

November 8, 2011

To: Mr. Patrick Alford  
From: Olwen Hageman, 7 Goodwill Court, N.B.  
Re: DEIR comments.

I wonder how this DEIR can be accomplished when roads that would lead to the development have not even been approved. How can Hotspots be determined without this information? I believe that this DEIR is premature and makes a lot of assumptions. My comments are below, listed by page number. I have not read all of Air Quality because I needed more time. I wanted to study HHRA but we don't really need to know the 7 criteria pollutants and the other 4 to know that this project will be bad for the health of the people who already live here. All one has to do is look at the close proximity of Newport Blvd. to Superior and Placentia and, if it is ever approved, to Bluff Road with all of the extensions and extra traffic coming into this area, plus PCH. Pollution will be concentrated in this area and it will take time to disperse into the Basin. Newport Crest will be sandwiched between Superior and Bluff Road? And in close proximity to Newport Blvd, Placentia and PCH. Taxpaying homeowners of 30 plus years are being thrown under the bus. It's interesting to note that the authors refer to Newport Crest as "additional residential uses south of 15<sup>th</sup> Street" when, in fact, we are impacted, I believe more than anybody else.

**Page 4.10-6 Local Concentrations of Criteria Pollutants from On-Site Sources**

2<sup>nd</sup> paragraph, last sentence "The worst-case on-site construction emissions were obtained from the CalEEMod analysis details (Appendix G)."

**Why is this important information not included in this section?**

**Page 4.10-9**

**4.10-4 Existing Conditions**

Climate and Meteorology – "The SoCAB is arid with abundant sunshine .....(drives the photochemical reactions that form pollutants such as ozone) provides conditions especially favorable to smog formation. .... mountains ...which trap pollutants in the basin. **The unfavorable combination of meteorology, topography, and emissions from the nation's second-largest urban area result in the SoCAB having THE WORST AIR QUALITY IN THE U.S. Why are the most stringent methods not being taken to improve the air quality. 1375 homes, a 75-room hotel and commercial space will not improve the air quality. What is happening to our beautiful Newport Beach?**

**Page 4.10-11**

**Table 4.10-2 Ambient Air Quality at Costa Mesa and Mission Viejo Monitoring Stations**

2008 03 was exceeded for 3 days (Federal)  
2008 03 was exceeded for 5 days (State)  
2009 03 was exceeded for 3 days (State)  
PM10 was exceeded for 1 day in 09 (State) for 24 hrs. and annual  
PM2.5 was exceeded for 1 day in 09 (Federal)

**Why is the City overriding CARB's requirement for standards?**

**Table 4.10-1 states that these standards are not to be exceeded**

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**Page 4.10-12**

**Table 4.10-3 – Attainment Status of Criteria Pollutants in the South Coast Air Basin**

|       | <u>State</u>  | <u>Federal</u>         |
|-------|---------------|------------------------|
| O3    | Nonattainment | Extreme Nonattainment  |
| PM10  | Nonattainment | Serious Nonattainment  |
| PM2.5 | Nonattainment | Nonattainment          |
| NO2   | Nonattainment | Attainment/Maintenance |

**Please justify adding more emissions in light of the above?**

**Page 4.10-13 Project Design Features and Standard Conditions**

PDF 4.8-3 If permitted ...a bicycle bridge over West Coast Highway will be provided.....

**Who will build and pay for this bridge and how much will it cost?**

**Page 4.10-15 Project Design Features and Standard Conditions**

PDF 4.11-3 The Master Development Plan and .....require the Project to be coordinated with OCTA to allow for a transit routing through the community.

**Will Ticonderoga be part of OCTA's transit route and if OCTA so desires, would the City give permission to OCTA for use of Ticonderoga?**

**Page 4.10-16 Standard Conditions and Requirements**

**SC 4.10-1 Dust Control** During construction .....SCAQMD rule 402 requires that air pollutant emissions not be a nuisance off site.

**What would be considered a “nuisance”.**

**Page 4.10-17**

**4.10-6** A significant impact related to air quality would occur if the proposed Project would:

4.10-3 Result in a cumulatively considerable net increase of any criteria pollutant.....many times these pollutants will have significant impact because they exceed standards.

**Does this put the project in a nonattainable position?**

4.10-4 Expose sensitive receptors to substantial pollutant concentrations.

**Why are stringent measures not being taken to protect sensitive receptors from significant impacts? In other words, why are they allowed to be “unavoidable”? Land can be remediated but people's health cannot.**

4.10-5 Create objectionable odors affecting a substantial number of people.

**What will be done about the odors if people can smell them and they are offensive?**

**Page 4.10-19 - Construction Emissions**

“.....The oilfield remediation work would overlap with site development and construction of the first two building phases. The buildout of each of the first two phases would overlap with the construction of the subsequent phase.”

**Given the verdict “significant and unavoidable”, Why cannot remediation be done by itself, prior to construction? And why cannot the first two phases be completed prior to the subsequent phase beginning?**

**The fact that this land needs to be remediated makes this project no ordinary development project. The sensitive receptors should be given every consideration during the construction, even if it takes longer for the developer to complete the project. As I have said previously, I don't think Exxon is hurting for money. At the completion of this project, after 5 whatever years of living with the dust and the noise, the sacrificial lambs of Newport Crest, et al, can then settle**



down to the long-term discomforts of pollution, noise and lighting that the completed project would expose them to. The least the developer and city can do is protect the people during construction.

**Page 4.10-21**

“Although the data in Table 4.10-8 shows that emissions of all pollutants would be less than the SCAQMD CEQA thresholds with approximately 50% Tier 3 equipment and no Tier 4 diesel engine equipment, the availability of sufficient numbers of Tier 4 equipment in 2014 and the following years cannot be assured. Therefore, ... **significant and unavoidable impact.**”

**Why cannot the availability of Tier 4 equipment be assured? And under these circumstances, Why cannot the acreage to be worked be reduced to the amount where toxic emissions would not be significant? In this instance, they would be avoidable.**

**Surely, it is more important to protect the health of the sensitive receptors than it is to finish the project in less time. Land can be remediated, but a person's health cannot. Emphysema, chronic bronchitis and lung cancer are not pretty ways to exit this life, or to live in it.**

**Page 4.10-23 Mass Emissions Thresholds (last paragraph)**

“As shown in the tables .....In 2023, calculated regional emissions of VOC, NOx, and CO ...would exceed the SCAQMD CEQA significance thresholds.”

**Please justify the verdict “significant and unavoidable” given when CARB, Table 4.10-1 states that 03, CO, SO2, PM10, PM2.5 ...are not to be exceeded. All others are not be equaled or exceeded.**

**Page 4.10-27 – Ambient Air Quality – Carbon Monoxide Hotspots**

- Many of the 1375 (at least) people who would live on the proposed Banning Ranch Development could likely work at Fashion Island, on the Peninsula or in Huntington Beach.
- Many of the people who would work at the proposed hotel or in the proposed retail stores could travel from Fashion Island, the Peninsula or Huntington Beach.
- When Sunset Ridge Park becomes open to the public, people will come from Corona Del Mar, the Balboa Peninsula, and possibly from Huntington Beach.

**Why is there no mention of the intersection of Superior/PCH/Balboa Boulevard? And what is the LOS for this intersection now?**

Respectfully submitted,

  
Olwen Hageman