

18th September, 2011

City of Newport Beach  
3300 Newport Boulevard  
Newport Beach, California 92663  
Attention: Patrick Alford

RE: Newport Banning Ranch DEIR

Dear Mr. Alford,

Thank you for the opportunity to comment on the Newport Banning Ranch Draft Environmental Impact Report (DEIR). Please include the following comments and concerns in the official record. Please include the following comments and concerns in the official record.

(DEIR response) Attn Mr. Patrick Alford City of Newport Beach. Helen G Nadel 6 Summerwind Court Newport beach, CA 92663 310 346 9119 hgnadel@aol.com 09/15/2011 Dear Sir/Madam, I am a concerned resident of Newport Crest. I am extremely concerned especially with the environmental effect which the Banning Ranch development project would create within our pristine coastal area. The question is, would the development project or the proposed alternatives present a significant environmental effect will impact our very lives --all of our lives and our children's within our entire coastal area? Alternatives analyzed in this EIR are listed and summarized below.

- Alternative A: No Action/No Development Alternative (Continuation of Existing Land Uses).
- Alternative B: Newport Beach General Plan/Open Space Designation. This would seem to be the alternative which would bring the least environmental damage. But is it really acceptable for our health, the animal and plant life? The following roadways would be constructed consistent with the City of Newport Beach General Plan's Circulation Element: (1) a north-south road with a southern terminus at West Coast Highway and extending to a northern terminus at 19th Street (Bluff Road and North Bluff Road); (2) the extension of 15th Street from its existing terminus to Bluff Road within the Project site; (3) the extension of 16th Street from its existing terminus to Bluff Road within the Project site; and (4) the extension of 17th Street from its existing terminus to Bluff Road within the Project site. As with the proposed Project, Alternative B also assumes the deletion of the future extension of a second road through the Project site and its connection to West Coast Highway; this action would require the approval of a General Plan Amendment to the City's Circulation Element and an amendment to the Orange County MPAH. Consistent with the roadway assumptions for the proposed Project, North Bluff Road (extending from 17th Street to 19th Street) would transition from a four-lane divided to a two-lane undivided road to 19th Street. Alternative B would eliminate significant and unavoidable impacts associated with traffic, air quality, greenhouse gases, and certain noise impacts when compared to the proposed Project; however, there would still be impacts that could not be reduced to a level considered less than significant.
- Alternative C: Proposed Project with Bluff Road Extending to 17th Street. Alternative C would have cumulatively considerable contributions to regional pollutant concentrations of ozone (O3) (Threshold 4.10-3). Alternative C would emit quantities of greenhouse gases (GHGs) that would exceed the City's 6,000 metric tons of carbon dioxide equivalent per year (MTCO2e/yr) significance threshold. Development associated with Alternative C would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).
- Alternative D: Reduced Development and Development Area. This Alternative does not eliminate any of the significant impacts of the proposed project. Alternative D would emit quantities of GHGs that would exceed the

City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative D would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change. (Threshold 4.11-1).

Alternative E: Reduced Development Area. Regional (mass) emissions of NO<sub>x</sub> are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable impact (Threshold 4.10-2). Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Project development continues beyond 2020, emissions of volatile organic compounds (VOCs) and carbon monoxide (CO) would exceed the significance thresholds, principally due to vehicle operations. Therefore, the impacts remain significant and unavoidable (Threshold 4.10-2). Alternative E would have cumulatively considerable contributions to regional pollutant concentrations of O<sub>3</sub> (Threshold 4.10-3). Alternative E would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative E would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).

Alternative F: Increased Open Space/Reduced Development Area. regional (mass) emissions of NO<sub>x</sub> are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable (Threshold 4.10-2). Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as development continues beyond 2020, emissions of VOCs and CO would exceed the significance thresholds, principally due to vehicle operations (Threshold 4.10-2). Alternative F would have a cumulatively considerable contribution to regional pollutant concentrations of O<sub>3</sub> (Threshold 4.10-3). Alternative F would emit quantities of GHGs that would exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. Similar to the Project, Alternative F would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1).

From all the proposed alternatives, it is my conclusion that only one allows for our children's health and ours to remain unaffected. Alternative A is the only option which we have in order to maintain the fragile balance of our environment. This is only acceptable solution in order to sustain animal and plant life as the other alternatives would generate undoubtedly the health hazards which I describe below. As per the other alternatives, quite a few questions arise: How many cars will be driving back and forth through our coastal area releasing greenhouse gases in the atmosphere? (Alternative B,C,D,E,F). The threat to the public health and welfare is great hexafluoride (SF<sub>6</sub>), carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur will be released in the atmosphere. The atmospheric concentrations of these key greenhouse gases will be creating an immense threat to our environment and climate change now, and for current and future generations.

R:\Projects\Newport\J015\!Draft EIR\1.0 ExSum-090411.doc 1-10 Newport Banning RanchDraft Environmental Impact Report. Section 1.0 This alternative (A) would not have any impacts that are significant and unavoidable, whereas the proposed project would have significant unavoidable impacts associated with land use compatibility (due to noise, and night lighting), aesthetics, transportation, air quality, greenhouse gas emissions, and noise.

