

DATE: November 7, 2011
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
FROM: Vicki Hernandez
hvhernan@earthlink.net
SUBJECT: More Comments and Questions-Newport Banning Ranch dEIR

Dear Patrick,

Here is some more input on the Newport Banning Ranch dEIR. Please include my comments and questions below in the records of any and all proceedings relating to this project and its successors.

1.0 Executive Summary

Page 1-4 states "A Zoning Code Amendment is proposed to adopt the 'Newport Banning Ranch Planned Community' (NBR-PC)."

- What is the current zoning?
- Does this mean that, if the Zone Change takes place, NBR-PC will have full control of the entire Banning Ranch, even though it is all within the boundary of the Coastal Zone? If it is zoned as Planned Community 57, what is to prevent more and more residential development throughout Banning Ranch in the open spaces?

"The NBR-PC establishes allowable land uses within each land use district; development regulations for each land use district; general development regulations applicable to all development within the Project site; and procedures for implementing and administering the NBR-PC.

- What are the allowable land uses within each land use district?
- How often can they be changed by the NBR-PC
- What is meant by "each land use district?" The development site? The open spaces?
- What are the development regulations for each land use district? Would open spaces be subject to later new "Planned Community" development plans? What safeguards are there for the natural flora and fauna, and for the neighboring communities that will be impacted by development air, light and noise pollution, traffic, and congestion.

"Approval of the Master Development Plan implements the NBR-PC zoning requirements for the Project site by establishing design criteria for each proposed land use and providing a sufficient level of detail, as determined by the City, to guide the review of subsequent development approvals."

- WHAT IS THIS "SUBSEQUENT DEVELOPMENT?"
- I disagree with the proposed Zone Change
- I encourage the City of Newport Beach NOT TO APPROVE the following:
 - Zoning Code Amendment
 - Zone Change
 - Newport Banning Ranch Planned Community Development Plan
 - Newport Banning Ranch Master Development Plan

- I encourage the City and the California Coastal Commission to NOT approve the Newport Banning Ranch Master Development Plan and Pre-Annexation and Development Agreement.
- I encourage the California Coastal Commission to deny a Master Coastal Development Permit to the Newport Banning Ranch Proposal
- **The City of Newport Beach General Plan's Land Use Element prioritizes the retention of the Project site for open space AND**
- **The entire Project site is within the boundary of the Coastal Zone, as established by the California Coastal Act, and, as such, should be left undeveloped.**
- The public deserves this last open space within the Coastal Zone in Orange County to be left in perpetuity as Open Space. Page 1-8 states "Given the nature and scale of the Project, complete avoidance of significant impacts was not feasible for any alternative other than the No Project Alternative."

6.0 Long Term Implications

Page 6-3, "The Project would make a cumulatively considerable contribution to the global GHG inventory affecting Global Climate Change."

- Does the City of Newport Beach really want to make this contribution to the global GHG inventory?
- It is our responsibility to avoid contribution to the global GHG inventory affecting Global Climate Change. As a society, we need to re-think our behavior toward the environment.

Page 6-5, "Typically, growth-inducing impacts result from the provision of urban services and the extension of infrastructure (including roadways, sewers, or water service) into an undeveloped area. Growth-inducing impacts can also result from substantial population increase.

- Does the City of Newport Beach really want to contribute to substantial population increase in increasingly-overcrowded Orange County?
- The Project would detrimentally contribute overcrowding in Orange County.

7.0 Alternatives

Page 7-43, "Alternative A would have fewer impacts than the proposed Project pertaining to potential aesthetic impacts, geotechnical constraints, hydrology and water quality, biological impacts, potential exposure of the public to hazardous materials (construction only), traffic, air quality, greenhouse gasses, noise, cultural resources, and impacts associated with the construction of public services, utilities, and recreational facilities."

- It is time to slow down urban sprawl and look to sustain the earth, as the earth has so long sustained us. Alternative A is the most responsible alternative for future generations.
- This is the last large expanse of undeveloped Coastal Zone land in Orange County. It behooves us to restore and preserve it in its natural state as an undeveloped Open Space so that our posterity will have an idea of what the Orange County coast was like before urbanization. Alternative A will provide for this.

Page 7-173 “Based on the evaluation contained in this EIR, Alternative B, General Plan Open Space Designation, would be the environmentally superior alternative because it provides for restoration of the Project site and maintains the greatest amount of open space.”

- How is this possible or logical? Plan A will provide for MUCH more open space, and a conservancy will be provided for restoration of Banning Ranch.