). The City addresses erosion control requirements in its Buildings and Construction Code in DPMC Title 8, Chapter 8.01. The applicant shall exercise special care during the construction phase of this project to prevent any off-site siltation. The applicant shall provide erosion control measures as approved by the Director of Public Works. The erosion control measures shall be shown and specified on the grading plan and shall be constructed to the satisfaction of the Director of Public Works prior to the start of any other grading operations. Prior to the removal of any erosion control devices so constructed, the area served shall be protected by additional drainage facilities, slope erosion control measures, and other methods as may be required by the Director of Public Works. The applicant shall maintain the erosion control devices until the Director of Public Works approves of the removal of said facilities (from Section 4.5, Geology and Soils).	Director, Public Works Department	Prior to issuance of grading permits.
Mitigation Measures			
Mitigation measures are not required.			

APPENDIX B

LCP AMENDMENT MODIFICATIONS BY PLANNING AREA

APPENDIX B

LCP AMENDMENT MODIFICATION BY PLANNING AREA

The PDD breaks up the Headlands site into distinct planning areas, labeled Planning Areas 1–9. The major elements and the Coastal Commission's suggested modifications associated with these planning areas are summarized below:

Planning Area 1 (Strand Vista Park/Public Beach Access), Recreation Open Space

The HDCP as approved by the City included Strand Vista Park, consisting of 9.9 acres. This park would be located seaward of the existing County parking lot and landward of the proposed Strand residential development. Planning Area 1 is also adjacent to the existing County stairway that presently provides access to Strand Beach along the northerly edge of the Headlands site. Three new or reconstructed public pedestrian accessways to Strand Beach Park were included in the HDCP, as described below:

1. North Strand Beach Access: An improvement to the existing stairway from the north end of the Salt Creek public parking lot (Selva Road) to North Strand Beach including scenic overlooks, public restrooms, and outdoor shower facilities.
2. Central Strand Beach Access: An access path from the southeast end of Strand Vista Park to the central portion of Strand Beach.
3. South Strand Beach Access: An access path that would link the extension of Selva Road with the southern portion of Strand Beach.

In return for allowing a gate guard to control vehicular access into Planning Area 2, the Coastal Commission suggested modifications require mechanized access in the form of a funicular to provide public access from the Salt Creek public parking lot to the ramp to Strand Beach along the North Strand Beach Access, a new access stairway (Mid-Strand Vista Park Access) that would link Strand Vista Park and the Central Strand Beach Access, and restroom and shower facilities above the beach at the South Strand Beach Accessway.

Planning Area 2 (The Strand Neighborhood), Residential

As approved by the City and submitted to the Coastal Commission, the HDCP designated 25.7 acres of residential zoning in the Strand. A maximum of 75 single-family residences would be allowed within this area. Maximum height is two stories, 28 feet above finished grade (not existing or natural grade) for primary structures, and 16 feet for detached accessory structures. A minimum 15-foot rear yard setback, measured from the top of slope for the building pad, is required on all lots. A gate-

maritime/historical visitor center, cultural arts visitor center, veteran's memorial, and associated amenities. The reorientation of the nature interpretive visitor center was necessary to avoid impacts to ESHA. The trail and overlook system was shortened and revised to maintain a 25-foot setback from coastal bluff scrub vegetation.

Planning Area 8B (Harbor Point Park), Conservation Open Space

Planning Area 8B, as approved in the HDCP, would provide 6.1 acres of permanent Conservation Open Space at the southern and eastern portion of the park, including the coastal bluffs and rocky beach at the base of Harbor Point. This area would be preserved and maintained in its present condition. Improvements within the area would be limited to those required for public safety, signage, or erosion control.

As with Planning Area 8A, the Coastal Commission designated this area ESHA but did not make changes to permitted land uses or the land use allocation of Planning Area 8B.

Planning Area 9 (Seaside Inn), Visitor/Recreation Commercial

Planning Area 9 is a 2.8-acre site located near the corner of Street of the Green Lantern and Scenic Drive and overlooks Dana Point Harbor. As approved in the HDCP, up to 110,750 square feet of building floor area and a maximum of 65-key inn with associated amenities, such as restaurant, etc., and the ability to utilize fractional ownership, are designated in Planning Area 9.

The Coastal Commission approved modifications to the LCP Amendment increased the permitted allowable number of keys at the Seaside Inn (Planning Area 9) from just 65 to 65-90. The Coastal Commission action also put limitations on the fractional ownership of the Inn.

APPENDIX C

TRAFFIC MEMORANDUM (RK ENGINEERING GROUP, INC.)

September 8, 2004

Mr. Kevin Darnall
HEADLANDS RESERVE, LLC
24849 Del Prado
Dana Point, CA 92629

Subject: Headlands Updated Land Use and Trip Generation Analysis (Revised)

Dear Mr. Kevin Darnall:

RK ENGINEERING GROUP, INC. (RK) has reviewed the revised configuration of the land uses for the Headlands Project in the City of Dana Point. There have been some minor changes in the land uses within Traffic Analysis Zones (TAZ) 257 and 258. Within TAZ 257, the visitor recreation commercial site was reduced by approximately 5,000 square feet, and the acreage of the park/recreation area was increased by approximately 2.8 acres, with a corresponding decrease in residential acreage. Two specified uses now proposed in TAZ 257 include a 40-bed hostel and a visitor information center. Trip generation for both uses would fall within (if not below) the total trip generation calculated for TAZ 257 visitor recreation commercial uses and no separate trip generation is necessary. The maximum number of single-family residential lots within TAZ 257 remain the same at 50 lots. Within TAZ 258, the park/recreation area was increased by approximately 3.7 acres, with a corresponding decrease in residential acreage, and the Seaside Inn was increased by up to 25 keys (rooms).

A summary of the project land use and trip generation (revised) is shown in Table 1.

Trip Generation Comparison

The proposed revised project would generate 4,513 trip-ends per day with 213 vehicles per hour during the AM peak hour and 387 vehicles per hour during the PM peak hour. The trip generation for the previously approved project is shown in Table 2. The proposed project would generate 86 less daily trip-ends than the previously approved project. Furthermore, the project would generate slightly fewer AM peak hour trips (1 vehicle per hour), and generates 10 vehicles less per hour during the PM peak hour. The revised project generates fewer trips than the previously approved project, especially during the critical PM peak hour.

The reconfiguration of land use will slightly change the trip generation within the three traffic analysis zones utilized in the previous traffic study. No significant differences in

traffic impacts are anticipated as a result of the reconfiguration. The net change in daily traffic on Street of the Green Lantern would be 139 ADT (Average Daily Traffic). This would not be a significant increase in traffic on that roadway. Additionally, traffic impacts to the intersection of Street of the Blue Lantern at Pacific Coast Highway has also been reviewed. Most recently, updates to existing traffic counts have been completed for the proposed Green Lantern Inn project.

