



**CITY OF NEWPORT BEACH
ENVIRONMENTAL QUALITY AFFAIRS
COMMITTEE**

DATE/TIME: Monday, March 20, 2006 - 7:00 p.m.

**LOCATION: Police Department Auditorium
870 Santa Barbara Drive**

Roll Call

1. Minutes of February 27, 2006 (*draft minutes attached*)
2. Presentation on Draft General Plan
3. Discussion on subcommittee appointments and procedures and schedule for review of Draft EIR on Draft General Plan (attachment)
4. Report from EQAC Representative to GPUC
5. Report from EQAC Members on GPAC
6. Economic Development Committee (EDC) Representative's Report
7. Report from Staff on Current Projects
8. Public Comments
9. Future Agenda Items
10. Adjournment

NEXT MEETING DATE: April 24, 2006

*Attachments can be found on the City's website <http://www.city.newport-beach.ca.us>. Once there, click on **City Council**, then scroll to and click on **Agendas and Minutes** then scroll to and click on **Environmental Quality Affairs**. If attachment is not on the web page, it is also available in the City of Newport Beach Planning Department, 3300 Newport Boulevard, Building C, 2nd Floor.



**CITY OF NEWPORT BEACH
ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE**

DRAFT MINUTES 02-27-06

Draft minutes of the Environmental Quality Affairs Committee held at the City of Newport Beach Police Department Auditorium, 870 Santa Barbara Drive, on **Monday, February 27, 2006.**

Members Present:

X	Steve Rosansky, Council Member-EXC	X	Sandra Haskell
X	Richard Nichols, Council Member		Barry Allen - EXC
X	Cris Trapp, Chairperson	X	Kristine Adams
X	Dolores Otting, Vice Chair	X	Marianne Zippi
	Jeannette Thomas - <i>Resigned</i>		Tom Hyans - <i>Sick Leave</i>
	Matt Wiley - <i>Absent</i>	X	Jack Wu
	Christopher Welsh- EXC	X	Jennifer Winn
X	Mike Browning	X	Ray Halowski
X	Brent Cooper	X	Barbara Thibault
X	Laura Dietz		Merritt Van Sant - <i>Absent</i>
X	Kenneth Drellishak		
X	Laura Curran		
X	Walter Lazicki		

Staff Representatives:

Guests Present:

X	Assistant City Manager Sharon Wood	
X	Sr. Planner Gregg Ramirez	

Chairperson Cris Trapp called the meeting to order at approximately 7:03 p.m.

- Minutes of January 9,2006

Motion: Ray Halowski moved to approve the minutes.
Sandra Haskell seconded the motion.

Motion passed unanimously

- Report from Subcommittee on Notice of Preparation of EIR for Newport Beach General Plan Update -

Committee discussed the Subcommittee's comments on the draft NOP and any changes.

Ray Halowski moved to approve as amended.
Delores Otting seconded the motion.

Motion passed unanimously

3. Appoint subcommittees to review DEIR on the GP Update –

The following subcommittees were formed:

- Hydrology and Water Quality/Hazards/Geology and Mineral
 - Ray Halowski, Chairperson
 - Sandra Haskell
 - Delores Otting
- Traffic/Air Quality/ Noise
 - Jack Wu, Chairperson
 - Kenneth Drellishak
 - Walter Lazicki
 - Barry Allen
- Public Services/Utilities
 - Delores Otting, Chairperson
 - Marianne Zippi
 - Lloyd Ikerd
- Land Use/Aesthetics
 - Brent Cooper, Chairperson
 - Mike Browning
 - Kristine Adams
 - Christopher Welsh
- Resources/ Biological
 - Jennifer Winn, Chairperson
 - Laura Curran
 - Merritt Van Sant
- Population and Housing/Cultural
 - Laura Dietz, Chairperson
 - Matt Wiley
 - Barbara Thibault

4. Report from EQAC Representative to GPUC –

No report

5. Report from EQAC Members on GPAC –

No report

6. Economic Development Committee (EDC) Representative's Report –

No Report

7. Report from Staff on Current Projects –

Sharon Wood reported on Responses to EQAC's comments on the Michelson Water Reclamation Plant DEIR, and on Newport Beach's comments on a negative

declaration prepared by the City of Irvine for residential zoning regulation in the Irvine Business Complex.

8. Future Agenda Items -

9. Adjournment -

The meeting was adjourned at 8:15 p.m.

**General Plan Update DEIR Review
Section Assignments**

Hydrology/Water Quality, Hazards & Hazardous Materials, Geology/Soils

Sandy Haskell

Dolores Otting

Kristine Adams

Ray Halowski – Subcommittee Chair

Transportation/Traffic, Air Quality, Noise

Jack Wu – Subcommittee Chair

Ken Drellishak

Walter Lazicki

Barry Allen

Public Services, Utilities/Service Systems

Maryanne Zippi

Dolores Otting – Subcommittee Chair

Lloyd Ikerd

Land Use, Aesthetics

Brent Cooper – Subcommittee Chair

Mike Browning

Chris Welsh

Cris Trapp

Recreation, Biological Resources

Jennifer Winn – Subcommittee Chair

Laura Curran.

Merritt Van Sant

Population/Housing, Cultural Resources

Laura Dietz – Subcommittee Chair

Barbara Thibault

Matt Wiley



General Plan Preview

*Environmental Quality Affairs Citizen Advisory Committee
March 20, 2006*



PRESENTATION

- **General Plan & EIR to be Published
Monday, March 27, 2006**
- **Organization & Content of the GP**
- **Differences from Existing GP**
- **Review Key Policies**



PLAN ORGANIZATION

1. **Introduction**
2. **Vision**
3. **Elements**
 - a. **Land Use**
 - b. **Harbor and Bay***
 - c. **Housing**
 - d. **Historical Resources****
 - e. **Circulation**
 - f. **Recreation**
 - g. **Arts and Cultural****
 - h. **Natural Resources**
 - i. **Safety**
4. **Implementation**
5. **Appendix A – Statistical Area Tables**



VISION STATEMENT

- **Primarily a residential community that balances needs of residents with businesses & visitors.**
- **Conservative growth strategy emphasizing residents' quality of life. Development decisions benefit the economy & character.**
- **Protection of environmental quality is a high priority.**
- **Efficient & safe circulation.**
- **Quality community services that support resident needs**



VISION STATEMENT

- Recreation for local & tourist populations that highlight environmental assets.
- Premiere recreational boating harbor with careful, low density, non-obtrusive on-shore development.
- Control & contain noise, air, & traffic pollution impacts associated with JWA.
- Responsive government.



