NOTICE OF REVISIONS TO DRAFT EIR SCH NO.2010041056

BASED ON MINOR MODIFICATIONS RESULTING FROM RESPONSES TO PUBLIC COMMENTS
DRAFT ENVIRONMENTAL IMPACT REPORT

Date: October 26, 2011
Subject: Notice of Revisions based on the Responses to Public Comments
Project Title: Pacific Coast Highway/Del Prado Avenue Phase I Street Improvement
Project Applicant: City of Dana Point

The City of Dana Point (City) is issuing this Notice of Revisions to the Draft EIR prepared for the proposed Pacific Coast Highway/Del Prado Avenue Phase I Street Improvement Project located in the City of Dana Point. The revisions to the Draft EIR are based on the Responses to Public Comments received on that document, and provide additional environmental analysis related to the minor modifications to the street improvements proposed by the City in response to the comments received on the Draft EIR.

The revisions are provided in response to comments received by commenting parties on the EIR, and do not constitute a recirculation of the EIR for an additional round of review and comment. Title 14, California Code of Regulations section 15088.5 provides that an EIR should be recirculated only when significant new information is added to the EIR after public notice and comment. It further provides that new information is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon an substantial adverse environmental effect of the project, or a feasible way to avoid or mitigate such an effect that the project proponent has declined to implement.

Here, the new information in the EIR is limited to fractional reductions in the amount of newly proposed (not existing) street side landscaping in an already urbanized environment, and an addition of permissible left-turn movements at various locations within the project area. The reduction in landscaping does not revise the Project in such a way as to change the overall aesthetic complexion of the area, nor does it result in substantially different degrees of permeable versus non-permeable surfaces to change the overall water quality conclusion of a net reduction in storm water runoff. (There remains a significant increase in permeable hardscape and landscaped area in the proposed project.) The addition of additional left-turn movements does not result in any substantial additional traffic generation or stacking, and is itself included in response to comments regarding ease and convenience of traffic flow, to
mitigate perceived points of congestion and circuitous travel. No significant adverse traffic impacts occur from these minor design modifications in the Project.

In the absence of the type of “significant new information” contemplated under section 15088.5, the City has determined that the environmental analyses and conclusions from the originally circulated EIR are sufficient, properly encompass what additional or different incremental changes may occur in response to Project design modifications implemented in response to public comments, and no recirculation is required, or necessary.

These minor modifications are identified and described below.

**North Gateway**

- A portion of the open space area, seat walls, monument and other improvements at the North Gateway on PCH between Blue Lantern and Del Prado Avenue, as shown on the original design, are proposed to be reduced. The majority of the area, instead, is proposed to be vacated to the adjacent property owners of 34091 PCH and 24292 Del Prado. These modifications would result in:
  
  ➢ Possible reduction of the project’s long-term landscaped area by up to 7,737 SF.
  
  ➢ Increase in the adjacent properties’ potential future buildable land area by approximately 1,910 SF (at 34091 PCH), and approximately 3,541 SF (at 24292 Del Prado Avenue). The building square footage is allowed at 2.5 times these figures; increasing the properties’ allowable building areas by 4,775 SF and 8,852 SF, respectively. (Although these changes will allow greater available building area envelopes upon possible future modification or redevelopment of the site, the Project does not include any such redevelopment. The exact delineation of any future redevelopment or building modification is subject to future application, and is at this time wholly speculative. Potential future building modifications will be analyzed under CEQA separately for those projects when the specifics of the individual modification or development proposals are known.) For the environmental review of this project, the effects on this project of the potential increase in building space are evaluated with this modification.
  
  ➢ Reservation of the remaining portion of the proposed vacation area for public utility and landscape purposes, since utilities exist in this area already. Future development within this restricted area shall be limited to landscaping and permeable hardscape improvements, provided said improvements do not impact existing utilities. Similarly, the exact delineation of the proposed public utility and landscape easements shall be subject to City and the governing public utility’s approval.

- Eastbound PCH between Blue Lantern and Del Prado Avenue was widened by 12 feet to include a street pavement chevron-striped area between the bike & traffic lanes, and to allow the construction of a parking cutout. The parking cutout results in the addition of
five (5) on-street parking spaces along PCH between Blue Lantern and Del Prado Avenue.

- One additional Royal Date Palm is proposed to be planted in the parkway along PCH between Blue Lantern and Del Prado Avenue, increasing the number from 4 to 5 Royal Date Palms. The Tipu trees, proposed in the original design to be planted in front of 34091 PCH and 24292 Del Prado, have been eliminated.

Ruby Lantern between PCH and Del Prado Avenue

- The parkway landscape area located between 34105 PCH and the proposed back of sidewalk along Ruby Lantern between PCH and Del Prado Avenue (west side only), as shown on the original design, is proposed to be vacated to the property owner of 34105 PCH.

  - The proposed design modification will reduce the project's landscape area by 448 SF.

  - The proposed vacation of public property will increase the adjacent property's potential future buildable land area by approximately 385 SF. The building square footage is allowed 2.5 times these figures; increasing the property's allowable building area by 962 SF. (Although these changes will allow greater available building area envelopes upon possible future modification or redevelopment of the site, the Project does not include any such redevelopment. The exact delineation of any future redevelopment or building modification is subject to future application, and is at this time wholly speculative. Potential future building modifications will be analyzed under CEQA separately for those projects when the specifics of the individual modification or development proposals are known.) For the environmental review of this project, the effects on this project of the potential increase in building space are evaluated with this modification.

  - The remaining portion of the proposed vacation area will be reserved for public utility and landscape purposes, since utilities exist in this area already. Future development within this restricted area will be limited to landscaping and permeable hardscape improvements, provided said improvements do not impact existing utilities. Similarly, the exact delineation of the proposed public utility and landscape easement shall be subject to City and the governing public utility's approval.

Design modifications made on Del Prado Avenue between Old Golden Lantern and Golden Lantern

- The landscape median on Del Prado Avenue between Old Golden Lantern and Golden Lantern has been reduced to include a left turn pocket lane from the proposed westbound Del Prado onto Old Golden Lantern;
Signing and striping on Old Golden Lantern and Del Prado Avenue have been revised to allow left turn movements at the intersection of Del Prado Avenue and Old Golden Lantern.

Responses to comments on this EIR, which include the minor Project revisions referenced above, must be provided to commenting public agencies at least ten (10) days prior to final certification of an EIR. (Title 14, California Code of Regulations section 15088(b).) This is being done, but to facilitate broad public notice, this Notice is also being provided to directly adjacent property owners, and to all property owners/residents and business directly adjacent to the minor modification areas.

The anticipated environmental consequences of the minor modifications to the Pacific Coast Highway/Del Prado Avenue Phase I Street Improvement Project identified and described above are summarized in the supplemental environmental analysis that is available for public review at the City of Dana Point. The City encourages public agencies, service providers, and members of the general public to review these revisions. Copies of the supplemental analysis and supporting documents are available for public review and inspection at the following location.

City of Dana Point
Public Works Department
33282 Golden Lantern
Dana Point, CA 92629
(949) 248-3500

The supplemental analysis is also available for review on the City’s website at: http://www.danapoint.org/index.aspx?page=298.

This notice as been submitted to the State Clearinghouse, Responsible and Trustee Agencies, and other interested parties that received the Notice of Preparation and Notice of Completion.

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Brad J. Fowler
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October 26, 2011
Date