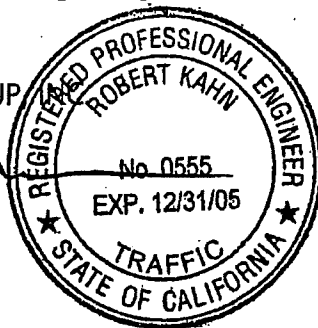
That project evaluated traffic impacts along Street of the Green Lantern and also at the intersections of Street of the Blue Lantern at Pacific Coast Highway, Blue Lantern at Santa Clara, Green Lantern at Cove Road, and Green Lantern at Santa Clara. The study did take into account the previously approved Headlands Project. The proposed land use reconfiguration of the proposed Headlands Project would not significantly change the level of service projected at the intersection Street of the Blue Lantern and Pacific Coast Highway, the Blue Lantern at Santa Clara Intersection, the Green Lantern at Cove Road intersection and the Green Lantern at Santa Clara Avenue intersection (all of which remain at LOS A) nor would it substantially change the projected traffic volumes on Street of the Green Lantern. The revised ICU calculations and traffic volumes for Street of the Green Lantern are shown in Table 3.

RK appreciates this opportunity to provide this additional information on the reconfiguration of the Headlands Project. The revised uses will generate less daily trips and fewer PM peak hour trips than the previously approved project. There is a slight decrease in the AM peak hour trips; and would not significantly change any of the intersections previously analyzed in the traffic impact study for the Headlands Project. The reconfiguration would not have a significant change in traffic volumes on Street of the Green Lantern or the intersection of Street of the Blue Lantern and Pacific Coast Highway. If you have any questions regarding this review, please call me at (949) 474-0809.

Respectfully submitted,
RK ENGINEERING GROUP

Robert Kahn

Robert Kahn, P.E.
Principal



Attachment

TABLE 1
Proposed Project Trip Generation (Revised)

Taz ¹	Land Use	Quantity	Units ²	Peak Hour				Daily
				AM		PM		
				In	Out	In	Out	
250	Single-Family Residential	75	DU	17	47	54	32	868
	Park/Recreation	9.9	AC	NOM ³	NOM	NOM	NOM	36
	Recreation/Open Space	5.2	AC	2	2	3	3	52
	Subtotal			19	49	57	35	956
257	Visitor/Recreation Commercial	35	TSF	37	17	82	73	1,812
	Park/Recreation	15.1	AC	NOM ³	NOM	NOM	NOM	55
	Visitor Recreation (Community) Facility	2	TSF	2	1	1	1	29
	Single-Family Residential	50	DU	12	32	36	22	579
	Subtotal			51	50	119	96	2,475
258	Park/Recreation	32.2	AC	NOM	NOM	NOM	NOM	118
	Visitor Recreation (Community) Facility ⁴	6	TSF	5	2	3	3	87
	Seaside Inn	90	RM	18	9	18	27	540
	Visitor Recreation Commercial ⁵	13	TSF	7	3	15	14	337
	Subtotal			30	14	36	44	1,082
TOTAL				100	113	212	175	4,513

¹ TAZ = Traffic Analysis Zones within the Dana Point Traffic Model

² DU = Dwelling Unit

AC = Acres

TSF = Thousand Square Feet

RM = Rooms

³ NOM = Nominal

⁴ Although three visitor facilities were eliminated by the Coastal Commission, for the purposes of this analysis the traffic for such facilities was incorporated in the analysis.

⁵ Included within the Seaside Inn

j:\vktables\vk2600\RK2638TB.xls

JN:1110-03-01

TABLE 2
Trip Generation Comparison

Land Use	Peak Hour				Daily
	AM		PM		
	In	Out	In	Out	
Approved Project	100	114	219	178	4,599
Proposed Reconfigured Project	100	113	212	175	4,513
Difference	0	-1	-7	-3	-86

TABLE 3
Opening Year with Project Intersection Capacity Utilization (ICU)¹

With Approved Headlands Plan

With Approved Headlanus Plan																					
Intersection	Traffic Control ²	Intersection Approach Lanes ³								Peak Hour ICU ⁴				Peak Hour LOS ⁵							
		Northbound			Southbound			Eastbound		Westbound		AM	PM	Summer		AM	PM	Summer			
		L	T	R	L	T	R	L	T	R	L			T	R			AM	PM	AM	PM
St. of the Blue Lantern (NS) at: • Pacific Coast Hwy. (EW)	TS	1	1.5	0.5	1	1	1	1	2	1	1	2	1	0.423	0.519	0.464	0.556	A	A	A	A
• Santa Clara (EW)	AWS	0.5	0.5	0	0	1	1	0	1	0	0	0	0	0.135	0.195	0.141	0.205	A	A	A	A
St. of the Green Lantern (NS) at: • Cove Rd (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.149	0.216	0.156	0.227	A	A	A	A
• Santa Clara (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.135	0.186	0.141	0.195	A	A	A	A

With Reconfigured Headlands Plan

With Reconfigured Headlands Plan

Intersection	Traffic Control ²	Intersection Approach Lanes ³								Peak Hour ICU ⁴				Peak Hour LOS ⁵									
		Northbound			Southbound			Eastbound		Westbound		AM	PM	Summer		AM	PM	Summer					
		L	T	R	L	T	R	L	T	R	L			T	R			AM	PM	AM	PM	AM	PM
St. of the Blue Lantern (NS) at: • Pacific Coast Hwy.	TS	1	1.5	0.5	1	1	1	1	2	1	1	2	1	0.423	0.518	0.464	0.556	A	A	A	A		
• Santa Clara (EW)	AWS	0.5	0.5	0	0	1	1	0	1	0	0	0	0	0.135	0.195	0.141	0.205	A	A	A	A		
St. of the Green Lantern (NS) at: • Cove Rd (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.148	0.216	0.155	0.226	A	A	A	A		
• Santa Clara (EW)	AWS	0	0.5	0.5	0.5	0.5	0	0	0	0	0	1	0	0.135	0.186	0.141	0.195	A	A	A	A		

**Average Daily Traffic (ADT) Volume on
Green Lantern South of Santa Clara Avenue**

Condition	Average Daily Traffic (ADT)
Existing	3,131
Opening Year w/Approved Headlands	4,798
Opening Year w/Reconfigured Headlands	4,937

1 Opening year analysis based upon recent Green Lantern Inn Project Traffic Impact Study. Opening Year projected to be 2005.

2 TS = Traffic Signal
AWS = All Way Stop

3 When a right turn lane is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes
L = Left; T = Through; R = Right; >> = Free Right Turn; > = Right Turn Overlap

4 ICU = Intersection Capacity Utilization

5 LOS = Level of Service

APPENDIX D

REKETMENT MEMORANDUM (NOBLE CONSULTANTS)

To: Kevin Darnall
From: Chia-Chi Lu/Ronald M. Noble
Date: July 29, 2003
RE: Revised Shorefront Protection Design
Cc: Scott Kerwin

As requested, Noble Consultants, Inc. (NCI) has developed a revised shorefront protection design for the Strand area that reduces the height of the revetment structure previously submitted in the Headlands Development and Conservation Plan (HDCP). The revised design was developed in conjunction with geotechnical review and input of the reinforced compacted fill provided by AMEC Earth & Environmental, Inc. (AMEC). The criteria for the revised revetment structure were 1) to maintain the existing revetment height; 2) to conform to the existing seaward footprint; and 3) to provide a lateral public walkway/trail. The California Coastal Commission staff requested the incorporation of the public walkway/trail and associated bench-seating areas along the top of the revetment.

