

EXAMPLES OF EFFECTIVE & INEFFECTIVE EIR COMMENTS

Put a check mark in the column if you think a particular comment is effective or ineffective.

Example	Effective	Ineffective
<p>1. Dear City Council</p> <p>I am opposed to the proposed Dana Point Headlands Development for the following issues:</p> <p>- Endangered Species/plants animals The pocket mouse/gnatcatcher, California Sage- the proposed open natural habitat will not allow for these creatures to survive. More space must be designated for natural habitats.</p> <p>- Traffic entry to beach housing The road to the beach front property should enter near the guard house to alleviate traffic</p>		
<p>2. As a long time resident I am very concerned over the impact that the architectural features of the proposed Mormon Temple adjacent to my home will have on me. I wish to go on the record requesting that the height of the steeple be no more than 50 feet and that the steeple not be lit at night.</p>		
<p>3. We have read the environmental impact study [sic] and it has answered all of our questions and concerns. We completely support the EIR conclusions. We are satisfied with the results they gathered.</p>		
<p>4. We've just completed reading the 2" thick draft EIR and it's unfortunate the authors could not see fit to attempt even minimal balance in their work. By any objective assessment, the saturating bias is revealed by the consistent explaining-away and minimalization of any and all problems, issues, disputes and controversies. Because so little effort has been made to render a balanced work, the Draft EIR is substantially inadequate at best and mere promotional literature at worst.</p>		
<p>5. The DEIR fails to adequately identify, analyze and mitigate the projects visual impacts.</p> <p>The document does not analyze how each alternative would affect views of the bluff. Instead, the document simply asserts that alternatives 1 and 3 may result in a visual impact from offshore looking toward the beach. Never does the DEIR describe the severity and extent of the impacts as required by state law.</p>		
<p>6. The EIR for the project makes a strong argument that the project will create a source of light and glare for the adjacent or nearby properties. Second, it states a proposed project is considered to have a "significant impact" if it creates a new source of light and glare and will adversely effect nighttime views. How can the EIR then conclude the proposed project's impact is determined to be "less than significant?"</p>		
<p>7. Pages 2-1 and 6-1: Include text which states that the intersection of Bonita Canyon Road and Prairie Road has an existing traffic signal. (The only location in the Traffic Study where the type of traffic control at this intersection is mentioned is in Table 5-3.)</p>		

Answers:

1. Ineff. 2. Ineff. 3. Eff. 4. Ineff.
 5. Eff. 6. Eff. 7. Eff. 8. Eff.
 9. Ineff. 10. Ineff. 11. Eff. 12. Eff.

<p>8. The DEIR fails to contain a legally adequate project description.</p> <p>The draft EIR provides such a general description of the proposed project “the preservation and renovation of the Heisler Park”- that it becomes impossible to evaluate either the project impacts or alternatives to the project. In reality, the “project” is not the preservation and restoration of Heisler Park; rather, that is the objective of the project, which can be met by any number of alternatives. However, because the EIR defines the project by reference to the goals of the project, rather than the actual physical improvements or changes necessary to achieve those goals, the discussion of project impacts is so vague as to be meaningless. As a practical matter this EIR does not actually analyze a project.</p>		
<p>9. We are vehemently opposed to the large projects (Dunes Hotel and Timeshare) planned for across the street. We live in Sea Island and the traffic, noise, & pollution resulting from such a large construction would considerably detract from our already diminished quality of life here in Newport.</p> <p>I think there has been enough growth in Newport Beach and the infrastructure will not be able to absorb this resort in the City. It is a bad idea for the city to give this permit for building.</p>		
<p>10. The QUALITY of LIFE I HAVE NOW is most IMPORTANT to ME.</p> <p>My concerns are:</p> <p style="padding-left: 40px;">TRAFFIC INCREASE</p> <p style="padding-left: 80px;">A) additional noise pollution B) additional air pollution C) loss of parking on Bayside Drive D) loss of quick access to the park for Emergency</p> <p>Vehicles</p> <p style="padding-left: 40px;">LIGHTING</p> <p style="padding-left: 80px;">A) stress of all night artificial lighting B) loss of natural light in my home due to 9’ concrete wall</p> <p style="padding-left: 40px;">LACK OF SPACE for AIR to CIRCULATE</p> <p style="padding-left: 80px;">A) 9’ concrete wall cutting off air circulation and encouraging mold growth, cockroaches, and rodents B) Loss of view of ongoing activities of the bike path. Walkers with dogs coming to my wall for dog treats and stopping to chat. Bicyclers admiring the Bougainville [sic] as they peddle by.</p>		
<p>11. Biological impacts are not fully disclosed.</p> <p>Recent Pacific Pocket Mouse survey results should be provided...etc.</p>		
<p>12. Significant impacts to traffic are not adequately mitigated.</p> <p>A commitment to pay impact fees without any evidence that mitigation will actually occur is not adequate mitigation (<i>Endangered Habitats League, Inc, v. County of Orange, 2005</i>). Payment of impact fees for improvements where there is no evidence that the improvements are feasible does not constitute the necessary commitment to mitigation (<i>Napa Citizens v. Napa County Board of Supervisors, 2001</i>).</p>		

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