CITY OF NEWPORT BEACH
ENVIRONMENTAL QUALITY AFFAIRS COMMITTEE

DATE/TIME: Monday, November 19, 2007 - 7:00 p.m.

LOCATION: Police Department Auditorium
870 Santa Barbara Drive

Roll Call

1. Minutes of October 15, 2007 (*draft minutes attached*)
2. Review of Subcommittee Report on Draft EIR for Hoag Memorial Hospital Master Plan and General Plan Amendment, and Approval of Comments (attachment)
3. Report from Energy Subcommittee
4. Economic Development Committee (EDC) Representative's Report
5. Coastal/Bay Water Quality Committee Representative's Report
6. Report from Staff on Current Projects
7. Public Comments
8. Future Agenda Items
9. Adjournment

NEXT MEETING DATE: December 17, 2007

*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 10-15-07

Draft minutes of the Environmental Quality Affairs Committee held at the City of Newport Beach Police Department Auditorium, 870 Santa Barbara Drive, on **Monday, October 15, 2007.**

Members Present:

X	Nancy Gardner, Council Member		Sandra Haskell - *excused*
X	Michael Henn, Council Member		Barry Allen
X	Bruce Asper		Kristine Adams - *excused*
X	Dolores Otting, Vice Chair	X	Susan Knox
X	Kimberly Jameson	X	Arlene Greer
X	Matt Wiley	X	Timothy Stoaks
X	Brent Cooper		Jennifer Winn
X	Laura Dietz	X	Ray Halowski
X	Kenneth Drellishak, Chair	X	Barbara Thibault
X	Laura Curran		Merritt Van Sant
X	Michael Smith	X	Robert Rush
X	Michael Pascale	X	John Moftakhar

Staff Representatives: **Guests:**

X	Ass't City Mgr. Sharon Wood	

Chairperson Ken Drellishak called the meeting to order at 7:06 p.m.

1. Minutes of September 17, 2007

   Ray Halowski moved to approve the minutes of September 17, 2007. Ray Halowski seconded the motion.

   Motion passed unanimously

2. Review of Subcommittee Report on Draft EIR for Hoag Health Center, and Approval of Comments

   The Committee reviewed the Subcommittee report, and made revisions. Ray Halowski moved that the report be approved as amended; Bruce Asper seconded the motion.

   Motion passed unanimously

3. Review of Subcommittee Report on Draft Environmental Impact Report for UCI Long Range Development Plan, and Approval of Comments

The Committee reviewed the Subcommittee report, and made revisions. Dolores Otting moved that the report be approved as amended; John Moftakhar seconded the motion.

Motion passed unanimously, with Kimberly Jameson recused.

4. Draft Resolution Making Recommendations to the City Council Regarding a Green Building Initiative

The Committee continued this item to the meeting of November 19, 2007.

5. Economic Development Committee (EDC) Representative's Report

Chair Drellishak reported that EDC received a presentation on the City's capital improvement program for the fiscal year.

6. Coastal/Bay Water Quality Committee Representative's Report

No report.

7. Report from Staff on Current Projects

No report.

8. Public Comments

Laura Curran spoke about the City's Community Emergency Response Team (CERT) program. Dolores Otting spoke about MWD's decision to fluoridate the water supply.

9. Future Agenda Items

Zero waste, City vehicle fleet, other energy topics

10. Adjournment

Chair Drellishak adjourned the meeting at 8:55 p.m.

HOAG MP DSEIR 11-07

DRAFT COMMENTS

To: James Campbell 20 November 20007
Planning Department
City of Newport Beach

From: Environmental Quality Affairs Committee (EQAC)

Subject: DSEIR Hoag Memorial Hospital Presbyterian Master Plan Update, SCH No. 1991071003, September 2007

EQAC is pleased to submit the following comments regarding the subject DSEIR. We hope that these comments will assist you in optimizing the proposal project for maximum benefit to the City of Newport Beach on the entire Hoag Hospital service community.

1.0 Executive Summary

Pg. 1-4, top paragraph refers to a need to amend the Development Agreement to provide for "an increase in the public benefits….and eliminate unnecessary references." Please identify these "unnecessary" references and explain why they should be eliminated.

Pg. 1-6 under Noise asserts that "the project would not result in significant project-specific exceedances", but that "roadway noise would exceed the 65 CNEL along roadway surrounding Hoag". How is this statement consistent with: 1) the requirement on pg. 1-3 to exempt loading and unloading of delivery vehicles from applicable noise standards and 2) that all mitigation measures under impacts 3.4.1 to 6 assert that all noise impacts are mitigated to no impact or less than significant?

Pg. 1-8 says that comments were received from Newport Beach Townhouses Home Owners Association on the IS/NOP. However, no such communication can be found in Appendix A. Please explain?

Pg. 1-16, mitigation measure 104 allows trucks doing excavation and concrete pours from 1 September to 1 June to operate up to 25 trips/hr. This seems high. Is there a City ordinance or guideline allowing such high levels of truck traffic?

Pg. 1-21 Impact 3.2-5 refers to City of Newport Beach General Plan. It should be stated that the 2007 version of the Updated General Plan is applicable.

Pg. 1-25, SC 3.4-1 allows construction noise from 7 am – 6:30 pm on weekdays and 8 am – 6 pm on Saturdays. Is there a city ordinance allowing these hours of operation?

2.0 Description of Proposed Project

Pg. 2-2 details space utilization on the Upper and Lower Campuses showing a current total utilization of 890,005 sf. This does not agree with Tables 2-1 and 2-2. Please explain the discrepancy of 3,735 sf.

3.1 Land Use and Related Planning Programs

Pg. 3.1-5 lists Urgent Care under permitted uses on the Lower Campus. Please explain the differences among Urgent Care, Critical Care and Emergency Care and explain why Urgent Care is not an Upper Campus function along with emergency, acute and critical care.

Pgs. 3.1-11 to 13 discuss impacts of the project on existing land use in the vicinity. The entire discussion tries to minimize the impact of the proposed project on the adjacent western residential communities (Villa Balboa and Versailles). These communities already have issues with the noise and traffic associated with West Hoag Drive and the existing hospital loading areas (see Appendix A responsive to the IS/nop). Any increase in density of development on the Upper Campus will surely exacerbate these issues. It is stated that the condominiums are contiguous to the Upper Campus Midrise Zone and that the proposed project would "allow for more square footage in the Upper Campus than was anticipated in the existing Master Plan, including development in the Midrise Zone." This approach to Upper Camps intensification does not recognize the inevitable long term negative impact on the adjacent residential properties. A project alternative should be considered which moves Upper Campus intensification away from the adjacent residential properties and considers relocation of the loading dock to a side better suited to deal with the noise and off-hours operations.