On the basis of a recent field survey by Hunsaker & Associates, the top elevations of the existing revetment ranging from +15.1 to +19.6 feet, NGVD have an average height at +16.8 feet, or +16'-10", NGVD (Hunsaker & Associates, 2003)¹. A height limit of +17 feet NGVD was, therefore, incorporated into the revised revetment design. The revised design maintains the existing revetment section, while conforming to the current seaward footprint (i.e. the reconstructed revetment does not encroach seaward of the existing revetment). Essentially, the new design eliminates the originally proposed 3-foot average increase (i.e. +20 feet, NGVD)² to the existing revetment height and reduces the quantity of riprap stones required for the revetment reconstruction, while adding a lateral public beach access path with four bench-seating locations. The redesigned revetment structure is illustrated, in both plan and profile views, in Figures 1, 2, and 3 (see attachment).

The critical design issue associated with the revetment height is the potential for wave overtopping during extreme storm events. The lowering of the revetment height from +20 to +17 feet, NGVD will result in fairly frequent occurrence of storm waves overtopping the revetment structure. Overtopping and piping erosion/failure of the material behind the revetment is the primary source of damage to the Strand shorefront area during the extreme storm events as is evident in the 1982-1983 El Nino season (see AMEC, May 2002)³. The proposed revetment refinement has, therefore, focused on minimizing the extent of potential damage and associated repair/maintenance induced by wave overtopping during extreme storm events.

¹ Hunsaker & Associates, 2003. "NGVD Revetment Study Exhibit" dated June 24, 2003.

² Noble Consultants, Inc., 2001. "Coastal Processes Assessment for Headlands Development And Conservation Plan" dated September 2001.

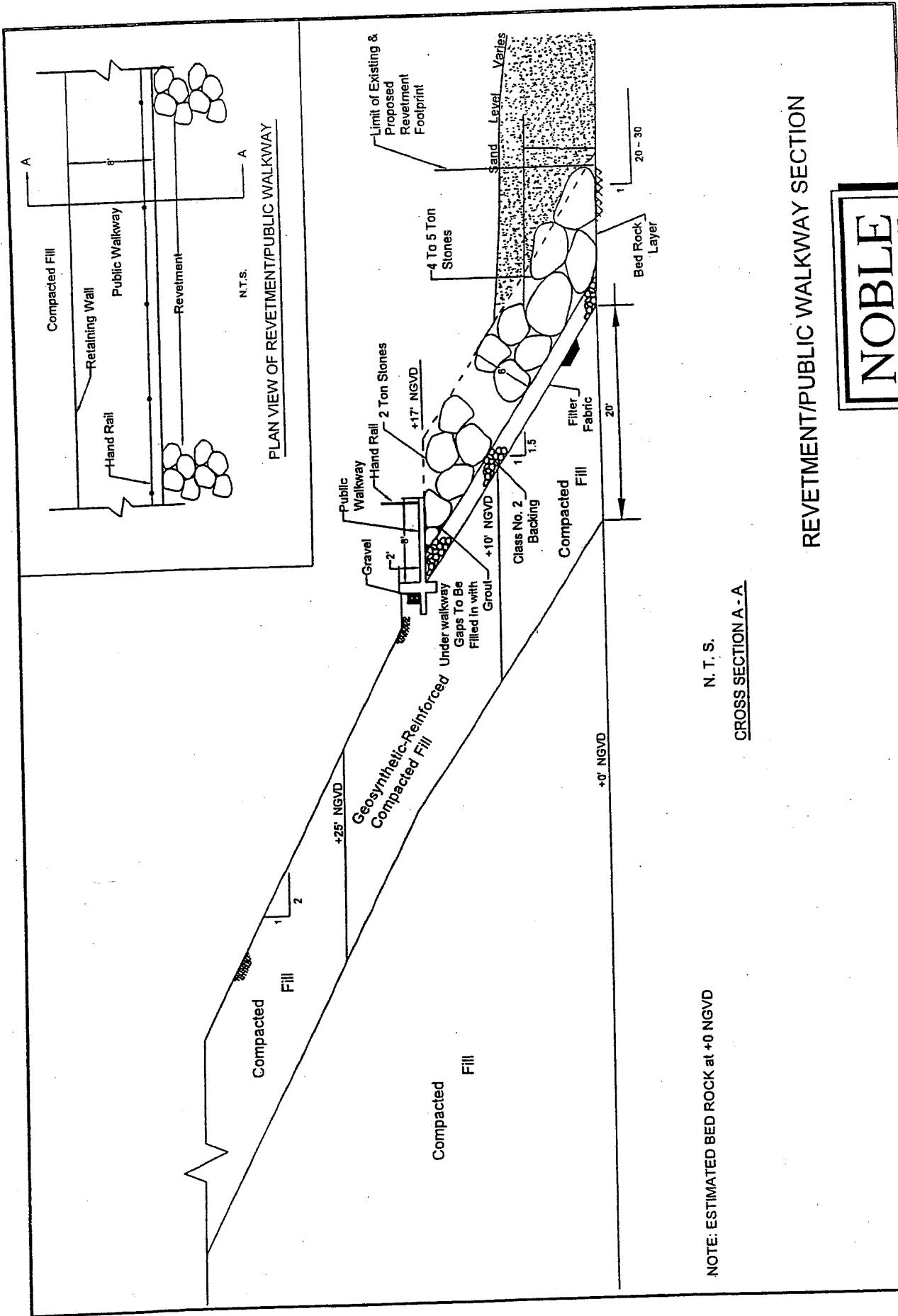
³ AMEC, 2002. "Geotechnical Evaluation of Shorefront Design Alternatives, Headlands Development And Conservation Plan" dated May 2002.

The public access walkway, which consists of an 8-foot concrete walkway locked in the top rock portion of the revetment section, prevents the overtopping water from intruding into the compacted fill layer behind the revetment. Thus, inclusion of the walkway provides additional scouring protection against wave overtopping by minimizing the potential for disruption or damage to the underlying filter fabric/backing. The outboard edge of the walkway is setback from the sloping face of the revetment with the underlying section of grouted rock to minimize potential damage to the walkway from wave uplift forces. The keyway and low retaining wall at the back of the proposed walkway serve as a stabilizing counterbalance force that enhances the structural integrity of the walkway and the revetment (see Figures 2 and 3). This cantilever structural walkway design prevents excessive deformation/damage to the walkway itself if the dislodging of riprap stones beneath the walkway's outboard edge occurs during extreme storm events.

To further minimize the extent of erosion damage to the compacted slope potentially resulting from wave overtopping, geosynthetic reinforcement of the compacted fill behind the revetment is also proposed. Observed erosion conditions during the 1983 extreme storm events were used to develop requirements regarding the vertical extent of geosynthetic reinforcement. The primary intent of the geosynthetic reinforcement is to maintain the overall stability of the shorefront slope in the event that a portion of compacted-fill slope behind the revetment is eroded away due to wave overtopping. In addition, the geosynthetic reinforcement will also provide direct erosion protection for the compacted-fill slope.

On the basis of the engineering evaluations and geologic assessments jointly established by NCI and AMEC, the proposed design revisions are considered the functional equivalent of the original HDCP design, for the reasons cited above. The revised shorefront protection design limits the physical changes to the structure height and footprint of the existing revetment, as compared to that originally proposed shorefront structure presented in the HDCP. Furthermore, this revised revetment design provides an additional feature for coastal dependent use; the lateral public beach access walkway/trail.

Attachments: Figures 1 to 3



NOBLE
 CONSULTANTS, INC.

