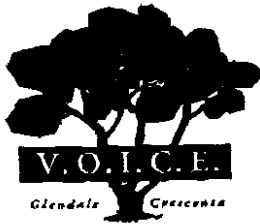


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**Comments on the  
Draft Environmental Impact Report  
For  
Canyon Hills**

**ENV-2002-2481-EIR  
SCH #2002091018**

**December 27, 2003**



# VOLUNTEERS ORGANIZED IN CONSERVING THE ENVIRONMENT

*"Our mission is to preserve, protect, and defend the urban wilderness of Glendale and the Crescenta Valley for the benefit of future generations."*

December 27, 2003

Ms. Maya E. Zaitzevsky, Project Coordinator  
Department of City Planning  
200 North Spring Street  
Room 763  
Los Angeles, CA 90012

Re: Canyon Hills Draft EIR  
ENV-2002-2481-EIR  
SCH #2002091018

Dear Ms. Zaitzevsky

These comments are submitted on behalf of Glendale-Crescenta V.O.I.C.E., Inc. (Volunteers Organized in Conserving the Environment), a grassroots organization of nearly 5,000 citizens residing in Glendale and the Crescenta Valley, as well as the Sunland, Tujunga, Sun Valley, and Shadow Hills communities of Los Angeles.

118-1

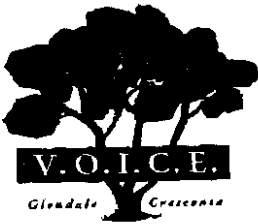
V.O.I.C.E. has retained two prominent experts who have reviewed the Draft EIR. Their comments are attached. This letter is not intended to be a summary of the enclosed comment letters. Each comment letter stands on its own and the City should respond in accordance with the dictates of the California Environmental Quality Act (CEQA). This letter sets forth numerous objections to the Draft EIR, focusing on its conceptual and legal inadequacies.

**I. THE DRAFT EIR USES A GROSSLY MISLEADING AND IMPROPER PROJECT DESCRIPTION.**

The site proposed for development is a hilly 887-acre parcel located "entirely within the Verdugo Mountains in the northeastern San Fernando Valley." (Canyon Hills Draft EIR at II-1). Presently the site has "moderate to high use" for wildlife activity (*id.* at IV.D-141) and "includes a number of large and small animal species including coyotes, mule deer, American badgers, bobcats, gray foxes, woodrats, raccoons, birds, lizards, and snakes." (*Id.* at II-4). Its California "Native vegetation communities include southern arroyo willow riparian, southern coast live oak-sycamore woodland, Venturan coast sage scrub, mixed chaparral, and chaparral-sage scrub ecotone." (*Id.* at IV.D-1). The entire site is located within Los Angeles County Significant Ecological Area 40 (*id.* at IV.D-28)

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P.O. BOX 273, MONTROSE, CA 91021-0273  
PHONE: (818) 249-0900 E-MAIL: GCVOICE@AOL.COM



2.

which means that it possesses biotic resources that are uncommon, rare, unique or critical to the maintenance of wildlife.

The Southern portion of the property bounds the Santa Monica Mountains Conservancy's 1,100 acre La Tuna Canyon Park, used by hikers and nature lovers from all over Southern California. The project site is also just over a mile away from the State of California's Verdugo Mountains State Park, "set aside for the purpose of preserving and protecting a remnant of undeveloped land amidst the urban development of the city of Glendale and surrounding communities." (*Id.* at IV.J-24). The parcel presently experiences a high recreational use by the general public for hiking, mountain biking, nature study and the like. It is "located in a 'Very High Fire Hazard Severity Zone' (VHFHSZ)" (*id.* at IV.J-4) meaning the entire parcel is in an area identified by the Los Angeles City Fire Department as being "prone to wind-driven fires." (*Id.* at IV.J-4). The development area is also subject to "eight areas of potentially seismically-induced rock fall" (*Id.* at I-8).

118-2

According to the Draft EIR's "project description" section, a principal object of the proposed project is "to provide a substantial amount of high-quality housing for local and area residents to meet existing and future needs of those desiring to live in the northeast San Fernando Valley" (*Id.* at III-9). This will be accomplished by "(1) grading for building pad sites, access and other necessary improvements, (2) the construction of homes, storm drainage facilities, and access improvements, (3) the installation of utilities (e.g. water lines, fire hydrants, and sewers)" (*Id.* at III-1).

Significantly, the Draft EIR's project description fails to include an informational element which – at least in this reviewer's experience – is normally found in the project description section of an adequately prepared EIR. In spite of this declared project objective, nowhere in the document is there an indication of the developer's intent – or lack thereof – to actually construct homes on the property. Generally, the project description of Draft EIRs include such phrases as "Residential units would either be constructed by the project applicant and/or other contractors." (Final EIR – Oakmont View Phase V, February 2002) or "no residential unit construction is proposed by the applicant" (Draft EIR – Mandeville Canyon Estates, July 1994). However, in the Canyon Hills Draft EIR, this information is conspicuously absent. Hence, the public and the decision-makers are left to wonder what the developer actually intends to do with the project.

