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November 8, 2011

Patrick J. Alford, Planning Manager
City of Newport Beach Community Development Department
3300 Newport Blvd
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RE; Comments on the Draft EIR for Banning Ranch

Orange County Coastkeeper ("Coastkeeper") is an environmental organization with the mission to preserve, protect and restore the watersheds and coastal environment of Orange County. After careful review of the Banning Ranch Draft EIR we are submitting the following comments.

The most important concern we have with the EIR is the use of off site property for stormwater storage. The ACOE developed wetlands were specifically developed as wildlife habitat areas and not as flood control facilities. It is our opinion that all pre and post construction stormwater and nuisance flows should be contained and treated onsite with no use of the wetlands as storage/detention basins as currently planned. Keeping and treating all stormwater on site will assure the continued function of the wetlands as designed for wildlife habitat and reduce the chance of water quality degradation from project stormwater and nuisance flows.

Another concern is that the use of LID principals in the project is confined to the major streets in the development. Coastkeeper believes that this project, being built very near a sensitive habitat area, should fully implement LID principals throughout the project to reduce or eliminate nuisance and stormwater flows to the maximum extent possible.

Water quality is a major concern in the project area. Beach postings related to bacteria concentrations in the Newport Slough have been reduced over the period from 2001 to 2009 from 324 posing days to 6. The construction of a new residential development with its associated impacts from landscaping, pets, and other residential uses has the potential to reverse this progress. Additionally the use of the wetland areas as stormwater storage area is likely to change the salinity in the wetlands and Newport Slough during wet weather, possibly impacting the function and productivity of the wetlands. To address these issues Coastkeeper suggests the implementation of a water monitoring program that will document the baseline conditions for all standard water quality parameters in the before project condition, during construction and for three years following completion to assure that the project does not degrade water quality in the slough and wetlands.

Thank You,

A handwritten signature in black ink that reads "Ray Hiemstra". The signature is written in a cursive, flowing style.

Ray Hiemstra
Associate Director
Orange County Coastkeeper