

## Alford, Patrick

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**From:** Julia Shunda [j\_shunda@yahoo.com]  
**Sent:** Sunday, November 06, 2011 7:51 PM  
**To:** Alford, Patrick  
**Subject:** Bruce Bartram Newport Banning Ranch DEIR Comment III

November 5, 2011

Patrick J. Alford, Planning Manager  
City of Newport Beach, Community Development Department  
3300 Newport Boulevard  
P.O. Box 1768  
Newport Beach, CA 92658-8915  
Re: Bruce Bartram Newport Banning Ranch DEIR Comment III

Dear Mr. Alford:

Our family is appalled by the consequences of the Newport Banning Ranch Project. After reading our neighbor Bruce Bartram's Newport Banning Ranch DEIR Comment III, it is clear the direct result of the NBR Project is to allow the conversion of Ticonderoga into a "Commuter Roadway" as described under Newport Beach's General Plan.

Proof for this foreseeable extension can be found in the "Agreement for Ticonderoga Street" entered into between the City of Newport Beach (City) and the Newport Crest Homeowners Association (Association) on September 19, 1984 and recorded with the Orange County Recorder on September 26, 1984.

On Pg 2 Section 5 of the Agreement it is expressly stated:

"The Association shall allow Ticonderoga Street to be extended westerly and connect with 15th Street at such time as 15th Street and Bluff Road are constructed to connect to Coast Highway." (Emphasis added.) This pursuant to the Ticonderoga Agreement submitted to you by Bruce Bartram. Under the Agreement, Ticonderoga now connected only with Superior Avenue, a Primary Arterial Highway, is to be extended to connect to Bluff Road, a Primary Arterial Highway once it is connected to Pacific Coast Highway. All this is to occur as part of the NBR Project.

Although the extension of Ticonderoga into a commuter roadway to connect with 15<sup>th</sup> Street is a foreseeable consequence of the NBR Project, it is not even mentioned in the NBR DEIR. Consequently, the NBR DEIR is clearly deficient under the California Environmental Quality Act which requires the environmental impacts of projects to be disclosed, analyzed and mitigated if possible and the Newport Beach General Plan.

My family and I are deeply disturbed by the city's neglect to include an environmental review of the foreseeable conversion of a two lane, dead end, private road into a commuter roadway as defined by The City of Newport Beach in the NBR DEIR. The City's General Plan Circulation Element on Pg. 7-5 defines a "Commuter Roadway" as a "two-to-four-lane, unrestricted access roadway with a daily capacity ranging from 7,000 to 11,000 with a typical daily capacity of 10,000 VPD. It differs from a local street in its ability to handle through traffic movements between arterials." (Emphasis added)

The possibility of 10,000 cars more every day polluting our community's air via exhaust and noise is absolutely horrifying to us. On top of increasing the changes of contracting illness directly linked to car exhaust, there will also be the increased risk for us, and even more disconcerting, our children, to get hit by speeding cars.

Again, with all of the above it can not be that a plan that would clearly have a dire impact to our community is not included, much less discussed in the NBR DEIR. For all of the above reasons we oppose the NBR Project in its present form.

Kind regards,  
Julia, George and Sebastian Shunda  
7 Seascape Drive  
Seawind Newport Community