118-3

However, at a meeting of the Sunland-Tujunga Neighborhood Council on November 12, 2003, the developer admitted that he has no intention of building the homes on the project site. Instead, he will develop and grade the property to produce improved lots, then turn the project over to others. In other words, the developer proposes to create another horrendous eye-sore of graded lots without homes, subject to the whims of the real estate market. A downturn in the economy could leave these empty lots sitting barren for years.





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So in essence, the project boils down to little more than an exercise in real estate speculation – the developer is proposing to risk a certain amount of capital to improve the lots, but he is not willing to take the further incremental risk of building the homes for which the lots are designed.

This situation is exacerbated by the fact that the developer is not even a local business entity. The address provided in the Draft EIR of “c/o 444 S. Flower Street, Suite 1300, Los Angeles, California 90071” (Canyon Hills Draft EIR at I-1) is not actually that of the developer, whose home office is in Las Vegas, Nevada. Instead, the address is that of Consensus Planning Group, the largest firm in the United States specializing in building “grassroots community support for real estate development, transportation and public facilities projects.” (Consensus Planning Group website – [www.consensusp.com](http://www.consensusp.com)). In other words, the developer is so concerned about the public knowing his actual whereabouts that the Draft EIR is left to list as his address, his hired public relations firm.

118-3

So in the end, once the entitlements are granted and the reconstruction of a significant portion of the Verdugo Mountains is complete, the developer will apparently turn the project over to others, return to Nevada, and leave the negative impacts of the project for the community to deal with. The Draft EIR owes it to the decision-makers and the public to make the developer’s plans for the project completely clear.

A second project objective is to “minimize impacts to important natural landforms and significant natural resources. (*Id.* at III-10).

In this regard, the proposed project entails extensive grading, using “conventional cut and fill grading techniques” (*id.* at III-6) and “would involve a total earthwork quantity of approximately 4.6 million cubic yards (plus 20 percent for remedial grading).” (*Ibid.*). The developer’s claims of a site design sensitive to existing topography – inappropriately echoed in the Draft EIR (*id.* at I-20) – simply do not withstand even a modicum of reasonable analysis.

118-4

4,600,000 cubic yards of earth is a massive amount of earth movement. A standard 10-wheel dump truck commonly used for earth excavation holds, on average, 15 cubic yards. Thus it would take 306,667 truckloads to move this earth from one place to another on the project site. Since the average 10-wheel dump truck is approximately 25 feet long, placed bumper to bumper, the 306,667 truck loads would fully stretch 1,452 miles – approximately the distance from Los Angeles to Salt Lake City and back. Moreover, the developer has the audacity, again inappropriately echoed in the Draft EIR (*ibid.*), to claim that this amounts to a 75% reduction over previous proposals. The mind boggles at the thought of this project at one time actually requiring 18.4 million cubic yards of grading – enough to line up those dump trucks all the way from Los Angeles to Lima, Peru!



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118-4

Clearly, this project in no way meets the objective of minimizing impacts to important landforms and significant natural resources.

A third project objective is "to provide ample equestrian and other recreational amenities, as well as significant passive open space and landscaping areas." (*Id.* at III-9). Accordingly, "The proposed project would also include an equestrian park on approximately three acres of land... which would be available for public use." (*Id.* at III-4).

However, the Draft EIR is astonishingly lacking in details on the design and operation of this equestrian park. When one turns to the Recreation and Parks section of Draft EIR, one merely reads that "The proposed three-acre public equestrian park and trail would also be available to all residents." (*Id.* at IV.J-26). The design of the park is non-existent. As to the operation of the park, "It is anticipated that the City's Department of Recreation and Parks or a nonprofit organization would operate the equestrian park." (*Id.* at III-4). This is a notion that amounts to little more than wishful thinking at a time when cities and counties are contemplating giving up operation of their parks (*Glendale News Press* - December 19, 2003 - "Crescenta Valley Park faces closure"). Significantly, the only details we have about the equestrian park is that it will include a staging area, an arena, and parking for two cars and trailers!

118-5

Furthermore, the Recreation and Parks section of the Draft EIR indicates that "the proposed project would increase the local residential population by approximately 831 persons." (*Id.* at IV.J-25) and concludes that at the preferred parkland per population ratio of four acres per 1,000 persons, the project would require 3.3 acres of new parkland. It goes on to say that "Within the Development Areas, recreational facilities would include tot lots, an active play area, passive open space, hiking trails, a vista point with a picnic area and gazebo, and a swimming pool with a Jacuzzi, restroom building, and barbeques." (*Id.* at IV.J-26). Yet once again, one searches in vain for any specific location, size, or description of these recreation facilities. Moreover, the DEIR reaches the height of hypocrisy when it announces that "There are no available flat areas on the project site that would permit the development of a park with a wide range of active recreational facilities for children and youth." (*Id.* at IV.J-26). As we have previously seen, 4.6 million cubic yards of earth will be moved to make flat pads for homes, but not one ounce, apparently, will be moved for a park.

A fourth project objective of the proposed project is "To provide safe, efficient and aesthetically attractive streets in the residential development with convenient connections to adjoining arterial and freeways. . ." (*Id.* at III-9).