Pg. 3.1.14 concludes that "a land use impact is not identified for the lower campus", but isn't that false in light of the problems on lower campus re: steam pollution/Cogen noise/ heat pollution – And isn't this really a condition addressed on Pg. 1-4 Item 1.5 CEQA S 21166 item #3 or CEQA S 15162 #3 that requires either a subsequent or supplemental EIR. So why then – if this document is the supplemental EIR Hoag Master Plan Update – isn't the problem noted in 3.1-14? Instead it shows in P2 "no significant land use impact to uses to the North are expected".

Pg. 3.1-15 Goal LU 2 states: "environment that compliments all lifestyles & enhances neighborhoods protect its important environmental setting, resources & quality of life" But, there is no Consistency Evaluation that deals with the 600 or

so residents impacted by more steam/heat/noise pollution when Hoag hasn't complied with those standards previously existing.

Pg. 3.1-16 LU2.4 How will quality of life for local residents won't be enhanced ? It doesn't address. LU3.2 "enhance values that distinguish Newport Beach as a special place to live" is unaddressed in its Consistency Evaluation.

Goal LU 4.1 "enhance livability of neighborhood" is largely unaddressed.

Goal LU 6.1 "enhance quality of life and are located and designed to complement Newport Beach neighborhoods" is largely unaddressed in Consistency Evaluations that follow.

LU 6.1.5 "assure compatibility with adjoining residential neighbors" Consistency Evaluation doesn't address the goal at all ie: 225,000 sq. ft going to upper for things (per 3.1-6) like Emergency Intense Care, Heliport, Critical Care, Shipping/Receiving, Loading docks vs. lower is used for labs, Hospice, Min. Care & Extended Care. Then the Consistency Evaluation states "with mitigation the reallocations of sq. footage may result in Improved noise attenuation\reduction in traffic? Explain.

Pg. 3.1-18 Para. 6 # 23. There is no fence per any exhibit. Please explain.

Pg. 3.1-19 Level of Significance After Mitigations. "Although project setbacks are more stringent… placement of buildings was deemed significant impact considering shade, shadow & noise … The proposed amendment to the Master Plan would not make these impacts more severe." The Master Plan Update is requesting more intensification of building on upper campus and a relaxing of noise standards. Doesn't this make the negative impacts more severe?

3.2 **Transportation and Circulation**

An issue of concern expressed earlier by EQAC was: Is there adequate parking provided in the upper campus to handle the transfer of development rights to that area? What's built so far is less than a million square feet and they still have allowable another 343,000 square feet and there does not seem even now to be adequate parking for people visiting the upper campus.

Page 1-13 discusses transportation, circulation and the parking requirements in the PC text. The current concern should be (as expressed in the earlier EQAC request for additional information) the location of that parking, how that parking is designated for use and whether the parking as allocated in both campuses with the restrictive uses so that public users of the facility would not be required to walk long distances that might be difficult for people visiting the hospital or for elderly people just visiting friends in the hospital. The requirement for parking at a facility of this size with a number of visitors per day, week, month and year should be required to be located in

areas where is most convenient for the public's use. This does have value because otherwise you have scarce fuel being utilized by people driving around this very large facility looking for parking "hopefully" somewhere near where they are going to have to go for their visit or service. The site is not flat. It is very uphill from the lower campus to the upper campus.

It does not seem as if the SEIR is answering the questions that were asked by EQAC in the IS/NOP review about where the location of this parking was so that the decision makers could decide whether it was conveniently located for the necessary users of that parking.

Throughout the Summary of Impacts and Mitigation Program it is stated that, prior to the issue of grading permits or prior to the issue of building permits, specific traffic studies and specific counts and specific locations for internal circulation shall all be developed. What that means to me is that the specific increases in density requested for the upper campus are not at this time designated for a particular location or use. (See page 3.2-10 - Table entitled Hoag Development Assumption and verifies that there hasn't been any decision as to what to build with this additional square footage that has not been built but which they are entitled to on this entire hospital site.) (Also see page 3.2-11 where it states: "As previously noted, no site - specific development projects are proposed as part of the proposed master plan update project").

There is anything wrong with advanced planning of that type, considering the length of time it takes an EIR and all the related matters to move through the City processes, but at the same time it makes it difficult for the decision makers to decide where and how much parking should be located in specific locations on the upper campus to accommodate this increased development. If the increased development consists of office buildings for use by employees of the hospital, without any probable visitation by outsiders to those particular offices, then one formula for parking availability could be calculated; but if the use involved out-patient surgery and medical offices where numerous patients were being seen throughout the day and released throughout the day then substantially greater parking would need to be provided in the upper campus to provide for these people. In other words, there is less of a problem in making an office worker walk from the lower campus parking area to an upper campus office building then is having a patient walking from the lower campus parking facility to a medical office for care and treatment and then be expected to travel all the way back down to the lower campus to get in their car to go home. It is important that you provide parking for patients at or near the area where their services are being provided to them and that employees of the hospital be required to park at distances further away from the site to the patient care facilities if there is a shortage of parking in the upper campus area.

Based on actual evidence, marking parking spaces for "Patients Only" does not work. Such spaces will be occupied by salesmen, visitors who have come to see people in the hospital, and employees if there's no required employee parking sticker on Hoag Hospital employees vehicles or some method of designating all vehicles as they come on site, and then have enforcement of violations. This may not be a good or reasonable approach, but it is an important issue that should be "flagged" so that the proponents, planners and the decision makers can "weigh in on the subject" and come up with viable solutions.

Page 3.2-5 shows that the upper campus generates 11,312 daily trips and the lower campus 2,676 daily trips. I think this may be important with regard to traffic use at any adjacent intersection entering into the hospital but it is not going to define the traffic flows inside the hospital site roads. People enter the hospital site from different locations dependent upon where they live and also their familiarity with the site. People coming down Newport Boulevard from Costa Mesa would most likely turn directly onto Hospital Road to access any part of the hospital site. Whereas, those approaching along Pacific Coast Highway from the Huntington Beach area would see the entrance to Hoag Hospital off of Pacific Coast Highway and enter in that manner but they might end up on the upper campus where more services are available. Therefore, the trip generation assigned to each one of the sections does answer questions about how much impact they have on intersections but it does not give an indication of the number of parking spaces that should be made available in different areas of the upper and lower campus.

The only place parking is discussed in this section is on page 3.2-7 and just makes a generic comment indicating that there are parking lots located in various places but they don't give any indication as to their usage and also don't indicate the number of spaces.