FUNDAMENTAL CHANGES FROM EXISTING GP

- Policy Based
- New Land Use Classifications & Plan Map
- Charter Section 423 Statistical Tables in Appendix



POLICY ORGANIZATION

- Role & Character of Newport Beach
- Uses to be Accommodated
- Organization & Form of Uses (Land Use Map)
- Community Character & Design
- Neighborhoods, Districts, & Corridors



BASIS FOR LAND USE POLICY

- Existing General Plan
- Changes
 - Community Visions for Improved Character
 - Opportunities for New Housing in Proximity to Jobs & Services
 - Opportunities for Improved Retail (Underperforming Properties & Enhancement of Existing)



VISION STATEMENT

- Recreation for local & tourist populations that highlight environmental assets.
- Premiere recreational boating harbor with careful, low density, non-obtrusive on-shore development.
- Control & contain noise, air, & traffic pollution impacts associated with JWA.
- Responsive government.



FUNDAMENTAL CHANGES FROM EXISTING GP

- Policy Based
- New Land Use Classifications & Plan Map
- Charter Section 423 Statistical Tables in Appendix



POLICY ORGANIZATION

- Role & Character of Newport Beach
- Uses to be Accommodated
- Organization & Form of Uses (Land Use Map)
- Community Character & Design
- Neighborhoods, Districts, & Corridors



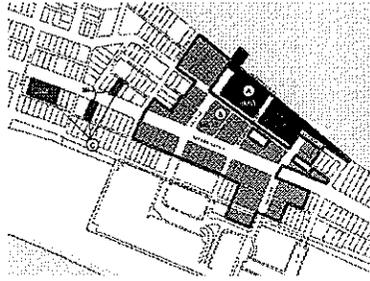
BASIS FOR LAND USE POLICY

- Existing General Plan
- Changes
 - Community Visions for Improved Character
 - Opportunities for New Housing in Proximity to Jobs & Services
 - Opportunities for Improved Retail (Underperforming Properties & Enhancement of Existing)

Newport Beach General Plan Update
Land Use Element

BALBOA VILLAGE

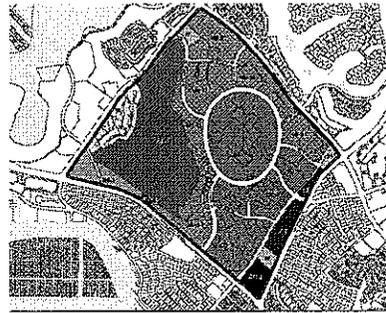
- Pedestrian-Oriented Commercial & Mixed-Use Core
- Harborfront: Visitor-Serving & Marine-Related Commercial
- Re-Use of Small Commercial Parcels Outside of Village for Housing
- Streetscape Amenities



Newport Beach General Plan Update
Land Use Element

**NEWPORT CENTER/
 FASHION ISLAND**

- Fashion Island: Expanded Anchor Retail
- Newport Center
 - Housing
 - Hotel
 - Office: Limited to Improvements for Existing Buildings
- Urban Form & Design Improvements

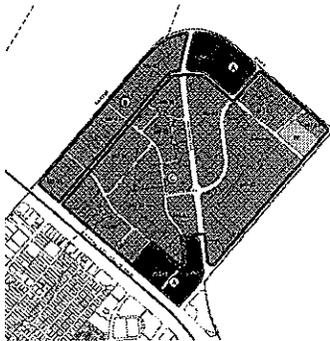


LAND USE RECOMMENDATIONS
 Retail = 47,500 Square Feet Office = 62,000 Square Feet Housing = 620 Units Hotel = 120 Rooms

Newport Beach General Plan Update
Land Use Element

AIRPORT AREA

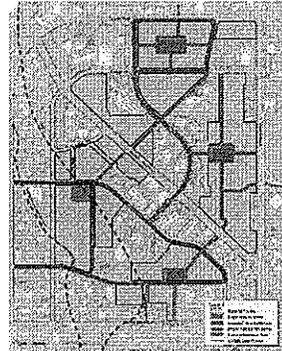
- Office, Commercial, Industrial, Airport-Related, & Other Uses Per Existing GP
- Residential Villages
 - Replacement of Other Uses or Infill on Parking Lots
 - Outside of 65 dBA CNEL (unless waived by City Council)
 - Maximum of 3,300 units; possible additional in Campus Tract with no Increase in Traffic



Newport Beach General Plan Update
Land Use Element

AIRPORT AREA

- Development Standards & Design Guidelines to Achieve Cohesive Residential Village & Assure Land Use Compatibility
- Minimum Area
- Required Urban Park
- Specific Plan, Planned Community, or Other Master Plan Required

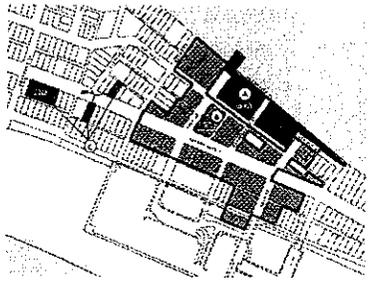


Source: RCMA Design Group

Newport Beach General Plan Update
Land Use Element

BALBOA VILLAGE

- Pedestrian-Oriented Commercial & Mixed-Use Core
- Harborfront: Visitor-Serving & Marine-Related Commercial
- Re-Use of Small Commercial Parcels Outside of Village for Housing
- Streetscape Amenities



Newport Beach General Plan Update
Land Use Element

**NEWPORT CENTER/
 FASHION ISLAND**

- Fashion Island: Expanded Anchor Retail
- Newport Center
 - Housing
 - Hotel
 - Office: Limited to Improvements for Existing Buildings
- Urban Form & Design Improvements

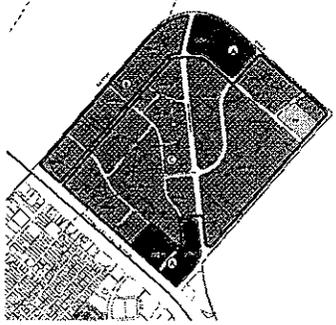


LAND USE RECOMMENDATIONS
 Retail - 425,000 Square Feet Office - 40,000 Square Feet Housing - 400 Units Hotel - 120 Rooms

Newport Beach General Plan Update
Land Use Element

AIRPORT AREA

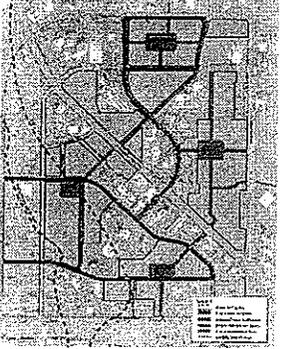
- Office, Commercial, Industrial, Airport-Related, & Other Uses Per Existing GP
- Residential Villages
 - Replacement of Other Uses or Infill on Parking Lots
 - Outside of 65 dBA CNEL (unless waived by City Council)
 - Maximum of 3,300 units; possible additional in Campus Tract with no Increase in Traffic