Figure 1

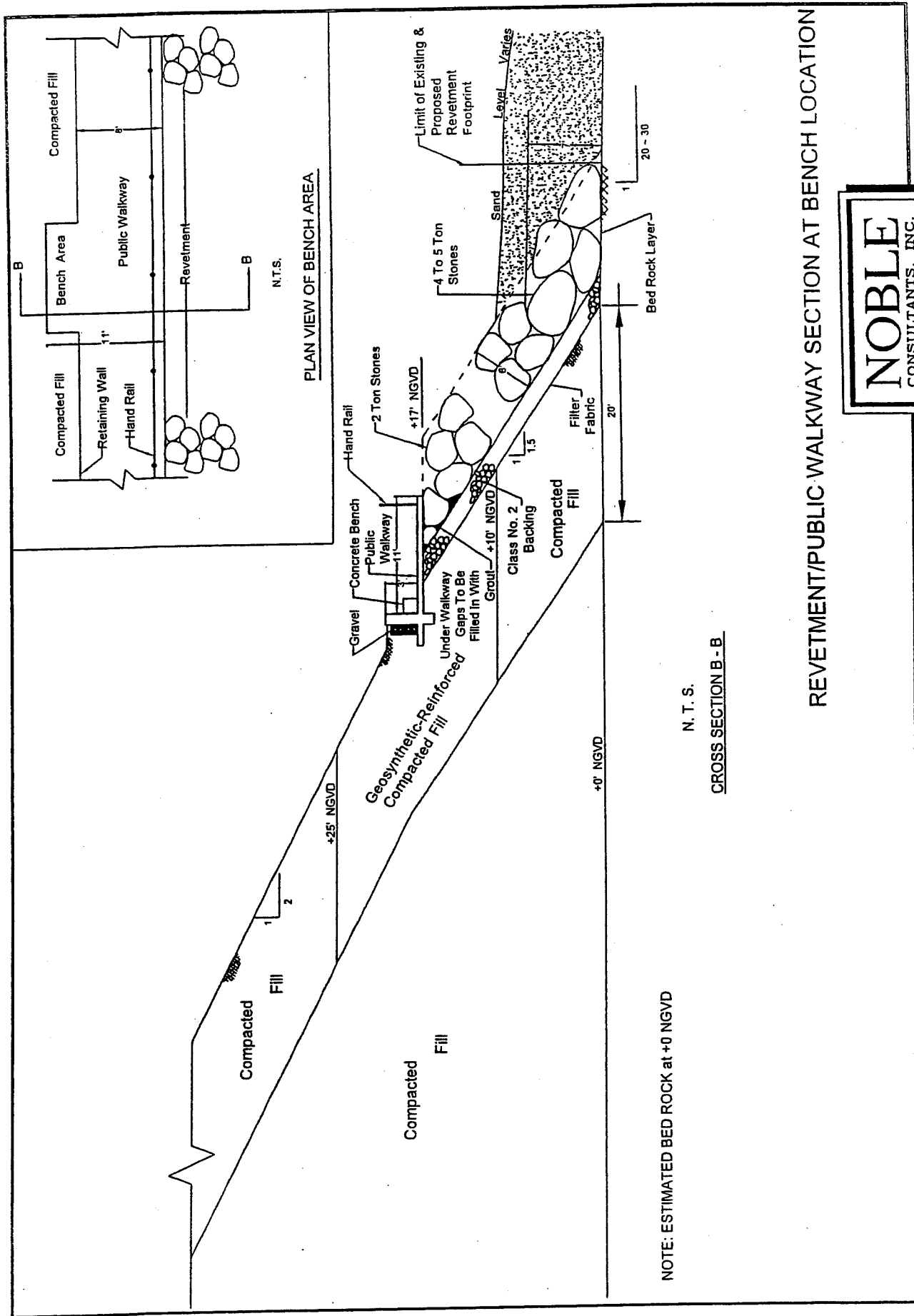


Figure 2

NOBLE
CONSULTANTS, INC.

THE HEADLANDS DEVELOPMENT AND CONSERVATION PLAN
Section 3.0 Headlands Planned Development District

TABLE 3.3.1

**LAND USE
STATISTICAL SUMMARY**

Land Use	Acres	Planning Area	Maximum
RECREATION OPEN SPACE (REC/OS)	9.9	1	
	5.2	3	
	42.3 15.1	5	
	4.3	8A	
SUBTOTAL REC/OS	<u>31.7</u> 34.5		
CONSERVATION OPEN SPACE (CONS/OS)	<u>24.2</u> 27.9	7	
	6.1	8B	
SUBTOTAL CONS/OS	<u>30.3</u> 34.0		
VISITOR/RECREATION COMMERCIAL (V/RC)	1.6	4	40,000 <u>35,000</u> sq. ft.
	<u>2.8</u>	9	110,750 sq. ft.
	4.4		(<u>65-90</u> Keys)
SUBTOTAL V/RC			450,750 <u>145,750</u> sq. ft. (<u>65-90</u> keys)
RESIDENTIAL (RES)	25.7	2	75 lots
	<u>26.7</u> 20.2	6	50 lots
SUBTOTAL RES	<u>52.4</u> 45.9		125 lots
PUBLIC R.O.W.	2.5	1, 6, 8A	
TOTAL ACREAGE	121.3		

TABLE 3.3.2
VISITOR RECREATIONAL FACILITY
STATISTICAL SUMMARY

Public Facility	Planning Area	Maximum
Lighthouse	8A	2,000 sq. ft.
Cultural Arts Center	8A	2,000 sq. ft.
Nature Interpretive Center	8A	2,000 sq. ft.
Conservation Center	5	2,000 sq. ft.
Public Restrooms/ <u>Showers</u> ¹	1	2 x 500 sq. ft.
<u>Visitor Information Center</u>	4	800 sq. ft. ²

All proposed public visitor facilities shall include public restrooms and public drinking fountains, open to the public at hours to be determined by the appropriate public agency. The Visitor Information Center will be constructed and operated in conjunction with the hostel planned for the PCH V/RC, Planning Area 4.

¹ Public restrooms and showers shall be constructed at both the north and south ends of Planning Area 1 above Strand Beach.

² If the Visitor Information Center is incorporated into the hostel, there is no specific square footage or requirement.

APPENDIX E

GEOLOGY MEMORANDUM
(AMEC EARTH & ENVIRONMENTAL, INC.)



December 19, 2003
Job No. 9-212-306100

Headlands Reserve LLC
2484 Del Prado Avenue
Dana Point, California 92629

Attention: Mr. Kevin Darnall

Re: Addendum Stability Evaluations
10-Foot Revetment Setback Alternative
Headlands Development And Conservation Plan (HDCP)
Dana Point, California

As requested, AMEC Earth & Environmental, Inc. (AMEC) has performed additional stability evaluations of a possible revision to the previously proposed HDCP grading concept in the Strand area. The revised grading concept is very similar to the previously proposed grading concept that was evaluated in AMEC's report dated March 21, 2000, and the current stability evaluations are considered an addendum to that report. The difference in the revised alternative concept is that the proposed grades have been shifted landward a distance of 10 feet along an axis through the central portion of the Strand area. Relocation of the revised grades tapers uniformly to meet the previously proposed grades at both ends of the Strand. This revision has been made to provide a 10-foot setback of the revetment and shorefront slope, and to, thereby, increase the amount of beach area across the central portion of the site. An excerpt of the revised grading concept plan (The Keith Companies, 12/18/03) is attached in the appendix.