Page 3.2-9 indicates that under the existing master plan the remaining 453,000 square feet of approved but not constructed uses, about 64,000 square feet could be developed in the upper campus and 390,000 could be developed on the lower campus. In this area where allowable square footage is discussed there is one last sentence that is troubling. It says the following: "Square footage is inclusive of in-patient hospital beds." One would assume that considering this is a 500 bed hospital, the square footage of hospital beds was included in the square footage. Why was this sentence included? Is this sentence correct? Does "inclusive" as used in this sentence mean that they aren't counting the square footage for hospital beds?

On page 3.2-10 is another table indicating what the trip generation rates are and it seems unreasonable that in-patient trips per bed is almost 26 car trips a day and then for a 1,000 square foot area of outpatient services it is only 34 car trips per day. (These same figures are again noted in Volume II of this study in the Traffic Study at page 16.)

Page 3.2-11 also may help explain why the trips per bed are so high because a hospital bed in a ward with maybe 50 beds where those 50 beds may only occupy a few hundred square feet but they are counted as being in individual rooms and obviously having nursing facilities, rest rooms, hallways, etc. It does explain why a per bed count of this many trips is reasonable when one thinks of the number of specialists and health care providers and employees of the hospital who visit someone in the hospital on a regular basis. Their trips to the hospital, even as employees of the hospital or people who work in the hospital, are obviously added to the daily trips per bed.

Parking requirements are set forth in a table on 3.2-24. The information following the table would seem to indicate that there is no significant impact on parking in the hospital and just completely ignores the issue raised by EQAC earlier about where is the parking located with reference to where the services are offered. When something like this occurs it generally makes one think that they're trying to discuss around the issue because they don't want to talk about the lack of parking opportunities in the upper campus where they want to do extensive building, but want to point out that there is adequate parking on the hospital site and then not do any differentiation between the upper and lower campus. The steep grade from the lower campus to the upper campus would have to be negotiated by elderly and people who are quite ill to reach the hospital beds for visitation or to reach the hospital services that they may need as patients. Are the proponents avoiding telling where the parking is located because they're expecting the patients and the visitors to the patients to park somewhere inconvenient and there are long walks involved and they are just ignoring that particular issue that EQAC raised? The reason that is a significant issue of environmental concern is because people are going to be driving around and around looking for the nearest parking space when they are elderly or ill because they know that they cannot "traipse up the hill" in their condition. Therefore utilizing excess fuel, creating green house gases and creating pollutants.

At 3.2-32 the report indicates that parking impacts will be less than significant. This particular claim should be challenged based on the information provided here.

If one wants some reasonably significant data as to how the parking is allocated around this particular project then look at the aerial view of the site in Exhibit 2-3 and 2-4 and look at the significant amount of parking available on the western end of the lower campus and then note the new parking structure in the northeast corner of the upper campus and the old existing parking structure in the south part of the upper campus . Existing parking spaces could be easily counted and an indication given of their locations and distances to out-patient services to in-patient hospital beds, to out-patient surgical areas and so it would not be difficult to make the counts that were suggested in the earlier EQAC report so that the decision makers could decide whether to allow this transfer of density of development rights when it would appear that they're not transferring sufficient parking to the upper campus where it will be most needed and is currently most needed Looking at the parking that is available for Hoag Hospital, and taking into consideration

the vast spaces available in the lower campus, there is no doubt that Hoag Hospital can support a statement that there is "adequate" parking on the hospital site according to the trip generation studies that have been suggested are applicable by the hospital's traffic engineers. However, the issue is not just parking or how many parking spaces there are so much as it is where are those parking spaces located in conjunction with the areas where most people (parking space users) are seeking services at this facility.

Volume II Appendix C - Traffic Report

Page 18 indicates that the project would generate 3,342 daily trips on a typical weekday and because of the modification between space being allocated to the upper campus and the lower campus, the reduction in traffic for the lower campus would be 7693 fewer trips per day. Then at page 18 it makes a statement that indicates that the project would result in an overall net reduction of trips of 4,351 fewer daily trips "when compared against conditions without the project." How does the hospital stay in business with such a reduction in traffic?

All that was stated above in the text has got to be incorrect because when one looks at table 6 the project trip generating estimates it shows the total daily trips now existing are 13,988 and that the daily trips in the future with the addition of the project would total 22,801 daily trips.

But then again, page 21 and Table 7 show a net overall reduction of trips of 1787 fewer daily trips when you compare the conditions that would occur without the project being built.

This Traffic Study is huge, but in reviewing it, it appears to have little if anything in it for the parking and the location of parking. It is more appropriately concerned with traffic volumes and maybe development discussed above. However, the parking has got to be discussed somewhere in order to answer the questions asked by EQAC in our earlier commentary and it's appropriate to ask again for a counting of the existing parking spaces, the location of those parking spaces, and indication of the buildings and uses where the most "visitors" or employees or patients are being seen or treated or visited or where they're working as employees to determine whether there is sufficient parking in the upper campus to transfer the significant amount of square footage they want transferred to the upper campus and still provide adequate parking there for the visitors and patients.

3.3 Air Quality and Human Health Risk

Short-term changes in air quality will result from construction, particularly dust particles and motor vehicle emissions. Measurements will exceed SCAQMD’s thresholds of significance. Potential human health implications will result. Particle matter is not measured at the Costa Mesa station, which is 4 miles from Hoag. The nearest monitoring site is in Mission Viejo, 15 miles away. Why is there no monitoring for particles on site or at least within a reasonable distance?

Vol. II, Appendix D, pg. 14: Vehicle emissions, PM (10), PM (2.5) and NO(x) will possibly be elevated during grading and demolition (Vol.1, p.3.3-18). As no specific projects have been planned, it is difficult to make an analysis of air quality impact during future construction. Provision for appropriate analysis of future projects must be in included in the EIR.

Vol. II, Appendix D, pg. 20-21: Applications of architectural coatings, such as paint, will also result in significant air quality impacts, particularly VOC emissions (Volatile Organic Compounds) and need to be monitored.

Long- term changes will result from more motor vehicle traffic, particularly at Placentia and Superior (Vol.1, p.3.3-20) and the addition of three generators to the three all ready operating at the cogeneration facility. According to this DEIR, the emissions from motor vehicles will decrease from those all ready approved for the original development. "This is due to the projected reduction in hospital vehicle trips". It is stated that if the full 225,000 square feet are transferred, there will be less trips between the upper and lower Hoag campus. (Vol. II, p. 27, Appendix D, pg.27 and Vol.I.p.3.3-20. Also, it is stated that "because of projected reductions in vehicle emissions associated with more stringent (future) standards", air pollution emissions would be lower by the year 2015. (Vol. I. p.3.3-21). Both of these statements are unproven assumptions. Mitigation based on changing habits, with more use of bicycles and buses, is also an unproven assumption (Vol.1, p.3.3-28). Leave in the CO checks (Vol.1, p.3.3-33). How is it known that CO hot spots won't develop?