118-6

The question of the safety of Canyon Hills residents is perhaps the most important issue that the City's decision-makers will deal with in considering this project. Sadly, the Draft



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EIR is woefully deficient in its analysis of this critical area. The project is located in the Sunland-Tujunga Reporting District (RD) of the Foothill Division of the Los Angeles Police Department. As the Draft EIR states "Generally, there is one basic car unit (two officers per car) assigned to each RD." (*Id.* at IV.J-13). The LAPD's ideal emergency response time (the amount of time from when a call requesting assistance is made until a police unit responds to the scene, is 7.0 minutes. During 2002, the city-wide response average was 10.2 minutes. In the Foothill Division it was 11.4 minutes.

118-6

The Draft EIR was apparently unable to determine the response time in Sunland-Tujunga. However, Nina Royal, former Tujunga representative on the Foothill Police Advisory Board and its current co-chair, reports that the response time for Sunland-Tujunga is actually 14.7 minutes, more than twice as much as the LAPD's goal. And this is without the proposed project. Sadly, the Draft EIR does not propose the one mitigation that would actually result in greater police protection for Canyon Hills residents, i.e. an additional number of daily police patrols in the Sunland-Tujunga area of the Foothill Division.

The threat to the project's residents due to the lack of fire protection and paramedic services are of even greater concern. As previously mentioned, the entire project is within what the Los Angeles City Fire Department refers to as a Very High Fire Hazard Severity Zone, an area prone to wind-driven fires. The Draft EIR states that "Fire Station No. 74 is located approximately 2.8 miles north of the project site at 7777 Foothill Boulevard in Tujunga and should have primary response duties." (*Id.* at IV.J-1). Fire Station No. 74 is comprised of a truck and engine company with a paramedic ambulance and an Emergency Medical Treatment (EMT) rescue ambulance.

According to the Draft EIR, "The maximum response distance for residential land uses are 1.5 miles for an engine company and 2.0 miles for a truck company." (*Id.* at IV.J-4). In other words, Fire Station No. 74 exceeds these recommendations by 1.3 miles. This might be easily dismissed in a flatland area where an additional mile or so of response time would not be critical. But in a hilly area, prone to wind-driven fires like those seen in Southern California last October, the increased time and distance could be disastrous.

118-7

Perhaps, more important than the description of Fire Station No. 74 being 2.8 miles north of the project, is a description of the route that fire engines or paramedic trucks would take in response to an emergency within the Canyon Hills development. There are three possible scenarios from Station No. 74:

- 1) From the west: Emergency vehicles would proceed westbound on Foothill Boulevard for approximately 1.7 miles until reaching Interstate 210. Vehicles would then proceed back eastbound on I-210 for approximately 3.0 miles until reaching the La Tuna Canyon Road off ramp. Vehicles would then exit the





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freeway and proceed north .1 mile into Development Area A or south onto La Tuna Canyon Road and proceed westbound for approximately .7 miles to Development Area B.

2) From the east: Emergency vehicles would proceed eastbound on Foothill Boulevard for approximately 1.7 miles to Tujunga Canyon Boulevard. Vehicles would then proceed southbound on Tujunga Canyon, a narrow, two-lane road with inadequate shoulder along most of the route, for approximately .9 miles to La Tuna Canyon Road. Vehicles would then proceed westbound for approximately 1.1 miles to the entrance to Development Area A, or 1.8 miles to Development Area B.

3) Emergency Access Route: Emergency vehicles would proceed eastbound on Foothill Boulevard for approximately .8 miles. Vehicles would then proceed southbound on Hillhaven Drive for approximately .6 miles through steep, narrow and winding residential streets to the proposed access gate on either Inspiration Way or Verdugo Crestline Drive, both of which are one-lane only in places (as opposed to one lane each way). There, firefighters would stop, get out of their vehicles and unlock the closed emergency access gate, before finally proceeding into the proposed project.

118-7

Whether measured "as the crow flies" or by the routes required to deal with an emergency situation, the response distances to the Canyon Hills project are a recipe for disaster. Amazingly, the mitigation measure that supposedly reduces the impacts on fire protection and emergency services is the installation of residential sprinkler systems in accordance with Section 57.09.07 of the Los Angeles Municipal Code. Once again, the Draft EIR does not propose the one mitigation that would actually result in greater safety for Canyon Hills residents, the establishment of a new Los Angeles City fire station within 2.0 miles of the project.

But the ultimate insult comes with the Draft EIR's complete omission of any discussion of paramedic services. Obviously, the same distances and response times for a fire engine hold true for an Emergency Medical Treatment rescue ambulance. However, one searches the Draft EIR in vain to learn how residential sprinklers will save the life of a heart attack victim or of a drowning infant plucked from a swimming pool. Clearly, the proposed project does not meet the objective of a safe streets or a safe community.

118-8

A fifth objective of the proposed project is to develop a project that permits "the donation or dedication of all of the project site located outside the Development Areas to an appropriate public agency or non profit entity" (*Id.* III-10).

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Strikingly, the project description contains no record of the Assessor's Parcel Numbers (APNs) of the project site. Inquiries made to both the Los Angeles City Planning Department and Christopher Joseph and Associates revealed that neither organization had access to this information. It is highly perplexing that neither the Lead Agency nor the preparers of the Draft EIR would have this information, or that a project of this magnitude, with its significant and long-lasting impacts on the local community, could be considered without this basic information. As a result, numerous questions abound. Who is the actual owner of the property proposed for development? If the developer does not own all the parcels in the project, which does he own and on which does he hold options? Since the developer asserts that he will donate all of the project site located outside the Development Areas "to the Santa Monica Mountains Conservancy or another qualified entity to further conservation efforts within the Verdugo Mountains" (*id.* III-8), a condition for approval must be the purchase of all options so that the aforementioned dedication can take place. But how can such a condition be made if the decision-makers do not have access to this critical information?

