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CITY OF NEWPORT BEACH

Residents of The Costa Mesa Bluff

ResidentsOfTheCostaMesaBluff@gmail.com

1131 Aviemore Terrace, Costa Mesa, California, 92627

1151 Aviemore Terrace, Costa Mesa, California, 92627

1133 Gleneagles Terrace, Costa Mesa, California, 92627

1085 Sea Bluff Drive, Costa Mesa, California, 92627

Patrick J. Alford, Planning Manager

City of Newport Beach, Community Development Department 3300 Newport Boulevard

P.O. Box 1768

Newport Beach, California 92658-8915

Re: Comments pertaining to the draft environmental impact report (EIR) (State Clearinghouse No. 2009031061) for the Banning Ranch Project

Dear Mr. Patrick J. Alford,

This letter is in reply to your attached "Notice Of Availability" dated September 6, 2011. We are responding with our comments prior to the November 8, 2011, 5:00 PM deadline that you have set.

This letter notices you that the residents of Costa Mesa Bluff are opposed to this project in its present form. The draft environmental impact report does not address several crucial and legal environmental issues.

Some of the issues that have not been adequately addressed are:

1. Our interests under section 30001 of the California Coastal Act of 1976 have not been addressed and protected.
2. Visual analysis and aesthetics for the Costa Mesa Bluff residents have not been adequately considered and addressed.
3. The existing conditions of contamination on the Banning Ranch have not been adequately and scientifically stated. The first step would be to clean the Banning Ranch property of all its environmental hazards, which have been long-standing (since the 1940s). Prior to embarking on any construction and creating complications after the start of construction, it would be prudent to embark and complete the cleaning process prior to submitting any plans for this project to the public especially when it involves 1375 residential units, 75 resort units and 75,000 sq. ft of commercial use.

4. This project will have substantial adverse effect on our scenic vistas.
5. The project will degrade the visual character and quality of the surrounding site which includes the Costa Mesa Bluff area.
6. The project will create a new source of substantial light and/or glare which would adversely affect day and nighttime views in the area. This sky glow will change the quality of life for the Costa Mesa Bluff residents.
7. The project would be in conflict with other existing regulations, plans, local coastal programs, ordinances and environmental regulations.
8. The noise pollution especially from the proposed 13 years of project implementation would adversely impact the Costa Mesa Bluff residents.
9. Assembly Bill 32 and its provisions have not been adequately addressed.

We feel that the city of Newport Beach, in its role as lead agency, has come up short in hiring professional consultants to address the serious environmental impacts pursuant to the California Environmental Quality Act (CEQA).

With its 1375 residences, 75 resort units and 75,000 sq. ft. of commercial use, prior to putting forth any plan to the public, it is in the interests of the citizens and the City of Newport Beach to hire a responsible third-party to thoroughly investigate the existing highly contaminated land on which this project is proposed. Once this soil and environmental investigations are complete and a cleanup plan has been approved a method of payment to clean up the site environmentally along with a bond should be obtained from the developer. Then and only then should this project even be considered.

We reserve the right to address these and other related issues regarding the project in the future.

We request you send all your communications to the four addresses listed above and the email address listed above.

Sincerely,

Residents of the Costa Mesa Bluff.

Enclosed: 3 signature pages

Notice of draft EIR requesting comments

NAME ADDRESS SIGNATURE DATE

WANDA COWEN

Wanda Cowen 2086 Valley Rd C.M. Wanda Cowen 11-2-2011

GROUPE KEATING 2082 Valley Rd C.M. GROUPE KEATING 2 Nov 11

Biana Kretzschmar 1151 Aviemore Terr. Costa Mesa C.M. Biana Kretzschmar 11-2-11

BERNIE KRETZSCHMAR 1151 AVIEMORE TERR. Bernie Kretzschmar 11-2-11

Karl : Michele Kogler 993 Oak St C.M. Michele Kogler Karl Kogler 11-2-11

Bill Riscosin 1085 SEA BLUFF DR. CM 11-3-11

John Pennino 1179 GLEN EAGLES TER CM 11-3-11
Bob R. Bouk.