The area of maximum setback approximately coincides with AMEC's Geologic Section B-B' (see the attached plan excerpt and also AMEC, 3/21/00). Section B-B' also represents the critical stability conditions (i.e., the lowest Factors of Safety) for previous stability evaluations presented in AMEC's March 21, 2000 report. Stability analyses of the 10-foot revetment setback alternative along Section B-B' indicated a general decrease in the calculated Factors of Safety, but the results of these analyses are within accepted standards (i.e., $F.S. \geq 1.5$ for static stability and $F.S. \geq 1.1$ for pseudostatic stability). A graphic summary of the stability analyses for the critical stability conditions along Section B-B' is also attached in the appendix.

The proposed setback revision produces relatively small changes in the grading configuration along the other less critical stability sections presented in AMEC's March 21, 2000 report. With the exception of the analyses and revisions discussed above for

AMEC Earth & Environmental, Inc.
1290 North Hancock Street, Suite 102
Anaheim, California
USA 92807-1926
Tel (714) 779-2591
Fax (714) 779-8377

www.amec.com

Headlands Reserve LLC
Addendum Stability Evaluations
10-Foot Revetment Setback Alternative
Headlands Development And Conservation Plan (HDCP)
Dana Point, California



Section B-B', the findings and recommendations presented in AMEC's March 21, 2000 report are, therefore, still considered applicable.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Doug Dahnoke".

Douglas Dahnoke
Senior Engineer
GE 2279 (Expires December 31, 2003)
DD/STK/dc

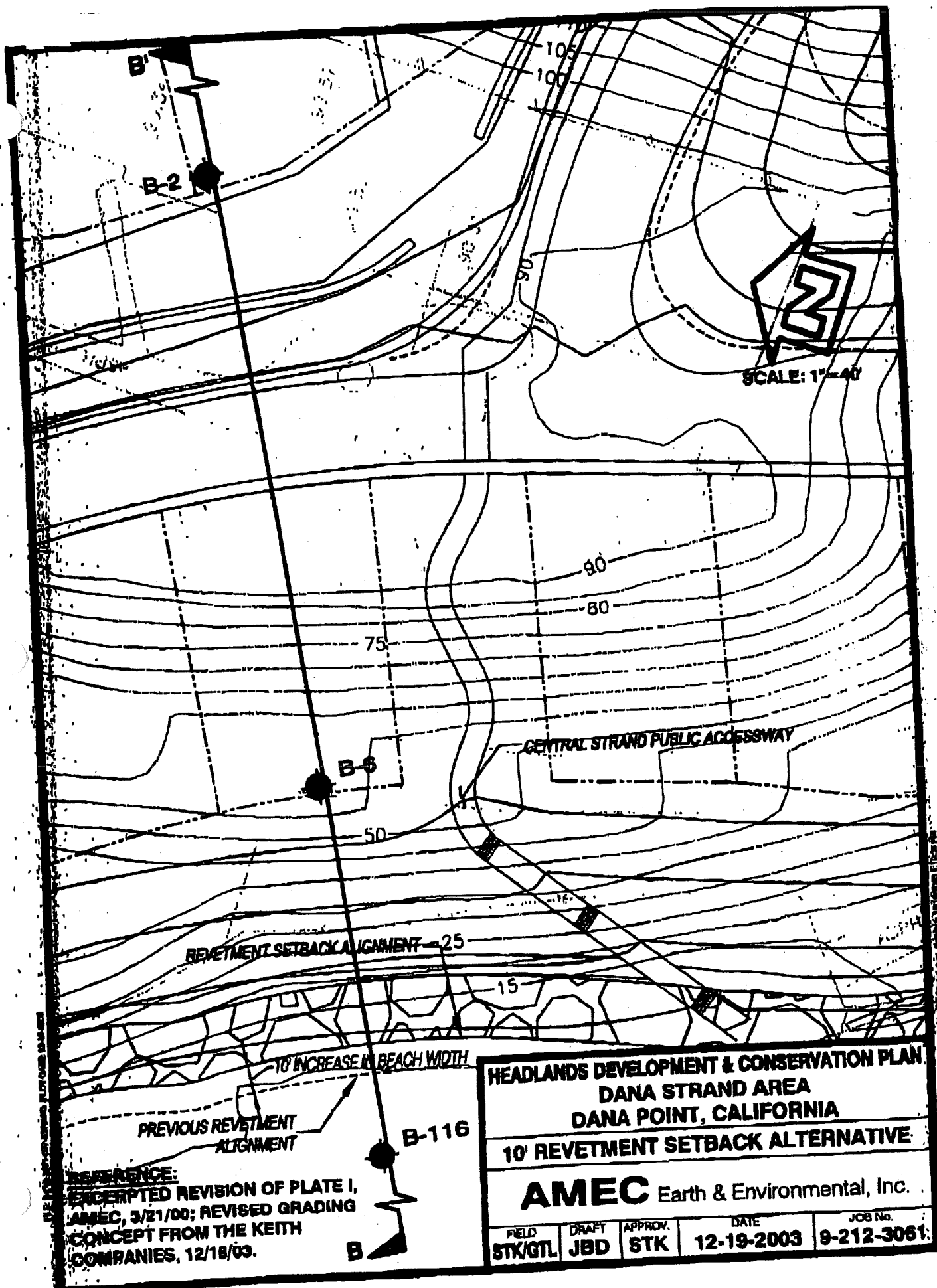
A handwritten signature in dark ink, appearing to read "S. T. Kerwin".

Scott T. Kerwin
Principal Engineering Geologist
CEG 1267

Encl.: Plan Excerpt and Section Location
Graphic Summary of Critical Stability Analyses

c: Mr. Kevin Darnall, Addressee (5)
Mr. Karl Schwing, California Coastal Commission, Long Beach Office (1)
Mr. Mark Johnsson, California Coastal Commission, San Francisco office (1)

APPENDIX



HEADLANDS DEVELOPMENT & CONSERVATION PLAN
DANA STRAND AREA
DANA POINT, CALIFORNIA
10' REVETMENT SETBACK ALTERNATIVE

AMEC Earth & Environmental, Inc.

FIELD	DRAFT	APPROV.	DATE	JOB No.
STK/GTL	JBD	STK	12-19-2003	9-212-3061

PROPOSED GRADE / REMEDIAL GRADING

SECTION B-B'

10-FOOT REVETMENT SETBACK ALTERNATIVE

Description: HEADLANDS RESERVE
Comments: SECTION B-B'
File Name: B-B'proposed107.slp
Last Saved Date: 12/16/2003
Last Saved Time: 5:25:32 PM
Analysis Method: Morgenstern-Price
Direction of Slip Movement: Right to Left
Slip Surface Option: Grid and Radius
P.W.P. Option: Piezometric Lines / Ru