Newport Beach General Plan Update
Land Use Element

AIRPORT AREA

- Development Standards & Design Guidelines to Achieve Cohesive Residential Village & Assure Land Use Compatibility
- Minimum Area
- Required Urban Park
- Specific Plan, Planned Community, or Other Master Plan Required



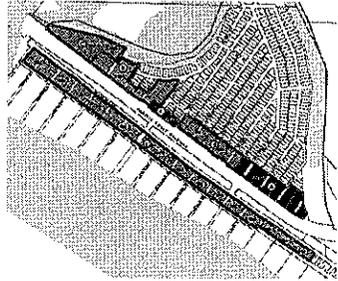
Source: ROMA Design Group



Newport Beach General Plan Update
Land Use Element

WEST NEWPORT

- Cluster Local & Visitor Serving Commercial at Intersections
- Housing Infill on Intervening Parcels
- Entry Improvements & Opportunity for Staging Area on Western Parcel
- Re-Designation of R-2 Properties as R-1



Newport Beach General Plan Update
Land Use Element

OLD NEWPORT BOULEVARD

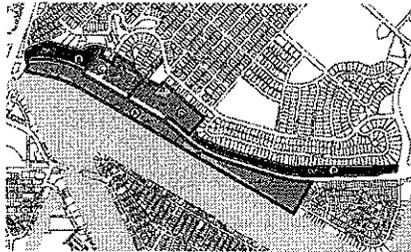
- West Side: Medical Office, Retail Commercial
- East Side: Mixed Use, with Medical Office & Retail
- Connections to Hoag Hospital



Newport Beach General Plan Update
Land Use Element

MARINERS' MILE

- Harbor Frontage: Mixed Use, Visitor-Serving, Marine-Related (Maximum 50% for Housing)
- Highway Inland Frontage: Commercial and Visitor-Serving
- Inland Parcels: Village with Pedestrian Oriented Mixed Use
- Waterfront Promenade & Other Streetscape Improvements



Newport Beach General Plan Update
Land Use Element

CORONA DEL MAR

- Retail & Office, as Existing General Plan
- Opportunities for Parking at Rear of Commercial Properties & Shared Facilities along Corridor





Newport Beach General Plan Update
Housing Element

- State-mandated
- Detailed statutory requirements
- Policy-oriented document that sets forth strategy for addressing regional housing needs (RHNA)
- Existing Housing Element is certified by HCD and is in statutory compliance (certified in 2003 and updated 2005)
- Changes to the Element reflect consistency with Land Use Element and updated statistical information
- Element will be comprehensively updated in 2008 in response to new RHNA cycle



Newport Beach General Plan Update
Housing Element

GOALS AND POLICIES

- **Conservation and Improvement of Housing**
- **A Variety of Housing Opportunities**
Inclusionary ordinance, developer assistance, and condominium conversion regulations.
- **Adequate Residential Sites**
- **Provision and Preservation of Affordable Housing**
Maintaining affordability contracts for existing assisted housing, coordinating with the County for Section 8 tenants, and using CDBG funds if needed for emergency home repair program.



Newport Beach General Plan Update
Housing Element

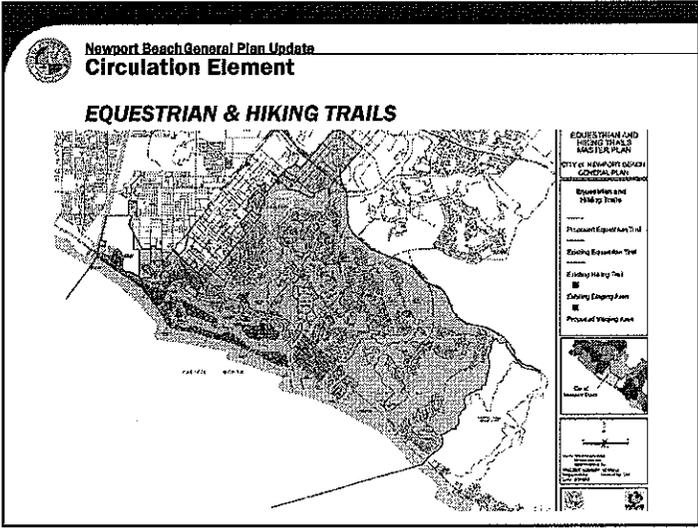
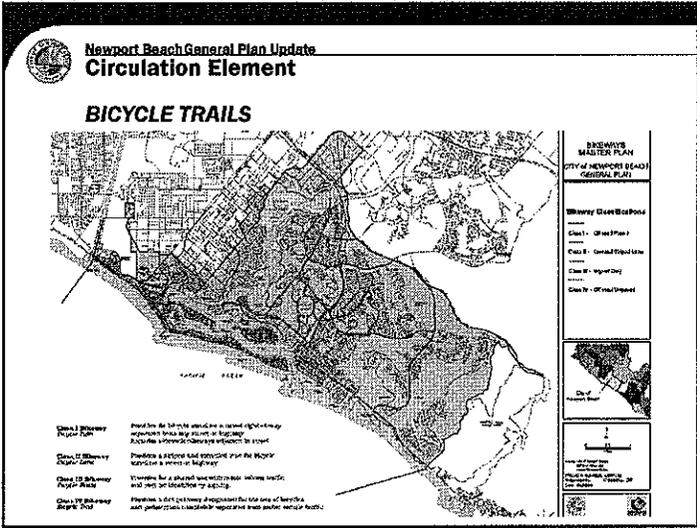
GOALS AND POLICIES

- **Housing for Special Needs Groups**
Housing opportunities for seniors and other special needs groups (large families, single-parent households, homeless, disabled, and persons with AIDs/HIV).
- **Fair Housing**
Support state and federal fair housing law and fair housing services for all residents.
- **Program Monitoring**
Ongoing review of the Housing Element and programs.



Newport Beach General Plan Update
Harbor and Bay Element

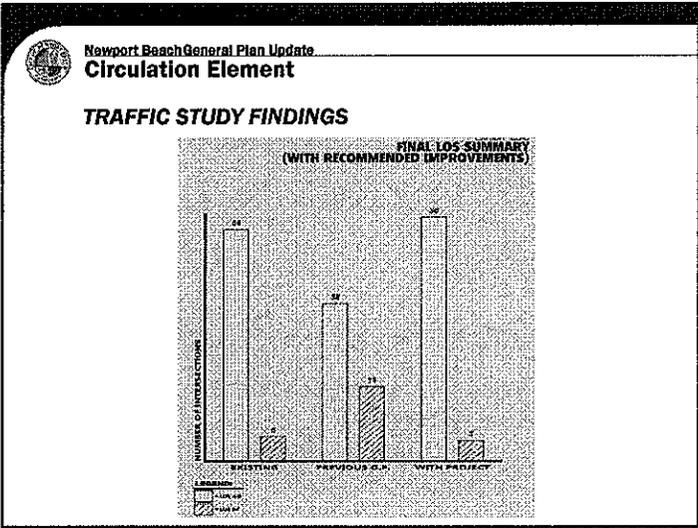
- **Optional Element**
- **Update of Existing Element (2001)**



**Newport Beach General Plan Update
Circulation Element**

TRAFFIC STUDY FINDINGS

- General Plan updated traffic analysis demonstrates that the proposed General Plan results in less congestion.
- Result of better land use planning (mixed-use, pedestrian-oriented areas), combined with more effective roadway improvements.
- Fewer intersections require improvements under proposed General Plan than existing conditions and prior General Plan.





