



# Costa Mesa Sanitary District

... an Independent Special District

September 20, 2011

**Board of Directors**

Robert Ooten  
James Ferryman  
Mike Scheafer  
James Fitzpatrick  
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Mr. Patrick Alford  
Planning Manager  
City of Newport Beach  
3300 Newport Blvd.  
Newport Beach, CA 92658

Re: Newport Banning Ranch  
Response to Draft EIR from Costa Mesa Sanitary District

**Staff**

Scott C. Carroll  
General Manager

Dear Mr. Alford:

Thank you for the opportunity to provide comments on the Draft EIR dated 9/3/11 for the proposed Newport Banning Ranch development. The Costa Mesa Sanitary District (CMSD) is an independent special district providing sanitary sewer service and residential solid waste collection in areas adjacent to the proposed development and provides the following clarifications and information.

As correctly stated in the Draft EIR, the federal government considered a proposed rule in January 2001, the Capacity Assurance, Management, Operation and Maintenance Program Regulation for sanitary sewer system owners; however, the plan was never adopted. Instead, in 2002, the Santa Ana Regional Water Quality Control Board adopted Waste Discharge Requirements (WDR) for the sewer system owners in the region followed by the State of California adopting state-wide Waste Discharge Requirements. The result is both the Costa Mesa Sanitary District and the City of Newport Beach having comprehensive Sewer System Management Plans (SSMPs).

Please note the City of Costa Mesa does not own a sewer system and the reference to the City of Costa Mesa owning facilities near the site should be a reference to the Costa Mesa Sanitary District (Page 4.15-27).

The Draft EIR is also silent on a proposed sewer improvement project that includes the Orange County Sanitation District (OCSD), the Costa Mesa Sanitary District, and the City of Newport Beach (CNB) that impacts the proposed Banning Ranch development. OCSD is currently studying the CMSD concept of abandoning six CMSD pumping stations, the CNB station on Walkabout Circle, a private pumping station at the west end of 18<sup>th</sup> Street, and providing sewer service (by gravity, not with a pumping station) to the north half of the Banning Ranch by constructing the Southwest Costa Mesa Trunk Sewer.

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It is recommended that CNB and/or its EIR consultant, BonTerra, meet with OCSD Project Managers Victoria Pilko and Vicki Francis (714-962-2411) to discuss the impact of the proposed project. One of the potential alignments would place a sewer along the westerly extension of W. 19<sup>th</sup> Street, which is where the north half of the Banning Ranch slopes.

In addition to providing sanitary sewer service, the Costa Mesa Sanitary District provides fully automated trash collection service where residents do not need to pre-sort the recyclables and green waste (everything is placed together in one or more containers where over 50% of the recyclables are recovered at a Materials Recovery Facility). The Costa Mesa Sanitary District currently provides this service to residents of Costa Mesa and certain residents in the City of Newport Beach and the County of Orange.

As correctly stated in the Draft EIR, AB 939 requires each California City and County to divert 50 percent of their solid waste from the landfills. The law requires jurisdictions to report their progress being made to comply with the law by reporting an annual diversion rate to the state. The City of Newport Beach has successfully achieved a 60 percent diversion rate in 2010. However, on September 26, 2008, Governor Schwarzenegger signed into law SB 1016 that builds on AB 939 compliance requirements by implementing a simplified measure of jurisdiction's performance. Instead of using a percentage to calculate solid waste diversion, a per capita disposal rate is calculated whereby each jurisdiction is established an annual per capita disposal rate target to achieve. For Newport Beach, the annual Per Resident Disposal Rate Target is 9.6 pounds. In 2009, the City of Newport Beach successfully met their target by achieving an annual Per Resident Disposal Rate of 5.5 pounds. (Source: <http://www.calrecycle.ca.gov/lqcentral/tools/mars/DrmcMain.asp?VW=Disposal>)

According to the Draft EIR, the Newport Banning Ranch development will generate 12.23 pounds of household refuse per day, well above the state mandated target. While the Draft EIR concludes there is enough landfill space to accommodate the additional solid waste, it does not identify source reduction (recycling) methods after the development is completed. It is recommended that the Draft EIR identifies source reduction solid waste programs after the development is completed such as co-mingling or source separating collection services, green waste/organic recycling, composting, white good recycling, e-waste and household hazardous waste recycling, etc.

Thank you again for the opportunity to provide these comments. CMSD staff is available to further discuss these items and possibly consider CMSD providing our services to the residential component of the proposed Newport Banning Ranch Development. I may be reached at (949) 645-8400, or at [scarroll@cmsdca.gov](mailto:scarroll@cmsdca.gov).

Newport Banning Ranch Draft EIR  
Response from the Costa Mesa Sanitary District

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Sincerely,



Scott Carroll  
General Manager

C: CMSD Board of Directors  
CMSD District Engineer  
OCSD Project Managers