Description: BEACH DEPOSITS (Qbd)
Unit Weight: 118
Cohesion: 0
Phi: 32

Description: RETAINING WALL
Unit Weight: 118
Cohesion: 13000
Phi: 40

Description: ARTIFICIAL FILL (af)
Unit Weight: 118
Cohesion: 300
Phi: 29

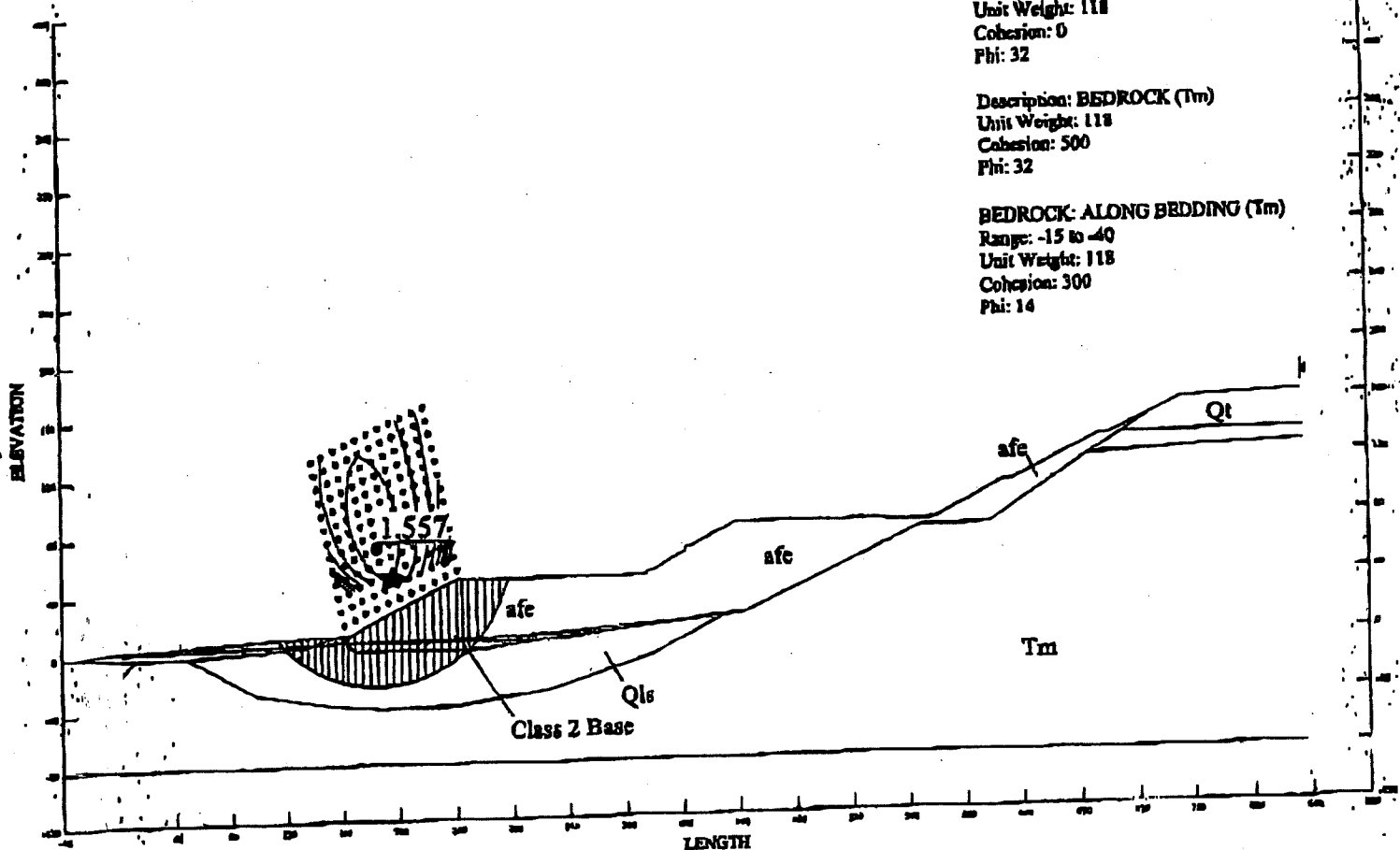
Description: CLASS 2 BASE
Unit Weight: 118
Cohesion: 0
Phi: 40

Description: DISPLACED Qv/Tm (Qls)
Unit Weight: 118
Cohesion: 300
Phi: 14

Description: TERRACE DEPOSITS (Qt)
Unit Weight: 118
Cohesion: 0
Phi: 32

Description: BEDROCK (Tm)
Unit Weight: 118
Cohesion: 500
Phi: 32

BEDROCK: ALONG BEDDING (Tm)
Range: -15 to -40
Unit Weight: 118
Cohesion: 300
Phi: 14



APPENDIX F

NOISE MEMORANDUM

M E M O R A N D U M

DATE: September 1, 2004

TO: Kevin Darnall, Headlands

FROM: Tony Chung, Ph.D.

SUBJECT: Noise Impact Analysis--Proposed Funicular at Headlands

LSA Associates, Inc. (LSA) has received the noise level measurement information regarding the "funicular" facility being considered at the Headlands development in the City of Dana Point (City). The following summarizes LSA's analysis and findings on the noise impacts.

1. Source Noise Level

The translated report from Outdoor Engineers (August 17, 2004) provided the results of a noise emission analysis of a funicular in operation in Austria that has similar characteristics (same model and manufacturer, etc.) to the one proposed for the Headlands. The testing indicates that the funicular would generate a noise level of 59.3 dBA L_{eq} at 16.4 feet (ft) (5 meters [m]), or approximately 54.5 dBA L_{eq} at 49.21 ft (25 m). Noise from uphill or downhill operations is about the same. The noise level can be reduced by 5 dBA if a cover is added over the drive unit (electric motor, gearbox, etc.).

2. City of Dana Point Noise Standards

For transportation sources, the City's Noise Element of the General Plan has an exterior noise standard of 65 dBA CNEL for residential uses. For interior noise-sensitive rooms, 45 dBA CNEL is the standard.

For nontransportation noise sources, the City applies its Noise Ordinance rather than the standards set forth in the Noise Element. The City's Municipal Code provides the noise standards for nontransportation sources in terms of the percentile exceedance level, L_N . The exterior noise standards for nontransportation noise sources on residential property are 55 dBA between 7:00 a.m. and 10:00 p.m. (daytime) and 50 dBA between 10:00 p.m. and 7:00 a.m. (nighttime). These standards are not to be exceeded for more than 30 minutes in any hour, or L_{50} . For events that last shorter periods of time, the noise standard level is adjusted upward accordingly. The noise cannot exceed 75 dBA during daytime and 70 dBA during nighttime at any time. If ambient noise levels exceed the noise limits, the noise standard for the applicable cumulative period increases to reflect the ambient noise level.

3. Noise Impact Analysis

Based on the characteristics of the proposed funicular facility, it seems the operations would be similar to a motor vehicle moving along a roadway or some other linear transportation facility. Therefore, the City's noise standards for transportation facilities are used in this noise analysis.

Based on the source noise levels provided in the Outdoor Engineers report (August 17, 2004), the funicular would result in a noise level of 54.5 dBA L_{eq} at a distance of 50 feet without the noise reduction of a cover. The speed of the funicular is about 300 feet per minute (3.4 mph, or about walking speed). The Headlands application of the funicular would have a distance of approximately 600 feet between the top and bottom. It is assumed that a 30-second time period would be needed to unload/load at either end. Therefore, a round-trip operation would take approximately five minutes. It is also assumed, as a worst-case scenario, that the funicular would be in operation at all times from 7:00 a.m. to 7:00 p.m. Therefore, the measured L_{eq} noise level would apply to the entire hour (12 round trips) from 7:00 a.m. to 7:00 p.m., making it a worst-case scenario.

The project area is on the beach front. It is assumed that ambient noise levels during the evening (7:00 p.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods would be 45 dBA or lower. With this assumption, that the dominant noise source in the project area is the funicular with 54.5 dBA L_{eq} at 50 feet, the CNEL value calculated would be 54.3 dBA CNEL. This level is much lower than the City's 65 dBA CNEL noise standard for residential uses.