3.4 Noise

Pg. 3.4-3 Does the definition of Ldn contradict itself? Is Ldn penalized or not?

Pg. 3.4-5 Where is Lmax defined? Is the LEQ defined on 3.4-3 the same as Leq here ? LEQ is defined as 1 hour so why Leq (15 min)? Municipal Code Item G is 10.26.035 not 10.26.35.

Pg. 3.4-6/7 They state that Hoag is essentially exempt from, Section 10.26 of the Municipal Code for all noise other than mechanical? Then why above are they subject to 10.28?

Pg. 3.4-8 How is it shown that the noise was dominated by traffic noise? Since Leq is average over 1 hour, how could persons walking in the park cause a 20-25% overage?

Pg. 3.4-10 This analysis used CNEL (which penalizes its noise readings) to compare to Leq or Lmax (which has no penalty) to show already high noise from the road so that Hoag noise would comparatively be diminished as per Table 3.4.2 This analysis displays a bias.

Pg. 3.4-11

			Leq	City Leq	Over	
grease pit	9:20	1	66 dB	60	6	10%
		2	59	60	-	
w\fan-tent	9:45	1	66	60	6	10%
		2	61	61	-	
grease clean	10:02	1	77 vs. city	60	17	28%
		2	72	60	12	20%

Are these very significant overages normal for property maintenance? Please discuss setback distance\property line levels\propriety of Mixed Use Leq standards and test sites over 100 feet.

Pg. 3.4-12 "Instantaneous exceedances" – Lmax is the greatest occurrence of noise event, but to say "instantaneous" is an imprecise interpretation that should not be included unless supported by test results quantifying event length. Since the 80 dba Lmax was exceeded 5 times, what were the causes and what were the Lmax values?

Para. 5 Last sentence – What was the mechanical equipment noise level? Show a test table.

Para. 6 Site 3. Why was the 80 dba Lmax exceeded on the 2nd floor & not the 1st? Please explain. These results are inconsistent. Please tabulate and analyze all test results.

Trash removal is the most significant event. Why are no test results shown?

Pg. 3.4-13 Para. 2 That is not a good conclusion. Does this mean that there have been 16 yrs. of overages in limits without any attempts to mitigate?

Para. 4 3rd sentence Sat. looks erroneous.

Para. 4 4th sentence. Wed. conclusion looks false. If the exhaust fans were causing the high readings, why wasn't it noted? Why aren't the fans also running on Sat.?

Para. 6 The first 2 test dates the Cogen was not in full operation but test readings are too high to believe

Pg. 3.4-14 Para. 1 No time of day shown on Table 3.4-4? Please provide. Are these data CNEL, Leq, Lmax?

Para. 2 Cogen is 1 large utility vault for heating\cooling\electric generation. Explain how this is not mechanical.

Pg. 3.4-15 Para. 4 Delete “generation of” replace w/ “generate”

P5 Delete “generation of” replace w/ “generate”.

Pg. 3.4-16 Where did this 65/45/65 CNEL Standard originate

Pg. 3.4-17 Para. 1 They want complete exemption of noise standard at loading dock? Hoag has never since 1991 complied or mitigated – why now would they be given exemption?

Para. 3 Delete “generation of” replace w/ “generate”.

Pg. 3.4-18 Para. 6 Delete “generation of” replace w/ “generate”.

Pg. 3.4-19 There was no relationship shown between Leq & CNEL so no way to verify these as fair comparisons. Note that Hoag Drive already with long standing noise problems, that Hoag wants exempted, is going to 4-6 dB’s worse.

Pg. 3.4-24 Para. 1 Delete “generation of” replace w/ “generate”
Grease Pit Cleaning – have other environmentally sensitive methods of grease disposal been considered? Please explain.

Pg. 3.4-25 Para. 2 Last sentence “property line” is identified as the measure point, but actual test sites were all in the building and there is no discussion about distance of setbacks. In other words, if the property line is the proper measure point, a 10 or 20 ft. setback is an important factor to consider. This is actually incorporated to traffic in the “Contour” discussion. Why not here?

Para. 5 Hoag kitchen exhaust fans never complied with original noise levels required by City. Why would they have to bother with new noise reducing fans if the City raises noise levels to a higher noise limit?

Pg. 3.4-26 Para.6 The analysis is confusing....pg. 3.4-12 Para. 4 says Trash Removal is most significant noise factor & 3.4-12 Para. 5 last sentence states it’s the mechanical equipment that is the largest contributor. Now Para. 6 states it’s the delivery trucks and suggests larger trucks will help. Then in Pg.3.4-2 Para. 3, they admit that noise levels since 1991 have always exceeded limits and the only way to solve this is to raise the limits. What mitigation measures have been employed since 1991?

Pg. 3.4-27 The Cogen noise levels reportedly “are in compliance”, but we don’t know what time of day the tests were taken. Also, the site of test 2&3 appears improper (when compared to EXH 2-3) by almost 50 ft. (estimate) and all tests at

the property line appear to have failed the noise limits (the first 2 tests weren't even with a fully operational Cogen and are not relevant to this SEIR). Adding a 4th cooling tower appears to cause levels higher than even at sites 2 & 3. Finally Para. 6 states that "Cogen facility is already permitted and no further approvals are needed". This flies in the face of Pg. 1- 4 whereby Cogen appears to need a subsequent supplemental EIR based on item 3 of CEQA 2116 or 15162 based on 10% overage from start of being fully operational and will worsen with an additional cooling tower.

Pg. 3.4-28 Conclusion under Significant Impact is wrong. Cogen noise is now, and will be, significant.

Pf. 3.4-29.What is the source of 50 CNEL indoor noise level (attenuated from 70 CNEL external exposure)?

Pg. 3.4-30 Policy N4.1 This is a meaningless policy since there has been no enforcement since 1991 and they want permanent exemption.

Pg. 3.4-32 Mitigation Measures, MM3.4-2 and 3 are proposed to replace MM41. These replacement MM's call for compliance noise testing at the property line, which is proper. However, Loading Dock testing (pg. 3.4-10) and Cogen testing (pg. 3.4-12) were not done at the property line. What assurances are there that the property line testing will be done in compliance with the relevant MM's? Why does MM 3.4-3 not specify measurements at the property line? Also, MM 112 refers to work hours different from those shown on pg. 3.4-17. Which are the allowable hours per NB Municipal Code?