Circulation Element

**ROADWAY SYSTEM
LEVEL OF SERVICE STANDARDS**

- LOS "D" throughout the City
- LOS "E" at Campus Drive at Bristol Street North
- LOS "E" at pedestrian oriented areas of Coast Highway in Mariners Mile, Riverside Avenue at Coast Highway, and Dover Drive and Coast Highway
- Los "E" at Marguerite Avenue at Coast Highway in pedestrian oriented areas of Corona del Mar
- Accept LOS "E" at Goldenrod Avenue at Coast Highway in the pedestrian oriented areas of Coast Highway in Corona del Mar



Circulation Element

GOALS AND POLICIES

- **Regional Transportation**
Integration of transportation systems with the region and adjoining communities, implementation of 19th Street Bridge, and regional traffic mitigation programs.
- **Public Transportation**
Support efforts of OCTA, land use densities that support transit use, and transit support facilities.
- **Alternative Transportation Modes**
Support implementation of pedestrian, equestrian bicycle trails system, and pedestrian safety, and marine transit systems.



Circulation Element

GOALS AND POLICIES

- **Transportation Systems Management/Travel Demand Management**
Support Measure "M" requirements through transportation systems management programs including interagency coordination, traffic signals, and alternative transit modes.
- **Parking**
Support parking facilities including parking requirements for new projects, in-lieu fees, expanding parking in Corona del Mar, alley access, shared parking facilities and revised standards for pedestrian-oriented areas.
- **Transportation Funding**
Explore all funding mechanisms including state and federal revenues, fair share fees, joint funding, user fees, or special district requirements.



Recreation Element

- Existing Element – Recreation and Open Space (1998)
- Updated Recreation Element only contains goals and policies related to recreation; goals and policies related to open space are in Natural Resources Element

 **Newport Beach General Plan Update**
Circulation Element

**ROADWAY SYSTEM
 LEVEL OF SERVICE STANDARDS**

- LOS "D" throughout the City
- LOS "E" at Campus Drive at Bristol Street North
- LOS "E" at pedestrian oriented areas of Coast Highway in Mariners Mile, Riverside Avenue at Coast Highway, and Dover Drive and Coast Highway
- Los "E" at Marguerite Avenue at Coast Highway in pedestrian oriented areas of Corona del Mar
- Accept LOS "E" at Goldenrod Avenue at Coast Highway in the pedestrian oriented areas of Coast Highway in Corona del Mar

 **Newport Beach General Plan Update**
Circulation Element

GOALS AND POLICIES

- **Regional Transportation**
 Integration of transportation systems with the region and adjoining communities, implementation of 19th Street Bridge, and regional traffic mitigation programs.
- **Public Transportation**
 Support efforts of OCTA, land use densities that support transit use, and transit support facilities.
- **Alternative Transportation Modes**
 Support implementation of pedestrian, equestrian bicycle trails system, and pedestrian safety, and marine transit systems.

 **Newport Beach General Plan Update**
Circulation Element

GOALS AND POLICIES

- **Transportation Systems Management/Travel Demand Management**
 Support Measure "M" requirements through transportation systems management programs including interagency coordination, traffic signals, and alternative transit modes.
- **Parking**
 Support parking facilities including parking requirements for new projects, in-lieu fees, expanding parking in Corona del Mar, alley access, shared parking facilities and revised standards for pedestrian-oriented areas.
- **Transportation Funding**
 Explore all funding mechanisms including state and federal revenues, fair share fees, joint funding, user fees, or special district requirements.

 **Newport Beach General Plan Update**
Recreation Element

- Existing Element - Recreation and Open Space (1998)
- Updated Recreation Element only contains goals and policies related to recreation; goals and policies related to open space are in Natural Resources Element



GOALS AND POLICIES

■ **Park and Recreation Facilities**

Require new residential development to provide parkland and parkland fees.

■ **Recreation Programs**

High quality recreation services/programs for all residents (seniors, adults, youth).

■ **Shared Facilities**

Joint use of facilities to maximize resources.



GOALS AND POLICIES

■ **Coastal Recreation and Support Facilities**

Protection of recreational opportunities along the coast

■ **Marine Recreation**

Provision of marine recreational facilities and support facilities

■ **Public Access**

Provide public access to recreational resources (beaches, parks, trails, public walkways).



■ **Optional Element**

■ **New Element for the Updated General Plan**

■ **Goals and Policies**

- Participation in Cultural Arts
- Provision of Physical Facilities
- Funding opportunities



■ **Optional Element**

■ **New Element for the Updated General Plan.**



Historical Resources Element

GOALS AND POLICIES

- **Protection of Historically Significant Landmarks/Sites**
Preservation or adaptive re-use of historical structures through incentives.
- **Archeological and Paleontological Resources**
Protect and preserve paleontological and archaeological from destruction for new projects.



Safety Element

GOALS AND POLICIES

- Coastal Hazards (tsunamis, rogue waves, storm surges and seiche hazards)
- Minimizing Coastal Erosion
- Seismic and Geological Hazards
- Flood Hazards
- Fire Hazards
- Hazardous Materials
- Aviation Hazards
- Disaster Planning



Noise

GOALS AND POLICIES

- Noise and Land Use Compatibility
- Transportation Related Noise
- Non-Transportation-Related Noise
- Construction Noise



Natural Resources Element

GOALS AND POLICIES

- Water Supply
- Water Quality
- Air Quality
- Biological Resources
- Open Space Resources
- Archaeological and Paleontological Resources
- Mineral Resources
- Visual Resources
- Energy Conservation



Historical Resources Element

GOALS AND POLICIES

- **Protection of Historically Significant Landmarks/Sites**
Preservation or adaptive re-use of historical structures through incentives.
- **Archeological and Paleontological Resources**
Protect and preserve paleontological and archaeological from destruction for new projects.



