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Initial Study and Negative Declaration for the  
**Ritz-Carlton Laguna Niguel**  
Proposed Expansion Project



APRIL 2009

PREPARED FOR:  
**City of Dana Point**  
33282 Golden Lantern  
Dana Point, CA 92629

PREPARED BY:



605 Third Street  
Encinitas, CA 92024



**INITIAL STUDY AND NEGATIVE DECLARATION**  
**for the**  
**RITZ-CARLTON LAGUNA NIGUEL PROPOSED**  
**EXPANSION PROJECT**  
**City of Dana Point, California**

*Prepared for:*

**City of Dana Point**  
33282 Golden Lantern  
Dana Point, California 92629

*Prepared by:*

**DUDEK**  
605 Third Street  
Encinitas, California 92024

**APRIL 2009**





**CITY OF DANA POINT**  
**33282 Golden Lantern**  
**Dana Point, CA 92629-1805**  
**(949) 248-3564**

## **NEGATIVE DECLARATION**

### **PROJECT DESCRIPTION:**

#### **RITZ-CARLTON HOTEL EXPANSION**

The Ritz-Carlton Hotel is proposing additions and upgrades to the structure and site. The proposed additions and upgrades include the creation of 27 new guest rooms through the conversion of existing meeting space, infill additions between wings of the hotel, and new detached casitas, a new meeting space addition, meeting room alterations, and enhancements to the hotel's exterior hardscape, landscape, pool, and guestroom patio areas.

Although designed no higher than the height of the existing hotel, areas of expansion exceed current height limitations, and a variance is requested to address the difference between the proposed structure height and the maximum height established by current Zoning Code standards.

Additionally, an amendment to a previously approved conditional use permit is requested to the shared parking program approved in 1999. The amendment accounts for the reapportionment and addition of the different uses associated with the hotel operation.

**PROJECT ADDRESS/LOCATION:** 1 Ritz Carlton Drive/The Ritz-Carlton Hotel is situated on a single parcel approximately 500 feet west of the intersection of Pacific Coast Highway 1 and Niguel Road/Ritz Carlton Drive. (See Regional (Fig. 1) and Vicinity (Fig. 2) Map in attached Initial Study)

Name of project proponent:  
SHC Laguna Niguel I, LLC  
c/o Strategic Hotels & Resorts, Inc.  
200 West Madison Street, Suite 1700  
Chicago, Illinois 60606

**FINDING:** The City of Dana Point has conducted an environmental review of the above described project pursuant to the Guidelines for Implementation of the California Environmental Quality Act and the environmental review protocol of the City of Dana Point. As a result of this review and the Initial Study prepared for the project, the City finds that the proposed Ritz-Carlton Hotel expansion and upgrades could not have a significant effect on the environment.



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## INITIAL STUDY ENVIRONMENTAL CHECKLIST

1. **Project title:** Ritz-Carlton Laguna Niguel Proposed Expansion Project

2. **Lead agency name and address:**

City of Dana Point  
33282 Golden Lantern  
Dana Point, California 92629

3. **Contact person and phone number:**

Kurth Nelson  
City of Dana Point  
949.248.3572

4. **Project location:**

The Ritz-Carlton Hotel is situated on a 150-foot bluff approximately 500 feet west of the intersection of Pacific Coast Highway 1 and Niguel Road/Ritz Carlton Drive, in the City of Dana Point (City), Orange County, California (Figures 1 and 2). There are existing residential uses to the south and east of the project site, with views over the southern portion of the hotel property. To the northeast across Ritz Carlton Drive is an existing commercial center, which is adjacent to an Orange County public parking lot serving Salt Creek Beach Park. Salt Creek Beach Park lies to the north; it is a developed park providing public access to the beach. To the west of the hotel property is a natural bluff with sandy beach below.

5. **Project sponsor's name and address:**

SHC Laguna Niguel I, LLC  
c/o Strategic Hotels and Resorts, Inc.  
200 West Madison Street, Suite 1700  
Chicago, Illinois 60606

6. **General Plan designation:** Visitor/Recreation Commercial (V/RC)

7. **Zoning:** V/RC

## **Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project**

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### **8. Description of project:**

The Ritz-Carlton Laguna Niguel Proposed Expansion Project (proposed project) proposes to upgrade the existing Ritz-Carlton Hotel located in Dana Point. The proposed changes, which would add approximately 30,396 square feet to the existing hotel, include a new meeting space addition, new guest rooms, meeting room alterations, resort enhancements, and other minor conversions (Figure 3).

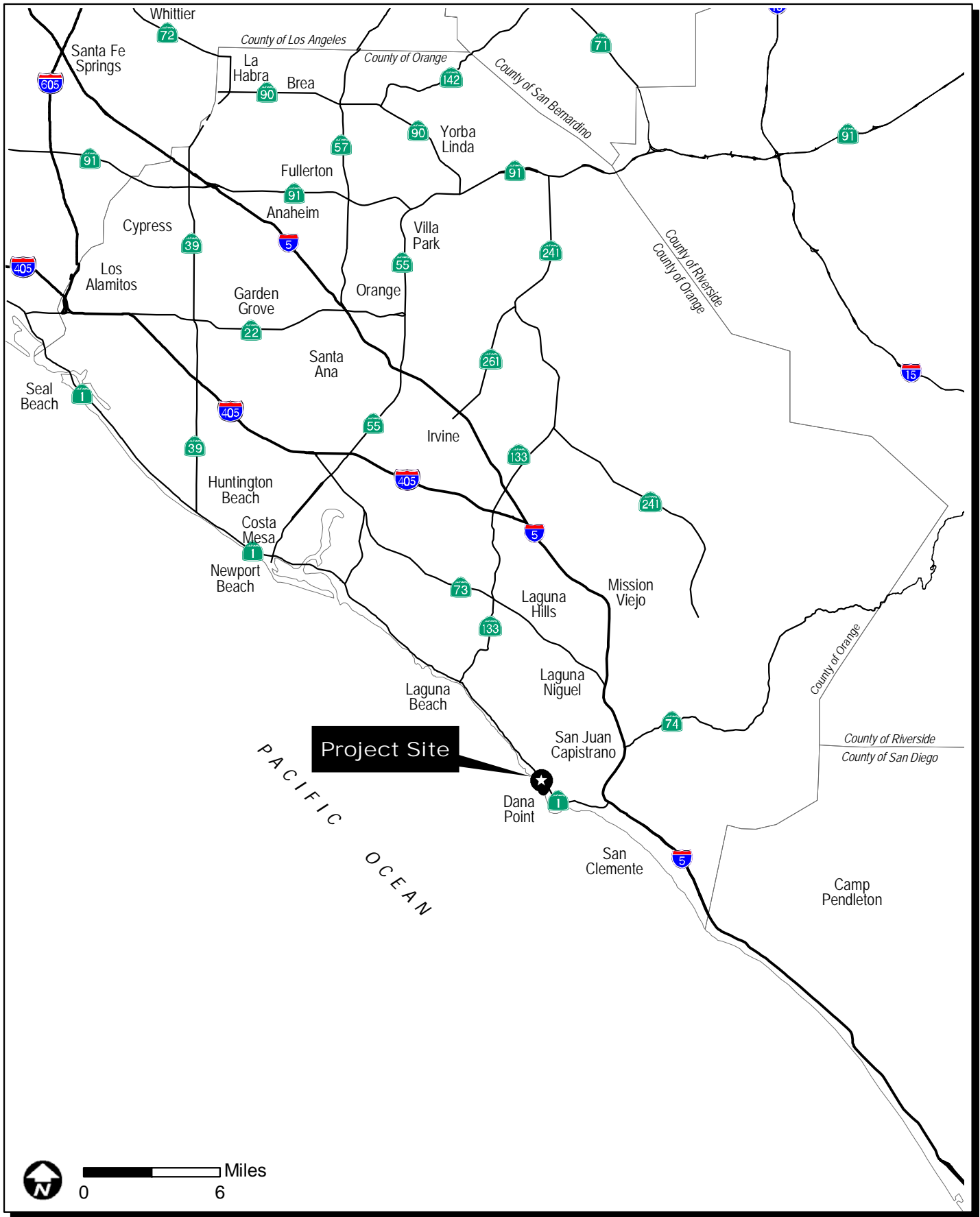
The City has a certified Local Coastal Program; however, the original coastal development permit (CDP) for the Ritz-Carlton Hotel was issued by the California Coastal Commission prior to certification of the Local Coastal Program. As a result, the California Coastal Commission retains jurisdiction for the original CDP and any amendments thereto. In addition, the Ritz-Carlton Hotel must process a site development permit and obtain approval in concept for the amendment to the original CDP from the City prior to processing the CDP amendment with the California Coastal Commission. Additionally, a variance from the City's current height regulations would also be processed since the hotel was approved under different height standards through Orange County. Lastly, an amendment to the minor conditional use permit for the shared parking program originally permitted by the City in 1999 is also necessary to address the additional rooms and change in area to the different uses at the Ritz-Carlton Hotel. The only land uses in the immediate area which may generate heightened public sensitivity to changes within the hotel property are the adjacent residential uses. The proposed changes include the following:

**New Meeting Space.** An addition to the existing structure above the loading dock containing an estimated 15,200 square feet of meeting rooms, pre-function space, valet storage, office, restrooms, and outside balconies.

**New Guest Rooms.** The proposed project would add 27 guestrooms to the existing 393 guestrooms. These new guestrooms include the following: (1) three detached private casitas, (2) four new oceanfront guestrooms accessed through the existing three-story breezeway connecting the central core of the hotel and Monarch Wing 1, (3) three new oceanfront guestrooms accessed through the existing four-story breezeway connecting Dana Wings 1 and 2, (4) three new oceanfront guestrooms accessed through the existing four-story breezeway connecting Monarch Wings 1 and 2, and (5) 14 new oceanfront guestrooms on two levels through the conversion of the existing plaza and pavilion conference/banquet areas.

