



# NEWPORT BEACH

## City Council Staff Report

January 22, 2019  
Agenda Item No. 14

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** David A. Webb, Public Works Director - 949-644-3311,  
dawebb@newportbeachca.gov

**PREPARED BY:** Robert Stein, Assistant City Engineer, rstein@newportbeachca.gov  
Makana Nova, Associate Planner, mnova@newportbeachca.gov

**PHONE:** 949-644-3322 and 949-644-3249

**TITLE:** Big Canyon Coastal Habitat Restoration and Adaptation Project –  
Phase 2A – Adoption of Mitigated Negative Declaration (MND) and  
Approve Project Design

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### **ABSTRACT:**

Adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP) in accordance with the California Environmental Quality Act (CEQA) and approval of the design of the Big Canyon Coastal Habitat Restoration and Adaptation Project-Phase 2a.

### **RECOMMENDATION:**

- a) Adopt Resolution No. 2019-9, *A Resolution of the City Council of the City of Newport Beach, California, Adopting Mitigated Negative Declaration No. ND2018-001 (SCH No. 2018081098) for the Big Canyon Coastal Habitation Restoration and Adaptation Project - Phase 2A (PA2018-078)*, including the Mitigation Monitoring and Reporting Plan, prepared for the Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A (PA2018-078), pursuant to the California Environmental Quality Act, State CEQA Guidelines and City Council Policy K-3; and
- b) Approve the design for the Big Canyon Coastal Habitat Restoration and Adaptation Project – Phase 2A.

### **FUNDING REQUIREMENTS:**

This is a joint project between the City and the Newport Bay Conservancy. Project design is funded by the Newport Bay Conservancy through a joint license agreement.

If the MND is adopted, the Newport Bay Conservancy, assisted by City staff, will pursue grant funding for project construction and implementation. A license agreement between the City and the Newport Bay Conservancy will be considered by the City Council at a later date if grant funding is secured.

## **DISCUSSION:**

The proposed project site, referred to as Phase 2a, is located in the City's Big Canyon Park between Back Bay Drive and Jamboree Road in the center section of the Big Canyon Nature Park (the dashed yellow area of the Location Map in Attachment No. CC 2). Over the past century, the creek and canyon habitat have been impacted by stockpiling and spreading of bay dredge spoils over the site, streambed erosion, degraded creek water quality, and the disappearance of native plants and trees. Additionally, the proliferation and expansion of a Brazilian Pepper Tree grove has overgrown a large area of the lowlands, greatly reducing the habitat value and becoming a concealment for improper and/or illegal night time activities.

Phase 2a includes the restoration of historic riparian habitat over the 11.3-acre site by removing non-native vegetation and replanting native species, creating a mosaic of native and sustainable habitats as well as stabilizing the creek and floodplain with erosion control measures. Additionally, improved/enhanced trails and closure of illegal trails for public access and education is part of the project. The project also includes maintenance of the restored habitat area and erosion control measures to ensure that the plants are established and erosion control features function as designed.

Appropriate management of the natural resources within Big Canyon Park is important to meet the City's goal of enhancing habitat and recreational resources within existing open space. The proposed habitat restoration project is planned in coordination with the Resource and Recreation Management Plan (RRMP) prepared by the Irvine Ranch Conservancy under contract with the City of Newport Beach for the Big Canyon Nature Park. The RRMP provides a framework for long term management, habitat restoration, and recreational improvements of the park.

Phase 1 of the habitat restoration project was completed in mid-2017. Currently, the Newport Bay Conservancy is pursuing grant funding to implement Phase 2a (proposed project). Future restoration phases will be proposed as a separate project, as future funding is available. Potential future restoration efforts within Big Canyon would also be coordinated with the RRMP.

### **Harbor, Beaches, and Recreation Commission**

The proposed restoration project was brought to the Parks, Beaches and Restoration Commission on December 4, 2018. The Commission authorized the removal of the Pepper Trees in accordance with Council Policy G-1 and recommended approval of the project by City Council.

With adoption of the MND for CEQA compliance, Newport Bay Conservancy, assisted by City staff, can submit permit applications to the regulatory agencies including the California Coastal Commission for approval of a Coastal Development Permit. The Coastal Commission has jurisdiction as the project site is designated as Tidelands Trust.

## **ENVIRONMENTAL REVIEW:**

An Initial Study and MND have been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and City Council Policy K-3.

Based upon the analysis of the Initial Study, the environmental categories within which the project would have either no impact or less than significant impact were: Aesthetics, Agricultural/Forestry Resources, Air Quality, Geology/Soils and Seismicity, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Population/Housing, Public Services, Recreation, Transportation/Traffic, Tribal Cultural Resources, and Utilities/Service Systems. Based upon the analysis of the Initial Study, there were no environmental categories within which the project would have potentially significant unavoidable impacts. Specific mitigation measures have been included to reduce the potentially significant adverse effects to a less than significant level for Biological Resources, Cultural Resources, and Noise. A MMRP has been prepared for consideration and is included with the Final Initial Study/MND as Exhibit "D" of the draft resolution (Attachment No. CC 1).

The draft Mitigated Negative Declaration was circulated for a 30-day comment period beginning on September 4, 2018 and ending on October 5, 2018. Nine public and agency comment letters were submitted for consideration and are included with responses as Exhibit "C" of Attachment No. CC 1. Although not required pursuant to CEQA, written responses have been prepared for each of the comment letters and they will be included in the Final Initial Study/MND. The errata and final version of the MND are provided as Exhibit "D" of Attachment No. CC 1.

On the basis of the entire environmental review record, the proposed project, with mitigation measures, will have a less than significant impact upon the environment and there are no known substantial adverse effects on human beings that would be caused. Additionally, there are no long-term environmental goals that would be compromised by the project, nor cumulative impacts anticipated in connection with the project. The mitigation measures identified and incorporated in the Mitigation Monitoring and Reporting Program are feasible and will reduce the potential environmental impacts to a less than significant level.

## **NOTICING:**

As part of the MND public review process, the City mailed the Notice of Availability and Intent to Adopt a MND with a detailed description of the project to all property owners within 300 feet of the project site including the Bluffs Homeowners' Community Association and the Eastbluff Apartment Owners' Association. Notices were also posted at the main trail entrances within Big Canyon Park. Additionally, notice of the MND public review period and process was published in the Daily Pilot.

Since the Notice of Availability announced a Zoning Administrator meeting date of October 8, 2018, a second notice was prepared and distributed in the manner described above indicating the January 22, 2019 City Council meeting date.

The agenda item was also noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENTS:**

Attachment CC 1 – Resolution Adopting MND No. ND2018-001

~~Attachment CC 2 – Vicinity Map~~

~~Attachment CC 3 – Big Canyon Habitat Restoration and Adaptation Project Phase 2a  
Design Plans~~