Safety Element

GOALS AND POLICIES

- Coastal Hazards (tsunamis, rogue waves, storm surges and seiche hazards)
- Minimizing Coastal Erosion
- Seismic and Geological Hazards
- Flood Hazards
- Fire Hazards
- Hazardous Materials
- Aviation Hazards
- Disaster Planning



Noise

GOALS AND POLICIES

- Noise and Land Use Compatibility
- Transportation Related Noise
- Non-Transportation-Related Noise
- Construction Noise



Natural Resources Element

GOALS AND POLICIES

- Water Supply
- Water Quality
- Air Quality
- Biological Resources
- Open Space Resources
- Archaeological and Paleontological Resources
- Mineral Resources
- Visual Resources
- Energy Conservation

MAY 21 2001 1:04PM

NO. 630

Document A5



CITY OF NEWPORT BEACH

OFFICE OF THE MAYOR

Mayor Don Webb
Mayor Pro Tem Steven Rosansky
Council Members Leslie J. Daigle, John Heffernan, Richard A. Nichols, Tod W. Ridgeway, Edward D. Selich

January 11, 2005

Mr. Gregg Herr
Irvine Ranch Water District
15600 Sand Canyon Avenue
Irvine, CA 92618

Irvine Ranch Water District Draft Environmental Impact Report for the Michelson Water Reclamation Expansion Project

Dear Mr. Herr:

The City of Newport Beach appreciates IRWD's courtesy in presenting the Project to our Environmental Quality Affairs Committee (EQAC) in December, and in agreeing to accept the City's comments on the Draft EIR after the deadline for comment on the document. As you are probably aware from past projects, EQAC reviews Draft EIRs and prepares comments for the City Council's consideration. The comments in this letter are based on those prepared by EQAC and are the comments approved by the City Council on January 10, 2006.

3.0 Project Description

"Reclaimed Water Pumping" (page 3-11): The DEIR states that additional pumps will be added to increase capacity to 33 mgd from a current capacity of 18 mgd. However, no information is given about how the additional 15 mgd capacity will be distributed to users. Are new transmission pipes and/or intermediate pumping stations needed? If so, where will they be placed and what environmental impact is expected? These questions need to be fully addressed in the final EIR.

A5-1

"3.6 Environmental Commitments Incorporated into the Project" (page 3-14): In Appendix A, County of Orange letter dated July 1, 2005 suggests items which the County considers important enough to be included in the EIR. The City of Newport Beach shares the County's concern with flooding potential, especially as flooding and dewatering for the new settlement basins may result in the runoff of pollutants into San Diego Creek and Upper Newport Bay. We support the County's request that the EIR analyze impacts and propose mitigation measures to ensure flooding potential is not worsened, floodplains and flooding problems are not

A5-2

A5-3

City Hall • 3300 Newport Boulevard • Post Office Box 1768
Newport Beach California 92658-8915 • www.city.newport-beach.ca.us
(949) 644-3004

MAY. 21. 2001 1:04PM

NO. 630 P. 3

Mr. Gregg Herr, IRWD
January 11, 2006
Page 2

shifted elsewhere and erosion is not caused by the project.

A5-3
(cont.)

4.0 Environmental Analysis

4.2 Hydrology and Water Quality

"Table 4.2-2" (page 4.2-5): The final EIR should confirm that the numbers in the Table are correct. It would seem that the year average concentrations should be between the values for wet and dry seasons. Example: see Total Nitrogen (mg/l), year maximum and minimum.

A5-4

"NPDES Permit" (page 4.2-22, 3, 4): The text at the bottom of page 4.2-23 refers to a requirement to meet Total Dissolved Solids ("TDS") concentrations in the water delivered from the MWRP. It shows that the current facility meets the requirement, by a small margin, according to the "latest recycled water report." However, it goes on to imply that introduction of differing source waters in the future could prevent MWRP from meeting the NPDES permit requirements. The final EIR should fully analyze this potential impact and provide necessary mitigation to assure that permit requirements will be met.

A5-5

"Nutrients" (page 4.2-26): It is unclear from the text and Table 4.2-12 whether any nutrient effluent requirements in this proposed Project related to TMDLs. In fact, computations based on Table 4.2-1 and 4.2-2 could lead to the conclusion that the Total Nitrogen Daily Load requirement in 2012 on Table 4.2-12 is unachievable. Is that true? If not, a simple calculation of the San Diego Creek contribution to Total Nitrogen Load and the MWRP contribution would be essential. Why not do these calculations and present the results in clear tables with consistent units (acre-ft/yr, gals/yr, lbs, cf/s, mg/l).

A5-6

"Impact H-8" (page 4.2-37): The DEIR asserts, without proof, that the increased storm runoff due to added impervious surfaces will be more than offset by the fact that such runoff water will be pumped to the plant headworks and treated as part of the reclamation process. This assertion needs clarification. What is the additional runoff volume due to the facility expansion for a 25-year frequency, 24-hour duration storm? Will there be additional flooding over the settlement basins that could carry polluted water to the San Diego Creek and Upper Newport Bay?

A5-7

"4.2.6 Non-Regulated Pollutants Carried by Tertiary Treated Wastewater" (page 4.2-41): This is an informative exposition of the unresolved problems associated with the detection and mitigation of pharmaceuticals and personal care products in wastewater. Those sections are well written and useful as background, but there are currently

A5-8

2.0 RESPONSES TO COMMENTS

MAY. 21. 2001 1:04PM

NO. 630 P. 4

Mr. Gregg Herr, IRWD
January 11, 2006
Page 3

no regulatory guidelines to follow. Since some of these pollutants could eventually prove to be problematical, it would be appropriate if IRWD/MWRP would agree to participate in one or more state-of-the-art research programs in this area. In this way, IRWD would be most prepared to take future corrective action regarding identified dangerous pollutants in this category.

A5-8
(cont.)

5.0 Cumulative Impacts

The DEIR concentrates on the cumulative impacts of "projects for which applications have been submitted as well as projects that may foreseeably have impacts that would cumulate with those of the Proposed Project ..." The study area for cumulative impacts includes the San Diego Creek Watershed.

However, our comments focus on the cumulative growth inducing impacts that the proposed Project may have. In 2004, IRWD expanded its storage capacity for recycled water with the expansion of the San Joaquin Reservoir. The cumulative effect of the expanded capacity at San Joaquin Reservoir, combined with the proposed Project, which increases the production of recycled water, will free up substantial quantities of potable water. The DEIR makes no attempt to analyze and, if necessary, mitigate such impacts.

A5-9

The potential impacts associated with the expansion of the San Joaquin Reservoir combined with the expansion of the Michelson facility should be

analyzed to evaluate the long term and cumulative impacts of the proposed Project on the District's Non-Potable Water Supply System. Piecemeal EIRs, according to CEQA, are illegal. The CEQA Guidelines provide that a "project" means "the whole of the action" which has the potential for resulting in "either direct physical change or a reasonably foreseeable indirect physical change in the environment." (CEQA Guidelines, Section 15378)

The final EIR should fully analyze the combined environmental impacts of the expansion of the San Joaquin Reservoir and the expansion of the Michelson facility.