The potential noise impact from funicular operations is also evaluated against the City's noise standards for nontransportation sources. For a steady noise source, the L_{eq} noise level is similar to the L_{50} noise level. Therefore, the closest residences at 50 feet from the proposed funicular would be exposed to a worst-case noise level of 54.5 dBA L_{eq} or L_{50} noise level. This noise level is lower than the City's 55 dBA daytime standard. Because there would be no nighttime operations between 10:00 p.m. and 7:00 a.m., no analysis is necessary for the nighttime standard of 50 dBA L_{50} .

Based on the Environmental Protection Agency's (EPA's) Protective Noise Levels, Condensed Version of EPA Levels Document (EPA 550/9-79-100, November 1978), typical sound level reductions of buildings in southern California (warm climate) range from 12 dBA with windows open and 24 dBA with windows closed. Interior noise levels, attributable to the funicular operations, would be reduced to 42.3 dBA CNEL with windows open and 30.3 dBA CNEL with windows closed. These noise levels are below the 45 dBA CNEL interior noise standards adopted by the State and the City.

4. Findings and Conclusion

Based on the above analysis, no violation of the City's noise standards would occur as a result of the implementation of the funicular facility at the Headlands. Therefore, there would be no significant environmental noise impact from the proposed funicular at the Headlands.

There are several factors that would lower the noise level experienced by the nearest residences at 50 feet from the proposed funicular facility. First, it should be noted that the base measurements represent a worst-case, conservative assessment because they were taken from a funicular that is elevated on rails, unlike the one that will be constructed at the Headlands site, which will cut a tier along the property boundary approximately 15 ft wide and 7 ft below the adjoining grade of the

existing accessway to the beach. The rails will sit on concrete pads that are about 18–24 inches above the grade of the tier at the Headlands site. The elevated track arrangement associated with the funicular that was the subject of the noise test adds a “track frequency” to the noise measurement. Therefore, the noise values for the Headlands funicular will be slightly lower.

Secondly, the base measurements used in this noise analysis did not take into consideration any noise attenuation provided by topographical features at the Headlands site.

Thirdly, if the funicular does not operate during the entire period between 7:00 a.m. and 7:00 p.m., the projected noise levels will be lower than the levels presented in this noise analysis, both in terms of the CNEL and the L_{eq}/L_{50} scales.

Lastly, if a cover is added over the drive unit, the source noise level will be reduced by 5 dBA. No cover was present on the funicular facility that was the subject of the test.

Attachment: Outdoor Engineering Memo, August 17, 2004



**Following, please find a translated summary of attached original report in German.
Please find all the detailed data of the measurements in the attachment.**

REPORT

Subject: Noise Level Measurement
Crosslift "Vitalhotel Agathenhof"
A-9322 Micheldorf, Austria

Date: August 17, 2004

Attendees: Mr. Olschnegger, Engineer
Mr. Haberler, Engineer

Attachment: Original Report in German

Instrument:

Calibrated noise level analyst NORSONIC, Type SA 110
The instrument is a Class 0.7 unit and was calibrated before and after the tests with a Calibrate Source "Bruell&Kjaer 4230 Class 0.6"
A wind protection screen was used

Codes and Regulations:

ÖAL Guidelines No. 3:

Evaluation of noise emissions, noise level in neighbourhoods-5th edition -December 1986

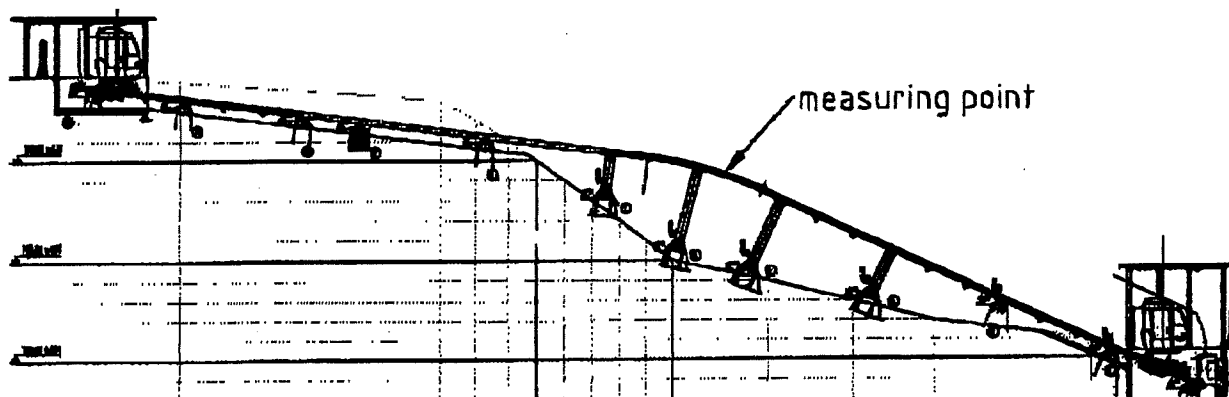
ÖNORM S 5004

Measuring of noise emissions

Date of Measurements:

Measurements were taken August 17, 2004 from 6:00pm to 7:00pm
Measurements were taken by Mr. Olschnegger, Eng. and Mr. Haberler, Eng

Measurement Location:





All measurements were taken in a 5m distance from the track. Due to topographical issues, the measurements at the requested 10m and 25m distance were not possible, but they can be calculated by accepted and legal formulas.

All measurements were taken including the cabin leveling process, because it was not possible to eliminate the leveling process at this location. The values without the leveling would be approx. 2 db lower. If required, a cover could be added over the drive unit (electric motor, gearbox, etc.) which would reduce the noise level by approximately 5 dBA.

Measurement Results Summary:

Ambient Noise Level during the measurements: LA,eq = 47.6 dB

Operating Condition	Measurement in dBA, in 5.0m = 16.40ft distance	Calculated value in dBA, in 10.0m = 32.81ft distance	Calculated value in dBA, in 15.0m = 49.21ft distance	Calculated value in dBA, in 25.0m = 82.02ft distance
Uphill	LA,eq = 59.3	LA,eq = 56.3	LA,eq = 54.5	LA,eq = 52.3
Downhill	LA,eq = 59.2	LA,eq = 56.3	LA,eq = 54.4	LA,eq = 52.2

Legend:

LA,eq = average noise level

Best Regards,

OUTDOOR ENGINEERS AG


Oswald Graber

APPENDIX G

ADDITIONAL STUDIES COMPLETED FOR THE PROJECT

Documents Submitted to the California Coastal Commission

The following documents and studies were prepared either at the request of the Coastal Commission or in response to issues raised by Coastal Commission staff. These documents are on file and available for review at the California Coastal Commission, South Coast District Office, 200 Oceangate, Suite 1000, Long Beach, CA, 90802.