**Resort Enhancement.** Enhancement and upgrades of various hardscape, landscape, and amenities around the pool areas and on the patios of the ground-floor oceanfront rooms.

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Ritz-Carlton Laguna Niguel Proposed Expansion Project - IS/ND  
Regional Map

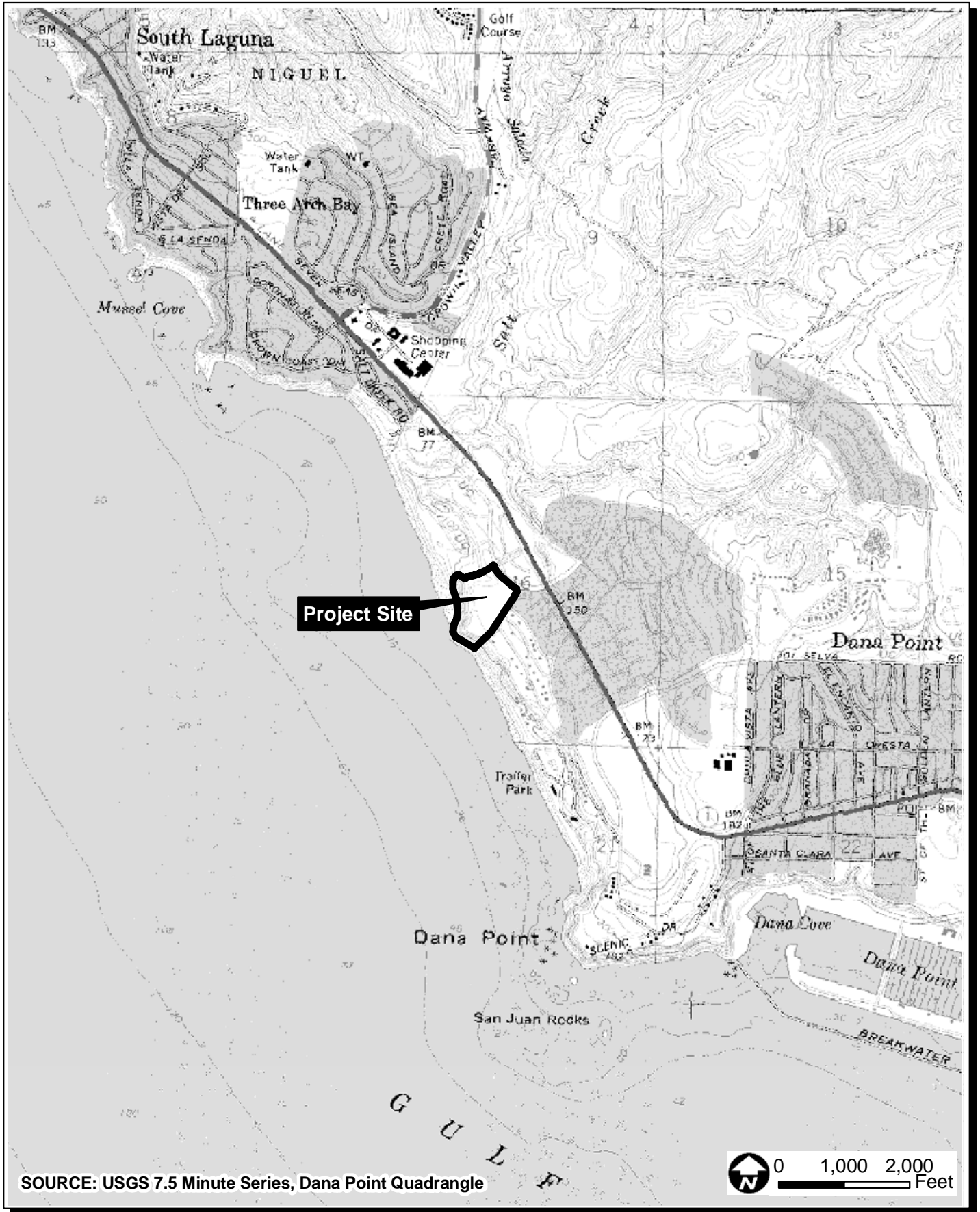
FIGURE  
1

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Ritz-Carlton Laguna Niguel Proposed Expansion Project - IS/ND  
Vicinity Map

FIGURE  
2

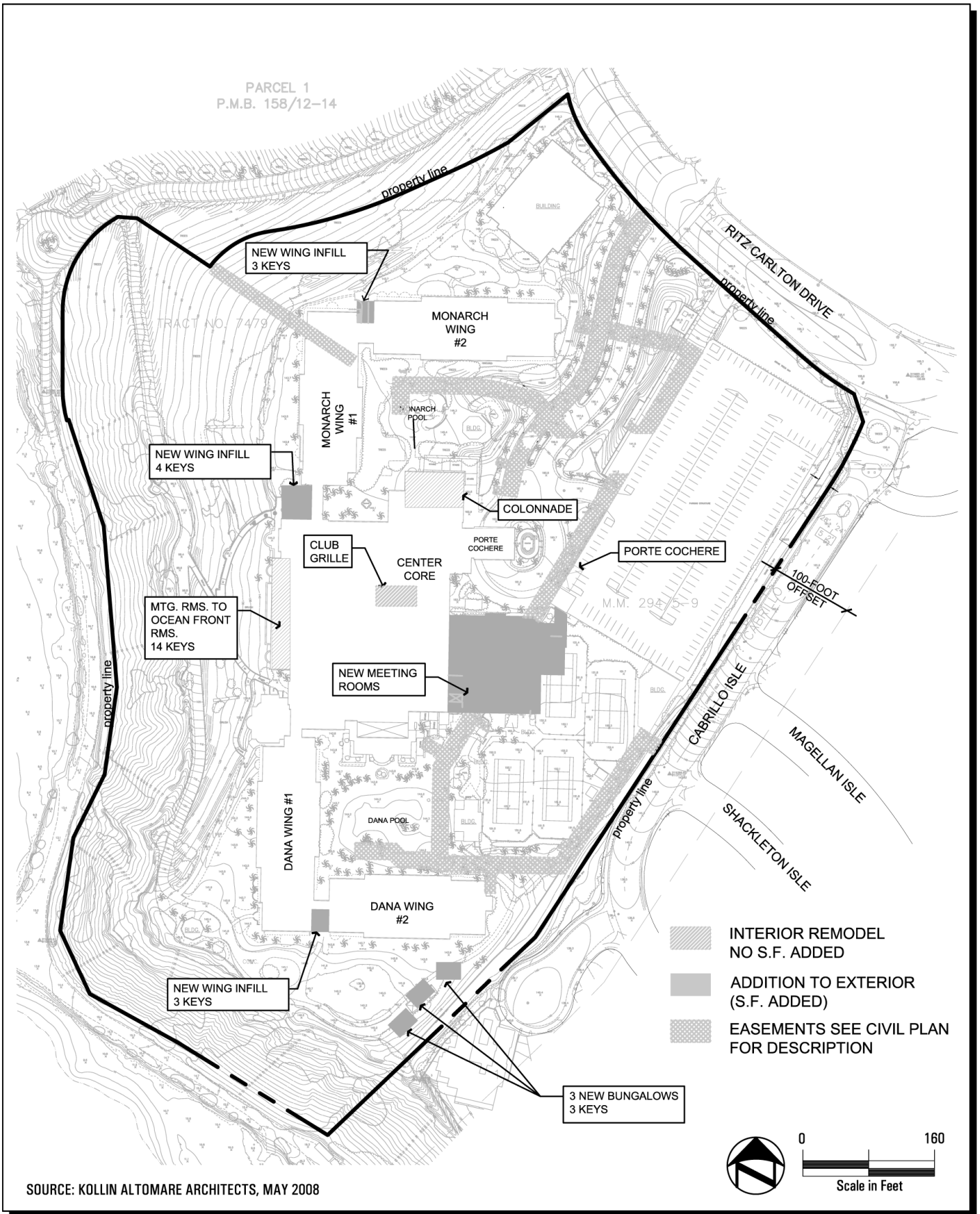
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PARCEL 1  
P.M.B. 158/12-14



Ritz-Carlton Laguna Niguel Proposed Expansion Project - IS/ND  
**Site Plan**

FIGURE  
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**Porte Cochere.** Addition of a porte cochere near the loading dock area.

**Club Grill Conversion.** Conversion of the existing club grill into a service corridor, linking the kitchen, food and beverage storage areas, group registration, and board room.

**Terraces.** Addition of several ocean view terraces.

**Meeting Room Alterations.** Conversion of the existing Terrace and Colonnade meeting rooms and adjacent vestibule into one large break-out space for pool related events, estimated at 3,000 square feet.

**Ocean Lighting.** The project would include five type ocean lighting (OL) fixtures installed on the side of the existing gazebo in a manner and with finishes that make it blend with the ocean side of this structure. The tightly controlled beam of light would operate between dusk and midnight, and would illuminate only the rocks at Dana Point. The ocean lighting would be operated with a timing mechanism that would be coordinated with tidal variations, and would not be operated under winter high tide conditions when the rocks are expected to be submerged beneath the water's surface. Lighting would not be visible from inland views.

**Construction Activities and Hours.** Construction would include the removal of existing concrete along with some minor grading. Construction equipment would be used intermittently depending on the construction phase. All grading would occur between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday in accordance with City regulations. All other construction activities would occur between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday. Construction is prohibited on Sundays and federal holidays. Construction equipment may include dozers, scrapers, front-end loaders, dump trucks, blades, and rollers. Delivery trucks would also be used.