118-9

And finally, the Project Description is completely silent on the subject of the two 1.5 million gallon water tanks proposed for construction on or near the project. One must turn to the Utilities and Service Systems section of the EIR to find a mere six sentence discussion of these massive structures. The Draft EIR states "The exact locations of the tanks would be determined in consultation with the DWP before building permits would be issued. It is likely, however, that one water tank would be located northeast of the project site adjacent to an existing DWP tank on Estepa Drive. . . Water from this new tank would be delivered to Development Area A via a new water main constructed within the Inspiration Way public right-of-way. The second water tank would likely be located within the northern portion of Development Area A." (*Id.* at IV.L-3).

118-10

The development of not one, but two gigantic water tanks to service the proposed project would in itself have devastating environmental impacts, but unbelievably its analysis is left until another day. The first tank is apparently on City property, while the second is located somewhere within the northern portion of the development. The Draft EIR fails to indicate whether one or both of these tanks would be required for any of the alternatives studied in the document. It fails to provide any estimates of the dimensions of the tanks and does not include any renderings or any analysis of their visual impacts. It fails to list as a discretionary action the City's agreement with the developer to sell, lease or grant an easement over the land in question enabling it to serve as the site for the first tank.

Moreover, the Utilities and Service Systems section goes on to state that in order to "supply the two new water tanks, the existing 16-inch water main located within the La Tuna Canyon Road right-of-way would be extended approximately 5,000 feet to the project site." (*Id.* at IV.L-3). Where is the analysis of this mile-long, water-supply

118-11







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system? One can only conclude that since the water is being moved uphill from La Tuna Canyon Road, that such a system would have to include such potential project components as pumping stations, chlorination stations, and pressure reduction valves. What is the exact route of this mile-long pipeline? Does it cross hillsides within the undeveloped, open space portions of the proposed project? Does it cross other private parcels or City-owned property?

118-11

If anything is now well-established under CEQA, it is that "an accurate, stable, and finite project description is the *sine qua non* of an informative and legally sufficient EIR." *County of Inyo v. City of Los Angeles* (1977) 71 CalApp3d 185, 193. "Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (*i.e.* the 'no project' proposal) and weigh other alternatives in the balance." "A curtailed, enigmatic, or unstable project description draws a red herring across the path of public input." *County of Inyo, supra*, 71 Cal.App.3d at 192-93, 197-98.

118-12

The City's decision-makers and the public are entitled to have a proper project description. Without this information, the Draft EIR does not live up to its requirement as "an information document which will inform public agency decision-makers and the public" (CEQA Guidelines, Sec. 15121a).

**II. THE DRAFT EIR'S DISCUSSION OF THE PROJECT'S ENVIRONMENTAL IMPACTS IS INADEQUATE.**

Given the Draft EIR's grossly deficient project description, it is not surprising that its analysis of the project's environmental impacts is also palpably deficient. These inadequacies are commented on in detail by V.O.I.C.E.'s technical experts in Hydrology and Traffic/Transportation. Additional comments on impacts and mitigations have been submitted by the Sierra Club, Canyon Area Preservation, the Shadow Hills Property Owners Association, and numerous individuals.

118-13

**III. THE DRAFT EIR'S DISCUSSION OF PROJECT ALTERNATIVES IS INADEQUATE.**

CEQA Guidelines 15126.6(a) state that an EIR "shall describe a range of reasonable alternatives to the proposed project, or to the location of the project, that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. . ." Likewise, an EIR "must consider a reasonable range of alternatives to the project, or to the location of the project, which (1) offer substantial environmental advantages over the project proposal. . .," and (2) may be "feasibly accomplished in a successful manner' considering the economic,

118-14





environmental, social and technological factors involved." *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal3d at 566.

The alternatives discussed in the Draft EIR fail to meet the standards set by CEQA and confirmed by *Citizens of Goleta Valley*. The Draft EIR does not, by any stretch of the imagination, provide decision-makers or the public with a range of alternatives.

Five alternatives were discussed in the Draft EIR:

- |                |  |
|----------------|--|
| Alternative A: | No Project Alternative                               |
| Alternative B: | Development Area A only – 280 lots                   |
| Alternative C: | Duke Property Alternative Access – 280 lots          |
| Alternative D: | Reduced Density – 87 lots (on 887-acre project site) |
| Alternative E: | Reduced Density – 210 lots                           |

118-14

An analysis of the alternatives quickly reveals that this is not a range of alternatives designed to lessen the impacts of the project, but rather a cluster of high density projects designed to meet the developer's financial goals.

Alternative A is the No Project Alternative required by Section 15126.6(e)(2) of the CEQA Guidelines. While it understandably "would avoid all of the significant environmental impacts associated with the proposed project, it would not satisfy most of the project objectives because no development would occur on the project site." (Canyon Hills Draft EIR, at VI-12) Consequently, it is of no value in ascertaining whether "a range of reasonable alternatives" has been achieved.