6.0 Growth Inducement

The Executive Summary states that a Project Objective is to maximize freshwater availability for wildlife needs and resources uses such as agriculture. The DEIR Introduction states: "IRWD has developed water supplies that include: high quality and impaired quality (treated)

A5-10

2.0 RESPONSES TO COMMENTS

MAY. 21. 2006 1:05PM

NO. 630 P. 5

Mr. Gregg Herr, IRWD
January 11, 2006
Page 4

local groundwater, surface water captured in local reservoirs, treated and untreated imported water provided through the Metropolitan Water District of Southern California (MWD) and tertiary treated recycled water." In expanding IRWD's recycled water production capability, the proposed Project will free up potable water supplies, which will affect growth in the area.

The DEIR states that "(g)rowth-inducing factors in Orange County are primarily related to availability of buildable land and adequate infrastructure to support growth in new areas." However, in the arid Southern California climate, water availability affects land use decisions. Development entitlements are conditioned upon a showing of such availability.

Since 2001, with the passage of two laws linking development to water supply, project applicants in California have been required to obtain written confirmation from water suppliers that sufficient water will be available prior to developing a project. The laws apply to residential, commercial, office, hotel, industrial and mixed-use projects that meet certain thresholds. For residential developments, the threshold is the water demand equal to or greater than the amount of water demanded by a 500 dwelling unit project.

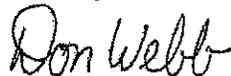
The additional availability of potable water supplies that will result from the proposed Project has the potential to lead to a greater level of development in the areas where there is available buildable land in Orange County.

The final EIR should fully analyze the potential growth-inducing impacts of the proposed Project.

Conclusion

Thank you for the opportunity to comment on the DEIR for the Project. We hope that these comments will assist IRWD in the final EIR and the final Project.

Sincerely,



Don Webb
Mayor

Cc: Environmental Quality Affairs Committee

A5-10
(cont.)

Response to Document A5

City of Newport Beach

January 11, 2005

- A5-1** As described in the DEIR, Section 3, "Project Description" and Section 7, "Alternatives," the proposed MWRP Phase 2 and 3 Capacity Expansion would take place entirely within the existing MWRP footprint. The Proposed Project would expand the capacity of the existing MWRP to handle projected flows with no requirement to develop offsite distribution system pipelines or other offsite distribution facilities. Since the dual distribution system is mandated by IRWD for new development approval, facilities that may be necessary for new developments to connect to IRWD's reclaimed water distribution system will be analyzed in accordance with CEQA under project-specific development proposals and are addressed in the DEIR, Section 5.0, Cumulative Impacts.
- A5-2** Please refer to response A4-11 and Section 3 of this EIR, Item 2. The EIR has been revised to provide further clarification regarding standard construction methods that will be incorporated into the project.
- A5-3** Please refer to response A4-6.
- A5-4** The values in Table 4.2-2 (page 4.2-5 of the DEIR) were copied directly from the source report referenced in the table. As shown on the table, the mean value for the year is between the values for wet and dry seasons. However, due to a difference in significant figures used, the maximum and minimum values for the year are not always equal to the maximum or minimum from the wet and dry seasons. For example, the year maximum for total nitrogen is listed as 12.14 mg/l, while the maximum of the wet and dry seasons is listed as 12.1 mg/l. The difference in these listed values is that the wet and dry values have been rounded. Revised maximum and minimum year values rounding to the tenths place are 12.1 and 2.8 mg/l for total nitrogen and 4.0 and 0.2 mg/l for total phosphorus as PO₄. These revisions to the values based on using a consistent number of significant figures do not affect the calculations or conclusions presented in the Draft EIR or the Water Quality and Hydrology Technical Report.
- A5-5** The MWRP is required to comply with the Regional Water Quality Control Board (RWQCB) NPDES permit. The permit lists two limits on TDS concentrations – a 12-month average concentration of 720 mg/l and a 12-month average mass rate of 108,086 pounds per day. As discussed in the Draft EIR, the latest published recycled

water report (IRWD 2001), listed a 12 month average for the year of 680 mg/l, which meets the requirements. More recent data submitted to the RWQCB as required by the NPDES permit, lists 12 month averages for 2003 and 2004 of 631 and 626 mg/l, respectively. Twelve-month average values of pounds per day of TDS reported in the 2003 and 2004 annual reports to the RWQCB were 60,518 and 63,618 pounds per day, which also meet the requirements.

The intent of the text on pages 4.2-23 and -24 of the DEIR was not to imply that introduction of differing source waters in the future could prevent MWRP from meeting the NPDES permit. The intent of the text was to state that the TDS of the incoming water could increase in the future due to the introduction of additional sources. However, IRWD is required to meet the NPDES permit and will insist that the incoming water supply is acceptable. IRWD has maintained TDS concentrations below the permitted limits. In addition to meeting the NPDES permit requirements for TDS, IRWD has managed TDS concentrations in order to meet customers' needs. Agricultural users, which make up the majority of the IRWD recycled water customers, generally insist on water with TDS concentrations less than approximately 700 mg/l. IRWD has spent significant funds in order to manage TDS concentrations to meet their customers' needs.

IRWD has to operate the MWRP to meet the NPDES permit requirements. If the NPDES permit requirements are not met, the RWQCB has the authority to prohibit additional discharges from the MWRP.

A5-6

As noted in the comment, current loading in the creek (based on data in Tables 4.2-1 and 4.2-2 of the DEIR) is greater than the 2012 allowable loading. The RWQCB has created TMDLs for nutrients in order to limit future loading and improve the water quality in the Creek. The RWQCB determines the limits based on what will improve the water quality of the Creek and what they determine is achievable. The RWQCB, in adopting the TMDLs, has stated that the limits are achievable.

Calculations of the San Diego Creek contribution to the total nitrogen load are provided in the DEIR (Page 4.2-34) and the Water Quality and Hydrology Technical Report (Appendix C of the DEIR, Page 37). These referenced pages state that the current nitrogen load in the Creek at Campus Drive is approximately 227 pounds per day in the dry season and 5909 pounds per day in the wet season.

The contribution of nitrogen from the MWRP recycled water was calculated in the Water Quality and Hydrology Technical Report and is discussed in the Technical

2.0 RESPONSES TO COMMENTS

Report (Pages 38 and 39) and in the DEIR (Page 4.2-35). The calculation of nitrogen and phosphorus contributions tabulated in Tables D-2 and D-3 (DEIR Appendix D of the Water Quality and Hydrology Technical Report) presents the following estimated values. The calculations assume that IRWD water is the only source of water in the dry season. Such an assumption is conservative, likely over-estimating the contribution of IRWD water.