## 9. Surrounding Land Uses and Setting:

The proposed project site is the existing Ritz-Carlton Hotel, located at 1 Ritz Carlton Drive. The hotel is situated on a 150-foot bluff top approximately 500 feet west of the intersection of Pacific Coast Highway 1 and Niguel Road/Ritz Carlton Drive, and east of the Pacific Ocean. The approximately 17.6-acre hotel property is developed and landscaped, with various meeting/banquet facilities and guest amenities. Existing structures on the project site include 393 hotel rooms and suites; a core area consisting of administrative offices, gift and jewelry shops, salon, meeting rooms, and executive offices; recreation facilities consisting of 4 tennis courts, 2 pool areas, and landscaped areas; and a split level parking garage.

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There are existing residential uses within the Niguel Shores community to the south and east of the project site that have views over the southern portion of the hotel property. Residences within Niguel Shores, across Cabrillo Isle have views of the hotel. To the northeast across Ritz Carlton Drive is an existing commercial center, which abuts a public parking lot serving Salt Creek Beach Park. Salt Creek Beach Park lies to the north; it is a developed park providing public access to the beach. To the west of the hotel property is a natural bluff with sandy beach below. Within the project vicinity, there is existing residential development north of Salt Creek Beach Park; the homes have views of the Ritz-Carlton Hotel site. The primary focal point of these views, however, is of the Pacific Ocean to the west. The St. Regis Monarch Beach Resort and Spa is approximately 1/3 of a mile north of the project site located on the east side of Pacific Coast Highway. The Dana Point Headlands project is under construction on the coast approximately 0.5 mile to the south. The Headlands project would include 118 homes and 68-acres of habitat. A major redevelopment of Dana Point Harbor is in the planning stages.

### **10 Other public agencies whose approval may be required:**

California Coastal Commission – Coastal Development Permit

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## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics/Lighting  | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality        |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils      |
| <input type="checkbox"/> Hazards              | <input type="checkbox"/> Hydrology/ Water Quality           | <input type="checkbox"/> Land Use/Planning  |
| <input type="checkbox"/> Mineral Resources    | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services      | <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Transportation     |
| <input type="checkbox"/> Recreation           | <input type="checkbox"/> Mandatory Findings of Significance |   |

### DETERMINATION (To be completed by the Lead Agency):

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

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- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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Kurth Nelson, City of Dana Point

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Date

# Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project

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## EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

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- c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question.
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.



# Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project

## ENVIRONMENTAL CHECKLIST

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS</b> – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>II. AGRICULTURE RESOURCES</b> – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES</b> – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>VI. GEOLOGY AND SOILS – Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to <i>Division of Mines and Geology Special Publication 42</i> .	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>VII. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>VIII. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project

Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the flow rate or amount (volume) of surface runoff in a manner which would result in flooding on or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l) Result in significant alteration of receiving water quality during or following construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m) Could the proposed project result in increased erosion downstream?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
n) Result in increased impervious surfaces and associated increased runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o) Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
p) Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
q) Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
r) Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
s) Have a potentially significant adverse impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
t) Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
u) Impact aquatic, wetland, or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>IX. LAND USE AND PLANNING</b> – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>X. MINERAL RESOURCES</b> – Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XI. NOISE</b> – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XII. POPULATION AND HOUSING</b> – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XIV. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XV. TRANSPORTATION/TRAFFIC – Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Environmental Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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# Initial Study and Negative Declaration for the Ritz-Carlton Laguna Niguel Proposed Expansion Project

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## DISCUSSION OF ENVIRONMENTAL IMPACTS

I. **Aesthetics**—Would the project:

a. *Have a substantial adverse effect on a scenic vista?*

***Less Than Significant Impact.*** The City identifies scenic resources located in Monarch Beach, the “Headlands,” the Capistrano Beach area, and the following City parks: Pines Park, Palisades Gazebo Park, Louise Leyden Park, Lantern Bay Park, Heritage Park, Blue Lantern Lookout Point, and Salt Creek Beach Park (City of Dana Point 1991).

Various policies have been adopted to preserve these visual assets. Since the proposed project is not visible from any of the scenic resources identified in the Conservation/Open Space Element of the City’s General Plan, the project would not affect these scenic resources. The proposed project would result in the expansion of facilities to the Ritz-Carlton Hotel. While many of the proposed expansions are located in areas where the existing structure contains height and mass, the new meeting rooms are proposed in a location containing a small amount of enclosed space only one story high with little mass and above the existing loading dock area. The new meeting rooms would be added onto the northern portion of the hotel’s central core on the second level (ground level at the hotel’s main entrance). Neither the proposed meeting room expansion nor the other expansions creating the new guestrooms would exceed the existing height of the hotel, which now partially occupies some of the views from the adjacent homes to the southeast. The proposed improvements to the Ritz-Carlton Hotel would not have a substantial adverse effect on a scenic vista since the expansions at the hotel would not exceed the height of the existing structure, and are not visible from any of the Scenic Overlooks identified in the City’s General Plan.

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

***Less Than Significant Impact.*** State Route 1, a designated state scenic highway, runs in a northwest/southeast direction within one-third of a mile of the project site. Current views of the Pacific Ocean from State Route 1 are mostly obstructed by existing residential development and landscaping, as well as partially by the existing hotel. Proposed additions and improvements to the hotel would not substantially damage scenic resources, trees, rock outcroppings, historic buildings, or a scenic highway as they would not exceed the height of the existing hotel, nor would they be visible from State Route 1. Therefore, impacts would be less than significant.

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*c. Substantially degrade the existing visual character or quality of the project site and its surroundings?*

**Less Than Significant Impact.** Two key observation points (KOPs) were selected to represent the visual conditions and that will occur as a result of the project (Figure 4A). These KOPs were selected based on the viewshed from which the major area of expansion is likely to be seen. Most views of the project site from surrounding areas are generally blocked, or are obstructed by existing development, terrain, elevations, and vegetation. Site visits to nearby Scenic Overlooks determined that only locations within the Niguel Shores community would have views to the proposed major expansion area on the east side of the hotel. Both KOPs are located in the Niguel Shores community and are represented in the attached simulations.

**KOP No. 1** (Figure 4B) is a view looking northwest towards the project site from Magellan Isle. Currently, views from this location are mostly of the roof line of the hotel's center core area, and the southernmost portion of the Dana Wing 2 of the hotel, with some trees and vegetation visible just above the masonry wall along the southeastern property line. Coupled with the fact that the finished grade of the hotel's center core is approximately 16 feet lower than that of KOP No. 1, and the presence of the aforementioned vegetation and masonry wall, a majority of the hotel is obstructed from view. With the addition of the proposed meeting rooms, views from KOP No. 1 would continue to consist of the hotel roof line and surrounding vegetation, with no substantial change in visual character. The proposed casitas would not be visible from the KOP No. 1 on Magellan Isle due to the significant change in grade between the two locations and view obstruction created by the existing masonry walls, vegetation, and residential structures.

**KOP No. 2** (Figure 4C) was the second location chosen for the visual simulation because of the potential visibility of the project improvements. Located along Shackleton Isle, just southeast of the intersection with Cabrillo Isle, this view looks northwest toward the hotel. Currently, views from this location reveal the roof line of the center core area of the hotel and various vegetation found on the project site. From this location, a minimal amount of the existing structure is visible. Due to the closer proximity of the proposed meeting room expansion to KOP No. 2, a slight increase in the total amount of viewable hotel area from this location would result, which mostly consists of roofline views. However, as previously stated, the height of the meeting rooms will not exceed the overall height of the hotel structure.

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Ritz-Carlton Laguna Niguel Proposed Expansion Project - IS/ND  
**Visual Simulations Index Map**

**FIGURE  
4A**

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KOP 1: Existing view looking northwest from Magellan Isle



KOP 1: Visual Simulation

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Ritz-Carlton Laguna Niguel Proposed Expansion Project - IS/ND  
**KOP 1 Visual Simulation**

**FIGURE  
4B**

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KOP 2: Existing view looking northwest from Shackleton Isle



KOP 2: Visual Simulation

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Potential aesthetic impacts may occur on a temporary basis during the construction activities as a result of stockpiling, construction equipment and personnel within the construction zones. These temporary disturbances and staging areas would be restored to their original state once the renovations and additions have been completed.

Although visible from surrounding areas, the change in visual character is not substantially adverse. Therefore, less than significant impacts would occur.

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

***Less Than Significant Impact.*** The only additional lighting associated with the proposed project would be the minimal lighting associated with the three casitas, which would be similar to the lighting of the existing hotel rooms and which would not emit enough light to cause a significant impact, and the dusk-to-midnight small beam of light illuminating rocks just off the Dana Point coastline. The ocean lighting would operate with a timing mechanism that would be coordinated with tidal variations, and would not be operated under winter high tide conditions when the rocks are expected to be submerged beneath the water's surface. The dusk-to-midnight lighting would include attaching lighting fixtures to the existing gazebo which would focus a concentrated beam of light aimed specifically at a cluster of rocks just offshore. The ocean lighting plan is included as Appendix A. The lighting system would be located on the upper portion of the most westward facing elevation of the existing gazebo structure and would be directed towards the ocean. Five type OL light fixtures would be attached to the gazebo in a manner and painted with colors that would blend into the ocean side of this structure, producing little to no visual effects. The light generated by this system would be focused on a group of rocks located offshore and would not create glare or illuminate the surrounding residences, beach, or coastline. The ocean lighting would not be operated under tide conditions where the rocks are beneath the water's surface. The ocean lighting system would not generate a substantial amount of light or glare which would adversely affect day or nighttime views. The lighting associated with the additional rooms and meeting space would be minimal. Therefore, effects related to light and glare associated with the proposed project, including both the overall hotel lighting as well as the proposed ocean lighting, would be less than significant.