Alternative B utilizes only Development Area A, that area located north of Interstate 210. Significantly, it does not even attempt to analyze the impacts that would result if only the original 211 homes from the proposed project remained in Development Area A and the homes from Development Area B were eliminated. Instead, it has the audacity to take the 69 homes from south of Interstate 10 and cram them into the development area north of the freeway! The Draft EIR readily admits that "Alternative B would increase the density of Development Area A by 33 percent. Similar to a typical subdivision, the homes proposed under this alternative would be built closer together and have smaller setbacks." (*Id.* at VI-27) The fact that this alternative increases, rather than reduces, numerous significant impacts associated with the project flies in the face of CEQA Guidelines and *Citizens of Goleta Valley*. Clearly this alternative does not meet CEQA criteria as part of a "range of reasonable alternatives."

118-15



10.

Alternative C brings us yet again to the original 280 home configuration, but provides us with an alternative entrance into Development Area A through an adjacent parcel known as the Duke Property. It justifies this on the basis that it "eliminates most of the access road that would parallel the freeway as part of the proposed project. As a consequence, most of the grading along the north side of the freeway (including several prominent cut slopes) would be eliminated." (*Id.* at VI-29) However, this proposal merely trades one bad entrance to the project for another, as the Draft EIR further states "the revised access through the Duke Property would descend into Development Area A along a topographic ridge identified by the Draft Specific Plan as a 'Prominent Ridgeline'." (*Ibid.*) The Draft EIR then has the temerity to claim that "Alternative C satisfies all of the project objectives. However, the project applicant does not currently own or lease any portion of the Duke Property."! (*Id.* at VI-41) This alternative is not worthy of discussion because of the staggering revelation that the applicant does not own the Duke Property, has no access to it, and has little hope of gaining any. Clearly Alternative C does not meet CEQA criteria as part of a "range of reasonable alternatives."

118-16

Alternative D will be discussed below.

Alternative E is a "reduced density" alternative. However, it is not designed in an effort to reduce significant negative impacts. Instead, it is designed by the press of buttons on a calculator. The theory behind Alternative E is simple: reduce the number of homes by 25% and see what happens. However, as the Draft EIR points out "the lots and building pads for Alternative E would be approximately 25 percent larger than the lots and building pads for the proposed project" and "the grading footprint for Alternative E would be essentially the same as that of the proposed project." (*Id.* at VI-62) The result of analyzing this alternative is all too predictable. Not surprisingly, developing larger homes on larger pads on the same grading footprint "would not reduce any of the significant environmental impacts associated with proposed project to a less-than-significant level." (*Id.* at VI-72). Clearly this alternative does not meet CEQA criteria as part of a "range of reasonable alternatives".

118-17

This brings us to Alternative D, a reduced density alternative with 87 lots. Under this alternative, the entire 887-acre project site would be developed with 87 large single-family lots, or "ranchettes". The Draft EIR states that "This is the maximum number of homes that can currently be developed on the project site under the current General Plan land use designations for the project site and the City's slope density ordinance." (*Id.* at VI-43). Notably, it is the only one of the various alternatives analyzed in the Draft EIR that is compatible with the City's General Plan. This alternative has sufficiently low density so that it can be accomplished without an over-abundance of massive cuts and fills, and it generally respects the natural environment so that its potential adverse environmental impacts are minimized.

118-18





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Nevertheless, the 87-unit alternative is far from ideal and itself has numerous environmental impacts. It would require approximately 2.3 million cubic yards of grading and the removal of approximately 740,000 cubic yards of excess fill. While its impacts on Geology Air Quality, Land Use, Traffic, Public Services, Public Utilities would be less than the proposed project, the Draft EIR asserts that its impacts on Biological Resources, Noise, and Artificial Light and Glare would actually be greater. This should not be surprising, however, because the 87-unit alternative is designed to provide a maximum level of development allowable under the existing zoning and general plan.

118-18

It is unacceptable that the Draft EIR completely ignores analysis of any other project alternative that is consistent with the City's existing zoning and general plan policies and that would have minimal adverse environmental impacts. The 87-unit level should have been treated as the maximum level of development for the project alternatives, rather than the minimum. The choice of alternatives evaluated by the Draft EIR that would comply with existing zoning and general plan policies includes only one option, while four alternatives that would violate current zoning and general plan policy are included. This inappropriately misleads the public and the City's decision-makers and is too narrow to constitute a "reasonable range of alternatives." Moreover, under CEQA, as discussed above, the alternatives are supposed to be designed to substantially reduce or lessen project impacts, while – except for the 87 unit alternative – all of the alternatives evaluated by the Draft EIR have the same or similar devastating environmental impacts.

118-19

As a final insult, Alternative B, the supposed "environmentally superior alternative" actually lessens overall impacts in only three areas: Air Quality, Biological Resources, and Artificial Light and Glare. Understandably, it reduces the impacts in Geology, Noise, and Aesthetics in the southern development area only, since the southern development area does not exist in this alternative. The trade-off here, of course, is that it increases the impacts in Geology, Noise, and Aesthetics in the northern development area. And shockingly, the "environmentally superior alternative" has virtually the same impacts as the proposed project in Hydrology, Land Use, Population and Housing, Public Services, Energy Conservation, Utilities, and Cultural Resources, and a greater impact on Transportation/Traffic!

