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Patrick J. Alford, Planning Manager
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November 11, 2011

BY HAND DELIVERY

Regarding DEIR for Newport Banning Ranch

Dear Mr. Alford:

Newport Banning Ranch is the last piece of remaining developable land in Newport Beach. Therefore it is important that all elements affecting its development be considered very carefully. Interested parties are but not limited to, Newport Banning LLC, area, the City of Newport Beach, the City of Costa Mesa, the County of Orange, the State of California and the citizens of the aforementioned jurisdictions.

I lack technical expertise to respond to the Draft Environmental Impact Report using the same language and terms contained in the document. My understanding of the technicalities of an DEIR is very limited. Here however, are some points for consideration .

It could be that one or more of the following has already been submitted or is already in the Draft Environmental Impact Report (DEIR).

1. Noise must be a consideration. Steps must be taken to attenuate the sound from all roadways. I understand that there is such a thing as asphalt that contains ground up tires that reduces noise levels from streets. Noise requirements are addressed in CEQA, NEPA and local code. In addition to road noise, parkland and play fields should be considered in respect to noise..

The best effort possible should be made to contain the sound from the housing units possibly by surrounding them all with a sound dampening curtain. Will a noise analyses done?

2. The developer will cleanup all the property of any vestiges of oil field equipment. The DEIR states this will be done to all regulatory agencies codes--federal, state, county and city. What are these codes and where are they to be found? What will the process of remediation be? There are no details in the document.

3. Almost all the property to be developed by Newport Banning Ranch is within Orange County unincorporated land. I have not found many references to the County in the DEIR. Is Orange County abdicating all interest in the property? Do any of the county codes need to be applied to this land?

4. There is public interest in "dark skies." Perhaps a simple way of explaining this is the desire to keep it light generated by man's activity at a minimum of spilling out into the sky at night. And perhaps one of the best times to do this is during new construction. All lighting in the development should take this into consideration.

5. In the transportation analysis, is public transportation included?

6. What is the planning for bicycle usage within the development. This would include both roads and also trails.

7. Does parking for the housing units meet the standards for Newport Beach? Will there be an analysis for parking demand?

8. I am not sure what this paragraph on page 17 of the Notice of Preparation is trying to convey:

16th Street. The extension of 16th Street from its existing terminus at the City of Newport Beach Utilities Yard to the Project site is proposed as a part of the Project. This off-site improvement to 16th Street would be partially constructed on Newport-Mesa Unified School District property and be within the right-of-way easement provided for the City of Newport Beach Utilities Yard to join the existing roadway at the easterly School District property line.

What is connected to what and on whose land?

9. "**Interpretive Parks.** Approximately one acre is proposed for Interpretive Parks to include a vernal pool preservation area (located southwest of the proposed intersection of Bluff Road at 17th Street) and the proposed Talbert Trailhead Staging Area (located at the northeastern corner of the Project site). The vernal pool interpretive area could include signage kiosks and displays. The Talbert Trailhead/Staging Area would provide public access to a regional network of on and off-site nature trails via a trail through the Upland Open Space.(b) Public parking is proposed on site and off site along the southern side of 19th Street. The Interpretive Parks are planned to be privately owned and maintained but accessible to the public. Circulation Public access. (a)"

(a)"The interpretive parks are planned to be privately owned and maintained but accessible to the public."

I have been under the impression that lower land park area would become public land.

(b) "The Talbert Trailhead/Staging Area would provide public access to a regional network of on and off-site nature trails via a trail through the Upland Open Space."

The staging area is in low land or fairly lowland. What is the plan to get from the staging area to the upland open space? Are these trails that are mentioned on any map?

(c) "Public parking is proposed on site and off site along the southern side of 19th Street."

Although Costa Mesa would be obligated to cooperate in the connections of roads as well as traffic mitigation measures, is the parking of 19th street subject to the same cooperative requirements.

9. Has it been proven that there will be an adequate water supply for the development?

10. It used to be that mature wetland willows were protected. Is that so today? To the best of

my knowledge there are mature wetland willows in the northern portion of the development. If the mature wetland willows are on the property and they are protected, have they not been included in the DEIR.

11. Is my understanding that the low lands of the property will be cleaned up and made into open space that will be restored to--at least a portion--to wetlands. I don't believe that the DEIR contains any information how this will be accomplished. If there are indeed to be wetlands, that means there will be some kind of exchange of ocean water on and off the property. Again how and where will this be accomplished? Will there be a system of dikes and gates? Is Newport Banning Ranch contiguous with a body of salt water, or will access need to be obtained through another entity?

12. The Army Corps of Engineers have jurisdiction by the mouth of the Santa Ana River. To what extent will they be involved in the project and should they be included in the draft DEIR?

13. There is proximately 100 acres at the southern edge of the proposed development that was created by the Army Corps of Engineers (and I understand maintained by the Corps), as a nesting place for the lease turn. Because this land is adjacent to the proposed development, what considerations have been given to this sanctuary? Will there be a buffer between the proposed development taking in to account noise, traffic and vehicular traffic and use of nature trails?

14. What measures are there to ensure water quality and air quality to today's standards as well as future standards since a reasonable supposition is that higher standards very well might be enacted? In other words to meet and exceed today's standards.

15. What are the provisions that address global climate change? Will California Global Warming Solutions Act (Assembly 32) by one of the guidelines?

16. As proposed, there is no school site on the development. I believe this will not be an all adults immunity, so where will the children of the residents go to school?

17. Will there be testing for radon gas?

18. Recently I have heard a representative from the developer say that the project will be creating an endowment for the maintenance of the Banning Ranch's parkland in perpetuity. Is this topic addressed in the draft the IR?

19. To what extent will paleontology be investigated? There exists the possibility of native American inhabitation on the site because of proximity to the ocean and the security to be had on the upland.

20. When the renewal of the site is being accomplished will the soil is excavated or disturbed me monitor my the appropriate agencies wether they be city, county state, or federal? When the soil is disturbed who knows what will develop.

21. What steps will be taken to minimize the impact of the development on the Coastline Community College building and the people who use it on Whittier?

22. What water quality sampling plans are there for the construction. And on build out on a regular basis?

23. Will the draft DIR the affected by the results of the California coastal commission meeting on Wednesday, November 2, 2011? The commission indicated, but did not ratified, that the entrance to Sunset Ridge Park from Pacific Coast Highway will be modified from the submitted plans of the City of Newport Beach which withdrew its application.

- 24. Will the Stormwater Pollution Prevention (SWPP-Assembly Bill 32) be implemented?
- 25. What role will the Environmental Protection Agency (EPA) play in the development?
- 26. What will be the road and property runoff plans? Will they conform to the standard urban storm water management plans (SUSMP)?
- 27. What provisions are there for renewable energy?

Thank you for your consideration.

Please keep me informed as the process continues.

Sincerely,



Dean Reinemann