Pg. 3.4-34 Para.5 asserts that a 25 ft. wall is not feasible and would not be supported by the residents. Is engineering and/or financial analyses available to show this lack of feasibility? Are residents' statements of non-support included in the SEIR? The SEIR states that there is currently a 'dense vegetative landscaping barrier" in this area. Is this approach partially successful? If so, has a combination of wall and dense vegetation been considered for mitigation?

Pg. 3.4-35 Para.1, sentence 5. Where is the analysis showing that the loading dock cover wouldn't provide 8 db's of noise reduction?

Para. 2 Hoag states that there is no way to comply with loading dock noise limits? So they want to raise limits even higher and ask residents to enclose balconies and change windows. Wouldn't a roof cover or sound wall help alleviate this problem? It seem that more analysis should be directed toward multiple partial mitigation measures.

Pg. 3.4-36 Para.3 What Municipal Code exempts grease trap operation from noise regulations? Hoag is exempt from Municipal Code 10.26 (Community Noise

Control), but according to Pg. 3.4-6 Para. 2 Hoag is subject to Municipal Code 10:28 Loud & Unreasonable Noise.

Para.7 How can noise mitigation related to a fourth tower be successful when there are noise violations at the property line today? Where is the definitive analysis showing that mitigation will be successful? Once the fourth tower is in place, unsuccessful mitigation can only lead to permanent noise violation and more exemptions.

3.4 Aesthetics

Aesthetics – The Upper Campus has a height limit of 235 above mean sea level (msl). The Upper Campus Midrise Zone, which includes the area close to existing condominiums, can be built to a height of 140 feet above msl.

According to the draft document, the impact of future development will "be less than significant". Vol.I-p.3.5-2. However, buildings of 235 feet, visible from neighborhoods to the east, such as the Holmwood/Beacon Street area, will contribute to a cumulative impact of further limiting the view. Vol. I, p.3.5-11. Also, buildings of 140 feet will contribute to longer periods and more shade to the Villa Balboa condos. Vol. I, p.3.5-8, p3.5-2.

Taller buildings will also contribute to an increase in light sources. Is there a plan to restrict use of all additional lighting during nighttime hours?

As no plans for future construction have been revealed, it is not possible to predict what the aesthetic effects of such buildings will be. Adequate monitoring must be in place when the time comes to carry out these plans.

On the lower campus, construction trailers "have been present for a number of years and would continue to be present". This appears to be a permanent construction zone. Is this use allowable? Do the trailers need to be on site continuously? Vol. I, p.3.5-3

4.0 Alternatives to Proposed Project

The proposed project has been identified to have significant, unavoidable impacts on Land Use and Transportation/Circulation. Although much work is planned to mitigate those impacts, the residential communities on the West (Villa Balboa and Versailles) will be permanently and unalterably harmed if the proposed project is allowed to progress as proposed. In the face of such impacts, the proponent chose to evaluate only one mid-range reallocation alternative – not to alleviate impacts, but for "informational purposes".

It is important that a much more aggressive alternate be considered and analyzed – one that would directly deal with the significant permanent negative impact on

the West residential community. This alternative would be consistent with the long-term plans (pg. 3.1-15) for:

a) Upper Campus oriented primarily toward emergency, acute and critical care (predominantly in-patient).

b) Lower Campus developed with predominantly out-patient uses, residential care and support services

The principal elements of this alternative are:

1) Building of additional facilities on the Upper Campus as far from West Hoag Drive and the West residential community as possible. This would place new facilities closer to Hospital Road on the north and Newport Blvd. on the east. These are already well-traveled wide city streets with residential properties farther away from the Hoag Hospital property line, and, therefore, less impacted by the new development. Also, some of the requested 225,000 sf. intensification of the Upper Campus should be redirected to less dense occupancy on the more open Lower Campus.

2) Relocation of the loading dock (and as much of the associated functions of trash compacting, loading, unloading, fork-lift noise, idling delivery trucks, grease pit cleaning etc.). This relocation would be consistent with the long-term plans (noted above for the Lower Campus) and would eliminate need for some of the mitigation measures associated with the West Hoag Road. It would put the support services on the Lower Campus I.A.W. the long-term plans and would make mitigation much easier by virtue of being farther away from adjacent residential properties.

Implementation of this alternative would go a long way toward preserving the unique residential character of the adjacent residential properties as directed by Land Use Elements LU1, LU2, LU3 and LU4 defined on pp 3.1-15, 16. It would also assure that heavy truck traffic would enter and exit the hospital facility on major roads/highways instead of on busy Hospital Road and limited access West Hoag Drive. Finally, there would be less community impact of hospital operations at extended hours and holidays.

6.3 Biological Resources

Section 1.7.2 of the DSEIR indicates that the Initial Studies found that Biological Resources was a Topical Area which the City determined to be less than significant or would be mitigated to a level considered less than significant with the adopted Mitigation Program in Final EIR No. 142, and therefore did not need to be addressed in the DSEIR.

Section 6.3.1 lists the Mitigation Measures No Longer Required as having been fully implemented. Items 16-18 under this section indicate that mitigation is required for 1.07 acres of wetlands "at the time the proposed work is undertaken". However:

a) This DSEIR contemplates work to be completed in the future, this mitigation measure cannot have been completed since the work has not be completed, and it should be an open issue that needs to be addressed when specific work in undertaken. This mitigation measure should be carried forward.

b) On page 1-7 of the report under section 1.5.1, Biological Resources, it indicated that a minimum of 1.52 acres of wetlands would be removed during project implementation, but in item 16 of section 6.3.1, it indicates that only 1.07 acres were to mitigated. Why the discrepancy?

6.5 Geology and Soils

Section 1.7.2 of the DSEIR indicates that the Initial Studies found that Geology and Soils was a Topical Area which the City determined to be less than significant or would be mitigated to a level considered less than significant with the adopted Mitigation Program in Final EIR No. 142, and therefore did not need to be addressed in the DSEIR.

Section 6.5.1 lists the Mitigation Measures to Carry Forward which appear to address "structure specific" investigation of these issues. A mitigation monitoring plan must be in place to assure that this and other "Carry Forward" mitigation measures are completed.

6.7 Hydrology and Water Quality

1) This DSEIR states upper campus will increase almost 30%, +130,000 square feet over and above what the master plan allows for (pages 1-2 and 1-3 from 765,349 to 990,349 sq. ft.). This will be a 225,000 sq. ft., +33%, more than what currently stands on the upper campus.
The DEIR on page 1-12 states "Hoag has limited amount of pervious surfaces".

Please explain where all this new growth will go, especially within current building and zoning regulations. What commitment is made for more pervious surfaces in new construction?

2) Final EIR No.142, Volume II, page 39, states: "the Project Sponsor shall submit a landscape plan which includes a maintenance program to control the use of

fertilizers and pesticides and an irrigation system designed to minimize surface runoff and over-watering”

Can this landscape plan also minimize the need for watering vegetation by using primarily California native and desert friendly plants?