Dry Season Loading (pounds per day) from MWRP

Current Nitrogen Loading in the Creek	Additional Nitrogen Loading due to Proposed Project	Total Nitrogen due to Proposed Project	Nitrogen TMDL	Current Phosphorus Loading in the Creek	Additional Phosphorus Loading due to Proposed Project	Total Phosphorus due to Proposed Project	Phosphorus TMDL
134	113	247	840	7	6	13	170

A5-7

The Draft EIR states that the pump stations, which collect and pump storm runoff to the plant headworks for treatment, are sized for the 25 year storm. The report also states that the SWPPP will be revised as the expansion of the MWRP will add new impermeable surfaces and runoff may increase. The DEIR calculated an increase in runoff just using surface categories of industrial areas, concrete/asphalt and lawn.

Calculations done in response to this comment indicate that while some areas that currently consist of lawn or dirt will be replaced with concrete, larger areas that are currently concrete will be replaced with open-top tanks or open water surface features. The following Figures 1 and 2 show the areas that currently are and will be, under the proposed project, lawn/dirt, concrete/asphalt, or open water surface.

As shown on the following Table 1, the current distribution of lawn/dirt, concrete/asphalt, and water surface areas as shown on Figure 1 is 0.7 acre, 1.7 acres, and 0.2 acre, respectively. Under the proposed project, the distribution of lawn/dirt, concrete/asphalt, and water surface areas as shown on Figure 2 is 0 acre, 2.2 acres, and 2.6 acres, respectively. Therefore, although new impermeable surfaces will be added and the area of concrete/asphalt will increase with respect to lawn/dirt areas, the area of open water surfaces will increase substantially compared to the increase in concrete/asphalt areas. These open water surfaces will not contribute runoff water. Therefore, the area contributing to storm water runoff will decrease by approximately two acres as a result of the proposed project.

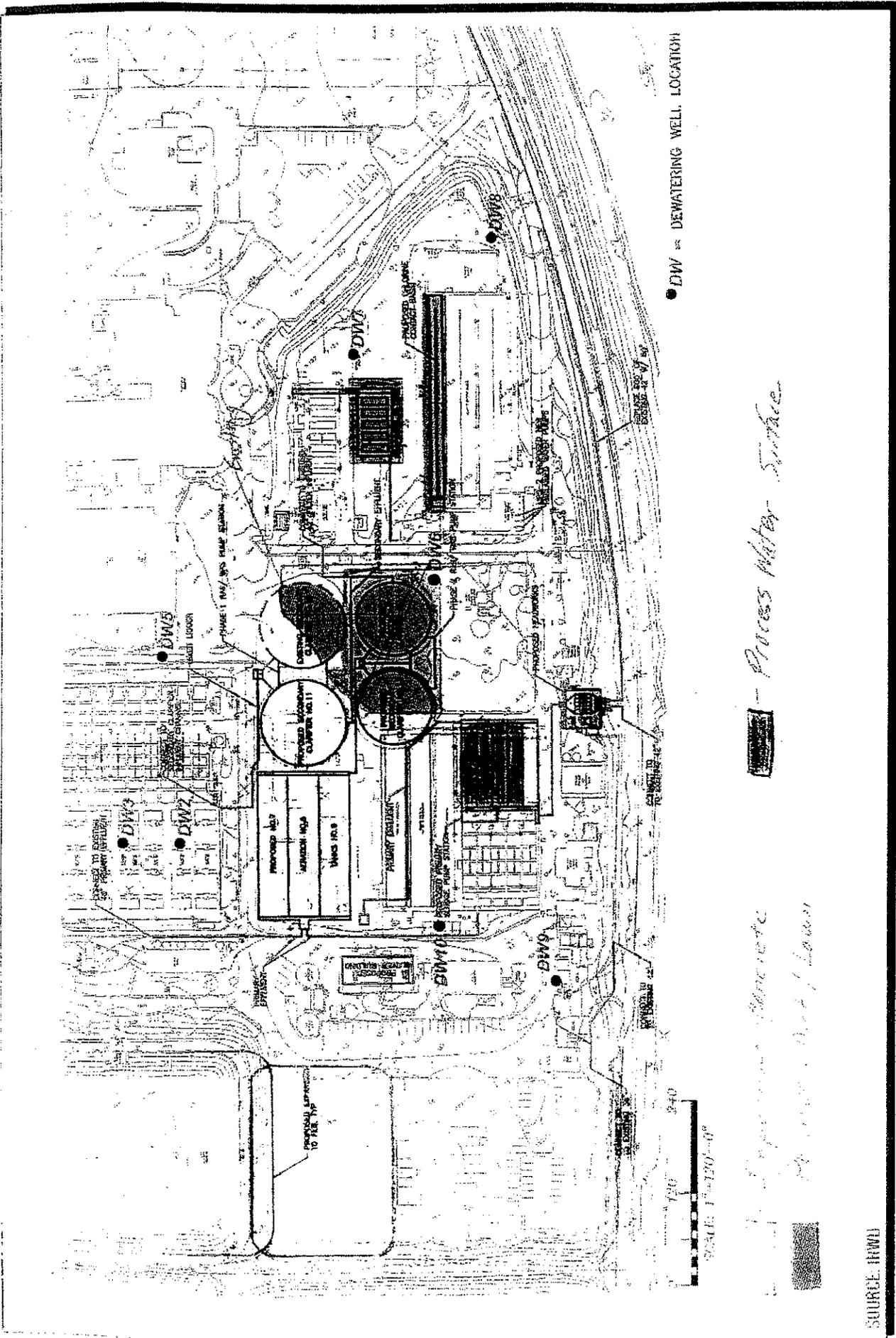


FIGURE 1

MWRP Phase 2 and 3 Capacity Expansion Project - EIR Response to Comment A5.7
 Existing Land Surface Conditions

2.0 RESPONSES TO COMMENTS

TABLE 1
Comparison of Existing Land Surface Conditions
To Phase 2 and 3 Process Modification Land Surface Conditions