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### II. Agricultural Resources—Would the project:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

*No Impact.* According to the State of California Department of Conservation (CDC), Division of Land Protection “Orange County Important Farmland Map,” the proposed project site does not contain Prime Farmland, Unique Farmland or Farmland of Statewide Importance (CDC 2008). Therefore, the project would not result in impacts to prime farmland, unique farmland, or farmland of statewide importance.

- b. Conflict with existing zoning for agriculture use, or a Williamson Act contract?*

*No Impact.* The proposed project site is not zoned for agricultural use and is not subject to a Williamson Act. Therefore, no conflict with a Williamson Act would occur and no impacts would occur.

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

*No Impact.* As described in responses II-a and II-b, no portion of the project is located within or adjacent to existing agricultural areas, nor would facilities necessary for project implementation or operation result in the conversion of farmland to non-agricultural use. Therefore, conversion of existing farmland to urban uses would not occur.

### III. Air Quality—Would the project:

This section discusses the impacts to air quality and is based partly on information from the *Traffic Impact Analysis for the Ritz Carlton Expansion* (Kimley-Horn 2007) and the associated Addendum Letter (Kimley-Horn 2009). The project proposes expansions within the hotel’s current boundaries and involves minimal improvements. The proposed project would not have any significant impact on air quality.

- a. Conflict with or obstruct implementation of the applicable air quality plan?*

*Less Than Significant Impact.* The project site is located within the South Coast Air Basin, which is governed by the South Coast Air Quality Management District (SCAQMD). It is the responsibility of the SCAQMD to ensure that state and federal ambient air quality standards are achieved and maintained in the Basin. Health-based air

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quality standards have been established by California and the federal government for the following criteria air pollutants: ozone (O<sub>3</sub>), CO, NO<sub>2</sub>, particulate matter with a diameter of 10 microns or less (PM<sub>10</sub>), sulfur dioxide (SO<sub>2</sub>), and lead (Pb).

A plan to meet the federal standard for ozone was developed in 1994 during the process of updating the 1991 state-mandated plan. This local plan was combined with plans from all other California non-attainment areas having serious ozone problems and used to create the California State Implementation Plan (SIP). The SIP was adopted by the Air Resources Board after public hearings on November 9–10, 1994, and was forwarded to the Environmental Protection Agency (EPA) for approval. After considerable analysis and debate, particularly regarding airsheds with the worst smog problems, EPA approved the SIP in mid-1996.

The proposed project relates to the SIP and/or RAQS through the land use and growth assumptions that are incorporated into the air quality planning document. These growth assumptions are based on each City's and the Orange County General Plan. If a proposed project is consistent with its applicable General Plan, then the project is assumed to have been anticipated in the regional air quality planning process. Such consistency would ensure that the project would not exceed regional projections relative to air quality impacts.

Because the project is consistent with the City's general plan, it does not conflict with the applicable air quality plan for the region. Therefore, impacts would be less than significant.

***b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

***Less Than Significant Impact.*** Air quality impacts are usually considered in terms of short-term and long-term impacts. Short-term impacts are usually the result of construction or grading operations. Long-term impacts are associated with the build-out (operational) condition of the proposed project. The SCAQMD CEQA Air Quality Handbook (1993) states that any projects in the SCAB with daily emissions that exceed any of the thresholds should be considered as having an individually and cumulatively significant air quality impact. The project's daily emissions do not exceed any of the thresholds of the SCAQMD CEQA Air Quality Handbook.

The project would introduce minimal additional traffic to the immediate area, and impacts are not expected to be adverse. As described in the traffic study as supplemented

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by the February 9, 2009 Addendum Letter, the project would generate only an additional 221 daily trips (Kimley-Horn 2009). Traffic on local streets averages approximately 20,000–30,000 trips per day (Kimley-Horn 2007). Traffic generated by the proposed project would be negligible and would not trigger any of the significance thresholds established for criteria pollutants.

The proposed project includes 30,396 square feet of additional floor area and does not include any major earthwork, only minor site preparation. Therefore, impacts to air quality from construction emissions and operation of the project would be less than significant.

Greenhouse gas (GHG) emissions would be associated with both the construction and operational phase of the proposed project through the use of construction equipment and the generation of additional vehicle trips, respectively. Current State of California guidance and goals for reductions in GHG emissions are generally embodied in Assembly Bill No. 32 (AB-32), which establishes a goal of reaching 1990 levels by 2020 and describes a process for achieving that goal.

The proposed project would not represent a substantial contribution to cumulative GHG emissions for State-wide GHG emission reduction strategies. Construction emissions of greenhouse gases would be short-term, and operational emissions would be minimal. As a result, the project would not result in any impediments towards achieving the emission reduction targets that are currently established. Therefore, impacts would be less than significant.

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

***Less Than Significant Impact.*** The South Coast Air Basin is currently in a non-attainment status for ozone and suspended fine particulates. The proposed project would result in only minimal increases in traffic volumes in the area—221 additional trips a day—thus producing a negligible increase in net emissions associated with the project. The project does not involve changes in diesel truck or bus routes, or changes in the natural environment. The construction of hotel amenities would therefore not result in individual project-related impacts, a cumulatively considerable net increase in emissions, or contribute to a new violation or increase the frequency or severity of existing air quality violation standards.

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*d. Expose sensitive receptors to substantial pollutant concentrations?*

**Less Than Significant Impact.** Pollutant concentrations are not substantial because of the limited construction activity. In addition, the duration of exposure is limited due to the short term nature of the construction activities. Dust control measures would be employed to reduce construction effects on surrounding populations. Emissions would occur only during the construction phase and are limited to on-site equipment. Since impacts exposing sensitive receptors to a substantial pollution concentration are limited in scope and temporary in nature, impacts would be less than significant. Post-construction traffic generated by the proposed project would not result in any traffic delays creating increased vehicle idling times resulting in pollutant concentration. Therefore, impacts both during and after construction would not result in substantial pollutant concentrations.

*e. Create objectionable odors affecting a substantial number of people?*

**Less Than Significant Impact.** The proposed project would generate a limited amount of diesel exhaust from the operation of construction equipment. Operation of construction equipment would be limited due to the limited amount of grading proposed. Such exposures would be short-term and/or transient since they would occur during the construction phase only, and would not reach levels of significance. Therefore, the proposed project would create a less than significant amount of objectionable odors that could affect a substantial number of people.

**IV. Biological Resources—**Would the project:

This section discusses the impacts to biological resources and is based on the *Biological Resources Letter Report for the Ritz-Carlton Laguna Niguel Proposed Expansion Project* (Dudek 2009), which is included as Appendix B. The proposed project is not expected to have significant impacts on biological resources.

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

**Less Than Significant Impact.**

**Hotel Improvement Impacts.** Implementation of the proposed hotel improvements is anticipated to have no effect on natural biological resources. All impacts would occur on

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previously developed land and no impacts would occur in native habitats. All of the hotel improvements are planned within the existing hotel development; therefore, they would not impact existing biological resources. A large majority of the on-site vegetation is comprised of professionally maintained ornamental landscape, including various native and non-native trees, shrubs, and turf. A total of 63 species of vascular plants were found on the project site, 17 of which were native and 46 of which were non-native. No special status plant species were found or are expected to be on site. Along the ocean-front cliff and between the hotel and beach, coastal bluff scrub is present. This bluff vegetation is subject to windy coastal conditions and is located in rocky soil with little water holding capacity. Hotel improvements would not affect the area containing coastal bluff scrub, and improvements would be limited to non-sensitive areas. 17 species of wildlife were found on the project site, none of which were special status species. Moreover, the project site is not located in an area identified as biologically sensitive (City of Dana Point 1991) This lack of diversity reflects the general developed aspect of the project site, and as such no impacts on sensitive species would result from the hotel improvements.

**Ocean Lighting Impacts.** The area of proposed illumination is anticipated to be minimal in size and would emit no more than 1.5 footcandles. In addition, the proposed light source would be only one of many sources of lighting in the general background of the immediate area, and therefore would occur within the matrix of other light sources and light fixtures. As a result, the light fixtures themselves would not stand out among other light sources in the area. Additionally, because the zone of illumination from the planned lighting is minimal in both size and intensity, it is not anticipated to have a significant impact on biological resources.

There is no potential for significant impacts to bats, sea turtles, insects, and amphibians because the area to be lit does not support sea turtles or amphibians, and is not a habitat area for bats or insects. Similarly, no impacts to snowy plover are expected because snowy plover nest in dry sand, and the proposed lighting would not impact the sand.

Grunions, which spawn on the beach from March through August, would not be affected because their spawning area—the beach—would not be illuminated as part of the proposed project. Furthermore, Grunion spawn 2–4 days after the full moon, therefore the beach is usually at one of its brightest points during Grunion spawning. Also, grunion eggs are normally covered by sand. Initially, the eggs are covered by 2–3 inches of sand, but subsequent to the outgoing tide, the eggs are typically covered by 8–16 inches of sand, ensuring that they would not be subject to any harmful light sources. It is wave action and agitation, not light exposure, which are the most important factors in the

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hatching of the eggs. Moreover, lighting has been shown to actually have a positive effect on larval young grunion (Dudek 2009).

The ocean lighting plan would not disrupt biological rhythms or interfere with the behavior of nocturnal animals. The proposed light source would be integrated into the general background of the area, which already includes a myriad of light sources and is currently lit by both surrounding development and existing beach facilities. As a result, the change in overall illumination would be very small and unnoticeable.