Thank you for the opportunity to respond to this important DSEIR on a project of major significance to our city and our region.

CITY OF NEWPORT BEACH

October 17, 2007

Mr. Richard Demerjian
Director, Campus & Environmental Planning
University of California, Irvine
750 University Tower
Irvine, CA 92697-2325

Subject: Draft Environmental Impact Report on LRDP

Dear Mr. Demerjian:

The City Council of the City of Newport Beach has established the Environmental Quality Affairs Committee (EQAC) to review and comment on environmental documents on projects that may have an impact on Newport Beach. EQAC has reviewed the subject DEIR, and the City submits the following comments in hopes that they will assist you in finalizing the EIR and optimizing the project for the benefit of UCI and its Newport Beach neighbors.

4.2 Air Quality

Four Air Quality Issues were evaluated in the DEIR, resulting in three Air Quality Mitigation Measures (Air-2A, 2B and 2C, pp. 4.2-18, 19, 20).

The first two (Air-2A and 2B) deal with short-term construction activities when emissions of VOCs, NOx and PMs (10 and 2.5) would exceed allowable thresholds. Since, in the Construction Emissions discussion on pages 4.2-12 and 13, it is implied that judicious phasing can have a significant positive impact on objectionable emissions, construction phasing (temporal and/or spatial) should be considered as a mitigation measure to reduce the severity of these impacts.

Because the DEIR recognizes (pg. 2-6) that implementation of the Air Quality mitigation measures Air –2A, 2B and 2C will still result in Air Quality impacts in the project area being significant, unavoidable, the EIR should propose as many aggressive mitigation measures as possible to minimize these impacts. For example,

additional operational phase mitigation should include, but not be limited to: significant incentives for carpooling/use of public transportation; promotion of Express Bus Lanes in the project area; more use of point-to-point shuttles with expanded hours of operation and routes; expanded use of Bicycle Boulevards (e.g., Berkeley). The listings under Air-2C are too general to provide any confidence that they are anything more than objectives. The long- range impacts are appreciable and specific measures are needed to assure that negative impacts are minimized.

4.7 Hydrology & Water Quality

For the plans regarding hydrology and water quality, the DEIR states that UCI will follow all laws, policies and requirements from a UCI, city, state, county, RWQCB, SWRCB, and federal standpoint. Compliance with these policies should ensure that everything would be done correctly and in compliance with best management practices during construction and operation. Is there an overall management plan, including compliance verification, to assure that all of these commitments are met?

Following are additional suggestions that should be considered for the project to benefit overall hydrology:

- Use more vacuum-type street cleaners more often around the new housing and overall campus (see p. 4-16 mitigation measures) to capture pollutants (particularly from cars) before they enter the drainage system.

- Use pervious pavement, not impervious surfaces (discussed on p. 4-62, last paragraph) on all outdoor areas where feasible.

- Use climate controlled irrigation systems.

- Use native California plants and vegetation to minimize water usage and minimize overflow.

- Use bio-swales to impede runoff and help filtration wherever possible

4.13 Transportation, Traffic and Parking

The Year 2025 and Post-2025 Off-Campus Intersection Analysis identifies six intersections in Newport Beach that will be impacted by traffic from LRDP development. All of these intersections are included as "Tier 2" locations for the UCI Transportation Fee Program (UCITP), because the LRDP impact is cumulative, rather than direct. Please clarify whether the listing of Newport Beach intersections after Irvine intersections is an indication of further priority for UCITP funding. This does not seem appropriate, in light of the fact that the source of these funds is for-profit

development in University Research Park, the traffic from which impacts Newport Beach locations at least as much as locations in Irvine.

In addition, mitigation measure Tra -1F is unclear. If the City of Newport Beach implements improvements to the impacted intersections and UCITP funds are not sufficient to fund UCI's share, what funding requests will UCI initiate? What funding sources will be pursued? In what timeframe?

It appears from the discussion of cumulative impacts in Section 4.13.4, and its reference to Section 4.13.3.1, that cumulative impacts are assumed to be the result of buildout of UCI's LRDP and the General Plans for the Cities of Irvine and Newport Beach. This is a reasonable assumption for Newport Beach, which just completed a comprehensive General Plan update in 2006, and for UCI because of the subject planning effort. The City of Irvine, however, is engaged in a planning process to allow development of 10,000 to 20,000 residential units in the Irvine Business Complex. Although Irvine currently intends to require individual General Plan amendments for each residential project, the Vision Plan and zoning overlay are the subjects of a draft EIR currently under preparation. This potential change in land use and development within and adjacent to the UCI traffic study area should be included in the analysis of cumulative impacts.

Thank you for the opportunity to comment on this DEIR, your courtesy in providing multiple copies of the document for EQAC members, and your flexibility in accepting our comments after the stated deadline.

Sincerely,

Homer L. Bludau
City Manager

cc: City Council
Environmental Quality Affairs Committee

UNIVERSITY OF CALIFORNIA, I. .NE

BERKELEY • DAVIS • IRVINE • LOS ANGELES • MERCED • RIVERSIDE • SAN DIEGO • SAN FRANCISCO SANTA BARBARA • SANTA CRUZ

Campus & Environmental Planning

750 University Tower
Irvine, CA 92697-2325
(949) 824-6316
(949) 824-1213 Fax

31 October 2007

Homer L. Bludau
City Manager
City of Newport Beach
33090 Newport Blvd., P.O. Box 1768
Newport Beach, CA 92659

RE: UCI 2007 Long Range Development Plan Final EIR, SCH #2006071024

Dear Mr. Bludau:

Please find enclosed the University of California, Irvine's response to your comments on the 2007 Long Range Development Plan Draft Environmental Impact Report provided pursuant to Public Resources Code Section 21092.5. The Regents of the University of California will consider approval of the LRDP and certification of the LRDP EIR at their November 14-16, 2007 meeting.

If you need additional information on this matter please contact me at (949) 824-6316.

Sincerely,

Richard Demerjian
Director

CITY OF NEWPORT BEACH

October 17, 2007

Mr. Richard Demerjian
Director, Campus & Environmental Planning
University of California, Irvine
750 University Tower
Irvine, CA 92697-2325

Subject: Draft Environmental Impact Report on LRDP

Dear Mr. Demerjian:

L7-1 The City Council of the City of Newport Beach has established the Environmental Quality Affairs Committee (EQAC) to review and comment on environmental documents on projects that may have an impact on Newport Beach. EQAC has reviewed the subject DEIR, and the City submits the following comments in hopes that they will assist you in finalizing the EIR and optimizing the project for the benefit of UCI and its Newport Beach neighbors.

