

Alford, Patrick

From: Terry Welsh [terrymwelsh@hotmail.com]
Sent: Tuesday, November 08, 2011 6:10 AM
To: Alford, Patrick
Subject: Banning Ranch dEIR comments

"The comments below and all references contained therein are hereby incorporated into the official record of proceedings of this project and its successors."

Patrick, here are three more comments. They are likely going to be submitted by Barry Nerhaus, but I am going to repeat them.

1. Southwestern Pond Turtle - Data exists that shows southwestern pond turtles do not need permanent water nor high quality freshwater marsh to survive. Additionally from personal observation, southwestern pond turtles can utilize tidal marshes, estuaries, and salt marshes for foraging. So my question is what was the methodology for survey for southwestern pond turtles? Visual surveys are inadequate for surveying for this species.

2. Light-footed Clapper Rail - Since the freshwater marsh habitat was described to have cattails and rushes, there is a potential to have nesting Clapper Rails. It was stated that a fence was dividing the cordgrass habitat that is known to have at least one nesting pair. Well this bird has wings and can easily fly over a fence. Additionally, I located and documented a clapper rail nest in freshwater marsh this past year with 9 eggs. They hatched and were observed foraging throughout the freshwater marsh. Light-footed clapper rails are known to nest in freshwater marshes.

3. Since there are alkali grasslands, there is potential for the rare Wandering Skipper. The dEIR needs to study for the presence of the rare Wandering Skipper.

Finally, I had earlier referenced the November 2, 2011 Coastal Commission hearing as an excellent resource on ESHA determination on Banning Ranch and as a specific document describing the likelihood that Bluff Road would not be able to get approval for a connection to Coast Highway. Though no written transcript exists, there is an official State of California video archive containing the hearing. Here is the link:

<http://www.cal-span.org/cgi-bin/archive.php?owner=CCC&date=2011-11-02>

16. COASTAL PERMIT APPLICATIONS. See [AGENDA CATEGORIES](#). **Attention:** Items appearing in this section of the agenda may be moved to the Consent Calendar for this area by the Executive Director when, prior to taking up the Consent Calendar, staff and the applicant are in agreement on the staff recommendation. If an item is moved to the Consent Calendar it will be processed in the same manner as other Consent Calendar items (See [AGENDA CATEGORIES](#)) except that if that item is subsequently removed from the Consent Calendar by a vote of three or more commissioners, the item will be acted upon at the meeting in the order in which it originally appears on this Meeting Notice and in the manner Coastal Permit Applications are processed. The purpose of this procedural change is to expedite the Commission's coastal development permit process.

a. [Application No. 5-10-168 \(City of Newport Beach Sunset Ridge\)](#) Application of City of Newport Beach to construct, on vacant land, active recreational park (Sunset Ridge Park) of approximately 18 acres at northwest corner of intersection of West Coast Highway and Superior Ave, including access road,

parking lot, public restroom, playground, sports fields, paths, viewpoint, retaining wall, landscaping, and coastal sage scrub habitat enhancement. Grading consists of approximately 110,000 cu.yds. of cut, and 102,000 cu.yds. of fill, at 4850 West Coast Highway and on portion of Banning Ranch, Newport Beach, Orange County. (JDA-LB)

Public Comment on Item

Return to Staff

Return to Commission

Motion and Vote

Amending Motion and Vote

Motion and Vote

Withdrawal of Application