Similarly, the lighting plan is not expected to have significant impacts on migrating fish. First, the area that would be illuminated is not a primary migration area for fish. Second, the effected area is small, and the amount of light is no more than 1.5 footcandles. Third, the light is aimed at the rocks, and very little light would spillover onto the immediate surrounding water. The small amount of light that may potentially hit the water would be further attenuated by particulate matter and wave agitation in the water, therefore it is unlikely that the light would impact fish. The ocean lighting would operate with a timing mechanism that would be coordinated with tidal variations, and would not be operated under winter high tide conditions when the rocks are expected to be submerged beneath the water's surface.

There would not be any significant impacts to migrating birds. There is only an extremely small area that would be lit, and that area that would be lit is not a primary migration area for birds. Moreover, the proposed lighting would be within a matrix of existing light sources as viewed by migrating birds. These lights would not occur above existing lights or lower than existing lights on the face of the bluff.

The proposed project would not have a significant impact on aquatic invertebrates. Nearly all of the studies that have found an impact have focused on freshwater organisms in low oxygen content lakes with relatively clear water, not marine organisms with cloudy and agitated conditions. Light penetration would be greater in clear lakes with low concentrations of dissolved oxygen content and algae: in contrast, the extremely small area of ocean water that could potentially have indirect light spillover from the proposed project's light source would be in the ocean, with highly dissolved oxygen content and cloudy waters. As a result, any light on the ocean water from the proposed project would be dispersed as it enters the water, attenuating its effect. Absorption or attenuation of the minimal light would occur as soon as light enters the water column. Moreover, the water column is in constant flux, due to wave action. This flux increases the amount of particulate matter in the water column and thus increases the light attenuation.

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Reduced oxygen is not a threat in the area to be lit. Even if there were an increase in phytoplankton due to lack of zooplankton foraging in this area, it would not result in reduced oxygen. The zone of illumination is small and would be compensated for by wave action redistributing phytoplankton concentrations and by oxygenating the water by wave agitation.

As a result of the foregoing analysis, impacts on sensitive species resulting from ocean lighting are anticipated to be less than significant.

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

***No Impact.*** No riparian habitat exists on the project site, and ornamental landscaping occupies most of the vegetation on the property except for the coastal bluff. Coastal Bluff Scrub is present on the property and exists along the oceanfront cliff-face of the bluff between the hotel and beach, but would not be impacted by the proposed improvements. Therefore, impacts would not occur.

- c. *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

***No Impact.*** There are no sensitive wetland communities on the project site. Therefore, no impacts would occur.

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

***Less Than Significant Impact.*** On-site ornamental vegetation includes various native and non-native tree, shrubs, and turf which usually occur in parks, greenbelts, and other landscaping. This cover-type has the potential to provide nesting and roost sites for raptors, and possible movement corridors for mammalian or bird migration (Dudek 2009). A total of 17 species of wildlife were recorded on the project site: 14 birds, 1 mammal, and 2 reptiles. The low animal diversity reflects the developed nature of the site. No raptors or nesting birds were observed on site or within 100 feet of the proposed hotel improvement work areas. No special status animals were found during the on-site survey, therefore implementation of the proposed hotel improvements are not anticipated



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to cause impacts to special status wildlife. Therefore, impacts would be less than significant.

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

***No Impact.*** The Conservation Element of the Dana Point General Plan includes objectives and policies concerned with protecting the biological resources of the City (City of Dana Point 1991). Since the proposed improvements would be constructed on already developed land, the project would not conflict with any of the policies under Goal 3 (Conserve natural plant and animal communities) and no impacts would occur. No other local policies or ordinances protecting biological resources are applicable to the proposed project.

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

***No Impact.*** The proposed project does not impede upon a habitat conservation plan, natural community conservation plan, or any other locally approved regional or state habitat conservation plans. Furthermore, there are no habitat conservation plans (HCPs), natural community conservation plans (NCCPs), or other approved conservation plans applicable to the project site, therefore, no impacts would occur.

**V. Cultural Resources—Would the project:**

This section discusses the impacts to cultural resources and is based on the City's General Plan Conservation Element. The project proposes expansions within the hotel's current site boundaries and consists of minimal construction and scope of work. Overall, the proposed project is not expected to have any significant impacts on cultural resources due to the existing developed nature of the site.

***a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?***

***No Impact.*** According to the Dana Point General Plan Conservation Element, four areas of historic relevance are recorded within the City (City of Dana Point 1991). None of the identified sites are located on or in the vicinity of the proposed project site. Because the project site is devoid of historical resources (all structures are less than 25 years old), no impacts are anticipated.

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

***No Impact.*** The Orange County area has been a prime focus for human occupation since Native American hunter-gatherers first arrived in the region. According to the Dana Point General Plan, there are seven cultural sites known to occur within the Dana Point City Limits (City of Dana Point 1991). Most of the sites are located in and around the center of the City, and none are identified within the project site. In addition, the project site has previously been disturbed by grading and soil compaction activities. The proposed improvements would not involve substantial excavation activities, and the minor site grading required would be primarily within areas of fill placed during the original construction of the hotel. Therefore, the project is not expected to cause a substantial adverse change to the significance of an archaeological resource pursuant to Section 15064.5 of CEQA. No impacts are anticipated.

- c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

***No Impact.*** No impacts to paleontological resources would result due to the fact that no deep excavations into native geologic features would result. Therefore, no impacts to unique paleontological resources, sites, or unique geologic features would occur.

- d. Disturb any human remains, including those interred outside of formal cemeteries?***

***No Impact.*** See response V-b.

**VI. Geology and Soils—Would the project:**

This section discusses the impacts to geology and soils and is based on findings within the *Preliminary Geotechnical Investigation for the Proposed Hotel Expansion of the Ritz-Carlton Laguna Niguel* (Ninyo and Moore 2007), which is included as Appendix C. The project proposes expansions within the hotel's current site boundaries and consists of minimal construction and scope of work. The proposed project is not expected to have significant impacts related to geology and soils.

- a. Expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:***

***i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or***

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*based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

***Less Than Significant Impact.*** Due to its location within seismically active Southern California, the proposed project site could be affected by local fault zones. Alquist-Priolo earthquake fault zones (A-P zones) have been established for the majority of these faults and fault zones. The Newport-Inglewood Fault, located approximately 2 miles southwest of the project site, is the closest known potentially active fault. The project site is not located within any Earthquake Fault Zone delineated by the State of California for the hazard of fault surface rupture. The surface traces of any active or potentially active faults are not known to pass directly through, or toward the project site. Therefore, the potential for surface rupture due to faulting occurring beneath the site during the design life of the proposed structure are not anticipated, and impacts would be less than significant.

### ***ii. Strong seismic ground shaking?***

***Less Than Significant Impact.*** The site is located in a seismically active area, as is the majority of Southern California. The most significant seismic hazard at the site is considered to be shaking caused by an earthquake occurring on a nearby or distant active fault. The Newport-Inglewood Fault is the closest known potentially active fault. Based on the Geotechnical Investigation (Ninyo and Moore 2007), the potential for deep-seated rotational or block-glide landslides due to earthquake ground shaking is considered low. The proposed project's construction is considered feasible from a geotechnical standpoint, provided that recommendations in the report are incorporated into the design plans and implemented during construction. These recommendations include guidelines regarding: compaction, material for fill, and soils corrosion. In addition, plans and specifications would be reviewed by a qualified geotechnical engineer prior to construction to ensure that appropriate design measures are employed to address the potential for ground shaking. Therefore, it is not anticipated that the project would expose people or structures to potential substantial adverse effects related to ground shaking.

### ***iii. Seismic-related ground failure, including liquefaction?***

***Less Than Significant Impact.*** Liquefaction of soils can be caused by ground shaking during earthquakes. Research and historical data indicate that loose, relatively clean, granular soils are susceptible to liquefaction, whereas the stability of the majority of clayey silts, silty clays and clays is not adversely affected by ground

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shaking. Liquefaction is generally known to occur in saturated cohesion-less soils at depths shallower than approximately 50 feet. According to Seismic Hazards Zones Maps published by the State of California, the site is not mapped within an area considered susceptible to liquefaction (Ninyo and Moore 2007). Based on the site groundwater and geologic conditions, the potential for liquefaction is considered low. It is not anticipated that the project would expose people or structures to potential substantial adverse effects.

#### *iv. Landslides?*

***Less Than Significant Impact.*** The Ritz-Carlton Hotel currently occupies the project site and is not identified as being located within an area susceptible to landslide hazards in the Safety Element of the City's General Plan (City of Dana Point 1991). Landslide hazard areas are generally considered to exist when substantial slopes are located on or immediately adjacent to a subject property. The existing property is approximately 150 feet above mean sea level (AMSL).

Due to the steep condition of the natural bluffs at the site, there is a potential for bluff area landslides. Previous studies indicate that the orientation of bedding of the rock formations consists of an overall east-west trending strike and a northerly dip in the range of 30 to 70 degrees (Ninyo and Moore 2007). This bedding orientation is considered neutral with respect to the orientation of the bluff faces and reduces the probability of a landslide occurring along bedding planes. The modified bluffs at the site have been graded to flatter inclinations and are landscaped and have a low potential for landsliding.

There is a potential for the project site to be affected by earthquake-induced landslides. Potential earthquake-induced landslides that may be anticipated to affect the natural bluffs on the site would include shallow rockfalls and debris slides. Based on the geologic structure, the potential for deepseated, rotational or block-glide landslides due to earthquake ground shaking is considered low. Project design includes an approximate 2:1 slope gradient, vegetation on the slopes, and drainage devices. Based on the fact that impacts to the natural bluff are avoided, and measures have been included in the project design to avoid bluff failure, a less than significant impact due to bluff area landslides is expected to occur.

