



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 7, 2011

Patrick Alford, Planning Manager
City of Newport Beach, Community Development
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, CA 92658-8915

RECEIVED BY
COMMUNITY

NOV 09 2011

DEVELOPMENT
CITY OF NEWPORT BEACH

Subject: DEIR Newport Banning Ranch Project

Dear Mr. Alford:

Thank you for the opportunity to review the proposed Draft Environmental Impact Report (DEIR) for Newport Banning Ranch Project. The project is a proposal for the development of up to 1,375 residential dwelling units, 75,000 square feet of commercial uses, and a 75-room resort inn on approximately 91 acres of the 401.1-acre site. The proposed project area is not located within Noise Impact Zones, Notification Area, or Obstruction Imaginary Surfaces for John Wayne Airport (JWA). Therefore, the Airport Land Use Commission (ALUC) for Orange County has no comment on the proposed DEIR related to land use, noise or safety compatibility with the *Airport Environs Land Use Plan (AELUP) for JWA*.

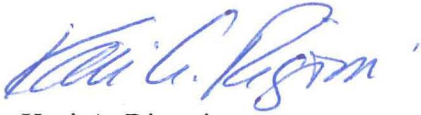
Although the proposed development is located outside of the Airport Planning Areas, please be aware that development proposals which include the construction or alteration of a structure more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA). Projects meeting this threshold must comply with procedures provided by Federal and State law, with the referral requirements of the ALUC, and with all conditions of approval imposed or recommended by the FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). The DEIR should address these requirements if building heights in excess of 200 feet above ground level are to be permitted. In order to accurately identify if the proposed project surpasses the 200 feet above ground level threshold, the project description should include the proposed project elevations of buildings using North American Vertical Datum 1988 (NAVD88).

In addition, the DEIR should identify if the project allows for heliports as defined in the *Orange County AELUP for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the city to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5.

Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics.

Thank you again for the opportunity to provide comments on the DEIR for the Newport Banning Ranch Project. Please contact Lea Choum at (949) 252-5123 or via email at lchoum@ocair.com should you have any questions related to the Airport Land Use Commission for Orange County.

Sincerely,



Kari A. Rigoni
Executive Officer