4.2 Air Quality

Four Air Quality Issues were evaluated in the DEIR, resulting in three Air Quality Mitigation Measures (Air-2A, 2B and 2C, pp. 4.2-18, 19, 20).

L7-2 The first two (Air-2A and 2B) deal with short-term construction activities when emissions of VOCs, NOx and PMs (10 and 2.5) would exceed allowable thresholds. Since, in the Construction Emissions discussion on pages 4.2-12 and 13, it is implied that judicious phasing can have a significant positive impact on objectionable emissions, construction phasing (temporal and/or spatial) should be considered as a mitigation measure to reduce the severity of these impacts.

L7-3 Because the DEIR recognizes (pg. 2-6) that implementation of the Air Quality mitigation measures Air –2A, 2B and 2C will still result in Air Quality impacts in the project area being significant, unavoidable, the EIR should propose as many aggressive mitigation measures as possible to minimize these impacts. For example,

RESPONSES

City of Newport Beach

L7-1 This comment summarizes the City of Newport Beach process for review and comment on environmental documents for projects that may impact the City of Newport Beach.

L7-2 The analysis of short-term air quality impacts associated with implementation of the 2007 LRDP is based on a maximum construction day, taking into account phased construction scenarios, to assess the potential effects at a program level as presented in Table 4.2-5 (page 4.2-13) of the Final EIR (Volume I). Specifically, the emission sources for up to two projects under simultaneous construction on-campus are identified for the early, middle, and later construction phases which are described on page 4.2-12 of the Final EIR (Volume I).

As specific projects are implemented on campus, opportunities exist to reduce construction-related air quality impacts through a variety of measures, including temporal phasing as recommended by the City of Newport Beach. Since these measures will be implemented at a project level with individual schedules, the analysis in the LRDP EIR cannot conclusively demonstrate that air quality thresholds will not be exceeded at any time during the 18-year implementation of the 2007 LRDP.

In response to this comment, LRDP Mitigation Measure Air-2A (page 4.2-18 of the Final EIR, Volume I) has been revised to require the analysis of temporal phasing, as indicated below. The conclusions in the Final EIR regarding the level of significance of short-term construction-related emissions will remain significant and unavoidable.

Air-2A During project level environmental review of future projects that implement the 2007 LRDP and that could result in a significant air quality impact from construction emissions, UCI shall retain a qualified air quality specialist to prepare an air quality assessment of the anticipated project-related construction emissions. The assessment shall quantify the project's estimated construction emissions with and without implementation of applicable Best Management Practices (BMPs) listed in mitigation measure Air-2B and compare them with established SCAQMD significance thresholds. In addition, the air quality assessment shall include analysis of temporal phasing as a means of reducing construction emissions.

If the estimated construction emissions are under SCAQMD's significance thresholds or if mitigation measure Air-2B would reduce emissions to below established thresholds, then the project's direct impact to air quality would be less than significant and no additional mitigation would be required. If the project's construction emissions would exceed established thresholds with implementation of applicable BMPs listed in mitigation measure Air-2B, and no additional mitigation to reduce the emissions below the threshold is feasible, then the project's direct impact to air quality would remain significant following mitigation.

L7-3 In response to the recommendations of the City of Newport Beach, LRDP Mitigation Measure Air-2C(i) (page 4.2-20 of the Final EIR, Volume I) has been revised to provide a more detailed description of TDM measures that will be implemented as a part of the LRDP, as indicated below:

Air-2C UCI shall ensure that operational air emissions, including area sources, stationary sources, and vehicular emissions, are reduced to the extent possible via the following mitigation measures:

i. UCI shall continue to implement and expand its alternative transportation program by continuing to assess new opportunities, programs, and technologies to reduce vehicular trips. This program shall consider the following elements:

- Significant incentives aimed to expand UCI vanpool, carpool, and other ridesharing programs;
- Significant incentives aimed to expand UCI public transit use off campus;
- Promotion of Express Bus service in the campus vicinity and Express Bus service routes from key UCI commuter locations off campus;

L7-3 cont. additional operational phase mitigation should include, but not be limited to: significant incentives for carpooling/use of public transportation; promotion of Express Bus Lanes in the project area; more use of point-to-point shuttles with expanded hours of operation and routes; expanded use of Bicycle Boulevards (e.g., Berkeley). The listings under Air-2C are too general to provide any confidence that they are anything more than objectives. The long- range impacts are appreciable and specific measures are needed to assure that negative impacts are minimized.

4.7 Hydrology & Water Quality

L7-4 For the plans regarding hydrology and water quality, the DEIR states that UCI will follow all laws, policies and requirements from a UCI, city, state, county, RWQCB, SWRCB, and federal standpoint. Compliance with these policies should ensure that everything would be done correctly and in compliance with best management practices during construction and operation. Is there an overall management plan, including compliance verification, to assure that all of these commitments are met?

L7-5 Following are additional suggestions that should be considered for the project to benefit overall hydrology:

- Use more vacuum-type street cleaners more often around the new housing and overall campus (see p. 4-16 mitigation measures) to capture pollutants (particularly from cars) before they enter the drainage system.
- Use pervious pavement, not impervious surfaces (discussed on p. 4-62, last paragraph) on all outdoor areas where feasible.
- Use climate controlled irrigation systems.
- Use native California plants and vegetation to minimize water usage and minimize overflow.
- Use bio-swales to impede runoff and help filtration wherever possible

4.13 Transportation, Traffic and Parking

L7-6 The Year 2025 and Post-2025 Off-Campus Intersection Analysis identifies six intersections in Newport Beach that will be impacted by traffic from LRDP development. All of these intersections are included as "Tier 2" locations for the UCI Transportation Fee Program (UCITP), because the LRDP impact is cumulative, rather than direct. Please clarify whether the listing of Newport Beach intersections after Irvine intersections is an indication of further priority for UCITP funding. This does not seem appropriate, in light of the fact that the source of these funds is for-profit

- Expansion of campus shuttle and other campus transit systems, including point-to-point shuttles with expanded routes and operations to key destinations, and coordination of the on-campus transit systems with existing and future public transit systems off campus to accommodate routes, transit stops, stations, and other programs and projects as deemed appropriate, including community transit programs in the City of Irvine and City of Newport Beach;
- Expansion of UCI bike programs and bicycle infrastructure, including expanded bikeways, BikePorts, and Bike Service Stations; and
- Support of alternative transportation organizations.