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

***Less Than Significant Impact.*** Short-term erosion effects during the construction phase of the project would be avoided through implementation of proper Best Management Practices (BMPs) included as part of the Water Quality Management Plan (WQMP) required for the project and prior to permit issuance. The project site consists of numerous existing structures on graded pads with no substantial areas of exposed soil. Project construction involves only minor site preparation with no substantial grading or exposure of soils. The contractor would be required to comply with standard engineering practices for erosion control, and a qualified soils engineer would monitor soil compaction during construction. Standard measures include overexcavation, recompaction, deep foundations, and special foundation design. Therefore, impacts would be less than significant.

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

***Less Than Significant Impact.*** The project's geotechnical evaluation (Ninyo and Moore 2007) includes recommendations addressing temporary construction dewatering, compaction, material for fill, retaining walls, street pavement, and soil erosion. Incorporation of these recommendations as features of the project would ensure potential geologic and soil related impacts would be less than significant. The potential for liquefaction and anticipated impacts are discussed in response VI-a (iii).

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

***Less Than Significant Impact.*** The hotel site is located at the southeastern end of the San Joaquin Hills, an area underlain by sedimentary rock units of the Monterey and Capistrano formations. Background materials reviewed indicate that much of the near-surface, terrace deposit soils on site consists of coarse, sandy materials which are considered to have a low potential for expansion. In addition, the project site is underlain by sandstone, siltstone, shale, and mostly well consolidated conglomerate (Ninyo and Moore 2007). According to the City of Dana Point Geotechnical/Seismic Hazards Map, soils on site have a low expansion potential. Impacts would be less than significant.

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

*No Impact.* The Ritz-Carlton Hotel is currently being serviced by the municipal sewer system provided and maintained by the South Coast Water District and would not require the use of septic tanks or alternative wastewater disposal. Therefore, no impacts are expected.

### **VII. Hazards and Hazardous Materials—Would the project:**

- a. *Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?*

*Less Than Significant Impact.* The proposed project would not involve the use of explosives or acutely hazardous materials. The proposed project would not involve the routine transport, use, or disposal of hazardous materials. On-site use and storage of hazardous materials would be limited to small amounts of common chemicals used for landscaping and maintenance. During the construction period, standard BMPs, as required by the City Engineer as standards for permit issuance, would be applied to ensure that all hazardous materials (i.e., construction equipment fuel) are stored properly and that no hazards occur during this phase of the project. Therefore, impacts would be less than significant.

- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

*Less Than Significant Impact.* No hazardous materials aside from small amounts of everyday household cleaners and common chemicals used for landscaping and maintenance are anticipated to be located on-site. Through the implementation of BMPs, as required by the City Engineer as standards for permit issuance, adverse impacts would not occur in the event of accidental conditions. Therefore, impacts would be less than significant.

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within 0.25 mile of an existing or proposed school?*

*Less Than Significant Impact.* The proposed project site is not located within 0.25 mile of an existing or proposed school. No hazardous materials aside from small amounts of

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common chemicals used for cleaning, landscaping and maintenance are anticipated to be located on-site. Impacts would be less than significant.

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

*No Impact.* The project site is not included on a list of hazardous material sites, and therefore would not result in a significant hazard to the public or to the environment.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

*No Impact.* The proposed project is not located within an airport land use plan or within 2 miles of a public airport or public use airport, and therefore would not result in a safety hazard for people residing or working in the project area.

- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

*No Impact.* The project is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area.

- g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?*

*No Impact.* The development of additional structures is not anticipated to result in any construction-related road closures that would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impacts would result.

- h. Expose people or structures to a significant risk of loss, injury or death involving wildlands fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

*Less Than Significant Impact.* The project site is located adjacent to Salt Creek Beach Park, a Orange County-maintained coastal park comprised of developed recreational and landscaped areas. Construction at the project site would comply with City codes, and the

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risk of wild fire from this area would be low. Therefore, impacts would be less than significant.

### **VIII. Hydrology and Water Quality—Would the project:**

This section discusses the impacts to hydrology and water quality. The project proposes expansions within the hotel's current boundaries and consists of minimal construction and scope of work. The proposed project is not expected to have significant impacts related to hydrology and water quality.

#### **a. *Violate any water quality standards or waste discharge requirements?***

***Less Than Significant Impact.*** Construction at the project site is not expected to violate any water quality standards or waste discharge requirements. Construction activities associated with the proposed project could result in wind and water erosion leading to sediment-laden discharges to nearby water resources. Sediment transport to the Pacific Ocean to the west of the project area could result in degradation of water quality. The project would require a WQMP which must include BMPs to address potential water quality and drainage impacts both during and following construction. The City currently maintains a Municipal Storm Water Discharge Permit from the Regional Water Quality Control Board. Conditions of that permit include design requirements and BMPs on new development to avoid or reduce water quality impacts resulting from urban runoff. Design measures and/or BMPs would be required as standards for permit issuance. Therefore, effects on water quality and waste discharge would be less than significant.

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

***Less Than Significant Impact.*** Construction of the proposed project would slightly increase the amount of impervious surfaces due to the construction of new structures on land previously undeveloped. Existing landscape coverage on site totals 48%, with proposed improvements covering only 2% of the site. Given this small increase in impervious surface, impacts to local groundwater recharge would be less than significant.



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- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site?*

**Less Than Significant Impact.** The proposed project would introduce impervious surfaces consisting of three casitas and infill additions in areas that are now permeable ground. Impervious surfaces, such as those mentioned above, intercept rainfall and convey flow that would otherwise naturally infiltrate into the soil. The existing drainage pattern would not change but the runoff amounts would increase slightly.

Increases in peak runoff rates and volumes resulting from changes in impervious surfaces and drainage patterns would not be substantial. Any erosion and siltation resulting from altered drainage on site would be controlled via post-construction BMPs, as stipulated in the WQMP required for the project prior to the issuance of any permit. Therefore, impacts would be less than significant.

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

**Less Than Significant Impact.** Improvements would not substantially alter runoff patterns, volumes or velocity. Changes to impervious surfaces are minimal and any potential flooding hazard would be minimized by proper drainage design; therefore, impacts would be less than significant.

- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

**Less Than Significant Impact.** The project is not expected to generate a substantial amount of runoff and would not exceed the capacity of existing or planned stormwater drainage systems or result in substantial additional sources of polluted runoff. Therefore, impacts would be less than significant.

- f. Otherwise substantially degrade water quality?*

**Less Than Significant Impact.** See VIII-a. Impacts would be less than significant.

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- g. Place housing within a 100-year flood hazard area as mapped on a federal flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

*No Impact.* According to the City's Open Space for Public Health and Safety Map, the proposed project area is not located in any flood zone area; therefore, it is not considered a flood hazard. Per FEMA floodplain mapping, the project site is located in zone X, which is designated as "areas determined to be outside of the 0.2% annual chance floodplain." Therefore, there would be no impact.

- h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?*

*No Impact.* According to the City's Flood Hazard Area Map contained in the General Plan's Public Safety Element, the proposed project site is not located within the 100-year flood zone; therefore, no impacts are anticipated to occur.

- i. Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

*No Impact.* The project site is located on top of a coastal bluff and is not directly downstream or in the path of any levees, dams, rivers or lakes that could potentially cause damaging floods. Therefore, no people or structures would be at significant risk of flooding, and no impacts would occur.

- j. Result in inundation by seiche, tsunami or mudflow?*

*Less Than Significant Impact.* Due to the elevation of the project site (approximately 150 feet AMSL) and its location on top of the coastal bluff, impacts due to inundation by seiche, tsunami, or mudflow would be considered less than significant.

- k. Result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)*

*Less than Significant Impact.* See response to VIII-a. Current use of the proposed project site is guest accommodations. No change to this status would occur with the proposed expansion. Pollutants such as heavy metals, pathogens, petroleum, and

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derivatives are not associated with or used on site. Therefore, impacts due to pollutant discharge into receiving waters would be less than significant.

***l. Result in significant alteration of receiving water quality during or following construction?***

***Less Than Significant Impact.*** See response to VIII-a. Implementation of project improvements would be conducted in accordance with both construction and post-construction BMPs contained in the required WQMP and using appropriate erosion control techniques. Consequently, there would be no significant alteration of receiving water quality during or following construction, and impacts would be less than significant.

***m. Result in increased erosion downstream?***

***Less Than Significant Impact.*** See response to VIII-a. Project construction would include necessary Best Management Practices and erosion control measures, thus limiting the amount of runoff from the site. Since proper BMPs would be implemented, as required by the approved WQMP for the project and as standards for permit issuance, an increase in erosion downstream would not take place. Therefore, impacts would be less than significant.

***n. Result in increased impervious surfaces and associated increased runoff?***

***Less Than Significant Impact.*** See response to VIII-b. Improvements extending beyond the existing hotel footprint would increase the footprint by approximately 2%. An increase to impervious areas would occur, but the 2% increase is minimal and would not produce a significant increase in runoff from the project site. Therefore, impacts to associated runoff would be less than significant.

***o. Create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?***

***Less Than Significant Impact.*** Proposed improvements to the current hotel would not affect runoff flow rates or volumes due to the minimal scope of proposed enhancements. Drainage patterns would not be affected due to the existing storm drain system already in use on-site. Therefore, impacts to drainage patterns and runoff rates would be less than significant.

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- p. Tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, can it result in an increase in any pollutant for which the water body is already impaired?*

*Less Than Significant Impact.* Per the Clean Water Act Section 303(d), runoff from the project site does not flow to an impaired body of water. Therefore, no resulting increase would occur to an already impaired body of water.

