



Matthew Rodriquez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

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DEVELOPMENT
CITY OF NEWPORT BEACH

November 7, 2011

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

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE NEWPORT BANNING RANCH PROJECT, (SCH#2009031061), ORANGE COUNTY

Dear Mr. Alford:

The Department of Toxic Substances Control (DTSC) has received your submitted draft Subsequent Environmental Impact Report (SEIR) for the above-mentioned project. The following project description is stated in your document: "The Newport Banning Ranch Project site (Project site) encompasses 401 acres. The Project site is generally bound on the north by the County of Orange Talbert Nature Preserve/Regional Park in the City of Costa Mesa and residential development in the City of Newport Beach; on the south by West Coast Highway and residential development in the City of Newport Beach; on the east by residential, light industrial, institutional, and office development in the Cities of Costa Mesa and Newport Beach; and on the west by the U.S. Army Corps of Engineers (USACE) restored salt marsh basin and the Santa Ana River. The proposed Project would allow for the development of the site with residential, commercial, resort inn, and park and recreational uses, and would provide open space uses that would permit the designation of oil use retention and consolidation on a portion of the open space area of the Project site. The Project site has a Newport Beach General Plan land use designation of OS (RV), Open Space/Residential Village. The entire site is within Coastal Zone. "

Based on the review of the submitted document DTSC has the following comments:

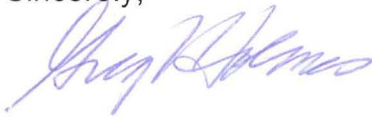
- 1) DTSC provided comments on the project re-issued Notice of Preparation (NOP) on April 6, 2009; some of those comments have been addressed in the submitted draft EIR. Please ensure that all those comments will be addressed in the final Environmental Impact Report.

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- 2) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at rahmed@dtsc.ca.gov, or by phone at (714) 484-5491

Sincerely,



Greg Holmes
Unit Chief
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
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CEQA # 3344