UCI's TDM program is further described in Responses to Comments L5-3 through L5-10, Section 4.13.1.3 of the Final EIR (Volume I), LRDP EIR Mitigation Measures Tra-1A, Tra-1B, Tra-1C, and Tra-1I (pages 4.13-55 and 4.13-56 of the Final EIR, Volume I), and Table 5-3 of the 2007 LRDP. As UCI's TDM program is an ongoing program which continually assesses new opportunities and technologies, the 2007 LRDP provides general examples of current measures available and future opportunities to be pursued.

L7-4 Refer to Response to Comment L3-1. UCI is in the process of implementing a campus-wide program for compliance with NPDES Phase II requirements as an MS-4 (small municipality), including a SWMP. This program is centrally managed through UCI's Environmental Health and Safety Department which coordinates the efforts of multiple campus-wide entities.

The UCI SWMP is available for review at:
http://www.ehs.uci.edu/programs/enviro/UCI_SWMP.pdf

UCI's overall water quality program is available for review at:
http://www.ehs.uci.edu/programs/enviro/stormwater.html

The purposes of the SWMP are to identify pollutant sources potentially affecting the quality and quantity of storm water discharges; to provide BMPs for municipal and small construction activities on campus; and to provide measurable goals to reduce the discharge of the identified pollutants into the storm drain system and associated waterways. UCI is in its fifth year of a 5-year implementation program, and is updating the SWMP based on this data for purposes of self-compliance verification.

L7-5 The comment lists several treatment control BMPs that should be considered for on-campus development to reduce runoff volumes and/or water quality impacts from urban runoff pollution. As stated in Mitigation Measure Hyd-2B(iv) on page 4.7-24 of the Final EIR (Volume I), at least one treatment control is required for new uses identified by UCI as having the potential to generate substantial pollutants. As such, UCI will consider the feasibility of implementing applicable treatment control measures in the design of future projects on campus, including those identified in this comment, the options listed in Mitigation Measure Hyd-2B(iv), and any other feasible BMPs. Therefore, Mitigation Measure Hyd-2B(iv) has been revised in Volume I of the Final EIR (page 4.7-24), as indicated below, to include the treatment control options identified in this comment, along with those already listed. In addition, the use of street sweeping is listed in Mitigation Measure Hyd-2A(vii) on page 4.7-23 of the Final EIR (Volume I) as a construction-related BMP.

Hyd-2B Prior to project design approval for future projects that implement the 2007 LRDP and would result in land disturbance of 1 acre or more, the UCI shall ensure that the projects include the design features listed below, or their equivalent, in addition to those listed in mitigation measure Hyd-1A. Equivalent design features may be applied consistent with applicable MS4 permits (UCI's Storm Water Management Plan) at that time. All applicable design features shall be incorporated into project development plans and construction documents; shall be operational at the time of project occupancy; and shall be maintained by UCI.

i. At least one treatment control is required for new parking areas or structures, or for any other new uses identified by UCI as having the potential to generate substantial pollutants. Treatment controls include, but are not limited to, detention basins, infiltration basins, wet ponds or

L7-6 cont. development in University Research Park, the traffic from which impacts Newport Beach locations at least as much as locations in Irvine.

L7-7 In addition, mitigation measure Tra -1F is unclear. If the City of Newport Beach implements improvements to the impacted intersections and UCITP funds are not sufficient to fund UCI's share, what funding requests will UCI initiate? What funding sources will be pursued? In what timeframe?

L7-8 It appears from the discussion of cumulative impacts in Section 4.13.4, and its reference to Section 4.13.3.1, that cumulative impacts are assumed to be the result of buildout of UCI's LRDP and the General Plans for the Cities of Irvine and Newport Beach. This is a reasonable assumption for Newport Beach, which just completed a comprehensive General Plan update in 2006, and for UCI because of the subject planning effort. The City of Irvine, however, is engaged in a planning process to allow development of 10,000 to 20,000 residential units in the Irvine Business Complex. Although Irvine currently intends to require individual General Plan amendments for each residential project, the Vision Plan and zoning overlay are the subjects of a draft EIR currently under preparation. This potential change in land use and development within and adjacent to the UCI traffic study area should be included in the analysis of cumulative impacts.

Thank you for the opportunity to comment on this DEIR, your courtesy in providing multiple copies of the document for EQAC members, and your flexibility in accepting our comments after the stated deadline.

Sincerely,

Homer L. Bludau
City Manager

cc: City Council
Environmental Quality Affairs Committee

wetlands, bio-swales, filtration devices/inserts at storm drain inlets, hydrodynamic separator systems, increased use of street sweepers, pervious pavement, native California plants and vegetation to minimize water usage, and climate controlled irrigation systems to minimize overflow. Treatment controls shall incorporate volumetric or flow-based design standards to mitigate (infiltrate, filter, or treat) storm water runoff, as appropriate.

L7-6 The listing of traffic improvements in the mitigation program for off-site traffic impacts identified in Table 4.13-17 (page 4.13-54) of the Final EIR (Volume I) is not intended to represent prioritization of phasing of the UCITP improvements. Newport Beach intersections are listed after Irvine intersections because this information is ordered alphabetically by city. The process described in Mitigation Measures Tra-1D, Tra-1E and Tra-1F (page 4.13-55 of the Final EIR, Volume I) will be used to determine the timing of each traffic improvement, regardless of city. This mitigation approach allows the improvement funds to be provided to either the City of Newport Beach or the City of Irvine based on traffic impacts and mitigation needs.

L7-7 In response to this comment, Mitigation Measures Tra-1E and Tra-1F have been revised in Volume I of the Final EIR (page 4.13-55), as follows:

Tra-1E UCI will collect UCITP traffic fees from "for-profit" development projects or other campus development as determined by the University. Fees will be provided to the City of Irvine, City of Newport Beach, or other public agencies to fund UCI's share of UCITP improvements when the improvements are implemented, as provided in mitigation measure Tra-1D.

Tra-1F If the City of Irvine or City of Newport Beach implements UCITP improvements following UCI determination that LRDP traffic is causing a significant impact, and UCITP fees collected to date are insufficient to fund UCI's fair share, UCI shall identify and obtain funding for the fair share of identified improvements from an alternative source.

L7-8 As described on page 4.0-4 of the Final EIR (Volume I), CEQA Guidelines Section 15130(b) allows the following approach for considering past, present, and future reasonably foreseeable projects in the cumulative impact analysis: "A summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact." With regard to the City of Irvine, and specifically the IBC, the EIR analysis relied on the City's approved General Plan and related databases. These sources provided basic cumulative growth assumptions, but not enough information upon which to evaluate specific impacts based on proposed land use designation changes and the resulting potential future development. As a consequence, at this time, the information referenced in the comment would be too speculative to rely upon to identify traffic impacts. Thus, the cumulative analysis in the Final EIR is sufficient and adequately evaluates UCI's impact.