118-20

One can only conclude that the guiding principal in selecting these alternatives was not CEQA's desire to find a way to reduce significant adverse impacts, but rather the developer's desire to reach a certain financial goal. In fact, the Draft EIR indirectly alludes to this very thing. Alternatives B and C make no effort to reduce the number of homes below the 280 proposed by the project. The former simply moves all the homes north of the Interstate, the latter just finds a new way to get to them. Regarding Alternative E (the 210 lot alternative), the Draft EIR admits that "In order to compensate for the potential loss of revenue resulting from the substantial reduction in the number of

118-21



12.

homes, Alternative E would include somewhat larger homes. . ." and "... the lots and the building pads for Alternative E would be approximately 25 percent larger. . ." (*Id.* at VI-62). In other words, the purpose of this alternative is to maintain the anticipated profits of the developer, not to decrease the impacts on the environment.

118-21

Notably, in undertaking a search for a feasible very low density alternative, the Draft EIR should do a far better job of disclosing pertinent economic information about the proposed project and the various alternatives. See *Citizens of Goleta Valley v. Board of Supervisors of the County of Santa Barbara* (1988) 197 Cal. App3d 1167. Additionally, because the proposed project necessitates a general plan amendment, the project applicant must shoulder a substantial burden of proof to demonstrate that other alternatives that avoid significant adverse environmental impacts are not economically feasible. Particularly in situations like this one, where the site is environmentally sensitive, the determination of the allowable residential density, if any, should be established with reference to the resource's carrying capacity, rather than the developer's financial goals.

118-22

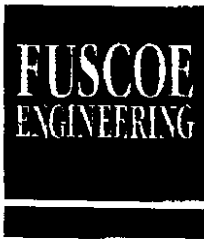
#### IV. CONCLUSION

The deficiencies in the Draft EIR are profound. The document's preparers should be instructed to substantially revise it. A new EIR should be prepared and circulated to the public so that informed review of the proposed project and its environmental impacts, as well as appropriate alternatives and mitigation measures, can take place.

118-23

Very truly yours,

Marc Stirdivant  
Chairman of the Board



December 18, 2003

**Mr. Marc Stirdivant**  
Chairman of the Board  
**Glendale-Crescenta VOICE**  
1401 Shady Glen Road  
Glendale, CA 91208

**RE: Canyon Hills DEIR**  
**Review of Hydrology Section**

Dear Mr. Stirdivant

Fuscoe Engineering is pleased to provide a third party review of the Canyon Hills Draft Environmental Impact Report (DEIR). This review is based on the Scope of Work described by Volunteers Organized in Conserving the Environment (V.O.I.C.E.) and the CD-ROM of the Canyon Hills DEIR.

The DEIR for the Canyon Hills Project was written for the City of Los Angeles and prepared by Christopher A. Joseph & Assoc. on October 2003. The proposed Canyon Hills project site is located on the northern side of the Verdugo Mountains within the San Fernando Valley in the City of Los Angeles. The project site is an 887-acre irregularly shaped property, which is bisected by Foothill Freeway (Interstate 210). The proposed project consists of the development of 280 single-family homes and an equestrian park on 194 acres. The remaining 693 acres are designated as open space. The Hydrology and Water Quality Section of the DEIR was analyzed. In this section, the Hydrologic area was analyzed to determine the impacts from the proposed development. The area that was analyzed is approximately 439 acres. The remaining 448 acres were not analyzed because the runoff from that area would remain the same. The runoff for the entire project site, both existing and developed, drains in a southerly direction to the La Tuna Canyon Wash. The northern portion above the Foothill Freeway drains in a southerly direction and passes under the Foothill freeway through a series of Caltrans culverts. The culverts discharge into La Tuna Canyon Wash. The runoff from the southerly portion of the project joins the runoff from the northerly portion in La Tuna Canyon Wash.

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**This review was based on following documents in the DEIR:**

Section I Summary

Section IV Environmental Impact Analysis

A - Geotechnical Evaluation, section 8.2 and 8.3.2-

C. Hydrology and Water Quality

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Appendix F

Section 1 - Hydrology Study - May 2003

Section 2 - Hydrology Map Undeveloped Conditions

Section 3 - Hydrology Map Developed Conditions

Section 4 - Drainage Concept

Section 5 - North side Area and South side Area Hydrology Calculations

**The following are the review comments for the Hydrology and Water Quality section of the DEIR:**

1. In the DEIR, under the Northern Portion, the report describes an Area A which includes a footnote indicating "other drainage areas are examined in the Hydrology Study; however, only sub-area C, B-5 and D are relevant for the assessment of the project impacts".

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**Clarify if the drainage areas being described in the report are existing or proposed areas in the Hydrology Study. Describe both existing and proposed Hydrology areas and related calculated flows. Show Area A on both Hydrology Maps (existing and proposed) as described in the report.**

2. The Hydrology Map and DEIR indicated that the Hydrology calculations for Area D are completely undeveloped. The Area D watershed does include a portion that is currently developed.

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**The Hydrology calculations should include the acreage which drains to Area D as developed.**

3. The northern portion of the project drains under the Foothill Freeway through a series of existing Caltrans culverts. The DEIR describes three culverts.