- q. Tributary to other environmentally sensitive areas? If so, can it exacerbate already existing sensitive conditions?*

*Less Than Significant Impact.* Given that runoff from the project site does not flow into a tributary or any other environmentally sensitive areas, there is little chance that already existing conditions would be exacerbated. Therefore, less than significant impacts are anticipated.

- r. Have a potentially significant environmental impact on surface water quality to either marine, fresh, or wetland waters?*

*Less Than Significant Impact.* Proposed expansions to the hotel would be subject to water quality control measures contained in the WQMP required prior to the issuance of any permit for the project, and implemented prior to the commencement of any grading or construction activities. Therefore, the project would not result in significant impacts to marine, fresh, or wetland waters.

- s. Have a potentially significant adverse impact on groundwater quality?*

*Less Than Significant Impact.* Although the project would slightly reduce groundwater quantities, the proposed project would not result in changes in the quality of groundwater. Therefore, no significant adverse effects would result.

- t. Cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?*

*Less Than Significant Impact.* See response to VIII-a. Proposed additions to the existing hotel structure are not expected to cause or contribute to groundwater degradation and would not affect beneficial uses.

- u. Impact aquatic, wetland, or riparian habitat?*

*Less Than Significant Impact.* See response to VIII-r.

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### **IX. Land Use and Planning—Would the project:**

#### ***a. Physically divide an established community?***

***No Impact.*** The project would not involve the extension of a roadway or a proposed use that could potentially divide a community, nor would any housing be removed as part of the proposed improvements. The proposed project would consist of renovating and expanding the existing structure. Therefore, no impacts would occur.

#### ***b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?***

***Less Than Significant Impact.*** The proposed project is consistent with the General Plan Land Use Element's designation for the project site, which is zoned as Visitor/Recreation Commercial or V/RC. In addition, according to the Open Space for Preservation of Natural Resources map, the project site is located in an area that is "unaffected" (City of Dana Point 1991), meaning no biologically, culturally, archaeologically sensitive areas exist on site. The proposed project is in conformance with the policies outlined in the City of Dana Point Zoning Code, which also serves as the City's local coastal program since it was ratified by the California Coastal Commission in November 1997. The proposed project is thus consistent with the policies established by the California Coastal Act. These policies focus on the protection of coastal resources and the regulation of development in the coastal zone, and they encourage well-planned and orderly development which is compatible with resource protection and conservation.

Although the current height of the hotel is in accordance with the original Orange County approval and the California Coastal Commission's original conceptual approval, and the existing structure and the proposed improvements would not exceed the existing hotel's height, the current hotel and some areas of expansion exceed the City's current height regulations. Even though the design of the improvements observes the maximum height of the current hotel, the proposal nonetheless requires a variance from current City height regulations by which the proposed project must be assessed.

The City's current height standards were adopted in 1997, rendering the height of the hotel structure nonconforming. The Ritz-Carlton Hotel was originally approved in 1982 under the jurisdiction of Orange County. Subsequent to Orange County's approval and in accordance with their original conceptual approval of a hotel for the site, the California

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Coastal Commission issued a specific coastal development permit allowing the height of the current hotel. This current height is in accordance with the height limitations imposed on the site by the original conceptual approval of the California Coastal Commission, which anticipated a hotel on the site. Although the proposed additions to the Ritz-Carlton Hotel require a variance from the City's current height restrictions, the height of the additions associated with the project would not exceed the height of the existing structure in accordance with the previous California Coastal Commission approvals for the structure. Since the proposed height variance request complies with the original approval for the structure and does not appreciably change the visual character of the surrounding area, the impacts would be less than significant.

The proposed project also requires an amendment to the minor conditional use permit associated with the shared parking program approved for the Ritz-Carlton Hotel in 1999. Further discussion of the shared parking program is contained in Section XV-f.

No other policies or requirements relating to avoidance or mitigation of an environmental effect would apply to the project; consequently, impacts would be less than significant.

**c. *Conflict with any applicable habitat conservation plan or natural community conservation plan?***

***No Impact.*** The proposed project site is not within an area covered by an HCP or NCCP; therefore, no impacts would occur.

**X. Mineral Resources—Would the project:**

**a. *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

***No Impact.*** According to the Generalized Mineral Land Classification Map of Western Orange County, the project site is not located in an area designated as containing significant mineral resources (MRZ-2). Additionally, according to the Conservation Element of the General Plan, the site is located outside of areas designated as MRZ-2 (City of Dana Point 1991). Therefore, the project would have no impact on a known mineral resource.

**b. *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

***No Impact.*** See response X-a.

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### XI. Noise—Would the project result in:

This section discusses the impacts to noise and draws upon the findings within the *Traffic Impact Analysis for the Ritz Carlton Expansion* (Kimley-Horn 2007) and the associated Addendum Letter (Kimley-Horn 2009). The project proposes expansions within the hotel's current boundaries with a minimal scope of work and is not expected to have significant impacts on noise.

#### a. *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

***Less Than Significant Impact.*** According to Figure N-2 of the City's General Plan Noise element, the project site lies adjacent to the 60 Community Noise Equivalent Level (CNEL) noise contour (City of Dana Point 1991). Noise associated with the proposed project would include short-term construction noise. Noise generated by construction, including trucks and other equipment, would temporarily impact nearby sensitive receptors. Construction noise would be kept to a minimum to avoid disturbing hotel guests and sensitive receptors. All grading would occur during the hours of 7:00 a.m. to 5:00 p.m. Monday through Friday in accordance with the City's Municipal Code. All other construction activities would occur during the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. Construction is prohibited on Sundays and federal holidays. Construction equipment may include dozers, scrapers, front-end loaders, dump trucks, blades, rollers, and similar equipment. Delivery trucks would also be used.

Traffic generated by the proposed improvements would be minimal and consist of 221 daily trips. Niguel Road and Pacific Coast Highway are four lane roads located adjacent to the project site. Each carries approximately 18,000 and 34,000 average daily trips, respectively. The addition of 221 trips, (15 trips during the morning peak hour and 16 trips during the evening peak hour) would not result in increases in noise that would be perceptible above ambient noise levels. Therefore, the project would not generate direct noise impacts or contribute substantially to cumulatively considerable noise impacts in the project area, and project generated noise would not exceed the standards established by the City's General Plan. Therefore, impacts would be less than significant.

#### b. *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

***Less Than Significant Impact.*** Heavy equipment used during the grading and construction activities may generate minimal ground vibration. However, the proposed

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project would not result in exposure of people to excessive groundborne vibration or groundborne noise levels. Groundborne vibration is associated with pile driving, demolition and blasting, none of which are necessary or anticipated as part of this project. Therefore, impacts would be less than significant.

**c. *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***

***Less Than Significant Impact.*** Traffic associated with the proposed project improvements would add approximately 221 daily trips (15 trips during the morning peak hour and 16 trips during the evening peak hour) to local traffic volumes. Niguel Road and Pacific Coast Highway are located adjacent to the project site, with traffic counts of approximately 18,000 and 34,000 average daily trips respectively. The addition of 221 trips each day to the adjacent roadways would not create noise sufficient to result in a potentially significant impact. The project proposes no change in uses associated with the existing hotel. The proposed improvements would simply expand the area of some of the existing uses at the hotel; specifically guest rooms and conference/banquet facilities. This expansion, however, would not significantly increase ambient noise levels in the project vicinity as the expansions create indoor space and exterior noise levels would not generate any potentially significant impact. Therefore, impacts would be less than significant.

**d. *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?***

***Less Than Significant Impact.*** Construction activities near the existing residential areas to the south and east of the site would generate some temporary daytime noise. However, noise sources associated with construction, repair, remodeling, or grading of any real property are exempted from the City's noise ordinance, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, including Saturday, or at any time on Sunday or a Federal holiday. Construction impacts would be temporary and are not expected to be sustained for long periods of time. Consequently, project construction would not result in a substantial temporary or periodic increase in ambient noise levels. Impacts would be less than significant.

**e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?***



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*No Impact.* The proposed project site is not located within an airport land use plan or within 2 miles of a public airport or public use airport.

- f. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

*No Impact.* The proposed project is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels.

### **XII. Population and Housing—Would the project:**

- a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and business) or indirectly (e.g., through extension of roads or other infrastructure)?*

*No Impact.* The proposed project includes the construction of guest rooms/casitas and expansion of conference/banquet facilities, and would use existing roads and infrastructure. In addition, the minimal improvements would not result in a substantial increase in additional employees, which could indirectly affect population growth. Therefore, no impacts to population and housing would occur.

- b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

*No Impact.* The proposed project consists of additions to an existing structure and three small, detached casitas, at a full service hotel/resort and would not displace existing housing. Therefore, there would be no impact.

- c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

*No Impact.* The proposed project would not displace existing housing or cause residents to be displaced. Therefore, there would be no impact.

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### **XIII. Public Services**

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

*i. Fire protection?*

*Less Than Significant Impact.* The Orange County Fire Authority provides fire protection and safety services for the City. The nearest fire station is OCFA Fire Station #30 located at 23831 Stonehill Drive. The design of the proposed project must comply with Fire Department requirements and standards to ensure access is provided. The project would not result in an increase in call volume or an increase in response to the area. The proposed project would not involve the closure of any surface streets that would increase the response time for Fire Protection services. Therefore, impacts to response times would be less than significant.

*ii. Police protection?*

*Less Than Significant Impact.* Police protection services for the City are provided by the Orange County Sheriff's Department. The Sheriff's Department operates out of Dana Point's City Hall, located at 33282 Golden Lantern, Dana Point, California 92629. The project would not result in an increase in call volume or an increase in response time to the area. Less than significant impacts related to police protection or services would be anticipated with implementation of the proposed project.