Process	Current (sq ft, unless otherwise specified)			Revised (sq ft, unless otherwise specified)		
	Lawn/Dirt	Concrete/Asphalt	Water Surface	Lawn/Dirt	Concrete/Asphalt	Water Surface
New Primary Clarifiers	0	2200	8800	0	0	11000
Expanded FFB	0	30000	0	0	0	30000
Aeration Basins(scaled)	0	21204	0	0	0	21204
Surrounding Aeration Basin Impervious Area 1(scaled)	0	1152	0	0	0	1152
Surrounding Aeration Basin Impervious Area 2(scaled)	0	720	0	0	0	720
Phase 2 Secondary Clarifier(scaled)	3617.5	3617.5	0	7235	0	7235
Surrounding Phase 2 Secondary Clarifier Area(scaled)	3600		0	3600	3600	0
Phase 3 Secondary Clarifier 1(scaled)	0	9156	0	0	0	9156
Phase 3 Secondary Clarifier 2(scaled)	7235	0	0	0	0	7235
Surrounding Phase 3 Secondary Clarifier 1 Impervious Area (scaled)	0	5244	0	0	5244	0
Surrounding Phase 3 Secondary Clarifier 2 Pervious Area (scaled)	7165	0	0	0	7165	0
Expanded Filters(scaled)	4262	0	0	4262	0	4262
Surrounding Expanded Filters Pervious Area(scaled)	266	0	0	0	266	0
Expanded Chlorine Contact(scaled)	4914	0	0	0	0	4914
Surrounding Expanded Chlorine Contact Pervious Area 1(scaled)	54	0	0	0	54	0
Surrounding Expanded Chlorine Contact Pervious Area 2(scaled)	819	0	0	0	819	0
Headworks	653.5	653.5	0	0	653.5	653.5
Totals	32586	73947	8800	115333	17801.5	97531.5
Totals In Acres	0.7	1.7	0.2	2.6	0.4	2.2

2.0 RESPONSES TO COMMENTS

Although the open process water tanks will collect rainwater that falls over the surface area of the tanks, the tanks operate using weirs that control the water level in the tanks and prevent overflowing.

A5-8 Comment noted.

A5-9 The analysis sought by the comment is contained in the DEIR, Section 5, "Cumulative Impacts" and Section 6, "Growth Inducement."

As required by CEQA (Section 15130 et. seq. of the CEQA Guidelines), the proposed MWRP Phase 2 and 3 Capacity Expansion Project is analyzed in the DEIR in relation to other past, present and reasonably foreseeable future projects in the area, having impacts that are considered to overlap or interact in a cumulative manner with those of the Proposed Project. For purposes of the cumulative impact analysis, a list of projects in the immediate vicinity and expected to be constructed during the same time period as the MWRP Expansion Project has been used in accordance with CEQA (Section 15120[b][1]). These projects and their approximate geographic location are shown in Table 5-1 of the DEIR. Projects that are completed, or in operation such as the San Joaquin Reservoir Project, are considered in the EIR as part of current baseline conditions discussed by issue area in Section 4 of the DEIR. Analysis of cumulative impacts that may result due to these projects and evaluation of the project's contribution to such impacts, is presented in Section 5 of the DEIR. Because the cumulative analysis takes into consideration the contribution of past, present and reasonably foreseeable future impacts in combination with the Proposed Project, the DEIR does address the combined environmental impacts of the San Joaquin Reservoir and proposed MWRP Capacity Expansion Project.

As discussed in the DEIR, Section 2, "Project Purpose and Objectives," the Proposed Project has the primary purpose of expanding in phases, based on need, IRWD's recycled water production capability to meet projected ultimate (year 2025) demands for non-potable water from recycled water. The San Joaquin Reservoir's primary purpose is to store excess recycled water in winter months to be served in high demand summer months. As described in Section 2, and illustrated in Figure 2-4 of the DEIR, IRWD's seasonal storage reservoirs, including the San Joaquin Reservoir, allows the MWRP treatment capacity (both existing and proposed) to be used more evenly and efficiently the entire year. IRWD's seasonal storage reservoirs, including the San Joaquin Reservoir merely make the existing MWRP and proposed Capacity Expansion Project more efficient by enabling IRWD to meet demand for recycled water with a smaller and therefore more efficient direct production capacity.

The DEIR Section 6, "Growth Inducement," acknowledges and analyzes the "freeing-up" of water related to the provision of additional recycled water as one aspect of the growth inducement analysis. Please refer to response A5-10.

A5-10 The DEIR Section 6.2, "Growth Related to Provision of Additional Recycled Water," provides a discussion of the growth potential of "freeing-up supplies" within the Metropolitan Water District of Southern California (MWD) service area and specifically within Orange County. As discussed in the DEIR, the project is consistent with California State law mandates concerning California's long-term water supply strategy and is not expected to directly induce growth in a predictable manner or defined location. The project merely expands IRWD's reclaimed water production capacity to meet projected ultimate non-potable water demands within the District's service area, which might potentially reduce the demand on other previously available supplies.

IRWD's most recent water supply assessment, adopted on November 28, 2005, concluded that the total water supplies available to IRWD during normal and dry years within a 20-year projection will be sufficient to meet existing and planned future uses within IRWD's entire service area. IRWD's water supply assessment methodology aggregates total supplies and demands for IRWD's service area. Each water supply assessment includes the water demands for full buildout of all presently undeveloped areas of IRWD based on current general plan and other information available to IRWD. Given the availability of imported non-potable water to supply the demands of growth if the project were not implemented, the Proposed Project neither supports nor encourages growth to a greater degree than presently estimated by SCAG or the agencies with land use jurisdiction within IRWD's service area (cities of Irvine, Tustin, Orange, Newport Beach, Lake Forest, and County of Orange), and is therefore not inherently directly growth-inducing.

In analyzing whether reducing IRWD's demand for supplemental water from MWD as a result of the project would induce growth within the MWD service area, several factors reduce the likelihood that a growth-inducing effect would actually take place. As stated in the DEIR, MWD's March 25, 2003 analysis of the sufficiency of its water supply showed that in both average rainfall years, single dry and multiple dry years, it has existing supplies and supplies under development that are more than sufficient to meet projected demands through the next 20 years. Since the DEIR was completed, MWD adopted the Regional Urban Management Plan (RUMP) which extends through 2030 the demand supply reliability analysis contained in the March 2003 report. MWD's RUMP adopted in November 2005, states that MWD's

2.0 RESPONSES TO COMMENTS

reliability analysis shows that MWD can maintain reliable supplies under the conditions that have existed in past dry periods through 2030. This includes a repeat of the multiple dry-year (1990-1992) hydrology, and the single dry-year (1977) hydrology. Since MWD's supplies are projected to exceed its demands over the next 20 years, growth is not water supply-limited on a regional basis, and any imported water freed up by the project should have no effect on growth in the MWD service area. If MWD's projections are erroneous and growth in the MWD service area is, in fact, water supply constrained, the growth inducement effect could only occur if and where other necessary growth supporting services are available and could occur anywhere in MWD's 5,200 square-mile service area. MWD delivers an average of 1.7 billion gallons of water per day to nearly 18 million people within a 5,200 square-mile area. In addition to Orange County, MWD's service area includes parts of Los Angeles, San Diego, Riverside, San Bernardino and Ventura counties. Any attempt to predict where this might occur within the 5,200 square-mile MWD service area would be speculative.