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**The DEIR should analyze all culverts that have either a decrease or increase of flow by the proposed project.**

4. Table IV.C-1 shows a column with Area in Acres.

**Clarify if the column is Undeveloped (existing) or Developed (proposed) drainage areas. Both drainage areas should be on the Table.**

118-28

5. The DEIR describes the allowable flow to the existing Caltrans culverts as ninety percent of the undeveloped (existing) and burned flow (50 year frequency).

**The DEIR should address the existing Caltrans design flow for each affected culvert. The Caltrans design flow should be compared to the allowable 50 year flow. The comparison should include supportive calculations that prove the existing culverts can handle the proposed allowable flow. The analysis should also address how the existing design storm frequency for the Caltrans culverts may differ from the proposed 50-year frequency used in the DEIR.**

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6. The DEIR indicated that the additional flow and debris from the proposed project would be detained in seven detention basins and three debris/detention basins. The Drainage Concept Map shows only one debris and design volume given for D/DB #4.

**All proposed Detention and Debris/ Detention basins should have supportive calculations showing the proposed runoff flow volumes, debris volume, and first flush volumes. The basins should be described in more detail with at least preliminary sizes, water surface elevations, debris elevations and the volumes detained in each basin.**

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7. Under the Summary section of the DEIR, Mitigation Measures, C-9 states "Energy dissipators installed at any outlet structure where the velocity is considered erosive"

**Clarify if this applies to the existing Caltrans culverts under the Foothill freeway and if the existing culverts have sufficient erosion control measures.**

118-31

8. Historically, La Tuna Canyon Wash has had some flooding problems downstream. The DEIR does not address this issue. The report has indicated that the proposed project flows will be reduced to ninety percent of the existing/burned flows within the project area.

**The flow capacity of the existing La Tuna Canyon Wash should be analyzed for both existing and proposed conditions. The analysis should show water surface**

118-32



**elevations for both existing and proposed flow in the La Tuna Canyon Wash. The hydrologic analysis should include all contributing drainage areas upstream of the proposed project.**

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9. The water quality of receiving water body ( La Tuna Canyon Wash) will be directly impacted by urban runoff from the proposed development. The dry weather runoff or the first flush from the development will carry manmade and bacteriological pollutants, such as:

- Motor oil and fluids which leak from cars onto streets
- Oil, paint or household cleaners dumped in gutters
- Soap and dirt from car washing
- Dirt, leaves, and lawn clippings
- Litter and grime that collects on parking lots and sidewalks
- Bare soil that erodes and flows into the street
- Weed killers, fertilizers and pesticides
- Animal waste

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The DEIR does not specify any mitigation measures to resolve the water quality issues. It simply stated that the developer would comply with all the regulations.

**The quantities of dry weather runoff and first flush should be estimated. The expected pollutants from different land use zones need to be identified. The proposed mitigation measures should be addressed with a level of detail that would give the regulatory agencies sufficient evidence to justify their use.**

**Conclusion:**

- The hydrologic impact due to the proposed Canyon Hills Development was not clearly assessed in DEIR.
- The existing flooding in the La Tuna Canyon Channel, La Tuna Canyon Road, and the Caltrans culverts under FWY-210 Foothill Freeway were not evaluated.
- The proposed debris basins and detention basins were not sized and identified within the project limits.
- The cumulative impact on flooding and erosion to the downstream properties were not addressed.

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The water quality of dry weather runoff and first flush were not assessed.

As a third-party reviewer, I understand that the level of detail of the DEIR is under the discretion of regulatory agencies. However, the hydrology and water quality sections in the DEIR did not provide sufficient detail for me to justify the mitigation measures.

Please have the City Planner request further information from the developer to assure that the flooding, erosion, and water quality impacts due to the proposed development would be mitigated to a level of insignificance.

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If you need further information or assistance, please feel free to contact me.

Sincerely  
**Fusco Engineering, Inc.**

J.T. Yean, Ph.D., P.E.  
Water Resources Manager

# Kumar Consulting Services



49-A Fano Street  
Arcadia, CA 91006  
Tel / Fax: (626) 574-0925  
e-mail: kmarkcs@pacbell.net

December 10, 2003

Memo To: Marc Stirdivant, Chairman of the Board  
Glendale – Crescenta V.O.I.C.E., 1401 Shady Glen  
P.O. Box 273, Montrose, CA 91021

From: Ram K. Kumar, Ph.D., P.E.  
Principal

Subject: Review of Traffic Impact Analysis for the Canyon Hills Project

The Traffic Impact Study Report prepared by Linscott Law & Greenspan (LLG), and the staff report prepared by City of Los Angeles Department of Transportation (LADOT) conclude that the project will not result in significant traffic impacts after the implementation of improvements identified in association with other projects in the area, and the conditions in LADOT's letter of July 17, 2003.

## I-210 Freeway WB Ramps at La Tuna Canyon Road / Development Area A Driveway

The Intersection of I-210 Freeway WB Ramps and La Tuna Canyon Road is a "T" Junction, and is currently stop-sign controlled. The south approach to the intersection (the WB off-ramp) is striped to accommodate one right-turn and one left-turn lane. The future (with project) intersection will have the primary project driveway from Development A as its north approach. Figures 16 and 17 show 663 and 374 northbound left-turning vehicles at this intersection, respectively, during the A.M. and P.M. Peak hours. The higher volume occurs during the A.M. Peak hour which coincides with the peak time for traffic exiting the project at the north approach.