How much more greenhouse gases do we need in the atmosphere which will affect your breathing and your children's? How many more Asthma cases do we need to see develop? Upper respiratory and lung diseases? Lung cancer? In all the cases, whichever Alternative but A, would result in vehicles traversing from 15th, 16th, and 19th street to Pacific Coast Highway. The combined emissions of CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and HFCs from new motor vehicles and motor vehicle engines contribute to the atmospheric concentrations of these key greenhouse gases and hence to the threat of climate change. Speaking of carbon foot print, can you imagine the impact to our environment which will be brought about by

the residents of 1,375 homes, the guests of the 75 room resort and the daily -7 days a week visitors of the 7,500 square feet commercial space? The animals will not just be affected: they will perish. What about human life? Almost every day that I take my little Maltese dog out within our Newport Crest complex, I see an emaciated coyote wandering around our very grounds! Two days ago, I saw TWO in two different areas of Newport Crest. I have been a resident of Newport Crest since 2002, and never did we see animals look for food outside of the Banning Ranch area, before. When I contacted the Newport Crest HOA, they indicated that they were getting more and more reports of such occurring from the Newport Crest Residents. A couple of years ago, before the developers started the mowing and began the planned, systematic destruction of the plant life in Banning Ranch, we used to see squirrels and rabbits hop around Newport Crest, and only squirrels and rabbits. The overflow of squirrels and rabbits seemed to increase suddenly when the insanely extended mowing started. Then, coyotes started sneaking around our very grounds of Newport Crest, which is adjacent to Banning Ranch, following the displaced food chain. At this point, I NEVER SEE RABBITS ANYMORE, PRACTICALLY NO SQUIRRELS. \*\*\*\*\*ONLY COYOTES\*\*\*\*\*within our very grounds of Newport Crest. The exact ground, which we own and where we take our dogs. Right in our backyards. On our own lawns by our condos. To sum it up, here is a glance into our already unfolding personal tragedy in Newport Crest, and surrounding areas: Ever since the developers have been mowing and destroying our coastal ecological balance, squirrels and rabbits looking for food on our premises, invaded our grounds. The coyotes ate them. The food chain seems to have been completely disrupted. The coyotes remain, killing our pets "every day I see a note on our mailboxes, describing a lost cat! The coyotes are dying of hunger, and they are looking for my dogs. I will sue the developers personally, should anything happen to my furry family members. WHAT I DESCRIBED ABOVE IS ONLY THE RESULT OF THAT INTENSE MOWING. WHAT WILL HAPPEN IF THE DEVELOPMENT TAKES PLACE? What will happen, as well, if any of the proposed alternatives for that matter, but Alternative A comes to fruition? The current development footprint clearly intrudes into California Gnatcatcher and Cactus Wren habitat on Banning Ranch. Some of the developers' preposterous lies: LIE: "Habitat suitable for the wintering burrowing owl will also be restored and preserved" How will the large four lane road, affect the burrowing owls? Fact Check: Burrowing Owls are a bird species that has seen their numbers plummet in recent years due to loss of habitat. The current planned development on Banning Ranch has a large four lane road (Bluff Road) placed directly over most of the documented wintering sites for these migratory birds. LIE: "Many other animals will see their habitat improved, expanded and protected." How will other animals see their habitat destroyed by the constructions planned by the developers, and what impact would alternative B, C, D, E and F have on animal life in Banning Ranch? Fact check: Rather than enhancing habitat, the construction of 1,375 homes (in effect, a small town) on the Banning Ranch mesa would have a serious detrimental effect on the habitat of birds and other wildlife living there. How can any of the following impacts on our fragile environmental conditions be considered, really????? How? How? • Air Quality • Without mitigation, regional (mass) emissions of NOx are forecasted to exceed applicable thresholds in some construction years. Though MM 4.10-1 would reduce the emissions to less than significant levels, the availability of sufficient Tier 4 diesel engine construction equipment cannot be assured. Therefore, for purposes of this EIR, the impacts are found to be significant and unavoidable (Threshold 4.10-2). 3 The Newport Boulevard and 17th Street intersection has a Project-related impact using the Highway Capacity Manual (Caltrans methodology), as well as an impact using the Intersection Capacity Utilization methodology. Section 1.0 Executive Summary R:\Projects\Newport\J015\Draft EIR\1.0 ExSum-090411.doc 1-23 Newport Banning Ranch Draft Environmental Impact Report • Long-term operational emissions of criteria pollutants would not exceed the SCAQMD mass emissions thresholds from initial occupancy through 2020. However, as Project development continues beyond 2020, emissions of VOC and CO would exceed the significance thresholds, principally due to vehicle operations. Therefore, the impacts remain significant and unavoidable (Threshold 4.10-2). • The Project would have cumulatively considerable contributions to regional pollutant concentrations of O3 (Threshold 4.10-3). Greenhouse Gas Emissions • The Project would emit quantities of GHGs that would

exceed the City's 6,000 MTCO<sub>2</sub>e/yr significance threshold. The Project would make a cumulatively considerable contribution to the global GHG inventory affecting global climate change (Threshold 4.11-1). This is a simple decision, really. This is the last of the natural, very much needed open space within one of Orange County most populated areas. This is the habitat of many animals and a delicate ecosystem that is home to so many native plants and animals and provides a home for endangered species and for migrating and wintering birds. There will be health, environmental and legal consequences to all this. The developers will not line their pockets at the cost of human, animal and plant life "or will they?"

Sincerely, Helen G Nadel

Sincerely,  
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