Bob R. Bouk 1185 GLEN EAGLES TER 11-3-11

Virginia Colwell 1111 Aviemore Terrace Costa Mesa CA 92627 Virginia Colwell 11-3-11

Madge Thomson 1144 Glen Eagles Terr 11-3-11

Curtis Cowen 2086 Valley Rd C.M. Curtis Cowen 11-2-11

ERMINE A. ZAPPA Ermine A. Zappa 1175 GLEN EAGLES TER - 11-2-11

BARBARA McCALL Barbara McCall 1163 Aviemore Terr, Costa Mesa 11-2-11
92627

Dan Hakala 1159 Aviemore Terrace CM 11-2-11
92627

Simon Biberau 1167 AVIEMORE TERRACE, CM 92627
Simon Biberau 11-02-11

ALAN HALL Alan Hall 1147 GLEN EAGLES TERR. COSTA MESA 11-2-11

NAME

ADDRESS

SIGNATURE

DATE

Robert Reeder 1131 Aviemore Ter ROBERT-REEDER 11-5-2011

ROBERT REEDER 1127 Aviemore Ter Robert Reeder 11-5-2011

Betty A. Bennett 1123 Aviemore Ter. Betty A Bennett 11-5-11

Erika Kansriddle 1119 Aviemore Terrace Erika Kansriddle 11-5-11

Howard R. Woodworth 1111 Aviemore Ter H/R/Woodworth 11-5-11

**NOTICE OF AVAILABILITY
DRAFT ENVIRONMENTAL IMPACT REPORT
NEWPORT BANNING RANCH PROJECT**

Notice is hereby given that the Draft Environmental Impact Report (EIR) (State Clearinghouse No. 2009031061) for the proposed Newport Banning Ranch Project is available for public review and comment pursuant to the California Environmental Quality Act (CEQA). The Draft EIR addresses the environmental effects associated with implementation of the Newport Banning Ranch Project.

Project Location: The Project site is approximately 401 acres. Approximately 40 acres of the Project site are located within the incorporated boundary of the City of Newport Beach, and approximately 361 acres are in unincorporated Orange County within the City's Sphere of Influence. The entire site is within the Coastal Zone, as established by the California Coastal Act.

Project Description: The Project would allow for the development of the approximately 401.1-acre site with 1,375 residential dwelling units (du); 75,000 square feet (sf) of commercial uses, a 75-room resort inn with ancillary resort uses, and approximately 51.4 gross acres for active and passive park uses including a 26.8-gross-acre public Community Park. Approximately 252.3 gross acres (approximately 63 percent) would be retained in permanent open space. The Project site's existing surface oil production activities located throughout the site would be consolidated into approximately 16.5 acres. The remaining surface oil production facilities would be abandoned/re-abandoned, remediated for development, and/or remediated and restored as natural open space. The proposed Project includes the development of a vehicular and a non-vehicular circulation system for automobiles, bicycles, and pedestrians, including a pedestrian and bicycle bridge from the Project site across West Coast Highway. Project approvals required from the City include a General Plan Circulation Element Amendment, Pre-zoning, Zone Change, Planned Community Development Plan, Master Development Plan, Tentative Tract Map, Development Agreement, and Affordable Housing Implementation Plan. The Project would also require a Coastal Development Permit from the California Coastal Commission.

The Draft EIR examines the potential impacts generated by the proposed Project in relation to the following CEQA Checklist categories: aesthetics and visual resources, land use and planning programs, geology and soils, hydrology and water quality, population, housing, and employment, transportation and circulation, air quality, green house gas emissions, noise, biological resources, cultural and paleontological resources, recreation and trails, hazards and hazardous materials, public services, utilities, and alternatives.

The City of Newport Beach is the Lead Agency for this Draft EIR. Copies of the Draft EIR and technical appendices are available for public review at the following locations:

- City of Newport Beach, Community Development Department, 3300 Newport Boulevard, Newport Beach, California 92658
- City of Newport Beach, Central Branch, 1000 Avocado Avenue, Newport Beach, California 92660
- City of Newport Beach, Balboa Branch, 100 East Balboa Boulevard, Newport Beach, California, 92661
- City of Newport Beach, Mariners Branch, 1300 Irvine Avenue, Newport Beach, California 92660
- City of Newport Beach, Corona del Mar Branch, 420 Marigold Avenue, Corona del Mar, California 92625
- City Website - <http://www.newportbeachca.gov>

All interested parties are invited to submit written comments pertaining to the Draft EIR. The comment period for the Draft EIR will be 60 days beginning September 9, 2011 and ending November 8, 2011. Your comments should be sent at the earliest possible date, but must arrive no later than 5:00 PM on November 8, 2011. Please direct any questions regarding the Draft EIR to Patrick J. Alford at (949) 644-3235 or email at palford@newportbeachca.gov. Written comments should be sent to:

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

If e-mail comments are submitted with attachments, it is recommended that the attachments be delivered in writing to the address specified above. The virus protection measures and variety of formats for attachments can limit the ability for the attachments to be delivered.

 09/06/11

Patrick J. Alford, Planning Manager Date



**COMMUNITY DEVELOPMENT
DEPARTMENT
3300 NEWPORT BOULEVARD
P. O. BOX 1768
NEWPORT BEACH, CA
92658-8915**

NOTICE OF AVAILABILITY