*iii. Schools?*

*No Impact.* See also XII. The proposed project consists of expansion of hotel uses and does not propose permanent housing; thus, it would not increase the local population. Therefore, there would be no additional demand placed on nearby schools.

*iv. Parks?*

*No Impact.* See also XII. The proposed project would not generate an increase in population, and therefore would not increase demand for parkland.

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*v. Other public facilities?*

*No Impact.* The proposed project consists of the addition of guestrooms and conference/banquet facilities at an existing hotel intended for visitor use. The increase in square footage of this visitor serving use would not result in substantial increases in demand for public facilities and therefore would not impact other public services.

**XIV. Recreation**—Would the project:

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

*Less Than Significant Impact.* The proposed project would not affect the use of existing neighborhood and regional parks or recreational facilities. The proposed project would not generate population growth that would result in increased use of existing recreational facilities, require the construction of supplemental recreational facilities, or preclude the implementation of planned facilities. Therefore, impacts would be less than significant.

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

*No Impact.* See response XIV-a.

**XV. Transportation/Traffic**—Would the project:

This section discusses the impacts on local traffic and draws upon the findings within the *Traffic Impact Analysis for the Ritz Carlton Expansion* (Kimley-Horn 2007) and the associated Addendum Letter (Kimley-Horn 2009), as well as a revised parking analysis (Kimley-Horn 2008). These documents are all included as Appendix D. The project proposes expansions within the hotel's current boundaries with a minimal scope of work and is not expected to have significant impacts on traffic circulation.

*a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads or congestion at intersections?*

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***Less Than Significant Impact.*** The addition of project traffic would not cause a change in level of service (LOS) from acceptable to unacceptable nor would project traffic cause an increase in the volume to capacity ratio (V/C) of 0.010 or more, both of which are impact criteria for the City. Project traffic would cause an increase in V/C of 0.002, thus, the project traffic would not result in a significant impact on daily roadway operation. The studied roadway segments would operate at LOS C or better on a 24-hour basis under cumulative plus project traffic conditions, with the exception of roadway segment of PCH south of Niguel Road, which would continue to operate at LOS F. Cumulative projects identified in the traffic impact analysis together would generate about 56,858 daily trips, with 4,524 of these trips during morning peak hours and 5,609 trips during the evening peak hours.

The proposed project would add approximately 30,396 square feet of area to the hotel, which would include 27 guest rooms, and conference/banquet facilities. The Traffic Impact Analysis (Kimley-Horn 2007) as supplemented by Kimley-Horn's February 9, 2009, Revised Project Addendum Letter, concluded that the project would generate 221 additional daily trips, using trip generation rates from the Trip Generation publication of the Institute of Transportation Engineers (7<sup>th</sup> Edition). The Orange County Congestion Management Program (CMP) states that a traffic impact analysis is required only for proposed developments generating 1,600 or more daily trips. Since the proposed project would only generate 221 daily trips, it is not required to comply with the CMP traffic impact analysis guidelines.

The proposed improvements would not significantly increase the traffic load in the area. Therefore, operational impacts would not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system; therefore, impacts would be less than significant.

- b. Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?***

***Less Than Significant Impact.*** See response XV-a.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?***

***No Impact.*** The proposed project is not within the impact area of an Airport Land Use Compatibility Plan and does not include components that would alter air traffic patterns.

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It would not, therefore, result in a change of air traffic patterns or result in substantial safety risks. Therefore, there would be no impacts.

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

**No Impact.** The proposed project does not include the development or redesign of any roadways that would pose a hazardous threat due to a design feature. No impacts are expected.

**e. *Result in inadequate emergency access?***

**Less Than Significant Impact.** A revision to the fire master plan for the Ritz-Carlton Hotel has already been approved by the Orange County Fire Authority, ensuring emergency access is provided to the site. The proposed project would not involve the closure of any surface streets that would increase the response time for emergency services. Therefore, impacts to emergency access would be less than significant.

**f. *Result in inadequate parking capacity?***

**Less Than Significant Impact.** The Ritz-Carlton Hotel currently has a parking supply of 853 spaces. Re-striping to provide the required number of handicap parking spaces would occur as part of the proposed project, however, and as a result the parking supply would be reduced to 847 spaces. The hotel formerly received approval of a shared parking program by the City in 1999. An addendum to the shared parking program was completed in 2007, to account for differences between the forecasted improvements in the 1999 program, and the actual size of the fitness center addition and spa renovations while at the same time accounting for the loss of 54 parking spaces in the parking structure dedicated to hotel storage. The current proposal would add 27 guest rooms and new conference/banquet facilities to the hotel. An amendment to the previously approved shared parking program would be sought based on the updated parking analysis conducted by Kimley-Horn and Associates (2008). Kimley-Horn's parking analysis utilized the same rationale as the original shared parking program and associated addendum which relies on the fact that multiple uses associated with the hotel (guest rooms, restaurants/lounges, spa, conference facilities, etc.) are primarily used by guests of the hotel, and recaptures, on a permanent basis, the 54 parking spaces currently dedicated to hotel storage. The rationale also factors in a percentage of non-guest use of the hotel's restaurants/lounges, conference and banquet facilities uses. Kimley-Horn's analysis accounts for the parking demand created by the proposed expansion coupled with the

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parking demand of the existing hotel and its various uses determining that, once complete, the hotel would have a maximum parking demand of 837 parking spaces (Kimley-Horn 2008). When compared to the existing parking supply, there would be a surplus of no less than 10 parking spaces at any time. Given this information, it has been determined that adequate parking would be provided. The need to provide additional parking structures is not necessary; therefore, project implementation would have a less than significant impact on parking.

***g. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?***

***No Impact.*** Project implementation would not conflict with adopted policies, plans, or programs supporting alternative transportation within the City. Impacts are not expected to occur.

**XVI. Utilities and Services Systems—Would the project:**

This section discusses the impacts on local utilities and service systems. The project proposes additions within the current site boundaries. Thus, overall impacts would be minimal and would not have significant impacts on local utilities and service systems.

***a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?***

***Less Than Significant Impact.*** The proposed project's scope consists of improvements and additions to the existing hotel structure on a fully developed site. The proposed project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. Stormwater runoff impacts are discussed in Section VIII a. The City requires the control and treatment of stormwater runoff to mitigate the effects of new construction/development. The City of Dana Point, including the subject property, is located within the service area of the South Coast Water District (SCWD). The proposed project would continue utilizing existing municipal facilities to accept the sewage flows generated from the proposed project. The existing sewage collection and treatment systems have adequate capacity to accommodate the proposed expansion at the hotel. No significant impacts would occur to either the existing collection or treatment facilities. Further, project implementation does not include uses that would necessitate treatment beyond that currently provided. Therefore, the raw sewage generated by the proposed project would not exceed wastewater treatment requirements established by the Santa

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Ana Regional Water Quality Control Board. Therefore, impacts on wastewater treatment facilities would be less than significant.

- b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

***Less Than Significant Impact.*** See response XVI-a.

- c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

***Less Than Significant Impact.*** See response XVI-a.

- d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

***Less Than Significant Impact.*** The project would not necessitate substantial additional water supplies beyond what is currently available to the site. The proposed improvements are below the threshold for requiring a water supply assessment, and the small increase in demand can be accommodated with existing supplies. The project is consistent with the City's General Plan Land Use Element and would not create demands for water that exceed the parameters upon which the water supply and distribution is based. Although new entitlements are required to implement the project, existing water supplies are adequate to ensure the provision of adequate fire flows and domestic water service to the site. Therefore, impacts on water supply would be less than significant.

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

***Less Than Significant Impact.*** Refer to response XVI-a.

- f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?***

***Less Than Significant Impact.*** The proposed hotel expansion project is not of a scale that would generate substantial quantities of solid waste, and therefore would not significantly impact solid waste services or facilities. The project would be required to

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comply with the City of Dana Point Municipal Code for solid waste management and sanitation regulation, including construction waste and recycling requirements during project construction. Since the project is consistent with the site's General Plan designation and would be required to comply with City codes and requirements, including solid waste reduction and recycling requirements, impacts to solid waste disposal facilities are anticipated to be less than significant.

***g. Comply with federal, state and local statutes and regulations related to solid waste?***

***No Impact.*** The project would comply with federal, state and local statutes and regulations related to solid waste during both construction and operation. No impacts would result.

### **XVII. Mandatory Findings of Significance**

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

***No Impact.*** The proposed project would not result in any significant impacts to biological resources. There are no known significant cultural resources located within the project site. Therefore, no impacts to known resources would occur as a result of the project.

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

***No Impact.*** No long-term significant impacts are associated with the project. There may be short-term impacts occurring during construction, but none of those impacts are significant and would not result in the overall impacts of the project being cumulatively considerable. The proposed project is not considered significant when taking into account current and future projects, including the Headlands, the 28 single-family attached units immediately south of the St. Regis Monarch Beach Resort and Spa, and the Dana Point Town Center – all of which have been previously assessed under CEQA, and calculated into the potential build-out of the City in the Land Use Element of the General Plan. Additionally, since the impacts of the proposed expansion at the Ritz-Carlton Hotel are



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less than significant and would represent less than a 10% increase in the existing area of the hotel at the fully developed site, when considered cumulatively with other projects, the proposed project would have no impacts that are individually limited, but cumulatively considerable.

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

***Less Than Significant Impact.*** The project would result in environmental impacts. However, it was determined through this Initial Study that the project's potential impacts would not cause substantial adverse effects on human beings either directly or indirectly. Therefore, impacts are considered less than significant.

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**APPENDIX A**  
*Ocean Lighting Plan*