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The following questions and comments are made with regard to the issue of impact and mitigation at the intersection of I-210 Freeway Westbound Ramps and La Tuna Canyon Road / Development Area A driveway:

1. Typically, a left-turn lane at an intersection can accommodate between 250 and 300 vehicles per hour. With over 660 northbound left-turning vehicles, no physical improvements are recommended to add left-turn lanes, and yet the volume-to-capacity ratio is shown to improve just with the installation of a signal. While CMA provides a good planning method to estimate levels of service at intersections, operational considerations and adjustments must be made to reflect field conditions.

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2. CMA method used to calculate levels of service at intersection would not typically differentiate between "signalized" and "unsignalized" intersections. Therefore, the conclusion drawn in the traffic study that level of service will be improved by installing a signal at the intersection is not

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substantiated. A signal warrant analysis is generally used to determine the need for signals at intersections.

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3. LADOT's letters of July 17, 2003 and August 1, 2003 state that alternative mitigation measures must be proposed if Caltrans does not permit installation of a signal at this intersection. This intersection cannot function safely and the desired level of service without installation of a signal. Therefore, the project must not be allowed to proceed without installing a signal at the subject intersection.

118-39

## La Tuna Canyon Road Traffic Congestion

The traffic report states that two ½ mile segments of La Tuna Canyon Road west of the project site have only one lane in each direction. While the LADOT conditions require the project to dedicate and widen along the entire project frontage to bring it up to Secondary Highway standards, it is not clear if this includes the one-lane segments.

A highway such as La Tuna Canyon Road, located in a mountainous terrain with constrained sight distances would generally be considered to have a capacity of approximately 600 to 800 passenger cars per hour per lane. Figure 16 and 17 illustrate traffic volumes of over 900 passenger cars per hour in one direction. In the one-lane segments, this traffic volume would cause severe congestion. Item D-5 in LADOT's letter requires that two-lanes in each direction, with left-turn channelization be provided along the project frontage on La Tuna Canyon Road. This condition must be strictly enforced.

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## Sight Distances on La Tuna Canyon Road

Item D-3 in LADOT's letter requires that the proposed driveways to / from "Development Area B" be located away from blind curves; that queuing and merging area be provided for ingress and egress; and to reduce conflict and improve safety, only one driveway be provided for Development Area B. The clarification letter of August 1 revises the language from "only one driveway" to "minimal number of driveways" for Development Area B on La Tuna Canyon Road. The original condition of "only one driveway" must apply to minimize impacts on traffic safety and congestion.

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## Emergency Access

The EIR states that Development Area A would have a second access at either Verdugo Crestline Drive or Inspiration Way for emergencies only. This access will be gated and locked and there would be no access to the public at this location. The primary evacuation for residential population in Development Area A will be via La Tuna Canyon Road, and the secondary access will be used for evacuation to relieve congestion at the primary access. If the project is approved, Conditions of Approval must stipulate that the emergency access must be gated and locked at all times, and can be

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unlocked only be law enforcement or fire department personnel in case evacuation is required in an emergency so that the existing residential population in the surrounding areas is not impacted.

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### Alternatives to the Project

The DEIR describes Alternatives A through E to the Project. Alternative B proposes the development of 280 single family dwelling units north of I-210 Freeway. This alternative would have greater impact on the I-210 / La Tuna Canyon / Project Access Road than the proposed project which is divided into two Development Area. Alternative C also proposes 280 units, with an alternative access via the Duke Property. Alternatives D and E propose 87 and 210 units.

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The Traffic Study Report does not include the analysis of impacts due to any of the alternatives. As a part of the EIR, impacts due to alternatives are required to be discussed. Such discussions would provide the City / Lead Agency to make informed decisions about adopting the EIR with specific recommendation regarding the scale and nature of development acceptable.

### Conclusions

1. Physical improvements to the intersection of I-210 Freeway WB Ramps at La Tuna Canyon Road / Development Area A driveway must be incorporated to reduce anticipated traffic congestion. This would include, but not be limited to, a second left-turn lane at the south approach.
2. The approval of the project or any alternative must be contingent upon installation of signal at the I-210 Freeway WB Ramps at La Tuna Canyon Road / Development Area A driveway intersection. Alternative mitigation measures, as suggested in LADOT's letters of July 17, 2003 and August 1, 2003, in the event Caltrans does not permit signal installation, would not adequately handle the traffic volumes at this intersection and must not be considered.
3. Condition D-5 in LADOT's letter of July 17, requiring that two-lanes in each direction, with left-turn channelization along the project frontage on La Tuna Canyon Road, must be strictly adhered to and made a Condition of Approval, if the project or any alternative is approved.
4. Condition D-3 in LADOT's letter of July 17 regarding sight distances and allowing only one driveway on La Tuna Canyon Road must be adhered to. The revision in LADOT's letter of August 1, 2003, allowing "minimal number of driveway" must be deleted.
5. The second emergency access proposed on either Verdugo Crestline Drive or Inspiration Way must be gated and locked, and no public access must be permitted at this location, except as a secondary evacuation access to be unlocked by emergency personnel only.

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6. There is no discussion in the Traffic Study regarding Alternatives A through E described in the DEIR Document. Such discussion will be important in complete disclosure that will enable the City / Lead Agency to make informed decisions about acceptable land use scenarios.

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