- Constraints and Unique Characteristics Affecting Non-Structural Shore Protection Alternatives for the Dana Point Headlands Development and Conservation Plan, Scott A. Jenkins, Ph.D., and Joseph Wasyl, November 17, 2002.
- Headlands Development and Conservation Plan, Shorefront Slope Setback Alternative, Paul S. Carey, P.E., The Keith Companies, Inc., November 20, 2002.
- Headlands Development and Conservation Plan, No Revetment, Shorefront Slope Setback Alternative, Noble Consultants, Inc., November 20, 2002.
- Response to Geotechnical Review Memorandum, Headlands Development and Conservation Plan (HDGP), Scott T. Kerwin, AMEC Earth & Environmental, Inc., November 20, 2002.
- Headlands Development and Conservation Plan, Geotechnical Evaluation of Conceptual Shorefront Setback Alternative (Planning Areas 1, 2 and 3), AMEC Earth & Environmental, Inc., November 2002.
- Memorandum from Kevin Darnall to Lesley Ewing, California Coastal Commission, Regarding: Response to the August 12, 2002 Memorandum from Lesley Ewing, November 21, 2002.
- Memorandum from Paul Carey, P.E., The Keith Companies, to Kevin Darnall, Subject: Topography Comparison, December 20, 2002. (Quantifies the total historic earthwork completed in the Strand to be 434,600 c.y.)
- Memorandum from Patrick Mock, Ph.D., Senior Biologist, URS Corporation, to Kevin Darnall, Subject: Dana Point Headlands – Comments on CCC staff report memoranda, September 30, 2003. (URS provides clarifications for vegetation mapping and interpretation by staff.)
- Memorandum from Patrick Mock, Ph.D., URS Corporation, to Kevin Darnall, Subject: Dana Point Headlands – Clarification of Boundary of Disturbed Native Grassland and Coastal Sage Scrub adjacent to the Bowl Area, July 21, 2003. (Refinements to Disturbed Southern Needlegrass Grassland, based on field verification)

- Memorandum from Patrick Mock, Ph.D., URS Corporation, to Kevin Darnall, Subject: GPS delineation of Coastal Scrub Habitat with Proposed ESHA Boundary in the Strand Area and that of the Dana Point Headlands Project Site, October 3, 2003. (URS delineation of Coastal Scrub Habitat)
- Letter from Patrick Mock, Ph.D., URS Corporation, to John Dixon, Ph.D., California Coastal Commission, Subject: Dana Point Headlands LCP Amendment, August 8, 2003. (URS calls attention to the attached excerpt from the final EIR Biological Resources Report, Section 4.5, "Species Interaction and Ecosystem Function.")
- Letter from Robert C. Hight, Director, California Department of Fish & Game, to Mike Reilly, Chair, California Coastal Commission, Subject: Dana Point Headlands Development & Conservation Plan, Local Coastal Program Amendment 2-02, September 24, 2003. (Letter states support of the project and discusses how the resources on-site will benefit from project implementation.)
- Letter from Michael D. Curtis, MBC Applied Environmental Sciences, to Mike Reilly, Chair, California Coastal Commission, Subject: Revetment at Dana Point Headlands, September 22, 2003. (States support with regard to repair and maintenance of the revetment)
- Memorandum from Chia-Chi Lu, Noble Consultants, Inc., to Kevin Darnall, Subject: Review comments to the September 22, 2003 CCC staff report for the City of Dana Point Local Coastal Program Amendment 2-03, Section V.C.1: Shoreline Protective Devices & Public Access and responses to Ms. Lesley Ewing's PowerPoint presentation of October 9, 2003 at the Hearing for Dana Point LCPA 2-02, December 3, 2003. (Memo responds to staff presentation)
- Letter from Scott T. Kerwin, AMEC Earth & Environmental, Inc., to Mark Johnsson, California Coastal Commission, Subject: Geologic/Geotechnical constraints and remedial grading of the Strands Area HDGP, December 23, 2003. (Clarifications and/or explanations with regard to meeting with the CCC staff on December 4, 2002)
- Letter from Douglas Dahncke, AMEC Earth & Environmental, Inc., to Kevin Darnall, Subject: Response/Clarifications: Purpose of Shoreline Protection, Surfrider Letter (1/7/04), January 13, 2004. (AMEC's review and response to the "Surfrider" letter dated January 7, 2004)
- Letter from Kevin Darnall to Karl Schwing, California Coastal Commission, Subject: Rebuttal to Surfrider Comments, September 19, 2003. (Rebuttal letter with the following enclosure: Report from Scott Jenkins, Ph.D. September 19, 2003, pointing out errors in the analysis provided by Surfrider)

- Letter from Kevin Darnall to Lesley Ewing and Karl Schwing, California Coastal Commission, Subject: HDCP September 19, 2003 Memorandum from Lesley Ewing to Karl Schwing, December 11, 2003.
- Letter from Kevin Darnall to Karl Schwing, California Coastal Commission, Subject: Dana Point Headlands LCPA 1-03, May 14, 2004. (Backup information from Headlands Reserve LLC relative to the habitat conservation with the following enclosure: Letter from Andrew K. Hartzell, Hewitt & O'Neil, LLP, Subject: Mitigation for Coastal Sage Scrub and Related Sensitive Species Impacts for the HDCP)
- Letter from Chuck Damm, South Coast District Director, California Coastal Commission, to Gary Medeiros, County of Orange Environmental Management Agency, Subject: Central and Coastal Subregion Natural Community Conservation Plan/Habitat Conservation Plan Joint Programmatic Environmental Impact Report No. 553 and Environmental Impact Statement, January 29, 1996. (Comments on the plan; general support stated)
- Memorandum from Rob Balen, LSA Associates, Inc., to Headlands Reserve LLC, Subject: Dana Point Headlands – Air Quality Impacts Associated with Coastal Staff Project Alternative, October 2, 2003.
- Memorandum from Patrick Mock, URS Corporation, to Headlands Reserve LLC, Subject: GPS delineation of Coastal Scrub Habitat within Proposed ESHA Boundary in the Strand Area of the Dana Point Headlands Project Site, October 3, 2003.
- Memorandum from Patrick Mock, URS Corporation, to Headlands Reserve LLC; Subject: Dana Point Headlands – Comments on CCC staff report memoranda, September 30, 2003.
- Letter to Headlands Reserve LLC from Scott Kerwin, AMEC Earth and Environmental, Inc., Re: Response to Geotechnical Review Memorandum, California Coastal Commission Review Letter (7/8/03), Local Coastal Plan Amendment Dana Point LCPA 2-02, Headlands Development and Conservation Plan, October 2, 2003.
- Memorandum from Scott T. Kerwin, AMEC Earth & Environmental, Inc., to Karl Schwing, California Coastal Commission, Subject: Response/Clarifications: Purpose of Shoreline Protection, Surfrider Foundation Letter (1/7/04), Headlands Development and Conservation Plan (HDCP), January 13, 2004.
- Memorandum from Scott T. Kerwin, AMEC Earth & Environmental, Inc., to Karl Schwing, California Coastal Commission, Subject: Response to Public Inquiries, Coastal Erosion Technical Report (7/11/90) and Extent of Previous Subsurface

Exploration Headlands Development and Conservation Plan (HDCP), January 9, 2004.

- Letter from Scott T. Kerwin, AMEC Earth & Environmental, Inc., to Kevin Darnall, Re: Summary of Observations and Associated Photographs 1983–84 Repair and Reconstruction, Rock Revetment and Shorefront Slope, Dana Strand Club Mobile Home Park, December 2, 2003.
- Letter from Scott T. Kerwin, AMEC Earth & Environmental, Inc., to Kevin Darnall, Re: Response to Geotechnical Review Memorandum, California Coastal Commission Review Letter (7/8/03), Local Coastal Plan Amendment DPT LCPA 2-02, Headlands Development and Conservation Plan (HDCP), October 2, 2003.